

REPORT TO THE BOARD OF MAYOR & ALDERMEN

DATE: November 24, 2025

FROM: Jaime W. Groce, Town Planner

SUBJECT: Conditional Use Permit (CUP) - for a Duplex on 0.99 Acres Located at 544 Harris Street, Case #252698

INTRODUCTION:

Applicant Benjamin Bommarito, on behalf of NSB Inc. and current property owner Charlotte Tate, requests Conditional Use Permit CUP to allow for a duplex on property located north of Harris Street (see Exhibit 1). The CUP would allow for two (2) attached dwelling units on the same lot. The subject property is 0.33 acres (14,374 sq ft) in size, zoned R-3: Medium Density Residential, and is also surrounded by other R-3 zoned properties.

BACKGROUND:

The existing single-family dwelling on Lot 2 of the Burkman Subdivision was built in 1955. The existing structure was damaged recently by fire and is currently unoccupied. The applicant intends to demolish the existing structure and build a new one. The property is neither within the Local Historic District nor the limits of the Downtown Collierville Small Area Plan. While the surrounding neighborhood may have historical significance, this specific structure was studied in 2021 by a consultant hired by the Town and was determined to be not eligible for the National Register District.

Duplex dwellings are permitted within the R-3 District through the CUP process, which is designed to make sure such a use is a good fit for the area and does not create adverse off-site impacts. CUPs are approved by the Board of Mayor and Aldermen (BMA) after a recommendation from the PC. The PC did not recommend approval of this CUP on November 6, 2025, finding the request inconsistent with the policies of the Land Use Plan.

DISCUSSION:

1. The applicant provided a nonbinding conceptual lot layout and front facade of the duplex as seen from Harris Street (see Exhibit 4).

- This zoning district also requires 30-foot front and rear yard setbacks, and 10-foot side yard setbacks for duplexes with a minimum lot size of 12,000 square feet and a lot width of 90 feet. The existing lot complies with the R-3 “bulk requirements” for a duplex
- The one-story duplex would resemble the mass and scale of the single-family detached dwelling with regard to materials, colors, and details.
- Each unit will have a separate driveway, providing independent access and parking. No garages or carports are proposed.
- As there are no public sidewalks along the north side of Harris Street, a private walkway will connect the entrance to the driveway for each unit.
- Duplexes require a Final Site Plan application, but it could be reviewed administratively by Staff if consistent with the Design Guidelines.
 - Staff will review building setbacks, drainage, landscaping, buffering, architecture, utilities, and driveways during the site plan and building permit processes.

- The applicant provided a summary of how the development complies with the Collierville Design Guidelines (see Exhibit 5).
- Additional Staff comments should be expected by the applicant during the site plan review process. Changes to the plans will be needed before a building permit could be issued.

2. There are several existing or planned duplex dwellings in the surrounding area, but some may predate existing zoning standards and lawful nonconforming uses/structures.

- Currently, there are approximately eight (8) known duplexes within proximity on W. South Street, S. Rowlett Street, Mills Street, and College Street (see Exhibit 6).
- A nearby triplex on West Street, which is not permitted in the R-3 District, was unlawfully converted from a former corner grocery store. Town Staff are currently exploring the history of this conversion.

3. A duplex is not consistent with the policy recommendations of the Collierville 2040 Land Use Plan for this area (see Exhibit 7).

- The 2040 Plan designates the subject property as the Suburban Neighborhood Place Type.
 - The primary land use for this Place Type is limited to single-family detached residential. Surrounding uses on this block are single-family detached.
 - Secondary uses anticipated in this Place Type include civic and institutional uses, open space, parks, greenbelts, and other public spaces.
- The 2040 plan recommends the maximum gross residential density for this location to be from 1.0 to 3.6 dwelling units per acre (DUA) (see Exhibit 7). If the CUP is approved, the gross density of the lot would be 6.06 DUA.

4. There is adequate water and sewer capacity for a duplex (i.e. two dwellings) on this property per Public Utilities.

STAFF RECOMMENDATION:

Staff cannot recommend approval of the CUP as it is not consistent with the policies of the Collierville 2040 Land Use plan, including exceeding the maximum gross residential dwelling density per acre. However, the existence of similar duplexes in proximity, predating the current zoning regulations could be considered when making a decision to allow a duplex at this location. Staff has analyzed the 6-Prong CUP Test (see Exhibit 10) to determine if there are adverse impacts and has added conditions (see Exhibit 2) to minimize any negative impacts to surrounding properties if the BMA decides to approve the CUP.

An alternative to this request could be for the applicant to engage in Comprehensive Plan process and work with the neighbors to address issues such as affordability, infill, redevelopment, and neighborhood stabilization for Harris Street. The applicant could reapply if land use policies change.

ATTACHMENTS:

[Exhibit 1 - Vicinity Map.pdf](#)
[Exhibit 2 - Conditions of Approval.pdf](#)
[Exhibit 3 - Cover letter 10.10.25.pdf](#)
[Exhibit 4 - Proposed Floor Plan & Exterior Elevation.pdf](#)
[Exhibit 5 - Design Guidelines Compliance Sheet.pdf](#)
[Exhibit 6 - Existing Duplex Housing Map.pdf](#)
[Exhibit 7 - Excerpts from Collierville 2040 Plan.pdf](#)
[Exhibit 8 - Existing Condition.pdf](#)
[Exhibit 9 - Maximum Gross Density Map 10.29.25.pdf](#)

[Exhibit 10 - Staff Response to CUP Criteria.pdf](#)

[Exhibit 11 - Public Comments 11-6-25.pdf](#)

PROPOSED MOTION:

To approve a Conditional Use Permit (CUP) for a duplex on 0.33 acres located at 544 Harris Street, subject to conditions in Exhibit 2.

Board Action: Motion By _____ Seconded By _____

Vote Total	Hall	Jordan	Robbins	Marshall	Stamps	Fraser
Yes						
No						
Abstain						