

MORRISTOWN BOARD OF ZONING APPEALS

Agenda January 8, 2018



Call to Order

I. Approval of December 11th, 2018 Minutes

II. Old Business: none

III. New Business:

UORV-2251-2018: Use Permitted on Review for Golf Cart Sales at
1838 W. Morris Blvd.

UORV-2253-2018: Use Permitted on Review for Automobile Repair Shop at
6778 W. Andrew Johnson Hwy

Adjournment

*The next meeting of the Morristown Board of Zoning Appeals is scheduled for February 12, 2019 at 4:00 pm.
The deadline to submit applications for this meeting is January 14, 2019.*

**Morristown Board of Zoning Appeals
December 11, 2018**

Members Present

Chairman Jack Kennerly
Vice-Chairman Bill Thompson
Secretary Robert (Bob) Garrett
Mayor Gary Chesney
Board Member Wanda Neal
Board Member Ventrus Norfolk
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, City Clerk/Executive Asst.
Greg Ellison, Chief Building Inspector
Michael D. Price
James Soule
Terry Ball

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 October 9th, 2018 minutes.

Board Member Frank McGuffin made a motion for approval of the October 9th, 2018 minutes seconded by Mayor Gary Chesney.

Upon voice votes, all Ayes. Motion carries.

II. Old Business:

None

III. New Business:

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

Planner Josh Cole discussed a use permitted on review from Mr. Leroy Royston to allow an Automobile Sales Lot at 5027 W. Andrew Johnson Highway. This parcel is zones IB (Intermediate Business) and is located at the intersection of W. Andrew Johnson Highway and Old 11E. 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 Highway.

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

Automobile Sales are allowed in the Intermediate Business district as a use permitted on review. This request meets the conditions set forth in the zoning ordinance. Staff recommends approval.

Board Member McGuffin made a motion to approve request Vice-Chairman Bill Thompson seconded motion.

Voting results: 7 yes, 0 no. Motion Passes.

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

Senior Planner Lori Matthews discussed a request received from Mr. Michael Price on behalf of Queen Holdings, LLC Mr. James Soule for 709 East Morris Boulevard between Montvue Avenue and Cleveland Avenue. The property known as the Modern Upholstered Chair Company, prior to being the Carver Wagon Company, is zoned HI (Heavy Industrial). The applicant is seeking approval for both an amusement enterprise use and off-site parking for said use. Added to the City's Zoning Ordinance in 2014, "Amusement Enterprise" includes both indoor and outdoor amusement and recreational facilities.

The site is approximately 33,000 sq. ft. in size with the existing building being approximately 30,000 sq. ft. 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 west with Morris Boulevard fronting the property and a platted 60 foot right-of-way adjoining to the east.

Ms. Matthews stated it's the intent of the owner to renovate the existing building, turning it into recreational center, arcade, kitchenette, trampoline jump area and other recreational uses. Review and approval of this use by the Board of Zoning Appeals is required in all industrial zoned districts. 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. With the building footprint covering 90% of the lot, redevelopment of the site is severely restricted. Current parking regulations will require a minimum of 84 parking spaces based on demolition of part of the existing building and its internal uses. The conceptual site plan shows a total of 26 spaces on site, leaving 65 spaces to be constructed west of Montvue Avenue on three separate parcels, one of which currently houses a small vacant retail store. A lease agreement has been signed by both parties and submitted to the planning department.

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, this site being an eyesore for several years, redevelopment into a recreational center is looked upon favorably. Staff views the use as compatible with surrounding neighborhood and recommends granting the use as submitted based on its consistency with surrounding properties.

Staff recognizes the hardship on the property with existing building footprint occupying 90% of the total parcel of land. Ms. Matthews stated the applicant will be demolishing 20% of the building in order to maintain some onsite parking with the remainder to be located in close proximity 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.

Mayor Chesney made a motion to approve the use on review and the off-site parking Board Member Ventrus Norfolk seconded motion.

Mr. James Soule, owner of Queen Holdings, LLC spoke in favor of the request and answered questions.

Voting results: 7 yes, 0 no. Motion Passes.

UORV-2248-2018: Use Permitted on Review Automobile Sales at 5027 W. Andrew Johnson Hwy

Senior Planner Lori Matthews discussed a use on review request from Mr. Terry Ball acting as a representative for Bunch and Jones Office Properties. 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 this site which will include renovation of the existing 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 six acre tract was originally subdivided into three lots to include a public street in 2009. Since that time, only the building sits on the property. 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 residential. Lakemoore Subdivision and a small mini-storage warehouse adjoin the property to the rear.

Ms. Matthews stated the site will not have to be dramatically changed as it already has adequate parking for the proposed use. The applicant will be hard surfacing the driveway leading into the loading bay and adding some required trees along Brights Pike. The building material yard is expected to be approximately 15,000 sq. ft. size and will be located along the south side of the building adjacent to the storm water pond. Applicant will be fencing in the storage yard and planting evergreens along the perimeter.

Staff recommends approval of request.

Vice-Chairman Thompson made a motion to approve the request and Board Member McGuffin seconded motion.

Mr. Terry Ball, representative for the applicant Bunch and Jones Office Properties, answered questions.

Voting results: 7 yes, 0 no. Motion Passes.

No further business, meeting is adjourned.

Respectfully submitted,

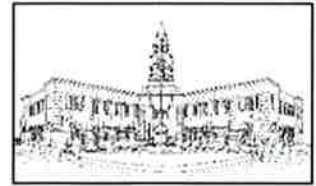
Bob Garrett, Secretary


BG/ta

City of Morristown

Incorporated 1855

DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Board of Zoning Appeals
FROM: Josh Cole, Planner 
DATE: January 8th, 2018
SUBJECT: Use Permitted on Review Request for Golf Cart Sales in the Heavy Industrial District

BACKGROUND:

A request has been received for a use permitted on review from Mr. Mark Harrison, the owner of ET Golf Cart and Powersports, to allow a Golf Cart and ATV Sales Facility at 1838 W. Morris Blvd. This property is zoned Heavy Industrial, thus the need for a use on review to allow a retail use.

This business is currently located at 6778 W. Andrew Johnson Hwy and the owner is seeking to relocate to this new location. This parcel was previously home to the General Shale Brick business and is 1.21 acres in size with a 5,800 square foot building. Along W. Morris Blvd. it has a vacant lot to the west, a pawn shop to the east, and various offices to the south.



RECOMMENDATION:

Retail uses similar to this are allowed in the Heavy Industrial district as a use permitted on review. This use is consistent with the uses in this portion of W. Morris Blvd. Thus, staff recommends approval of the proposed request.

City of Morristown

Incorporated 1855

DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Board of Zoning Appeals
FROM: Josh Cole, Planner
DATE: January 8th, 2018
SUBJECT: Use Permitted on Review Request for Automobile Repair Shop in the Intermediate Business District

BACKGROUND:

A request has been received for a use permitted on review by Jamie Mitchell of Mitchell's Collision Center to allow an automobile repair shop at 6778 W. Andrew Johnson Hwy, which is zoned IB (Intermediate Business District).

Mitchell's Collision is currently located at 115 Lakeshore Road and the owner is seeking to move across Lakeshore to this location. This parcel, which is currently occupied by the ET Golf Cart and Powersports sales facility, is 0.8 acres with a 7,200 sq ft. building. The current location of Mitchell's Collision and a convenience store/gas station ("Carroll's Grocery") is to the west, a vacant commercial building ("Talbot Business Center") to the east, and residential use to the north and south.

The applicant is proposing to remodel the current building and has provided a site plan meeting the requirements set forth for this use in the zoning ordinance.



RECOMMENDATION:

Automobile repair shops 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.

14-1003.2: Automobile Repair Shops

- a. site plan shall be submitted to meet requirements as put forth in Section 14-1903 APPROVAL OF PLANS AND ISSUANCE OF BUILDING PERMIT; and
- b. The vehicle storage areas shall be screened from all residential use and districts with a fence a minimum six (6) feet tall. The fencing may be wood, brick, or other material that is at least 75 percent opaque.

