

MORRISTOWN BOARD OF ZONING APPEALS

Agenda

December 11, 2018



Call to Order

I. Approval of October 9th, 2018 Minutes

II. Old Business: none

III. New Business:

UORV-2244-2018: Use Permitted on Review for Automobile Sales at
5027 W Andrew Johnson HWY

UORV-2236-2018: Use Permitted on Review for Amusement Enterprise and
Off-Site Parking at 709 E. Morris BLVD

UORV-2236-2018: Use Permitted on Review for Construction Materials Yard at
2515 Frontier Way

Adjournment

*The next meeting of the Morristown Board of Zoning Appeals is scheduled for January 8, 2018 at 4:00 pm.
The deadline to submit applications for this meeting is December 17, 2018.*

**Morristown Board of Zoning Appeals
October 9, 2018**

Members Present

Chairman Jack Kennerly
Vice-Chairman Bill Thompson
Secretary Robert (Bob) Garrett
Mayor Gary Chesney
Board Member Frank McGuffin

Others Present

Steve Neilson, Community Development Director
Lori Matthews, Senior Planner
Josh Cole, Planner
Tina Allison, Admin. Asst. Planning
Debra Stamey, Executive Asst.
Sami Barile, Board Member, Crossroads Downtown
Partnership
Bob Parvin
Pat Parvin
Barbara Garrow, Executive Director, Crossroads
Downtown Partnership
Charlie Duty
Michael D. Price, Architect

Members Absent

Board Member Wanda Neal
Board Member Ventrus Norfolk

Chairman Jack Kennerly 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 Jack Kennerly called for approval of the September 11th, 2018 minutes.

Mayor Gary Chesney made a motion for approval of the September 11th, 2018 minutes seconded by Board Member Frank McGuffin.

Upon voice votes, all Ayes. Motion carries.

II. Old Business: None

III. New Business:

VARI-2232-2018: Setback Variance for a detached accessory structure at 204 McGhee Avenue

Senior Planner Lori Matthews discussed a request made by Mr. Charlie Duty, Jr. on behalf of his father for their property at 204 McGhee Avenue located just east of John Hay Elementary 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.

The property at 204 McGhee Avenue is a corner lot adjacent to a 20 foot alley to the north and Maple Avenue to the south. Current Zoning Regulations require accessory structures be located no closer than 60 feet from the front property line and no closer than 10 feet to the rear property line. The rear of the property at 204 McGhee is 70 feet from the front line which would make compliance with both regulations impossible. The applicant is requesting a 20 foot variance to the required 60 foot front and a five 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 (McGhee Avenue) and five feet from the rear (eastern) property line.

Staff recommends 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).

Chairman Jack Kennerly asked for a motion. Board Member Frank McGuffin made a motion to approve. Mayor Gary Chesney seconded the motion.

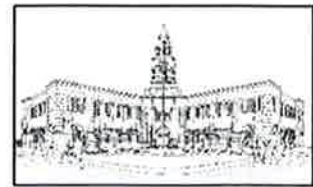
Voting results: 5 yes, 0 no, 2 absent. Motion Passes.

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: Josh Cole, Planner 
 DATE: December 11th, 2018
 SUBJECT: Use Permitted on Review Request for Auto Sales in the Intermediate Business District

BACKGROUND:

A request has been received for a use permitted on review from Mr. Leroy Royston to allow an Automobile Sales Lot at 5027 W. Andrew Johnson Hwy. This parcel is zoned IB (Intermediate Business) and is located at the intersection of W Andrew Johnson HWY and Old 11E/Panther Creek Road. It is approximately one acre in size with a small office building and a paved parking lot. It has an auto sales lot to the east, an older commercial strip center to the west, and a gas station across W. Andrew Johnson HWY.

This location has previously utilized as an automobile sales lot; however, this use has been discontinued for several years and has lost its grandfathered status. The applicant has provided a site plan that illustrates that this location currently meets the conditions required in the zoning ordinance for this use as it has more than adequate striped paved parking with travel aisles and grass strip buffering the lot from the right-of-way.



RECOMMENDATION:

Automobile Sales are allowed in the Intermediate Business district as a use permitted on review. The proposed request meets the conditions set forth in the zoning ordinance for this use, thus, staff recommends approval of the proposed request.

14-1003.3: Automobile Sales:


- a. A site plan shall be submitted to meet requirements as put forth in Section 14-1903 APPROVAL OF PLANS AND ISSUANCE OF BUILDING PERMIT. Traffic aisles shall meet the requirements as stated under Chapter 2, Section 14-203 Definition of Parking Aisle for one way and two way traffic. All plans will include access as required by the Morristown Fire Department for emergency vehicles.
- b. In addition to parking as required for in Section 14-216-3.e, a minimum of three (3) customer spaces must be provided for and identified; a minimum of fifteen (15) parking stalls must be provided for sales stock. All parking shall meet the specifications of Section 14-216-2 requiring parking stalls to be 9.5 feet by 18 feet in size.
- c. Automobiles displayed along property lines must include a Staff approved physical barrier. New development sites require a 10 foot grassed strip along property lines which front rights-of-way. Existing or redeveloped sites may choose this option or provide a smaller grassed strip with barriers such as chain and bollard or wheelstops to prevent vehicles from encroaching into rights of way and/or prevent overlap onto adjacent properties. Either method will be shown on the site plan.
- d. All parking to include sales stock shall be composed of a hard surface material as stipulated under Section 14-216.4 and Section 14-203.209 of the Zoning Ordinance unless granted a variance by the Planning Commission.

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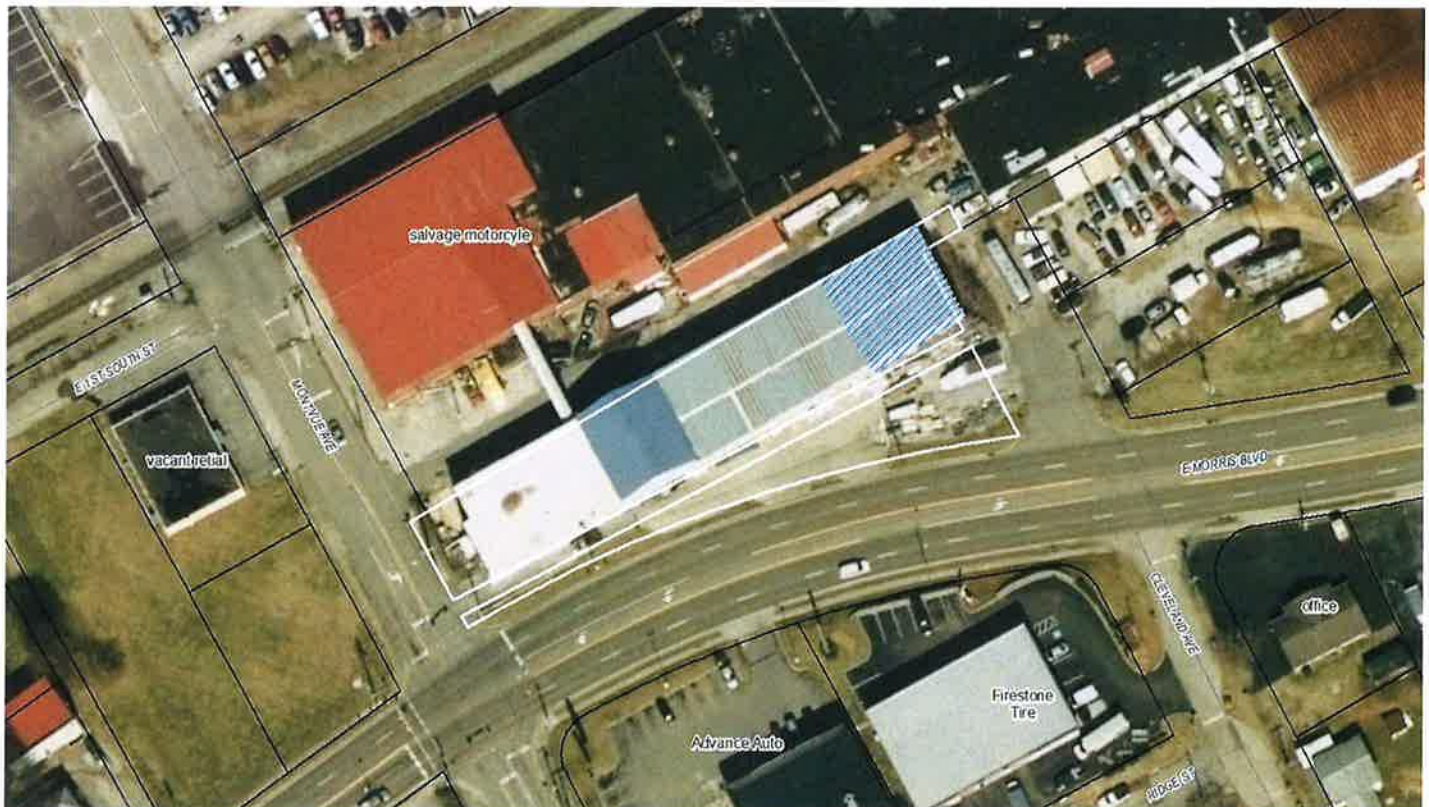
DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Board of Zoning Appeals
FROM: Lori Matthews, Senior Planner 
DATE: December 11th, 2018
SUBJECT: Use on Review for 709 East Morris Boulevard / Off Site Parking Approval

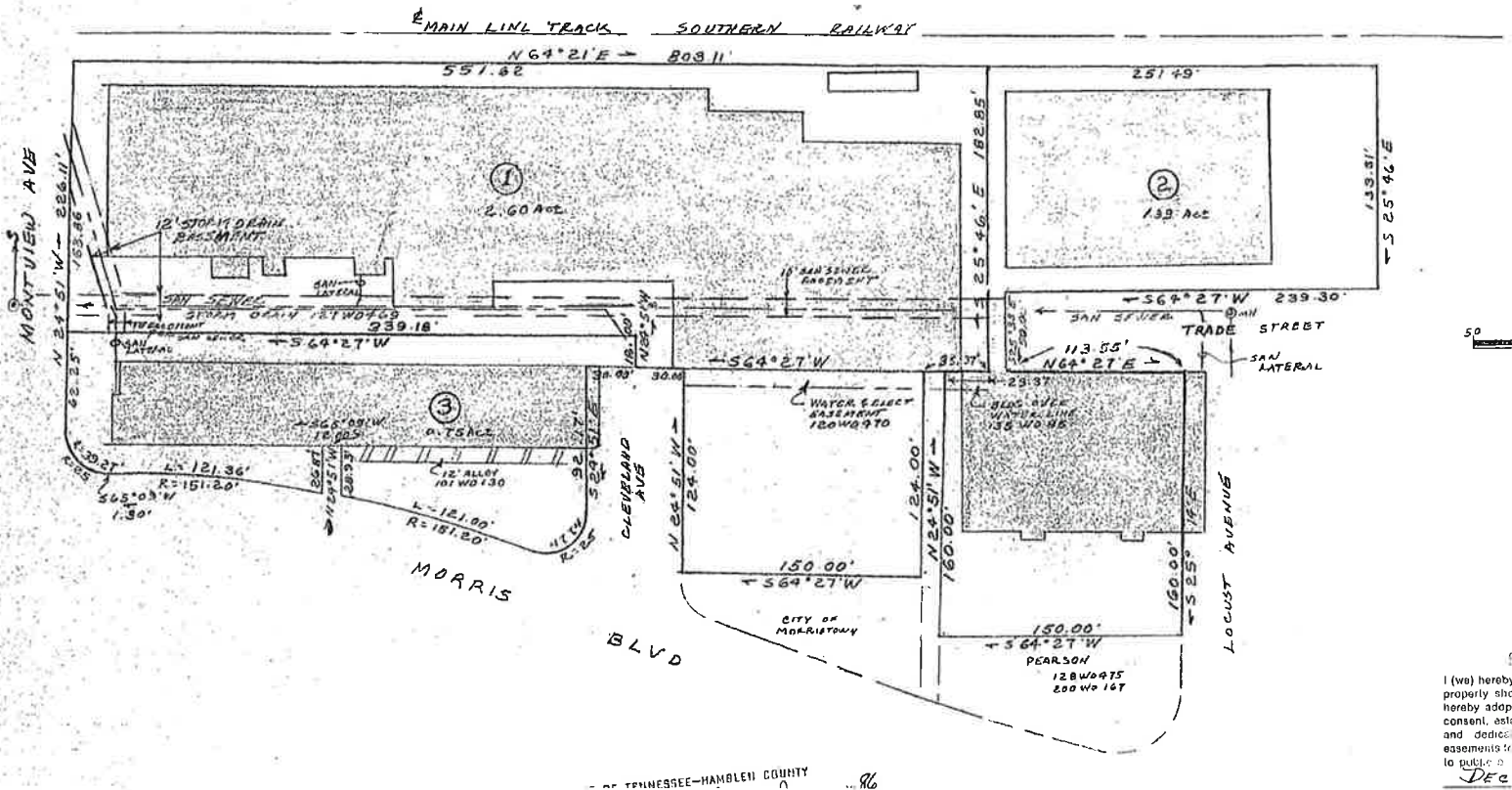
SUBMITTAL:

The Planning Department has received a request from Mr. Michael Price on behalf of property owner Queen Holdings, LLC. (Mr. James Soule) for 709 East Morris Boulevard located between Montvue Avenue and Cleveland Avenue. The property, sometimes known as the Modern Upholstered Chair Company, (prior to that being the Carver Wagon Company), is zoned HI (Heavy Industrial). The applicant is seeking approval for both an amusement enterprise use (entertainment facility) and, off-site parking for said use.



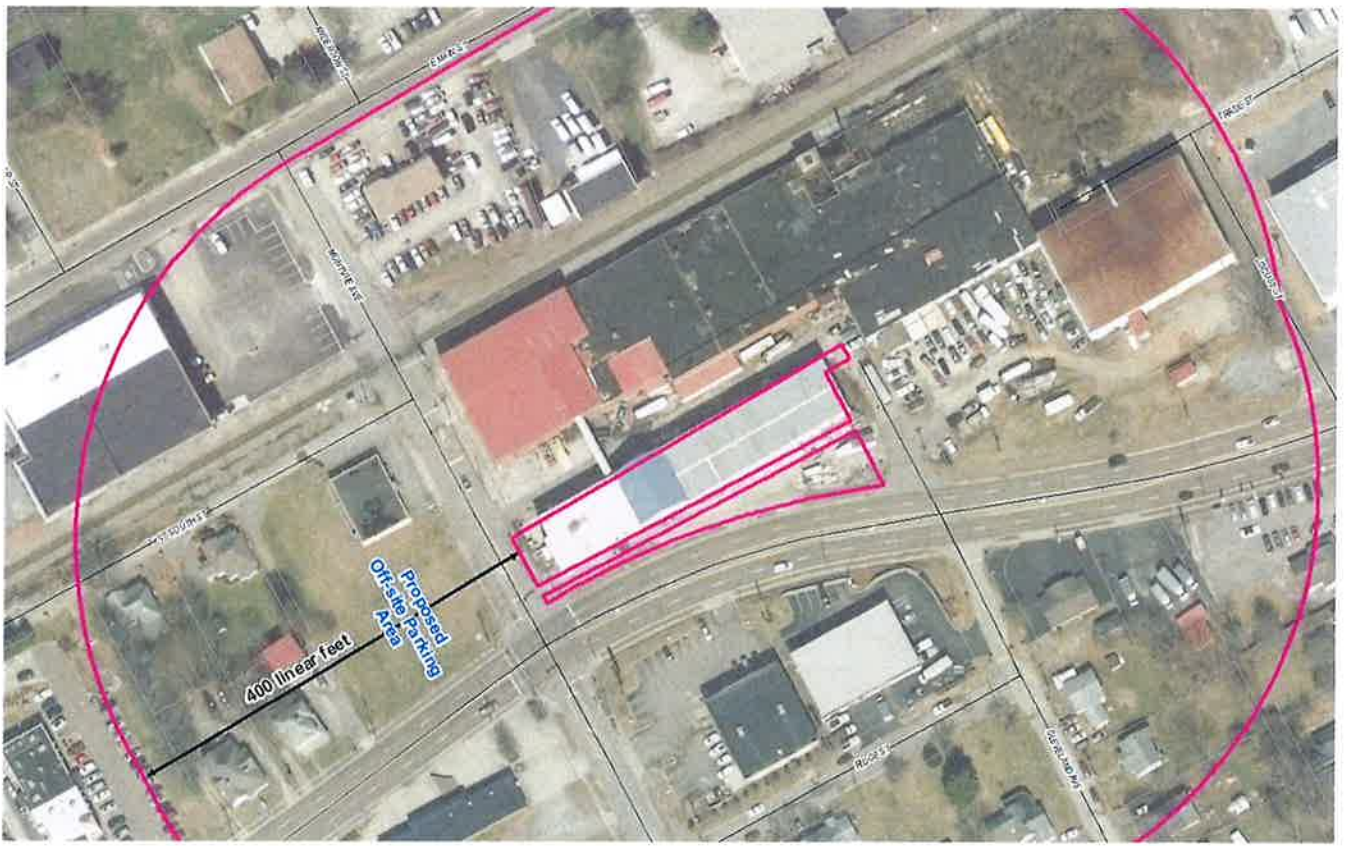
The site is approximately 33,000 square feet in size with the existing building being around 30,000 square feet in size. Tax records indicate the building was constructed circa 1955 with the building to the rear (Motorcycle Salvage) built in 1960. Montvue Avenue borders the site to the west, with Morris Boulevard fronting the property and an unused but still platted 60 foot right-of-way (Cleveland Avenue) adjoining to the east.

Added to the City's Zoning Ordinance in 2014, 'Amusement Enterprise' includes both indoor and outdoor amusement and recreational facilities. The intent of the owner is to renovate the existing building, turning it into a recreational center which will provide an arcade, trampoline area, kitchenette, etc. Review and approval of this use by the Board of Zoning Appeals is required in all industrial zoned districts. (Section 14-1403 Uses Permitted on Review Zoned Heavy Industrial)



I (we) hereby property the hereby adop consent, ask and dedic easements to public DEC

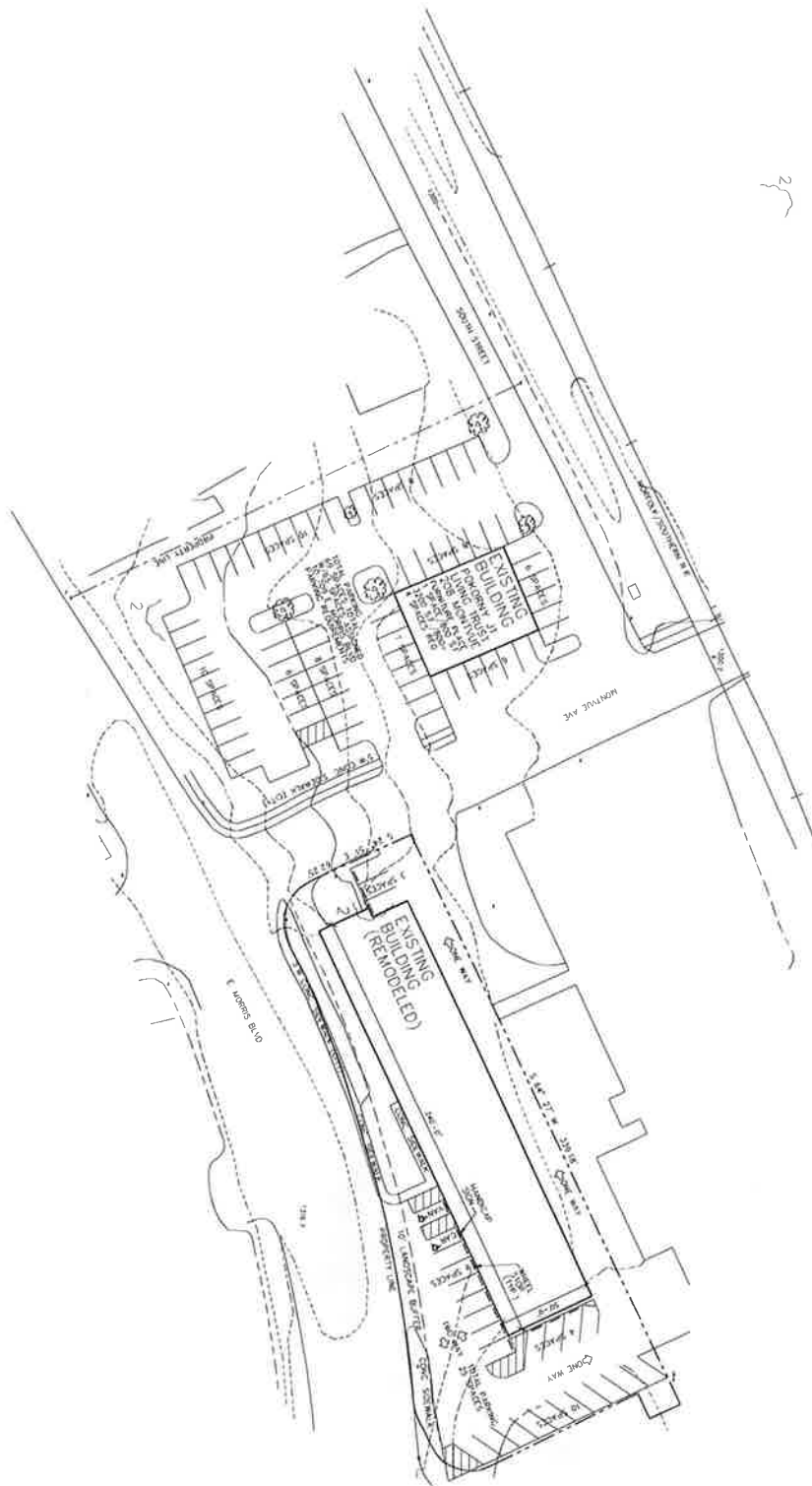
Additionally, the Board of Zoning Appeals has the authority to grant approval of off-site parking provided it is within 400 feet of the principal use. (Section 14-216. Off-Street Parking Provisions) As shown on the recorded plat (shown above), placement and scale of the existing buildings when originally constructed was not a consideration. With the building footprint covering 90% of the lot, redevelopment of the site without razing the entire building is severely restricted. Current parking regulations will require a minimum of 84 parking spaces based on the demolition of part of the existing building and its internal uses. The conceptual site plan (also attached) shows the design professional managing a total of 26 spaces on site, leaving 65 spaces to be off-site parking. The off-site parking will be located west across Montvue Avenue in a vacant retail center and the adjoining north of it, at the intersection of Montvue with Morris Boulevard. All parking is within 400 feet of the subject property as shown in the below graphic.



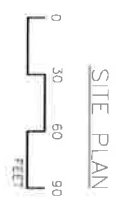
RECOMMENDATION:

The Morris Boulevard corridor has been in a period of transition for the past several years with vacant industrial sites morphing into commercial and office establishments which was projected and shown on the City's Future Land Use Plan. As this specific site has been an eyesore for several years, its redevelopment into a recreational center is looked upon by Staff as a means to reduce blight with the proposed use being compatible with the neighborhood. Therefore, Staff would ask the Board of Zoning Appeals to grant the use as submitted based on its consistency with surrounding properties and with the City's Land Use Plan.

Staff recognizes a hardship on the property with the existing building footprint occupying 90% of the total parcel of land. The applicant will be demolishing 20% of the building in order to have some parking onsite with the remainder of the required parking to be located across Montvue Avenue. As this is well within the required 400 feet from the parent site, Staff would ask that the Board of Zoning Appeals grant approval of the off-site parking as it meets all underlying zoning criteria.



GROSS BLDG. AREA 11,850 S.F.
 SITE AREA: 32,670 S.F. / 75 AC.
 ZONING - LI
 26 PARKING SPACES
 W/ 65 OFF-SITE SPACES



SITE PLAN



NO.	DATE	BY	REVISIONS
1	1.3 NOV. 2018	MJP	ISSUE
2	1.9 DEC. 2018	JMS	REVISED
LUBBERSOLDIA			
SP2			
SHEET			

SITE PLAN - OFF SITE PARKING
 TRAMPOLINE & JUMP REC BLDG.
 JIM SOULE
 709 E. MORRIS BLVD.
 MORRISTOWN, TN

MICHAEL D. PRICE, ARCHITECT
 208 E. 1ST NORTH ST. • SUITE 1
 MORRISTOWN, TN 37814
 423•581•5063
 architectm@musfiber.com

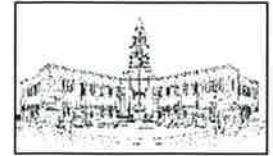


NO.	DATE	BY	REVISIONS
1	11.27.18	MB	ISSUE
MORRISVILLE			
SP2			
SHEET			

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DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Board of Zoning Appeals
FROM: Lori Matthews, Senior Planner
DATE: December 11th, 2018 *LJM*
SUBJECT: Use on Review for Construction Materials Business in IB (Intermediate Business)

SUBMITTAL:

The Planning Department has received a use on review request from Mr. Terry Ball acting as representation for Bunch and Jones Office Properties, property owners of 2515 Frontier Way (Hamblen County Tax ID #025 04602 000). The site is located at the southwest corner of North Davy Crockett Parkway and Brights Pike behind Lakemoore Subdivision. A building materials supplier seeks to relocate to the site which will include renovation of the exiting building into an office, showroom and warehouse. The property, being zoned Intermediate Business, permits retail establishments by right but building material yards must receive approval from the Board of Zoning Appeals.

The 6 acre tract was originally subdivided into 3 lots to include a public street in 2009. Since that time, only the one building sits on the property, currently housing AM-PM Movers. Much of Davy Crockett Parkway to the west is commercially zoned and includes a hospice care business, automotive sales center and the new Hamblen County Government office. Properties opposite 25E are for the most part zoned residentially and used the same. Lakemoore subdivision and a small mini-storage warehouse adjoin the property to the rear.

The site as it exists will not have to be dramatically changed as it already has adequate paved parking for the proposed use. The applicant will be hard surfacing the driveway leading into the loading bay and they will be adding some required trees along Brights Pike. The building material yard is expected to be roughly 15,000 square feet in size and will be located along the south side of the building adjacent to their stormwater pond. Applicant will be fencing in this storage yard and planting evergreens along the perimeter.



RECOMMENDATION:

As the applicant has met all conditional zoning criteria as needed for a building materials yard, Staff would ask that the Board of Zoning Appeals approve their use as requested.