

MORRISTOWN BOARD OF ZONING APPEALS

Agenda August 8, 2017



Call to Order

- I. Approval of July 11th, 2017 Minutes
- II. Old Business -
- III. New Business -
 - A. Use on Review Request:
 - 1) Office in HI (Heavy Industry) District - 367 Martin Luther King Parkway
 - 2) Kennel/Dog Grooming in IB (Intermediate Business) District - 5141 Old 11E
 - 3) Pharmacy in OMP (Office, Medical & Professional) District - 310 W. 3rd North St.
 - 4) Off Site Parking in IB (Intermediate Business) District - 1077/1079 E. Morris Blvd.
 - B. Variance Request:
- IV. Departmental Reports -
- V. Minor Subdivisions Approved -

Adjournment

*The next meeting of the Morristown Board of Appeals is scheduled for September 12, 2017 at 4:00 pm.
The deadline to submit applications for this meeting is August 21, 2017.*

Morristown Board of Zoning Appeals

Minutes

July 11, 2017

Members Present

Board Member Jim Beelaert
Chairman Bill Thompson
Board Member Wanda Neal
Vice Chairman Jack Kennerly
Secretary Bob Garrett
Mayor Gary Chesney

Members Absent

Others Present

Larry Clark, Asst. City Administrator
Steve Neilson, Planning Director
Lori Matthews, Senior Planner
Jessica Crawford, Planning Department
Shirley Ball
Gary Wolfe
James McCauley
Cynthia Bartlett (?)
Clint Harrison
Sylvia Hinsley

Michael Hamrick, GIS Coordinator
Ben Baker
Kathy Adams
Josh Cole, Planner
Jake Adams
Tammy DiCarlo
Sara Turk
Alex Moore, Planning Intern
Rose Parella

MRPC Chairman Jim Beelaert welcomed everyone and informed the assembly that the BZA meeting would occur first, followed by the Planning Commission meeting due to the public interest items on the BZA agenda. He then invited anyone who wished to join the Commission and Board in an invocation and the Pledge of Allegiance to do so. He then turned the meeting over to BZA Chairman Bill Thompson, who called the meeting to order.

I. Approval of the June 13, 2017 minutes.

Morristown Board of Zoning Appeals August 8th, 2017

Board Member Neal made a motion for approval of the June 13, 2017 minutes and it was seconded by Vice Chairman Kennerly. Upon voice votes, all Ayes.

II. Old Business: None

III. New Business:

A. Use-on-Review:

UORV-2068-2017: Request to allow batting cages in R2 district

Senior Planner Lori Matthews presented the request by Clint Harrison representing the Hamblen County Board of Education for a use on review to allow construction of a batting cage at 318 E 3rd S. St., which is zoned R2. Recreation facilities are permitted in this residential zone with a use on review.

Staff has approved the subdivision plat which joins the lots together and has approved the site plan for the proposed facility. Staff recommended BZA approval of this request for a use on review.

Board Member Beelaert made a motion of approval for this use on review, seconded by Mayor Chesney.

Voting Results: 6 yes; 0 no. Motion carries.

UORV-2072-2017: Request to allow auto sales in HI zone

Senior Planner Lori Matthews presented the request from Jake and Kathy Adams for a use on review to allow auto sales at 811 E. Morris Blvd and the adjoining vacant parcel to the south, which are both zoned Heavy Industrial. No car repair facility is being requested at this time.

Lori described the properties and noted the site had been used for sales in the past, but is not in compliance with current zoning ordinance requirements. Staff recommends approval for vehicle sales contingent upon all items being compliant with current Zoning Ordinance requirements.

The board asked about items that are currently out of compliance. Lori explained the parking surface does not meet current requirements, being a mix of grass and stone. Current guidelines call for a hard, dustless surface. The rock does not meet the dustless requirement.

Board Member Beelaert made a motion for approval of the request to allow auto sales contingent upon compliance with current requirements as far as the surface is concerned i.e. a hard, dustless surface. The motion was seconded by Secretary Garrett.

The Board discussed the guidelines or lack thereof for uses on review- that a property requesting a use on review should meet all requirements for that use. The board agreed that the contingency

must be met in order to approve the use. The applicant might address the deficiencies and return to the BZA for approval once all requirements have been met.

Mr. Jake Adams, property owner, proposed gravel as a suitable surface. The board reiterated the dustless requirement.

Voting Results: 4 yes; 2 no. Motion carries. Staff will follow up to ensure compliance.

UORV-2075-2017: Request for a Home Occupation Permit to rent party supplies

Senior Planner Lori Matthews presented the request from Ms. Norma Alvarado of 4471 E AJ Highway lot # 55 for a use on review to approve a home occupation permit for a business of renting large outdoor inflatables. A van in which to deliver the inflatables would be the only evidence of the home-based business. Staff recommended approval of this home occupation permit.

Chairman Thompson asked for a motion, which was not forthcoming. The request died for lack of a motion.

B. Other:

Appeal of E-911 re-addressing

Planning Director Steve Neilson presented the request to appeal the E-911 assigned re-addressing for 900 Scenic Avenue, previously 1221 Seminole Street. E 911 initiated the change based on previous difficulty locating the property when responding to alarms. Four properties are affected by the change, two of whom have expressed their opposition to the readdressing. Staff recommends denying the appeal based on Title 16 section 404 requirements, E-911 history, and GIS and Fire Department field evaluation.

Board member Beelaert made a motion to uphold the emergency services readdressing, which would deny the motion for appeal. Mayor Chesney seconded the motion.

Mr. Gary Wolfe addressed the board asserting they've never had a problem in the past and that he expects this might lead to confusion. There followed discussion on city streets vs. private drives and much discussion on the history of this area.

The board asked for someone from emergency services to address questions. No one was present. Board Member Beelaert pointed out a record of 24 emergency calls to this area. Mayor Chesney pointed out that the change was made to be in compliance with national standards and uniform street naming ordinances.

James McCauley, longtime resident of one of the houses (828 Scenic) affected by the change, informed the board that several emergency calls have arrived at his residence with no problems.

Suggested adding directions to existing system instead of changing what he asserts does not need to be changed.

Ms. Tammy DiCarlo, of 830 Scenic Drive then addressed the board to express her support for the appeal.

Voting Results: 6 yes; 0 no. Motion carries.

The meeting was adjourned.

Respectfully submitted,

Bob Garrett

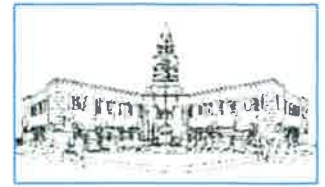
Secretary

BG/km

City of Morristown

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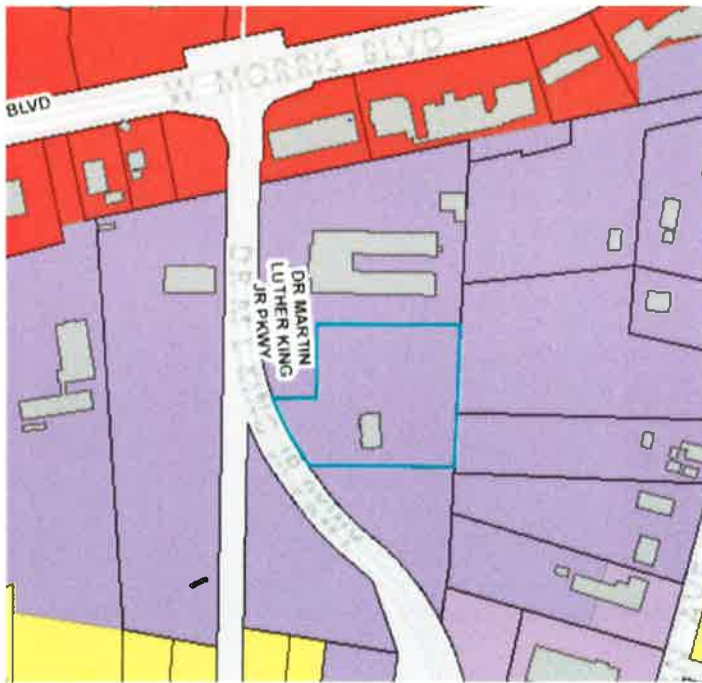
DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Board of Zoning Appeals
FROM: Josh Cole, Planner
DATE: August 8, 2017
SUBJECT: Use Permitted on Review for an Office Building in a Heavy Industrial District

BACKGROUND:

A request has been received from Mr. H. David Hayes on behalf of the property owner, Sharon C. Hayes, for a Use Permitted on Review to allow an office building to be constructed on property located at 367 Dr. Martin Luther King Jr. Pkwy. The property is currently zoned HI- Heavy Industrial District.



The proposed site is a 2.08 acre parcel that is currently vacant. There is an AT&T office/truck parking to north of the property, vacant parcels to the south and east of the property, and a truck storage/repair facility across Dr. Martin Luther King Jr Pkwy.

RECOMMENDATION:

Several types of offices are allowed in the HI District and the use is consistent with office buildings located to the north along West Morris BLVD. Staff recommends approval of the proposed request.

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DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Board of Zoning Appeals
FROM: Lori Matthews, Senior Planner
DATE: August 8th, 2017
SUBJECT: Use on Review Request for Pet Kennel

REQUEST -

A use on review request to permit an animal (dog/cat) kennel within an IB (Intermediate Business) district has been submitted by Jennifer McMaster on behalf of the property owners, Ruth and William Jenkins. The property is currently zoned IB (Intermediate Business) which permits this type of land use only after approval is granted by the Board of Zoning Appeals.

The property being addressed as 5141 Old 11E Highway is 1.5 acres in size and contains a 2,400 square foot building constructed in the late 1980's, which has most recently served as a real estate office. Parking sufficient to accommodate 7 standard vehicles and one handicapped vehicle is on site which meets the City's parking requirements. The remainder of the property is vacant/open space.

A business plan submitted by the applicant states the facility will be able to handle up to 30 dogs and 10 cats with staff on-site 24 hours a day. Actual hours of operation will be from 7 a.m. until 7 p.m. with all animals being inside the facility by 7 p.m.

Surrounding properties are zoned IB (Intermediate Business) and HI (Heavy Industrial) which include airport property to the rear and (vacant) City owned property to the east. Properties north of the site, across Old 11E are vacant. Panther Creek Village Subdivision is located southwest of this site (across Old 11E) and is zoned R-2 (Residential). There exists a 2 acre parcel to the southwest which is a single family residence.

Based on current uses which surround the site, Staff see's proposed impacts to the neighbors as minimal with one exception being that of increased noise levels created by animals being kept outside.

BOARD OF ZONING APPEALS OPTIONS:

- 1.) Grant Use on Review as submitted;
- 2.) Deny Use on Review.
- 3.) Grant Use on Review with changes.





*The "Ruff" Life
Pet Resort
Daycare and Boarding for Dogs and Cats*

Hours of Operation: 7AM – 7 PM Daily

Dogs will be inside for the night beginning at 7PM, with a short bathroom break overnight for each individual dog.

Number of Dogs: 30

Number of Cats: 10

Number of Employees: 5

Building Size: approx. 2,400 Sq. Ft.

Our animal loving team's priority is to create a reliable and convenient service to our customers and their beloved pets.

Our mission is to provide a safe, fun and enriching environment for dogs and cats while they are with us, at their home away from home.

Dogs will have the option to play or relax indoors or outdoors all day long. Our Feline visitors are in their own private room, each with a individual suite, and a large indoor play area where each cat will be rotated daily, allowing exercise and socialization with our staff. Our climate controlled facility will keep the animals comfortable, rain, shine or snow!

Our staff is on hand 24 hours a day to ensure the animals are well cared for, safe, and most importantly, enjoying themselves.

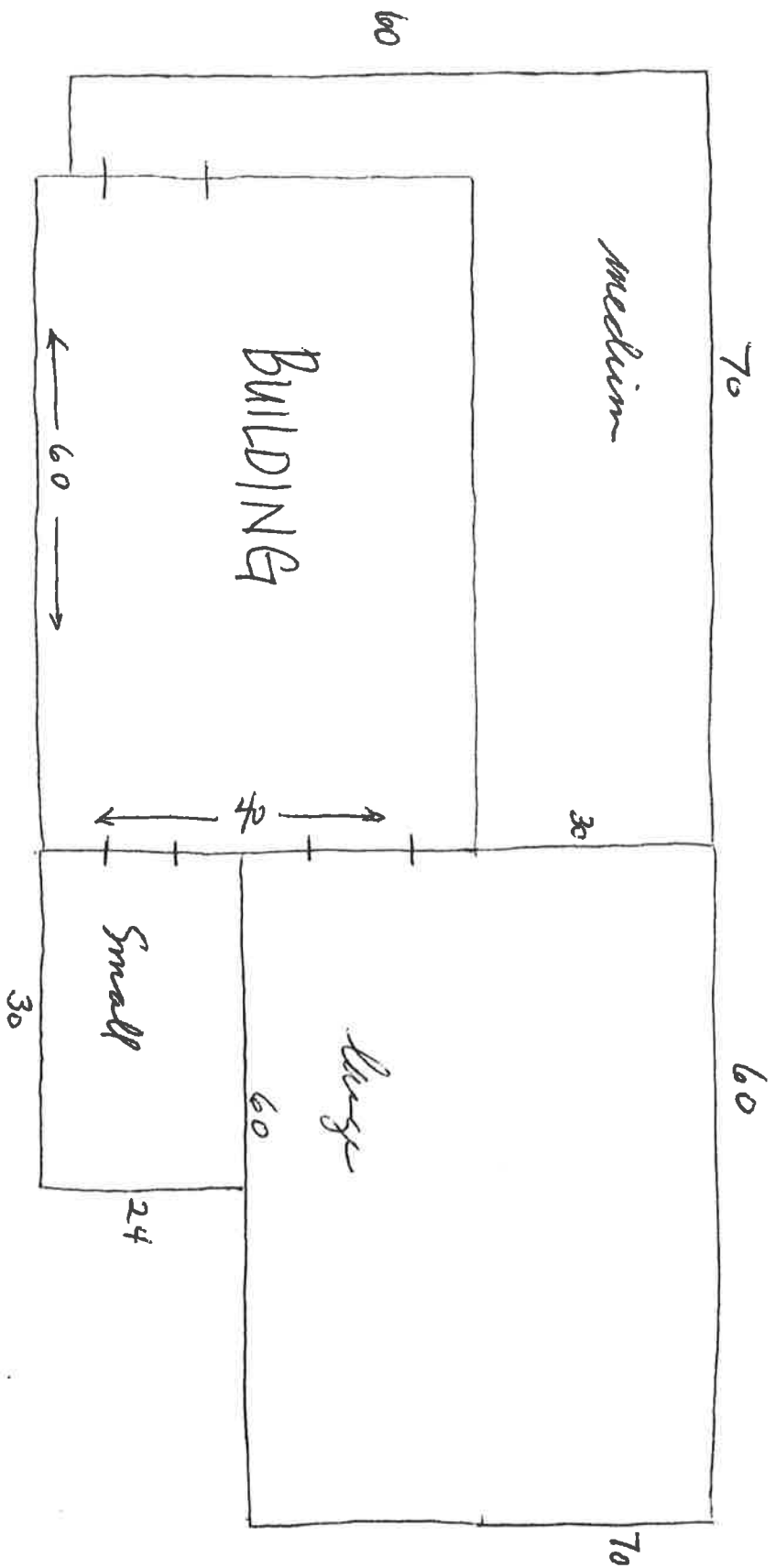
Our overnight staff will make sure every cat and dog is comfortable, tucked in with their favorite item brought from home. Dogs will be let out once during the night for a bathroom break.

Our goal at The "Ruff" Life Pet Resort is that each dog goes home well excersized, socialized and worn out from having so much fun with their friends; while cats are relaxed and comfortable while away from home.

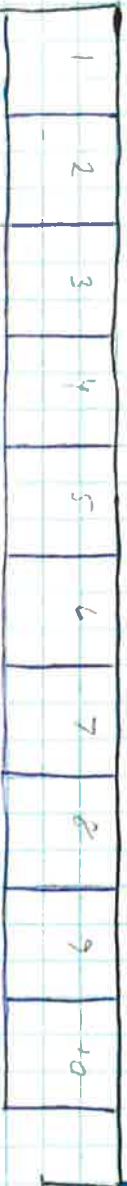
Our Feline and Canine members are a part of our family and are treated as such.

The "Ruff" Life
Pet Resort
Daycare and Boarding for Dogs and Cats

We strive to satisfy our Canines, Felines and Human clients alike. We are a group of animal lovers and pet parents dedicated to providing peace of mind that your beloved pet is enjoying themselves in an environment that is clean, fun, safe, and comfortable; the alternative, spending lonely, boring days and nights at home alone.



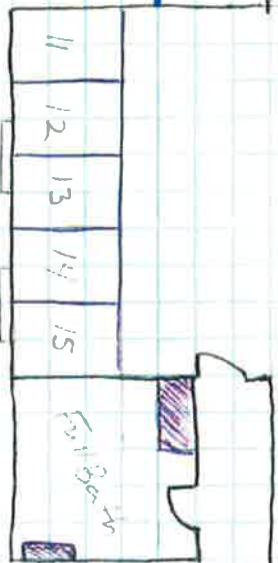
Medium Outside



Large Inside Play



Inside Medium Play



WASH
Small Inside

Lobby
Counter
Office



Small Outside

Large Outside

5141
OLD HWY 11E
Morristown, TN

Holds 33 Dogs
2,400 sq. ft.

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DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Board of Zoning Appeals
FROM: Steve Neilson, Planning Director
DATE: June 13th 2017
SUBJECT: Use on Review Request for a pharmacy

BACKGROUND:

A request has been received for a Use Permitted on Review for a pharmacy at property located at 310 W. 3rd Street North in the Helen Ross McNabb Center. The applicant is "Genoa Healthcare Company, and the property is zoned OMP, Office, Medical, and Professional District.



The approximately 250 sq. ft. pharmacy will be located in an existing office complex and is compatible with the uses in the complex and surrounding properties.

RECOMMENDATION:

The proposed pharmacy is allowed in the OMP as a Use on Review and is in keeping with the adjoining properties and the neighborhood as a whole and Staff would recommend approval of this request.



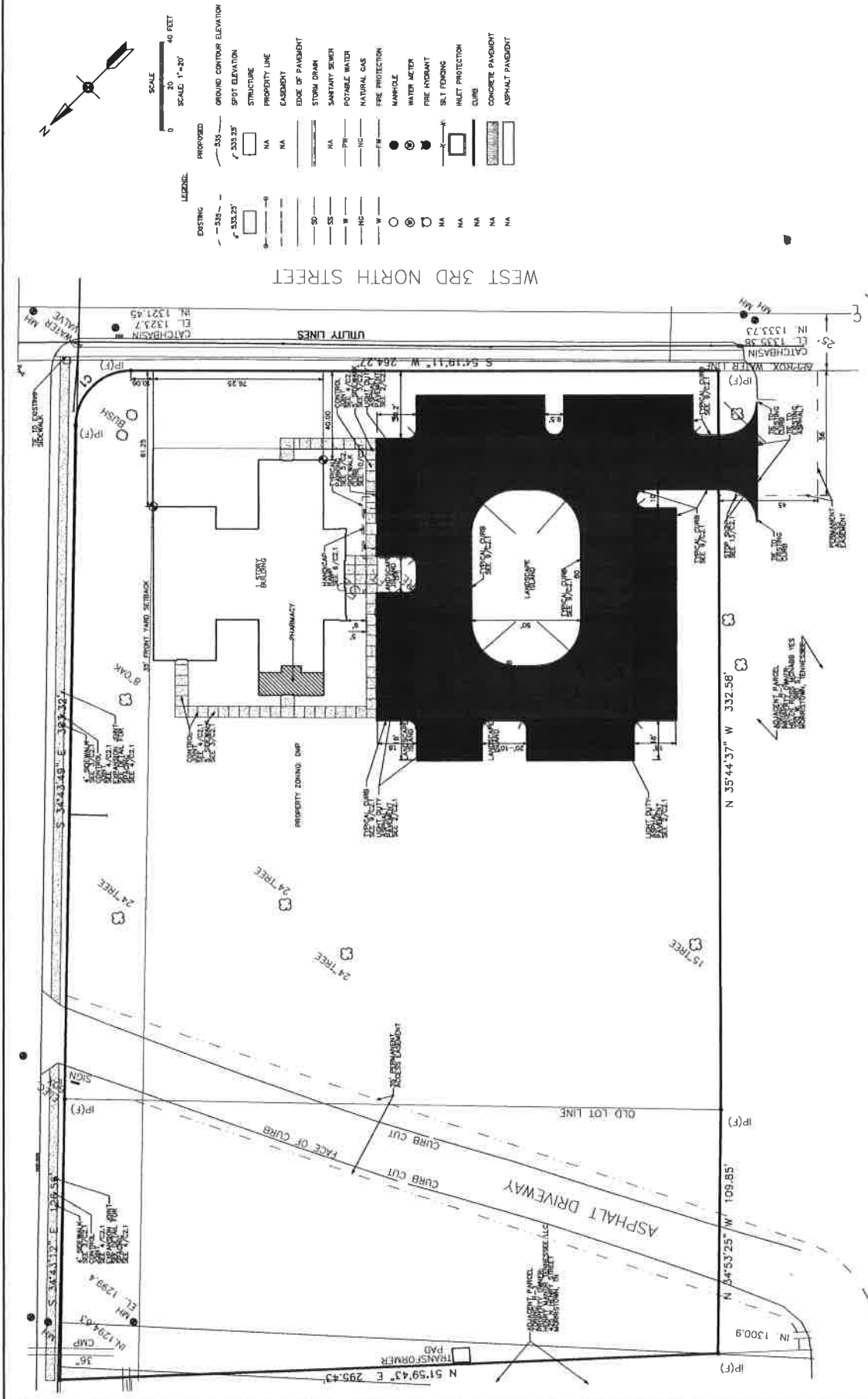
IN MOTION

SITE LAYOUT PLAN

ARCHITECTS, PLLC

995 / 998-1302

CAD FILE: MC-PALOWQ





Re: Proposed on-site pharmacy

To Whom It May Concern:

Genoa, a QoL Healthcare Company ("Genoa"), is the nation's leading behavioral health specialty pharmacy. Genoa has been serving the behavioral health community for over 15 years, and provides specialty behavioral health and long-term care pharmacy services to more than 500,000 individuals annually, operating over 368 pharmacies in 43 states and the District of Columbia and filling more than 9 million prescriptions per year. Genoa operates onsite Community Mental Health Centers (CMHCs), Federally Qualified Health Centers (FQHCs), and other behavioral health centers. Genoa operates closed-door pharmacies, meaning that the pharmacy will serve the partner center's consumers, but not the general public. The Genoa pharmacy team works to increase medication adherence rates for the consumers they serve, many of whom suffer from severe and persistent mental illness. Ultimately, the Genoa pharmacy staff will aim to improve clinical outcomes for individuals with mental illness, while decreasing relapse and re-hospitalization rates.

Genoa is working in partnership with Helen Rodd McNabb Center. Genoa currently operates a pharmacy within the Helen Ross McNabb clinic in Knoxville and would like to add a pharmacy to the clinic in Morristown.

Thank you for your consideration of this letter in an effort to gain approval for any necessary permits to allow the operation of an onsite pharmacy.


Thank you,

A handwritten signature in black ink that reads "Larry Hart".

Larry Hart, RPh
Director of Implementation
Mobile: (412) 613-4434
lhart@genoa-qol.com

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:** June 22, 2017
2. **Name of Property Owner:** Helen Ross McNabb Center
Mailing Address: 201 W. Springdale Avenue City/State/Zip Knoxville TN 37917
Telephone: (Home) N/A (Business) 865-637-9711 (Mobile) N/A
3. **Name of Applicant:** Genoa, a QoL Healthcare Company
Mailing Address: 18300 Cascade Ave S, Ste 251 City/State/Zip Tukwila WA 98188
Telephone: (Home) NA (Business) 800-519-1139 (Mobile) 412-613-4434
4. **Name of Agent (third party):** N/A
Mailing Address: _____ City/State/Zip _____
Telephone: (Home) _____ (Business) _____ (Mobile) _____
5. **Property information:** **Street Address:** 310 W 3rd Street North
County Tax Map: 033L **Group:** F **Parcel(s)** 005.00
Current zoning: OMP **Parcel size:** 3.07 acre **City/U.G.B.** R-132
Existing Use: Medical clinic **Proposed Use:** Pharmacy
6. **Nature of Request:**
☒ 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:**  **Date:** 7-18-17

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).

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DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Board of Zoning Appeals
FROM: Lori Matthews, Senior Planner
DATE: August 8th, 2017
SUBJECT: Use on Review Request for Off-site Parking

REQUEST -

A request to provide off-site parking has been made by Mr. Jeff Kenley on behalf of property owner Trademark Investments, LLC for their property located at 1079 & 1077 E. Morris Boulevard. The site adjoins the Food City at Popkin Field development to the west and was rezoned from Heavy Industrial (HI) to Intermediate Business (IB) in 2016.

This parking request stems from the recent redevelopment of the existing old industrial warehouse into professional office space, which is slated to be the new home of the Department of Child Services (DCS) and Camelot, which is a family counseling and prevention group. Both offices are currently located along Sulphur Springs Road in south Morristown.

As mentioned, this 2 acre site comprised of 3 separate lots was recently zoned for commercial use. Only the warehouses will be part of the redevelopment process for now. The smaller structure which shares this site was formerly a pawn shop which has since been vacated. The 11,000 square foot redevelopment requires roughly 37 parking spaces which have been shown on the site plan. The old warehouse when originally constructed was placed well north of Morris Boulevard, almost directly on top of the (now abandoned) Trade Street right of way line. Access to the development will be from Morris Boulevard across a separate vacant parcel from those which contain the offices. All required parking will be provided between this (to be deeded) ingress/egress and the parcel to the north with the offices. All parking as shown on the attached site plan will be for the sole used of 1777 and 1779 E. Morris Boulevard (Dept. of Child Services office and Camelot Counseling group)

Staff sees the entrance and parking design as being compatible with the redevelopment of this area and hope to see this redevelopment spur future improvements in this area of the City.

BOARD OF ZONING APPEALS OPTIONS:

- 1.) Grant Use on Review as submitted;
- 2.) Deny Use on Review.
- 3.) Grant Use on Review with changes.



