

MORRISTOWN BOARD OF ZONING APPEALS

AGENDA

July 14, 2015

Call to Order

Invocation/Pledge of Allegiance

I. Approval of the *June 9, 2015* minutes.

II. **Old Business:**

III. **New Business:**

A. Use-on-Reviews:

B. Variances:

C. Interpretations:

Interpretation of Uses for 4945 W. Andrew Johnson Highway

D. Appeals:

Adjournment

The next meeting of the Morristown Board of Zoning Appeals is scheduled for August 11, 2015 at 4:00 PM.
The deadline to submit applications for this meeting is July 20, 2015.

Minutes
Morristown Board of Zoning Appeals
June 9, 2015

Members Present

Chairman Terry Ball
Mayor Gary Chesney
Vice-Chairman Doug Beier
Board Member Bill Thompson
Board Member Jim Beelaert
Board Member Jack Kennerly

Members Absent

Secretary Bob Garrett

Others Present

Alan Hartman, Development Director
Lori Matthews, Senior Planner
Logan Engle, Planner
Eual Noah, Fire Marshal
Kat Morilak, Development Services
Ralph "Buddy" Fielder, Asst. City Admr.

Angel Winstead
Terry Winstead

Chairman Beier called the meeting to order.

- I. Approval of the April 14, 2015 minutes. Motioned by Board Member Thompson and seconded by Vice-Chair Beier. Unanimous approval.

- II. UORV 1586-2015 – Home Occupation Permit for 4865 Barton Springs Drive

Logan stated that this is a Use on Review Request submitted by Angel Winstead for a Home Occupation Permit in anticipation of purchasing a property located at 4865 Barton Springs Drive. The site is located south of East Morris Blvd. in the Fuller Estates Subdivision. In order to obtain a Home Occupation Permit, the applicant must submit a Use on Review request to the Board of Zoning Appeals for approval. The applicant is seeking the permit to operate a single chair hair salon, Angel's Hair Shop, within the home. The applicant is planning to purchase this home contingent upon the decision made by the Board of Zoning Appeals. The applicants are here today, and they do have some type of letter from the current property owner stating that they are in support of this request. The property and all surrounding properties are zoned R-1 Single Family Residential, and are all used for residential use. To the north you will see it is a heavy industrial area. City staff has received no complaints from adjacent property owners although we have had several calls after seeing the sign posted and adjacent property letters sent. Once the request was explained to them, there were no concerns. All comments were positive. As such, staff viewed the applicant's use of the residential property in accordance with the Home Occupation Permit Regulations and recommends approval of this request. Chairman Ball asked about the heavy industrial zone across the street, which may have been used as a salvage yard. Any questions? A motion has been asked for, motion made by Vice-Chair Beier and seconded by Board Member Beelaert.

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Vote was taken- unanimous approval. Someone from the audience asked about the location of the business. Address was given.

There being no other business, the meeting was adjourned.

Respectfully submitted,

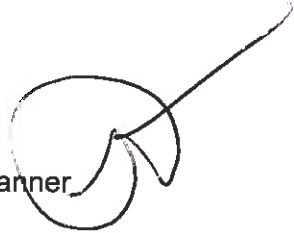
Bob Garrett
Secretary

RG/dk

DRAFT



TO: Board of Zoning Appeals
FROM: Lori Matthews, Senior Planner
DATE: July 14, 2015
SUBJECT: Interpretation of Uses



Pursuant to Section 14-225 (Interpretation of Permitted Uses) of the Zoning Ordinance, questions for specific uses being accepted in any zone shall be decided by the Board of Zoning Appeals based on the narrative description of the zoning district found at the beginning of the regulations governing each zone.

Intermediate Business districts were intended to provide for more intensive commercial activities within areas specifically designed to accommodate these activities.

A request has been made by Ms. Amanda Stiles on behalf of the property owner Mr. William Andrews to allow the use of a tattoo parlor within an Intermediate Commercially zoned property located at 4945 W. Andrew Johnson Highway, just east of its intersection with Old 11E Highway. The property, 1.1 acre in size had previously been used for a car sales business but has been vacant for several months. Adjoining it to the west is also a vacant car sales lot. Jay Street located behind the site marks the beginning of residentially zoned property (Alpha Heights).

RECOMMENDATION:

Staff does not feel this use to be out of line with uses permitted within an IB district but due to the parcel size and location, it is perhaps not the best and highest use of the land. Therefore, Staff would recommend the use be granted with a stipulation being any future expansion of this use on this parcel would be brought back before the Board of Zoning Appeals for review.



