

ZV 2022-489

August 16, 2022

Myers Commercial Real Estate info@myerscre.com

RE: Certificate of Zoning Parcel ID No.

22 South Second Street 002059 00013 18 South Second Street 002059 00014

Dear Applicant,

This letter is in response to your request for zoning information regarding the above referenced property. To wit:

• The current zoning classification for the subject property is:

Sports and Entertainment (SE) District as part of the South Central Business Improvement Special Purpose District.

• Is the subject property located within an Overlay District?

No, it is not within an Overlay District.

Information regarding variances, special permits/exceptions, ordinances or conditions.

There do not appear to be any special zoning dispensations that apply to the subject property.

• The current / proposed use of the subject property as "Multi-family Apartments" is a:

Use permitted by right in accordance with Article 7.2.1 of the Joint Memphis and Shelby County Unified Development Code (UDC).

Link to the Unified Development Code:

https://www.develop901.com/landuse-developmentservices/zoningSubdivisionAdministration

What are the adjacent zoning districts?

North: SE East: SE South: SE West: CBD

• Is the site in conformance with the Unified Development Code or if constructed prior to 2011, in compliance with a previous zoning code or approved Planned Development?

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The structure was developed in 1965 and is:

Legal conforming in accordance with the current zoning code (2011 as amended) bulk requirements of Section 3.10.2.B – Undesignated Frontage Standards.

10.8 EXCEPTION TO MAXIMUM SETBACKS AND REQUIRED BUILDING FRONTAGES

The maximum setback and building frontage requirements that apply to townhouses and multifamily buildings, as established in Section 3.7.2 and to permitted nonresidential uses, as established in Section 3.7.3, shall not apply to buildings in existence prior to January 1, 2011. As such, this Article shall not apply to said buildings. In addition, the standards of Chapters 7.2, 7.3, 8.2, 8.3 and 8.4 addressing building placement and elements do not apply to building additions and new buildings on nonconforming sites unless the provisions of Chapter 3.11 are met.

Was the property subject to site plan approval?

The subject property was not subject to a site plan approval process.

• In the event of casualty, in whole or in part, the structure(s) located on the subject property:

May be rebuilt in its present form (i.e. no loss of square footage, same footprint, with drive through(s), if applicable.

Are there any outstanding Building Code violations?

There do NOT appear to be any outstanding / open Building Code violations that apply to the subject property.

• Are there any Unified Development Code (UDC) violations?

There do NOT appear to be any outstanding/open UDC (subdivision or zoning) violations that apply to the subject property.

• Was a Certificate of Occupancy issued?

A new Certificate of Occupancy will only be required for new construction (square footage expansion) or for a change in use.

Are any further approvals or licenses required?

The current use of the property by its present owners is a permitted use under the Unified Development Code without the necessity of any rezoning, special exceptions, use permit, variance or other approval. Building permits to rehabilitate existing residential units in an apartment complex would be issued subject to the payment of required fees. We are not aware of any other permit or license required by this jurisdiction that a purchaser must obtain before it may acquire the property or before the property may continue to be used in the manner in which it is presently being used.

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Are there any Activity Use Limitations (AUL's) associated with the property? AUL's are typically
in place at sites which would prevent future uses of a property.

We are not aware of any government (local, state or federal) imposed AUL's which identifies site conditions that are the basis for maintaining a condition of 'No Significant Risk' at a property where contamination remains after a cleanup.

Are there any road projects that will impact the property?

There are no current or planned condemnation proceedings or road projects that will require additional right of way from the above-mentioned property.

The above information contained herein was researched on August 16, 2022. It is believed to be accurate and is based upon, or relates to, the information supplied by the requestor. No guarantees as to the accuracy of the data and information provided above are expressed or implied. This office is not responsible for any loss of profit, indirect, incidental, special, or consequential damages arising out of the use of the information provided above and assumes no liability for error and/or omission associated with this determination. All of the information contained herein was obtained from public records, which may be inspected during regular business hours.

Further information pertaining to the Unified Development Code may be obtained using the following internet web address: Zoning and Subdivision or by contacting staff in the Land Use and Development Services Section of the Memphis and Shelby County Division of Planning and Development at (901) 636-6619.

If you have questions regarding this matter, please feel free contact me at (901) 636-6619 or via email at seth.thomas@memphistn.gov.

Respectfully,

Seth Thomas Municipal Planner

Land Use & Development Services

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Zoning Atlas



