

**MORRISTOWN BOARD OF ZONING APPEALS**  
**Agenda**  
**November 13, 2018**



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**Call to Order**

- I.** Approval of October 9<sup>th</sup>, 2018 Minutes
- II.** Old Business: none
- III.** New Business:

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

**Adjournment**

*The next meeting of the Morristown Board of Zoning Appeals is scheduled for December 11, 2018 at 4:00 pm.  
The deadline to submit applications for this meeting is November 19, 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 11<sup>th</sup>, 2018 minutes.**

Mayor Gary Chesney made a motion for approval of the September 11<sup>th</sup>, 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,

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Bob Garrett, Secretary


BG/ta

# City of Morristown

Incorporated 1855

DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Board of Zoning Appeals  
FROM: Lori Matthews, Senior Planner   
DATE: November 13th 2018  
SUBJECT: Use on Review for 709 East Morris Boulevard / Off Site Parking Approval

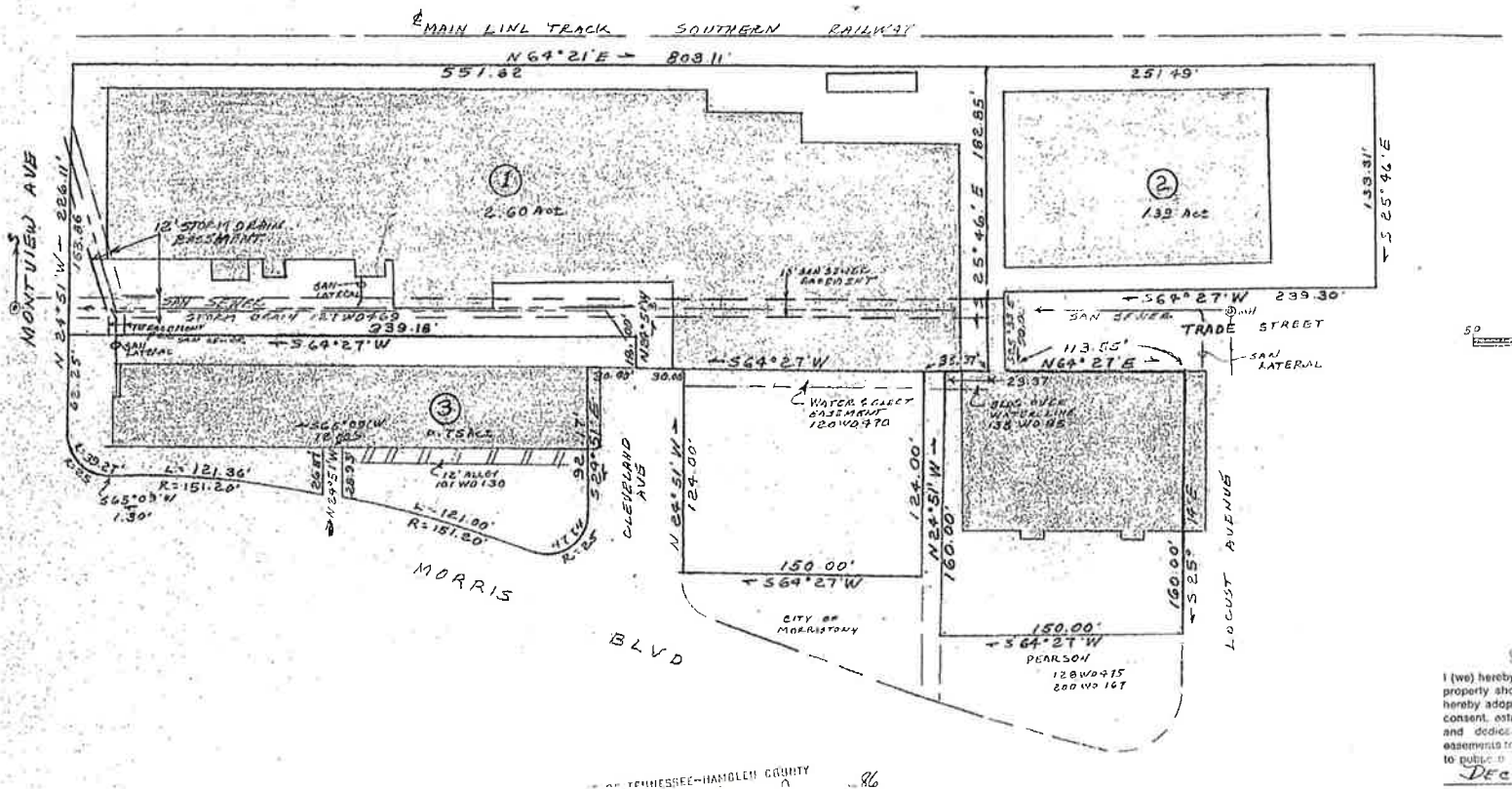
## **SUBMITTAL:**

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 and  
 hereby adopt  
 consent, and  
 and do hereby  
 easements to  
 to public use  
 Dec

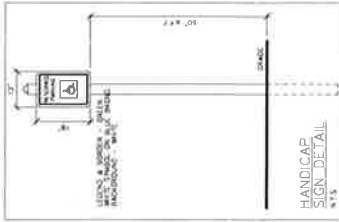
Additionally, the Board of Zoning Appeals has the authority to grant approval of off-site parking provided it is within 400 feet of the principal use. (Section 14-216. Off-Street Parking Provisions) As shown on the recorded plat (shown above), placement and scale of the existing buildings when originally 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 115 parking spaces. The conceptual site plan (also attached) shows the design professional managing a total of 25 spaces on site, leaving 90 spaces to be off site. The NAPA auto parts store (614 East Main Street) and vacant office building (628 East Morris Boulevard) located diagonally from the site have given their permission for the applicant to utilize their parking should it be required. Both locations are 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 vacated industrial sites transforming into commercial and office locales. As this specific site has been an eyesore for several years, redevelopment into a recreational center is viewed by Staff as being in line with the both the existing development trends and is in keeping with the future land use plan forecast. Staff would recommend that use be approved, per Chapter 20 of the City's Zoning Ordinance which authorizes the Board of Zoning Appeals to grant approval based on the application being consistent with surrounding land uses.

Staff recognizes a hardship on the property owner to fit required parking on site and would recommend off site parking be granted, however, the parking areas provided by the applicant do not meet requirements. Staff would recommend possible Board approval of this regulation be tabled until the property owner can show compliance with parking requirements.



REVISIONS	BY
1-	11/5/18 db

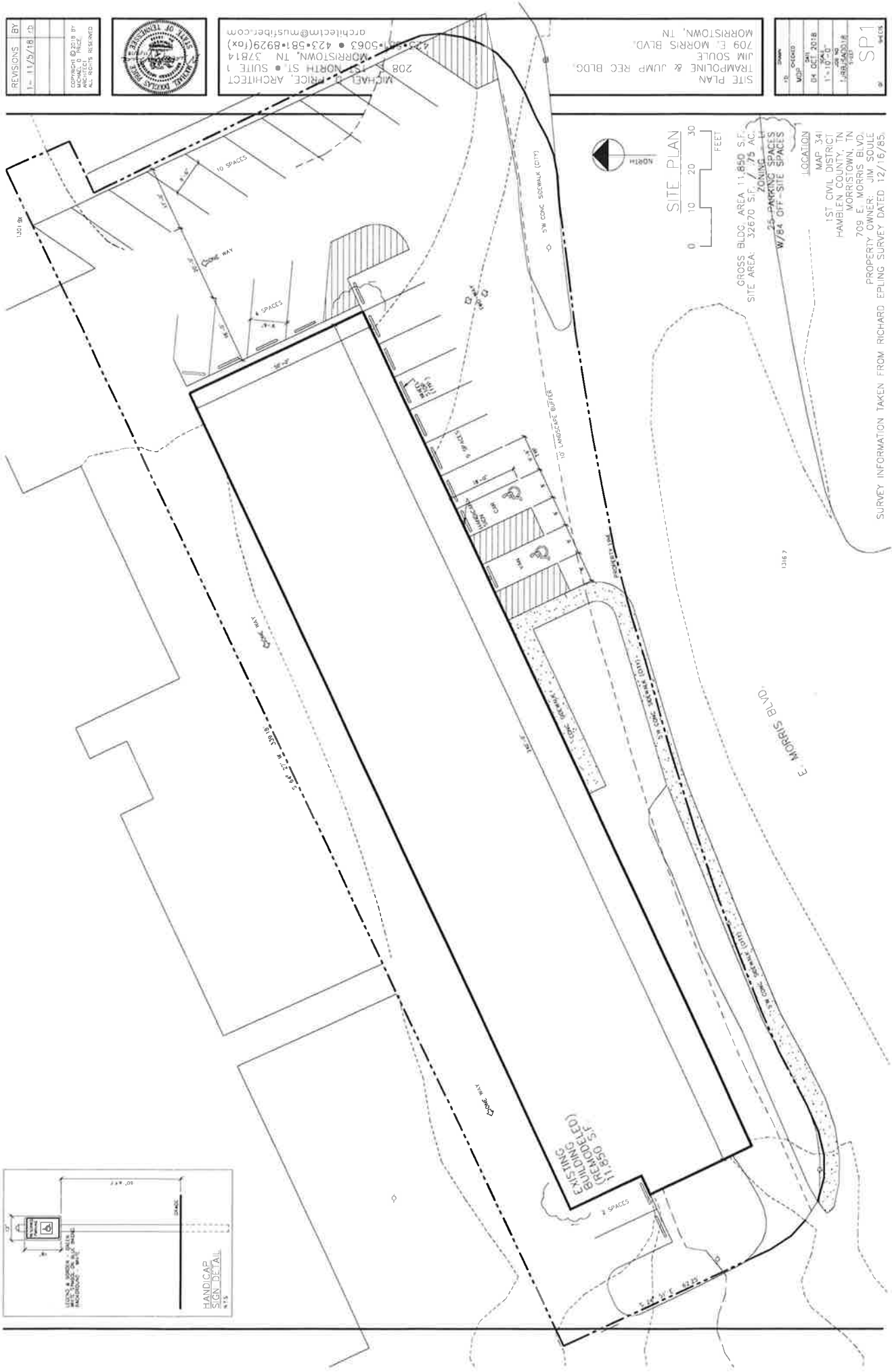
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Architect  
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SITE PLAN  
TRAMPOLINE & JUMP REC BLDG.  
JIM SOULE  
709 E. MORRIS BLVD.  
MORRISTOWN, TN

DATE	12/16/18
BY	db
PROJECT	TRAMPOLINE & JUMP REC BLDG.
LOCATION	709 E. MORRIS BLVD., MORRISTOWN, TN
SCALE	1" = 10'-0"
PROJECT NO.	18-00018
DATE	12/16/18
PROJECT	TRAMPOLINE & JUMP REC BLDG.
LOCATION	709 E. MORRIS BLVD., MORRISTOWN, TN
SCALE	1" = 10'-0"
PROJECT NO.	18-00018
DATE	12/16/18



**SITE PLAN**

GROSS BLDG. AREA: 11,850 S.F.  
SITE AREA: 32,670 S.F. / .75 AC.  
ZONING: U-1  
PARKING SPACES: 25  
W/84 OFF-SITE SPACES

**LOCATION**  
MAP 341  
1ST CIVIL DISTRICT  
HAMBLEN COUNTY, TN  
MORRISTOWN, TN  
709 E. MORRIS BLVD.  
PROPERTY OWNER: JIM SOULE  
SURVEY INFORMATION TAKEN FROM RICHARD EPLING SURVEY DATED 12/16/85.