

## REPORT TO THE BOARD OF ZONING APPEALS

**DATE:** January 15, 2026

**SUBJECT:** Case #253384 – 560 Bray Station Road - Request Approval of a Variance to allow a single-family dwelling to encroach into the required side yard setbacks.

### INTRODUCTION:

- Custom Residential Design (Jeff Bramlett), on behalf of property owners Brandon and Amy Smith, is requesting a Variance to allow a single-family dwelling to encroach into the required side yard setback (see Exhibits 3 & 4).
- The 4.99-acre subject property is located on the east side of Bray Station Road zoned FAR: Forest-Agricultural, Residential (see Exhibit 1), and surrounded by properties zoned FAR.

### BACKGROUND:

- The property owners purchased the vacant lot in 2023. The lot has remained undeveloped until now and there is no evidence indicating a dwelling was ever constructed on said property.
- The Bray Station Road area currently has public water service available, but not public sewer services. The Town does not have within its five-year budget installing sewer lines in this area.

### KEY POINTS:

1. **The FAR Zoning District is designed for very low-density residential development with a rural character characterized by deep setbacks.**
  - The FAR district requires a minimum lot size of 5 acres, and a minimum lot width of 350 feet.
  - The FAR district requires the following minimum setbacks:
    - Front Yard: 100 feet
    - Side Yard: 150 feet total (neither side less than 75 feet)
    - Rear Yard: 75 feet
2. **The zoning for the property, as well as the area, has changed significantly over time.**
  - This property was annexed sometime between 1952-1974, but the exact effective date is unclear.
  - A 1982 Collierville Zoning Map shows the subject property and other parcels on the east side of Bray Station Road as zoned R-1: Low Density Residential, with the parcels on the west side of Bray Station Road zoned R-L: Large Lot/Estate Residential. The 1982 map appears to show the parcel lines for the subject property.
  - In 1988, the subject property and the other properties on the east side of Bray Station Road were rezoned from R-1 to R-L (Ordinance 88-34).
  - In 2000, the subject property and much of the surrounding area along Bray Station Road was rezoned from R-L to FAR (ORD 2000-06) to maximize the required lot sizes along the corridor to protect the rural feel (see Exhibits 5 & 6).
    - As a result of the rezonings in 1988 and 2000, many of the lots along Bray Station Road are legal non-conforming. Many of the lots meet the 5 acres minimum lot acreage, but many do not meet the width requirement of FAR.
    - Property owners along Bray Station Road declined Town proposed sewer infrastructure

improvements to preserve the existing character of the area; the properties are currently served by septic systems.

- Despite the nonconforming lot widths, several of the dwellings along Bray Station Road meet the minimum side yard setbacks for FAR District.

**3. The requested Variance would allow for a new primary structure, a single-family dwelling, to encroach fifteen (15) feet on each side totaling thirty feet (30) into the required side yard setback on the north and south sides. (see Exhibits 4).**

- Currently the subject lot has a width of 292.94 feet, leaving the applicant with a buildable envelope of about 140 feet wide per the FAR zoning district standards. The proposed house has a width of approximately 170 feet.
- The proposed dwelling is about 9,000 square feet in size (gross floor area), encroaching into the required setbacks 15 feet on each side (totaling 30 feet), and ultimately reducing the setbacks from 75 feet (150 feet total) to 61 feet (122 feet total).
- The requested variance is comparable to building envelopes allowed for FAR lots.
  - The maximum buildable width for a 350-foot-wide FAR lot is 200 feet (57.1% of the width of the lot).
  - If the variance was approved, it would have a maximum buildable width of 170.94 feet (58.4% of the width of the lot) based on the substandard lot width of 292.94 feet.

**4. The applicant states the proposed septic system limits the placement options for a new dwelling. (see Exhibits 7).**

- A septic tank system is needed for this house since public sewer is not available.
- Prior to the issuance of a building permit, the Building Department must receive documentation from the Shelby County Health Department demonstrating the septic system has been approved.
  - The Health Department indicated on January 7, 2026, to the Building Department they cannot find any existing, pending, or approved wells or septic systems for this property.
  - They note there have not been any buildings or structures on this property since at least 1978.
- The applicant provided Exhibit 7 to show the proposed location of the septic system on the lot. Information demonstrating the soil types or opinions from a soil scientist or engineer stating two fields are needed for this lot and the proposed locations of the fields being the most suitable soils on the lot has not been provided.

**5. The applicant also states there are large, mature trees located along the rear and sides of the subject property to preserve (see Exhibit 8).**

- The existing mature trees provide establish privacy screening for the subject property and adjacent properties and contribute to the existing rural charter of the area.
- Replacement trees would require a significant amount of time to reach a comparable size and level of screening.
- The applicant is proposing the removal of a substantial number of dead trees.
- Additional tree removal could further impact existing on-site drainage and water retention conditions.

**6. The lot's topography includes an approximate 10-foot change in elevation from the center of the property toward the front, which influences the placement of the home on the lot and drainage considerations (see Exhibits 8).**

**7. There are alternatives to the proposed placement of the structure to avoid the need for a variance.**

- Rezoning the property to the R-L is an alternative; however, approval is unlikely when requested for a single lot. A similar request along Bray Station Road was not recommended.
- The applicant could request an amendment to the Zoning Ordinance to reduce the minimum side setback for FAR to match R-L.
- Reducing the size of the primary dwelling could lessen the required septic field area(s) and potentially allow the structure to fit within the required setbacks.
- Reconfiguring the house design, such as detaching the garage and relocating it behind the primary structure, could reduce the overall width of the house and allow it to fit within the buildable envelope.
- Rotating the house orientation by 90 degrees was considered; however, the applicant expressed concern this option would impact the approved septic field layout and would likely require additional tree removal, including mature trees the applicant is seeking to preserve.

**STAFF RECOMMENDATION:** Staff recommends approval because the Standards for Variances (Exhibits 3 & 9) have been satisfactorily addressed, and the conditions of approval (Exhibit 2) will limit potential adverse impacts. This recommendation is based upon applicant's assertion requiring two septic fields to place a dwelling on this lot and the location shown in Exhibit 7 is only possible locations for the septic systems. Documentation has not been provided from the Health Department to support this assertion.

**ATTACHMENTS:**

- [Exhibit 1 - Vicinity Map & Contact Information 1.7.26.pdf](#)
- [Exhibit 2 - Conditions of Approval 1.7.26.pdf](#)
- [Exhibit 3 - Cover Letter 12.18.25.pdf](#)
- [Exhibit 4 - Site Layout and Renderings 12.16.26.pdf](#)
- [Exhibit 5 - BMA Meeting Minutes 3.27.00 .pdf](#)
- [Exhibit 6 - ORD 2000-06 4.24.00.pdf](#)
- [Exhibit 7 - Septic Feild Locations 1.7.26.pdf](#)
- [Exhibit 8 - Topography Map and Tree Map 1.7.26.pdf](#)
- [Exhibit 9 - Standards for Variances 1.7.26.pdf](#)
- [Exhibit 10 - Letters from neighbors 1.7.26.pdf](#)

**PROPOSED MOTION:**

Approve a Variance to allow a single-family dwelling to encroach into the required side yard setbacks, subject to the conditions of approval in Exhibit 2.