

MORRISTOWN BOARD OF ZONING APPEALS

AGENDA

January 12, 2016

Call to Order

Invocation/Pledge of Allegiance

I. Approval of the **December 8, 2015** minutes.

II. **Old Business:**

None

III. **New Business:**

A. Use-on-Reviews:

UORV 1648-2015: JW Congregations Support: To allow a place of worship in the (HI) Heavy Industrial District on Tax Map 041F, Group A, Parcel 021.03

B. Variances:

C. Interpretations:

D. Appeals:

Adjournment

The next meeting of the Morristown Board of Zoning Appeals is scheduled for February 9, 2016 at 4:00 PM.
The deadline to submit applications for this meeting is January 18, 2015.

Morristown Board of Zoning Appeals
Minutes
December 8, 2015

Members Present

Chairman Terry Ball
Secretary Bob Garrett
Mayor Gary Chesney
Board Member Jim Beelaert
Board Member Bill Thompson
Board Member Jack Kennerly

Members Absent

Vice-Chairman Doug Beier

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.
Greg Ellison, Plumbing Inspector

T. Clint Harrison
Hix Masengill
Michele Parvin
Jim Whitbeck, PE
Debbie Lee
Jimmy Andrews

I. Approval of the October 13, 2015 minutes

Board Member Thompson made a motion for approval of the October 13, 2015 minutes be approved; seconded by Mayor Chesney. Upon voice vote, all ayes.

II. VARI 1644-2015. CAC Properties for Lot 3A of Phase II Charles Nichols Subdivision along W A J Highway – 7.5 foot side yard setback variance

Ms. Matthews explained we have had a variance request from CSC Properties for Lot 3A of Phase II Charles Nichols Subdivision, property owner being Mr. Charles Nichols. Acting on behalf of the applicant will be Mr. Clint Harrison, PE. The property is 1.2 acres in size and is adjacent to Weigel's convenience store along W. Andrew Johnson Highway just past Walters Drive. It is currently zoned Planned Commercial Development (PCD). The surrounding properties including those across the highway are zoned Intermediate Business (IB). The concept plan submittal shows a total of 6,800 square feet of retail space which is one building and will house two separate businesses. The parking shown exceeds our minimum requirements of 34 spaces for this site and use. Side yard building setbacks required within a PCD vary depending on adjacent property uses and zoning. If adjacent to agricultural or residential developments, a 30 foot landscape setback is required. If adjacent to a public road or if the subject site is to be an interior site within the development, the setbacks can vary. In this case, the side building setback required is 15 feet. The applicant shows a distance of 10 feet between the building wall and property line which would normally require a variance of 5 feet. Because of the building design, the applicant has asked for a 7.5 foot setback variance to ensure, if granted, the allowance is made for a small overhang of the roofline. As talked about today at the luncheon, the property has some fairly severe topographic restraints as the west rear of the site has a significant drop in elevation. There is a 100 foot TVA power line easement that runs north and south along the property. This impacts the design of the site as no structures or building may be built within this easement.

Board of Zoning Appeals
December 8, 2015
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Staff feels the variance requested would not be unjustified and would recommend to this board that it be granted today.

Mr. Harrison stated it is a nice piece of property that has a 100 foot power line that goes through it. You can park under it. I have not turned in a full site plan yet. Are we restricted on the trees we would put in there for landscaping, just have to be smaller. There are no structures at all within the easement.

Board Member Thompson made a motion to approve the variance request of a 7.5 foot side yard setback variance for Lot 3A of Phase II Charles Nichols Subdivision; seconded by Board Member Beelaert. Voting results: 5 yes, 1 no. Voting yes were Secretary Garrett, Board Member Beelaert, Board Member Thompson, Board Member Kennerly and Mayor Chesney. Voting no was Chairman Ball.

There being no other business, the meeting was adjourned

Respectfully submitted,

Bob Garrett
Secretary

RG/sk



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

TO: Morristown Board of Zoning Appeals
FROM: Logan Engle, Planner *JE*
DATE: January 12, 2016
SUBJECT: Use on Review – Tax Map Parcel 041F Group A Parcel 021.03

BACKGROUND:

A Use on Review request has been submitted by JW Congregations Support, Inc. to construct a place of worship. This site is located to the east of Dr. Martin Luther King, Jr. Parkway. The 2.08 acre site is currently undeveloped land and is zoned Heavy Industrial (HI). The property is bounded by Heavy Industrial parcels on all sides.

The Heavy Industrial (HI) zoning classification states that “churches, synagogues, temples, and other places of worship” are all uses permitted on review (Section 14-1403).

At this time, city staff has received no phone calls from adjoining property owners.

RECOMMENDATION:

Staff views the applicant’s use of land for a place of worship to be in accordance with the zoning ordinance’s provision for religious facilities, one of the additional uses permitted on review that the Board of Zoning Appeals may approve or disapprove.

OPTIONS:

1. Board may approve the request;
 2. Board may deny the request.
-



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNR/Skyline, USDA, AeroGRID, IGN, GEBCO, Swire, and USDA/CORONA

BOARD OF ZONING APPEALS APPLICATION
City of Morristown

Prior to a variance or use on review request being placed on the Board of Zoning Appeals Agenda, the applicant must furnish to the Department of Community Development and Planning the following information:

1. Date: 12/14/15

2. Name of Property Owner: McGuffin Partners - Patrick McGuffin
Mailing Address: PO Box 1914 City/State/Zip Morristown TN 37816
Telephone: (Home) 423-736-3999 (Business) _____ (Mobile) _____

3. Name of Applicant: JW Congregations Support, Inc.
Mailing Address: 2821 Route 22 City/State/Zip Patterson, NY 12563
Telephone: (Home) _____ (Business) 845-744-6000 Ext. - 14731 (Mobile) _____

4. Name of Agent (third party): Sandra Lee Greenler
Mailing Address: 617 Cross Valley Rd City/State/Zip La Follette, TN 37766
Telephone: (Home) _____ (Business) _____ (Mobile) 347-461-0268

5. Property information: Street Address: 315 Dr. Martin Luther King Jr. Pkwy, Morristow
County Tax Map: 041F Group: A Parcel(s) 02103
Current zoning: HI Parcel size: 2.08 ac City/U.G.B. City
Existing Use: Vacant Land Proposed Use: Place of Worship

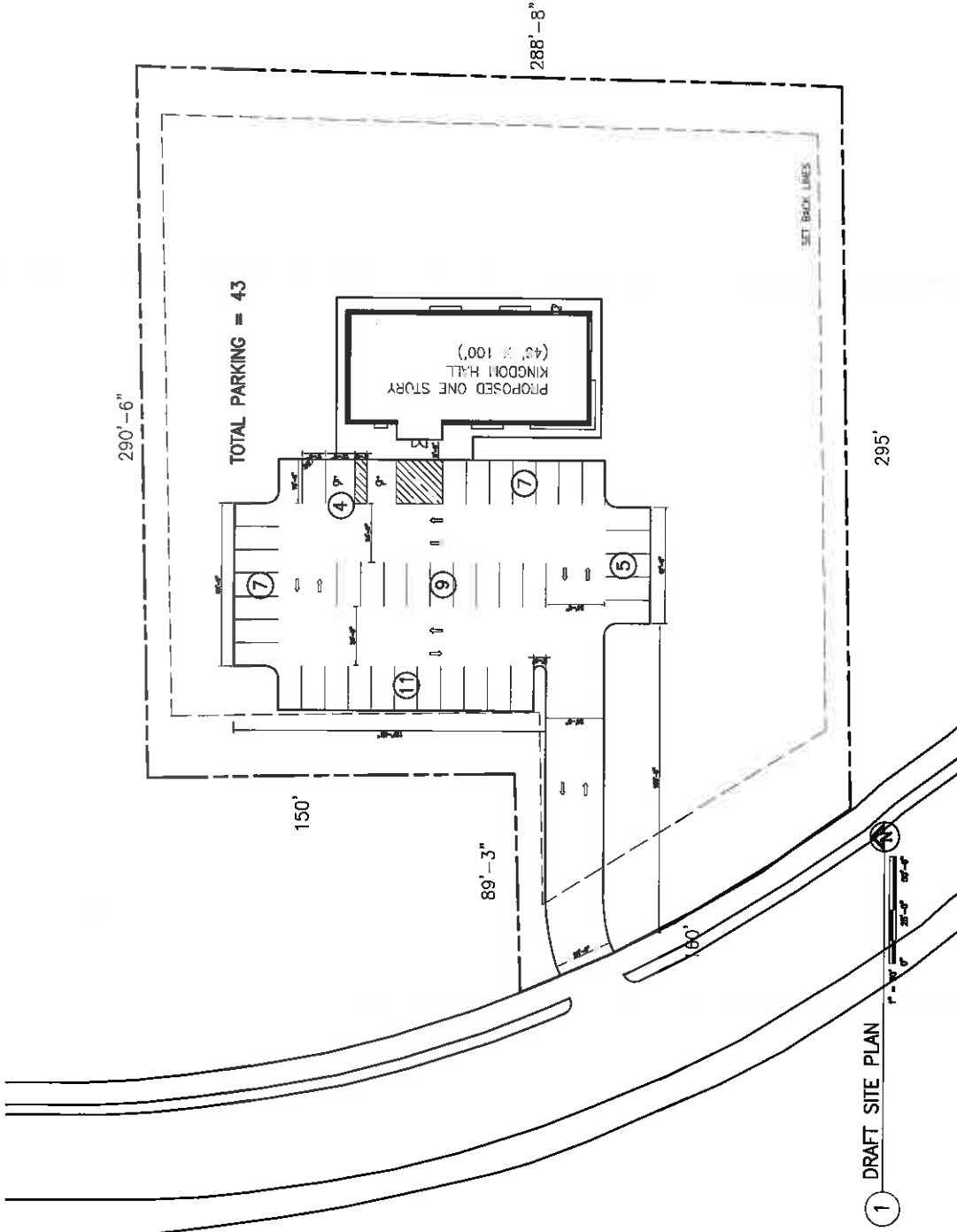
6. Nature of Request: (please circle)
a) Use on review (\$50.00 Fee)
b) Variance (\$50.00 Fee) - Amount/type of variance requested: _____
Reason for request: (1) property shape (2) topographic conditions (3) Other: _____
c) Appeal _____
d) Other Requests: _____

7. List name and addresses of adjacent property owner(s) that would be affected by request (reverse side).

8. Submit site plans, surveys, special fees or other items as required for review by City staff and Board of Zoning Appeals members.

9. Applicant Signature: Sandra Lee Greenler Date: 12-14-15

This application will not be accepted unless all information is complete. If a question is not applicable, please draw a line through the space provided or mark "n/a" (not applicable).



PROPOSED SITE & USE SUMMARY

ADDRESS: 315 MARTIN LUTHER KING PARKWAY MORRISTOWN, TN

BLOCK: --- EXIST. USE: VACANT
 LOT: --- PROPOSED USE: KH
 ZONE: HI USE ALLOWED: YES

BULK REQUIREMENTS		OK
LOT AREA & COVERAGE	REQ.	Y/N
MINIMUM LOT AREA (SF)	---	Y/N
MINIMUM FRONTAGE	---	Y/N
MINIMUM LOT WIDTH	---	Y/N
MAXIMUM BLDG. HEIGHT	45'	Y/N
MAX. FLOOR/AREA RATIO	---	Y/N
TOTAL IMPRV. COV. (SF)	80%	Y/N
STRUCTURAL SETBACKS		
FRONT YARD	35'	Y
SIDE YARDS	10'	Y
REAR YARD	20'	Y
PARKING REQUIREMENTS		
MINIMUM [CALC. METHOD]	1per4	Y/N
INTERIOR LANDSCAPING	---	Y/N
FRONT SETBACK	---	Y/N
SIDE SETBACKS	---	Y/N
REAR SETBACK	---	Y/N
MATERIAL ESTIMATING		
CURBING:	---	LF
ASPHALT:	---	SF
SIDEWALK:	---	SF
LANDSCAPED AREA:	---	SF
OPEN SPACE AREA:	---	SF

- NOTE:
 (ADDITIONAL REQUIREMENTS TO CONSIDER. ARCHITECT/DESIGNER'S COMMENTS.)
- PROPERTY LINE DIMENSIONS ARE APPROXIMATIONS / ESTIMATES
 - TOLD THAT THE LOCAL CODE REQ. 9.5' WIDE PARKING STALLS
 - 43 PARKING SPACES SUPPORTS OCCUPANCY UP TO 172
 - IF OCCUPANCY OVER 150 THEN AN ADDITIONAL ADA PARKING SPACE WILL BE NEEDED.
 - PARKING LOT & BUILDING COULD BE MOVED TO THE EAST IF NEEDED DUE TO SITE CONDITIONS IN NW CORNER.

1 DRAFT SITE PLAN