

MORRISTOWN BOARD OF ZONING APPEALS
Agenda
January 14th, 2020



Call to Order

- I.** Approval of September 10th, 2019 Minutes
- II.** Old Business: none
- III.** New Business:

UORV-2316: Substance Abuse Treatment Facility in HI District
230 Bowman Road

Adjournment

*The next meeting of the Morristown Board of Zoning Appeals is scheduled for February 11th, 2020 at 4:00 pm.
The deadline to submit applications for this meeting is January 20th, 2020.*

**Morristown Board of Zoning Appeals
September 10, 2019**

Members Present

Chairman Jack Kennerly
Secretary Robert (Bob) Garrett
Mayor Gary Chesney
Board Member Wanda Neal
Board Member Ventrus Norfolk
Board Member Frank McGuffin
Board Member Bill Thompson

Others Present

Steve Neilson, Community Development Director
Lori Matthews, Senior Planner
Josh Cole, Planner
Tina Allison, Admin. Asst. Planning

Chairman Jack Kennerly called the meeting to order.

**I. Annual Meeting: Election of Officer: Chairman, Vice-Chairman, Secretary
Review of 2020 Meeting Dates and Deadlines**

Mayor Gary Chesney moved that the current slate of officers be returned to office by unanimous acclamation seconded by Board Member Wanda Neal. Upon voice votes, all Ayes.

Voting Results upon voice vote all Ayes. Officers Elected.

II. Approval of August 13th, 2019 minutes:

Board Member Frank McGuffin made a motion for approval of the August 13th, 2019 minutes seconded by Board Member Wanda Neal.

III. Old Business:

None

IV. New Business:

None

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: Lori Matthews, Senior Planner 
DATE: January 14th 2020
SUBJECT: Use on Review for Medical Office in HI District

BACKGROUND:

An application for a use review has been submitted by Mr. Lee Dilworth on behalf of applicant ReVIDA Recovery Centers, P.C. to be located at 230 Bowman Road. The applicant seeks permission to operate a substance abuse treatment facility within an HI (Heavy Industrial) zoned district. While this land use is one permitted within an HI zoned district, it requires approval from the Board of Zoning Appeals after compliance with all regulations has been shown.

The subject property is located along the west side of Bowman Road at its intersection with West Morris Boulevard just west of Hyde Eye Clinic. Situated on just over 1 acre, the existing office building measures just under 10,000 square feet and is currently occupied by one additional tenant, that being property owner Mr. (Dr.) Zain. Research has shown the entire area behind and west of this property (to East Economy and north to West 1st Street) has been zoned industrial (HI) since at least 1975.

Within close proximity of the subject property are located the following land uses: pawn shop, construction equipment leasing, eye surgery clinic, nail salon, obstetric clinic, occupational medical clinic and warehousing.

Staff initiated updates to the City's Zoning Ordinance this past fall regarding medical land uses which were adopted in December of 2019. Included within these changes was the addition of the following definition which defines the applicant's place of business:

SUBSTANCE ABUSE TREATMENT FACILITY (scheduled drugs dispensed by prescription/not on-site): shall mean a building or portion of a building, containing offices, facilities or designated space with the predominant, substantial, or significant purpose of providing outpatient treatment and counseling or similar services to individuals who are dependent on legal and illegal drugs, opiates, alcohol or other similar substances. Treatments often include Suboxone, Buprenorphine, and other prescribed medications used to treat opiate additions. Substance Abuse Treatment facilities do not include Methadone Treatment Clinics or Facilities.

Businesses which fall under this land use category must show compliance with the following pre-requisites before approval may be given by the Board of Zoning Appeals:

- No facility shall allow outdoor seating areas, queues, or customer waiting areas. All activities shall be conducted within the building and adequate indoor waiting areas shall be provided for all patients and business invitees.
- The indoor waiting/seating area shall be open to all patients thirty (30) minutes prior to patients being seen.
- The facility shall post a conspicuous sign stating that no loitering is allowed on the property. A sign shall also be posted stating that no drugs/medications are stored or distributed on property.
- Provide name and phone number of the community relations contact who will respond to complaints.

RECOMMENDATION:

As the applicant has shown compliance with all applicable City code, to include Zoning, Building and Fire Safety, Staff would ask that the Board of Zoning Appeals grant their approval to the use of a substance abuse facility being located within a Heavy Industrial zoned area, specifically 203 Bowman Road.

