

**MORRISTOWN BOARD OF ZONING APPEALS
AGENDA**

October 13, 2015

Call to Order

I. Approval of the September 8, 2015 minutes.

II. **Old Business:**

III. **New Business:**

A. Use-on-Reviews:

UORV 1624-2015: Morristown Hamblen Humane Society is requesting use on review approval for proposed new facility along S. Sugar Hollow Road.

B. Variances:

C. Interpretations:

Clarification of accessory structures within commercially zoned districts.

D. Appeals:

Adjournment

Morristown Board of Zoning Appeals
Minutes
September 8, 2015

Members Present

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

Members Absent

Chairman Terry Ball
Secretary Bob Garrett

Others Present

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

Todd Kimling
Jerry Blaylock

Mr. Hartman explained we will begin this as the annual meeting, the same as the planning commission meeting, I will ask for nominations for Chairman to the Board of Zoning Appeals. Board Member Thompson asked can we group this all as one and retain the officers as they are now, is there a possibility to do that. Mr. Hartman explained there is nothing to prevent that in the By Laws. Board Member Thompson nominated Terry Ball as Chairman, Doug Beier as Vice-Chairman and Bob Garrett as Secretary to the Board of Zoning Appeals; seconded by Board Member Beelaert. Upon voice vote all ayes.

Mr. Hartman explained we had one item which was a use on review that was requested to be withdrawn from the agenda, as early as this morning. The property was sold to another owner and will not be considered for a future laser tag.

I. Approval of the July 14, 2015 minutes.

Board Member Thompson made a motion that the July 14, 2015 minutes be approved; seconded by Mayor Chesney. Upon voice vote: all ayes.

There being no other business, the meeting was adjourned.

Respectfully submitted,

Bob Garrett
Secretary

RG/sk



Department of Community Development
100 West 1st North Street
Morristown, TN 37814
(423)585-4620

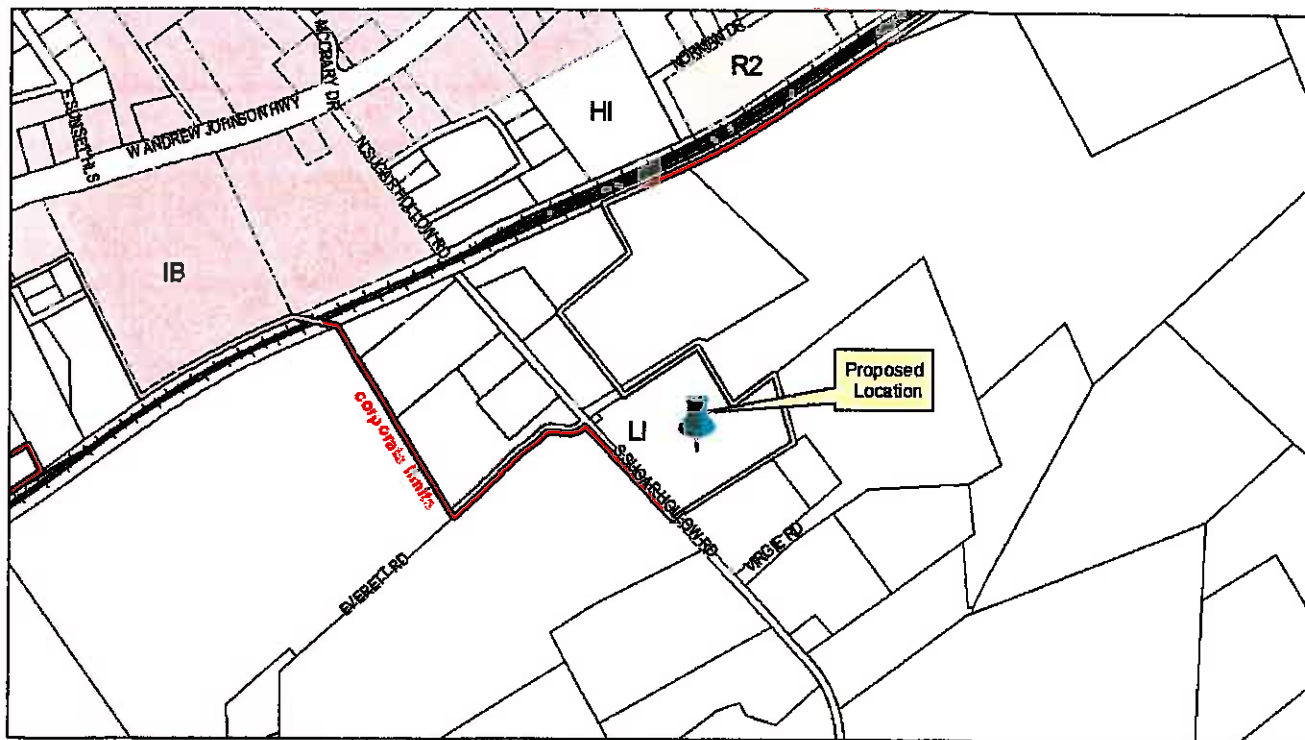
TO: Morristown Board of Zoning Appeals
FROM: Lori Matthews, Senior Planner
DATE: October 13th, 2015
SUBJECT: Use of Review Request

The Community Development Department has received a request from the Morristown Hamblen Humane Society to construct an animal shelter at 169 S Sugar Hollow Road. The property is 5.8 acres in size and zoned Light Industrial. Uses currently permitted within this zone in addition to light manufacturing include animal hospitals and dog grooming/kennel operations being among those which require BZA use approval. This parcel of land was donated to the Morristown Hamblen Humane Society for possible new shelter operations in 2002.

Pursuant to Section 14-226, specific uses may be brought before the Board of Zoning Appeals for consideration and approval as long as adequate conditions exist for said use and the use and intent is compatible with the surrounding properties and the remainder of City Code.

The subject property fronts S Sugar Hollow Road just past the Norfolk Southern railroad tracks and private right of way (to Stewart Lumber Company) and north of Virgie Road. All properties south of the railroad within the City limits are zoned industrial. Adjoining properties, all within the Urban Growth Boundary, include a small church to the south with primarily woody/heavily vegetated properties to the west and behind as can be seen in the aerial photo below. USGS maps depict depressed areas on the property which might hamper any large scale industrial development.

Due to the topographic restraints on the land and minimal impacts to adjoining neighbors, City Staff would recommend this use on review be granted by the Board of Zoning Appeals.







Department of Community Development
West 1st North Street
Morristown, TN 37814
(423)585-4620

TO: Morristown Board of Zoning Appeals
FROM: Logan Engle, Planner
DATE: October 13, 2015
SUBJECT: Zoning Interpretation for Commercial Accessory Structures

BACKGROUND:

Over the past several months, the Building Inspections Department has received several building permit applications from commercial entities seeking permits to construct accessory structures, including storage buildings, carports, and storage pods.

The Morristown Zoning Ordinance is clear as to how staff should handle both attached and detached *residential* accessory structures (See Chapter 2, Section 14-212 & 14-213), but it provides no information as to how *commercial* accessory structures should be permitted.

Seeing no clear path for handling these requests for commercial accessory structures, staff is seeking a zoning interpretation from the Morristown Board of Zoning Appeals in order to establish the method by which the permitting of these commercial accessory structures will occur.

Currently Section 14-212 indicates that the location of detached accessory structures on residential lots conforms to the following:

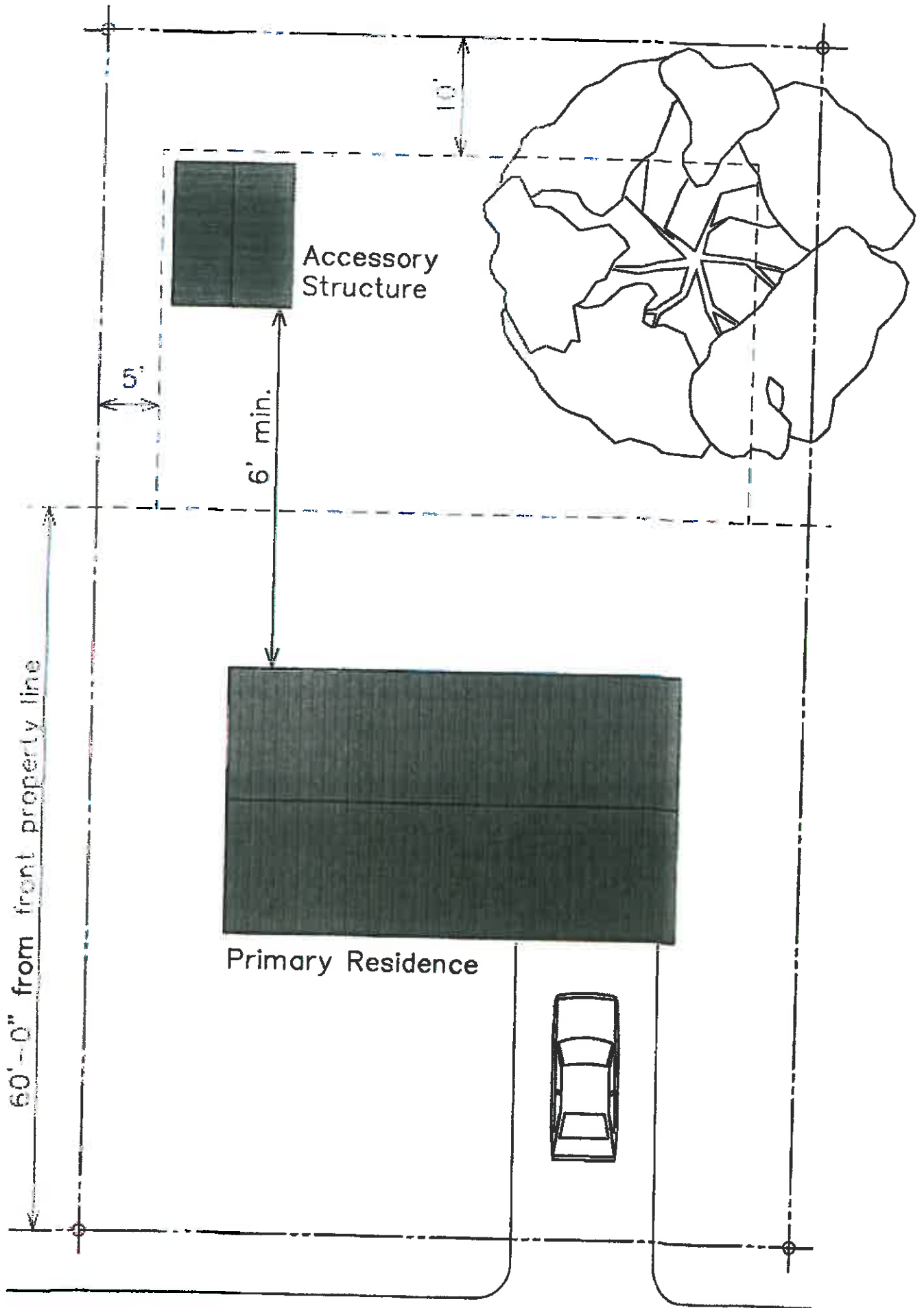
1. No detached accessory building shall be within sixty (60) feet of the front property line.
2. No detached accessory building shall be more than two (2) stories in height or exceed the height of the principal structure.
3. No detached accessory building shall be located nearer than five (5) feet to any side lot line.
4. No detached accessory building shall be located nearer than ten (10) feet to any rear lot line.
5. No detached accessory building shall be located nearer than six (6) feet to the principal building.
6. No detached accessory building shall be located within platted or recorded easements or over underground utilities.

An example of these guidelines is shown on the following attachment.

Another possibility for regulating these commercial accessory structures is to govern their setbacks based upon the setback requirements for principal structures in each zone.

RECOMMENDATION:

Staff proposes that the Morristown Board of Zoning Appeals provide an interpretation of how staff should handle setback requirements for commercial accessory buildings.



60'-0" from front property line

5'

6' min.

10'

Accessory Structure

Primary Residence

