

MORRISTOWN BOARD OF ZONING APPEALS
Agenda
October 9, 2018



Call to Order

I. Approval of August 14th, 2018 Minutes

II. Old Business: none

III. New Business:

VARI-2232-2018: Setback Variance for a detached accessory structure at
204 McGee Ave

Adjournment

*The next meeting of the Morristown Board of Zoning Appeals is scheduled for November 13, 2018 at 4:00 pm.
The deadline to submit applications for this meeting is October 15, 2018.*

Morristown Board of Zoning Appeals
September 11, 2018

Members Present

Chairman Jack Kennerly
Vice-Chairman Bill Thompson
Board Member Mayor Gary Chesney
Board Member Wanda Neal
Board Member Frank McGuffin
Board Member Ventrus Norfolk

Others Present

Steve Neilson, Community Development Director
Lori Matthews, Senior Planner
Josh Cole, Planner
Greg Ellison, Chief Building Inspector
Tina Allison
Debra Stamey
Justin Cameron
Dustin Cameron
Gary Johnson

Members Absent

Secretary Robert (Bob) Garrett

The Board called for annual election of Officers. All of the offices of the Morristown Board of Zoning Appeals and are vacated. Board Member Bill Thompson nominated Jack Kennerly as Chairman of the Morristown Board of Zoning Appeals. Mayor Gary Chesney moved this nomination cease and Jack Kennerly be accepted by acclamation. Board voted all Ayes. Board Member Wanda Neal nominated Bill Thompson as Vice-Chairman. Mayor Gary Chesney moved this nomination cease and Bill Thompson be accepted by acclamation. Board voted all Ayes. Board Member Wanda Neal nominated Bob Garrett as Secretary. Mayor Gary Chesney moved this nomination cease and Bob Garrett be accepted by acclamation. Board voted all Ayes.

Newly elected Chairman Jack Kennerly called the meeting to order and asked if there was a motion to approve the minutes from the August 14th, 2018, meeting. Board Member Frank McGuffin made a motion to approve the minutes as submitted; this was seconded by Board Member Ventrus Norfolk.

Upon voice votes, all Ayes. Motion carries.

I. UORV-2224-2018: Automobile Sales @ 1028 W. Main Street

Senior Planner Lori Matthews discussed a request from Mr. Justin Cameron to operate an automobile sales center at 1028 West Main Street located just west of North High Street. The property is approximately ¼ acre in size and contains one 1,200 square foot building which has been vacant for a number of years.

Most properties to the north between the subject parcel and West First North Street are zoned Office Medical Professional and have been converted into small office and retail businesses. Properties to the west and south, which are zoned Light Industrial, contain a patchwork of uses to include a car dealership (Ford), a hair salon, tanning salon, and a veterinary office. Adjoining immediately east are a residence, a vacant lot and a florist at the corner of North High Street and Main. All these properties are zoned Intermediate Business.

Recent amendments to the Intermediate Business District include submittal of a site plan which will meet all applicable City requirements such as Zoning, Building and Fire Safety. Mr. Cameron has stated he intends to have no more than 15 vehicles on this lot at one time. He stated this is a secondary business for him and most of his customer base is from the internet as opposed to customers simply walking onto the lot. Pursuant to Tennessee State Motor Vehicle laws, all automobile dealers must provide a minimum of 15 spaces for vehicular storage and a minimum of 3 spaces to be dedicated for customer parking.

The submitted site plan meets all applicable regulations. Staff recommends approval of this use and site plan.

Board Member Frank McGuffin made a motion to allow the requested use on review. Vice-Chairman Bill Thompson seconded the motion.

Completion of voting was delayed as Mr. Gary Johnson discussed his parents owning the house next to 1028 West Main Street since the early 1970s. The lots are side by side with a driveway beside Mr. Johnson's house. His concern is cars blocking his driveway and additional traffic to the proposed automobile lot. Mr. Johnson and his siblings inherited the property and his sister currently resides there. Vice-Chairman Bill Thompson suggested a buffer yard as something to ease any kind of problem. Chairman Jack Kennerly is concerned a buffer might block access to Mr. Johnson's property. Mr. Cameron stated he does not intend to encroach on Mr. Johnson's driveway and will have security cameras on his property.

Senior Planner Lori Matthews addressed Mr. Johnson to show him the proposed site plan. The site plan shows Mr. Cameron will not park cars against Mr. Johnson's property line. Ms. Matthews reiterated that there will be very little traffic to this proposed automobile sales lot.

After much discussion about fences, buffers and zoning, voting was completed.

Voting results: 6 yes, 0 no. Motion Passes.

There being no further business to conduct, the meeting was adjourned.

Respectfully submitted,

Bob Garrett, Secretary

BG/ta

City of Morristown

Incorporated 1855

DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Board of Zoning Appeals
FROM: Lori Matthews, Senior Planner
DATE: October 9th 2018
REQUEST: Variance for Residential Accessory Structure

BACKGROUND:

A variance request has been made by Mr. Charlie Duty Jr. on behalf of his father for his residence at 204 McGee Avenue located just east of John Hay Elementary School in the McGhee Addition subdivision. Mr. Duty is seeking relief from Section 14-212 of the City's Zoning Ordinance, Location of detached accessory buildings on residential lots.

Highlighted on the graphic on the next page is 204 McGee Avenue which is a corner lot adjacent to a 20 foot alley to the north and Maple Avenue to the south. This property and all surrounding properties are zoned R-1 which require 25 foot front and rear building setbacks. Construction of this residence to front McGee Avenue as opposed to Maple Avenue greatly reduced both front and rear yards. Current Zoning Regulations require accessory structures be located no closer than 60 feet to the front property line and no closer than 10 feet to the rear property line. The rear of the property is 70 feet which would make compliance with both regulations impossible. The applicant is requesting a 20 foot variance to the required 60 foot front yard and a 5 foot variance to the required 10 foot rear yard to accommodate a 25 x 30 foot (750 square feet) building. Therefore, if approved, the structure would be 40 feet from the front property line (McGee Avenue) and 5 feet from the rear (eastern) property line.

RECOMMENDATION:

Staff would recommend approval of both variances (Section 14-212.1 No detached accessory structure shall be within sixty feet of the front property line; Section 14-212.4 No detached accessory building shall be located nearer than ten feet to any rear lot line) due to the narrowness of the property due to the original orientation of the principle structure.

