

**MORRISTOWN BOARD OF ZONING APPEALS
AGENDA
December 12, 2017**



Call to Order

- I. Approval of November 14th, 2017 minutes
- II. Old Business: none
- III. New Business:
 - A. Approval of the 2018 Meeting and Deadline Schedule (attached)
 - B. Use-on-Review:
 - UORV-2139-2017: New Church @ 4910 West A.J. Highway
 - UORV-2140-2017: Auto Sales @ 828 East Morris Boulevard

Adjournment

The next meeting of the Morristown Board of Zoning Appeals is scheduled for January 9, 2018 at 4:00 PM. The deadline to submit applications for this meeting is December 19, 2017.

Morristown Board of Zoning Appeals

Minutes

November 14, 2017

Members Present

Chairman Bill Thompson

Vice Chairman Jack Kennerly

Board Member Jim Beelaert

Board Member Wanda Neal

Secretary Bob Garrett

Mayor Gary Chesney

Others Present

Lori Matthews, Senior Planner

Josh Cole, Planner

Steve Neilson, Planning Director

Greg Ellison, Chief Building Official

David Hayes

Christina Hayes

Michael Price

Alice Westmoreland

Francine Trendler

Chairman Bill Thompson called the meeting to order and invited anyone who wished to join the Commission in an Invocation and the Pledge to do so.

I. Chairman Bill Thompson called for the approval of the October 10th, 2017 minutes.

Board Member Neal made a motion for approval of the October 12th, 2017 minutes and it was seconded by Board Member Beelaert. Upon voice votes, all Ayes.

II. Old Business: None

Morristown Board of Zoning Appeals October 10, 2017

III. New Business:

USE-ON-REVIEW:

UORV: 2122-2017: Office/Retail use in HI @ 4885 Enka Highway

Planner Josh Cole discussed the request that was received from Eddie and Betty Davis on behalf of property owner, Harold Nichols, for Uses Permitted on Review to allow a mixed use of the building consisting of a museum, storage, general office space, and occasional yard sales on property located at 4855 Enka Highway. The property is currently zoned Heavy Industrial (HI).

The proposed site is a 116.6 acre parcel that contains several buildings. However, the applicants requested to only use on office building that contains 25 rooms on the southwest portion of the lot. This parcel was previously occupied by the American Enka Company, BASF, Lensing Fibers, and Liberty Fibers. Currently, the property is primarily vacant but does contain the Incredible Tiny Homes business in one of the remaining warehouse buildings.

Mr. Davis indicated that he would like to use a large portion of the building to create and “American Enka” museum to display materials and information about the history and importance of the property. Beyond this, he noted that in the future, he may choose to rent some of the rooms for climate controlled storage and/or office space along with utilizing this portion of the property for occasional weekend yard sales. This building contains approximately 35 parking spaces, which is sufficient for the proposed uses.

The proposed uses of this building are allowed in Heavy Industrial (HI), as uses on review with the museum being an “amusement enterprise” use; the climate controlled storage being “mini-storage rental warehouse units” use; office space as general office space; and the occasional yard sales being a mixture of retail and “flea market” use. Staff recommended approval of the proposed request.

Chairman Thompson called for a motion. Board Member Garrett made a motion for discussion and it was seconded by Board Member Beelaert.

Mayor Chesney stated that the Chief Building Official had mentioned at the lunch session that he had some concerns about the safety of the site.

Chief Building Official, Greg Ellison came forward and stated that he had made an exterior site visit and he had some concerns about the industrial side which is currently under demolition. He stated that a lot of the buildings are in disarray and are very dangerous to the general public. One of his other concerns was that the public could get on the property because it was not secured. Mr. Ellison also stated that the City had not been able to get in touch with the applicant to make entry into the building in order to make the proper inspections. He did not think that the building would meet the criteria that would need to be met in order to accommodate all of the specified uses.

Mr. Ellison said that at minimum, the building would need architectural drawings to meet building codes. He also stated that there are no barricades in place to prevent entry from outsiders.

Mayor Chesney asked if it would be acceptable for the owners or the applicant to secure the areas where the public would not be able to access certain areas that could be dangerous. Mr. Ellison said that would be a great start to know that the public wouldn't be able to access the industrial side of it.

Mr. Eddie Davis, the applicant stated that this building had twenty-five offices in it and he would initially need the space for storage. He also said that if the owners were to put a gate in there to prevent access that it would require for someone to be there to allow entrance and he doesn't see that happening. He ultimately wanted to preserve the history of the Enka facility and allow people to visit and see samples of the old materials and photographs.

Mr. Michael Price came forward and spoke in favor of his client.

Vice Chairman Kennerly stated that approving this use without having had the Building Official go in and inspect for life safety measures; would be premature and he made a motion to table the discussion until the next meeting. Board Member Beelaert seconded the motion to table the item.

Voting Results: 6 yes; 0 no. Motion to table the item carries.

UORV-2131-2017: 1st Church of God Family Life Center @ 450 West Economy Road

Planning Director Steve Neilson discussed the use on review request that was received from Mr. Michael Price on behalf of The First Church of God to allow a church expansion at 450 West Economy Road. This property is currently zoned Intermediate Business (IB). The church proposed to construct a 2,815 Family Life Center.

The First Church of God sits on a 3.6 acre parcel and the proposed family center will be located in the rear of the church. The property is bordered by apartments to the south, vacant R-1 property to the east, the WCRK/WMTN radio station to the north, and the Life Care Center nursing home to the west. The proposed life center met all parking requirement and building setbacks.

Places of worship are allowed in the Intermediate district as a use permitted on review. Therefore, Staff recommended approval of this proposed request.

Board Member Beelaert made a motion for approval of this request and it was seconded by Mayor Chesney.

Voting Results: 6 yes; 0 no. Motion Carries

The meeting was adjourned.

Respectfully submitted,

Bob Garrett

Secretary

BG/jc

DRAFT



MORRISTOWN REGIONAL PLANNING COMMISSION, BOARD OF ZONING APPEALS & UTILITY MEETING DATES

Application deadlines and scheduled meeting dates of the *Morristown Regional Planning Commission, Board of Zoning Appeals and Utility Meeting & Submission Dates for 2018:*

MEETING DATE *	APPLICATION DEADLINE **	Utility Meeting Date
12:00 PM Work Session 4:00 PM Public Meeting	Due by 9:00 AM on the date below	8:30 A.M in the Training Room
January 9, 2018	December 18, 2017	January 18, 2018
February 13, 2018	January 15, 2018	February 15, 2018
March 13, 2018	February 19, 2018	March 15, 2018
April 10, 2018	March 19, 2018	April 19, 2018
May 8, 2018	April 16, 2018	May 17, 2018
June 12, 2018	May 14, 2018	June 21, 2018
July 10, 2018	June 18, 2018	July 19, 2018
August 14, 2018	July 16, 2018	August 16, 2018
September 11, 2018	August 13, 2018	September 20, 2018
October 9, 2018	September 17, 2018	October 18, 2018
November 13, 2018	October 15, 2018	November 15, 2018
December 11, 2018	November 19, 2018	December 20, 2018

- * The Morristown Regional Planning Commission and Board of Zoning Appeals regularly meet on the second Tuesday of each month in the Council Chambers of the City Center. There is a work session at 12:00 p.m. on the scheduled meeting date to review items on the agenda. The public meeting begins at 4:00 p.m.


- ** Deadline dates for the next month's meeting are commonly on the first Monday following a regularly scheduled Regional Planning Commission and Board of Zoning Appeals meeting. It is expected that all information (application, drawings, etc.) be complete at the time of submittal. If, after staff review, minor corrections or revisions are required, a second deadline date will be provided by staff in order to remain on that month's agenda. Complex projects such as **major subdivisions** require additional review time. Therefore, it is highly recommended that such projects be submitted at least two months prior to the requested planning commission date. Deadline dates that fall on a holiday shall be extended to the next business day.

City of Morristown

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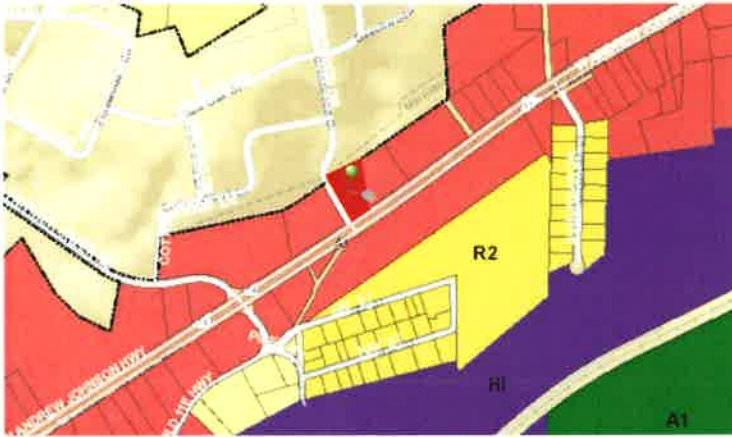
DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Board of Zoning Appeals
FROM: Josh Cole, Planner 
DATE: December 12th, 2017
SUBJECT: Use Permitted on Review Request for a Place of Worship in the Intermediate Business District

BACKGROUND:

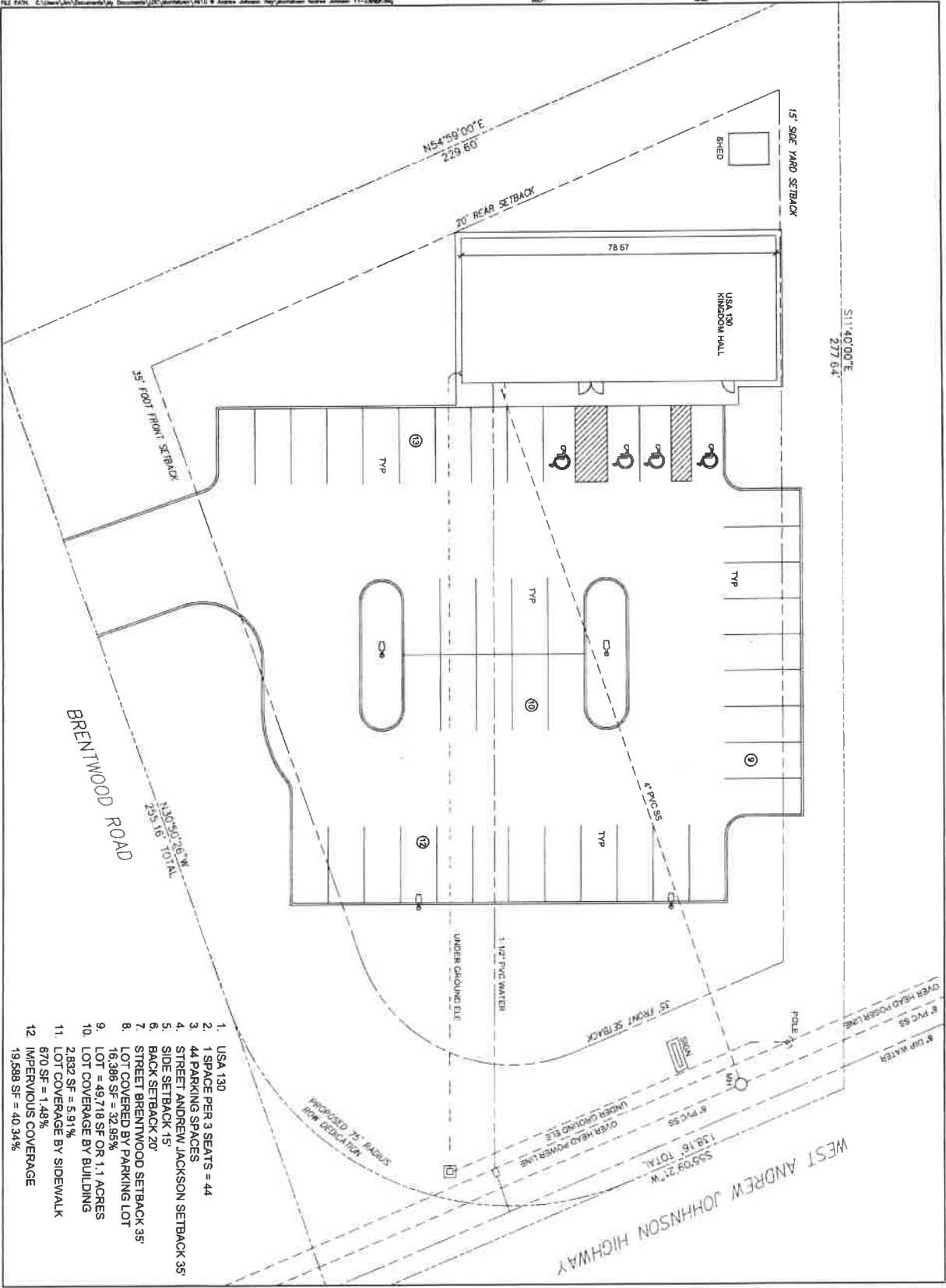
A request has been received from Mr. Jason Saylor, acting on behalf of "JW Congregation Support," to allow a Place of Worship at 4910 W. Andrew Johnson HWY.



The property is 1.27 acres in size and is currently undeveloped. The property has an Enterprise car rental agency across Andrew Johnson HWY, a Consumer Credit Union to the west across Brentwood Dr., and a car lot to the east. The applicant provided a concept plan containing a one story building that is 2,832 square feet and provided 1 parking space per 3 seats for a total of 45 spaces, which is more spaces than required by our code (1 per 4).

RECOMMENDATION:

Places of worship are allowed in the Intermediate Business district as a use permitted on review. Staff recommends approval of the proposed request.



1. USA 130
2. 1 SPACE PER 3 SEATS = 44
3. 44 PARKING SPACES
4. STREET ANDREW, JACKSON SETBACK 35'
5. SIDE SETBACK 15'
6. BACK SETBACK 20'
7. STREET BRENTWOOD SETBACK 35'
8. LOT COVERED BY PARKING LOT
9. LOT = 49,718 SF OR 1.1 ACRES
10. LOT COVERAGE BY BUILDING
11. LOT COVERAGE BY SIDEWALK
12. IMPERVIOUS COVERAGE

<p>NOT FOR CONSTRUCTION</p>					

USA 130
 Madison, NJ
 4910 W Andrew Johnson Hwy
 CONCEPT SITE
 2256
 C-101.1

City of Morristown

Incorporated 1855

DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Board of Zoning Appeals
FROM: Josh Cole, Planner
DATE: December 12, 2017
SUBJECT: Use Permitted on Review for an Automobile Sales Agency

BACKGROUND:

A request has been received from Marlene Trujillo for a Use Permitted on Review to allow an Automobile Sales Agency (used) to be placed on property located at 828 East Morris BLVD. The property is currently zoned IB- Intermediate Business District.



The proposed site is a 0.28 acre parcel that is paved with one office building on the lot. It contains a car lot to the east, a State Farm agency to the west, and warehouses across E. Morris BLVD. The lot has recently been utilized as a Budget Truck Rental Agency and as an automobile sales agency. The applicant provided a site plan that meets our zoning requirements as it illustrates room for an inventory for 15 automobiles for sale and 3 customer parking spaces along with adequate space on the lot to handle two way traffic.

RECOMMENDATION:

The applicant's site plan meets the requirements set forth in the zoning ordinance for any proposed automobile sales agency. Thus, staff recommends approval of the proposed request.

Site plan for Automobile sales business. 828 E. Morris Blvd. Morristown, TN. 37814

Parking Stalls
Represent 9.5 by 18'
Requirement

