

MORRISTOWN BOARD OF ZONING APPEALS

Agenda

March 10th, 2020



Call to Order

I. Approval of February 11th, 2020 Minutes

II. Old Business: none

III. New Business:

VARI-2382: Landscape Variance at 226 Industrial Avenue
Daniel Paul Chairs

Adjournment

*The next meeting of the Morristown Board of Zoning Appeals is scheduled for April 14th, 2020 at 4:00 pm.
The deadline to submit applications for this meeting is March 16th, 2020.*

**Morristown Board of Zoning Appeals
February 11, 2020**

Members Present

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

Others Present

Steve Neilson, Development Director
Lori Matthews, Senior Planner
Josh Cole, Planner
Tina Allison, Admin. Asst. Planning
Scott Hodge
Sami Barile
T. Phillip Carlyle
Delma Williams
David Quillen
Shane Abraham

Members Absent

Board Member Frank McGuffin

Chairman Jack Kennerly called the meeting to order.

I. Approval of January 14th, 2019 minutes:

Board Member Wanda Neal made a motion for approval of the January 14th, 2019 minutes seconded by Mayor Gary Chesney.

Upon voice votes, all Ayes. Motion carries.

II. Old Business:

None

III. New Business:

UORV-2356: Short Term Rental Units in OMP District

1103 West 3rd North St., 1111 W 3rd North St., 311 Hickey Street

Planner Josh Cole discussed a request for approval from Mr. Kevin Davenport representing Blue Ridge Home Solutions to operate three "Non-Owner-Occupied Short-Term Rental Units" (NOSTRU) for property located at 1103 and 1111 West 3rd North Street and 311 Hickey Street. The three parcels are all adjoining and are all zoned Office, Medical, and Professional District (OMP).

The properties to the east and west are zoned OMP with the property to the east containing a single-family house and the property to the west containing an office building. The property to the south is zoned Intermediate Business (IB) with a bank. The properties to the north are zoned Medium Density Residential with single-family housing.

The properties at 1103 and 1111 West 3rd North Street each contains three bedrooms while 311 Hickey Street contains two bedrooms. The applicant has provided Staff with two individuals to contact in case of any issues. The units will be utilizing a small dumpster to be emptied on a regular basis, and each unit contains more than enough parking than required. The fire marshal has inspected these units and he informed the department that it meets all applicable fire related conditions.

This is a use permitted on review in the OMP district. The applicant has met or agreed to meet all the requirements set forth in the zoning ordinance for such a use. Staff recommended approval.

Board member Bill Thompson made a motion to approve use on review seconded by Chairman Jack Kennerly.

Voting results: 6 yes, 0 no. Motion Passed.

**UORV-2360: Automobile Sales in IB District
4581 W. Andrew Johnson Highway**

Senior Planner Lori Matthews discussed a request for approval from Mr. Boyd Caldwell to operate an automotive sales center on his property located at 4581 West Andrew Johnson Highway. The property is zoned Intermediate Business (IB) which requires both use and site plan approval by the Board of Zoning Appeals for any automotive sales or repair center.

The property contains one 3,500 square foot building to be used as a sales office. The submitted site plan shows only the front third of the property will be used at this time and it will accommodate a maximum of 23 parking stalls dedicated to both customer and inventory parking. It shows the 10-foot green buffer as well along the front property line and all required landscaping which is pursuant to zoning regulations. All parking and vehicle travel areas will be asphalt or concrete.

Staff is satisfied with the submitted site plan and recommends the site plan and use be granted for this property.

Board member Bill Thompson made a motion to approve use on review seconded by Board Member Wanda Neal.

Voting results: 6 yes, 0 no. Motion Passed.

**UORV-2370: Home Occupation Request
Attorney Office at 610 E. 1st North Street**

Senior Planner Lori Matthews discussed a request from Mr. Scott Hodge for a request for permission to operate an office from his residence located at 610 East 1st North Street. Under the City's Zoning Ordinance, Section 14-228 Home Occupations, an applicant intending to have more employees than those living on-site must receive approval by the Board of Zoning Appeals. All other applications are reviewed and approved or denied by City Staff.

Located immediately east of Douglas Cherokee Economic Board, the subject site consists of a single-family residential home situated one-half acre. The applicant wishes to have a small office within his house to be managed by himself and one other person. As with many other types of home businesses, the majority of the work is conducted via the internet. The applicant spends a great deal of time traveling to and from his clients, that being the reason for having an additional person during the day.

As there will be very few clients actually visiting the office and there already exists adequate room for at least four vehicles and the applicant has shown he can comply with the City's Home Occupation regulations, Staff recommended that the Board of Zoning Appeals approve the use request.

Board member Bill Thompson made a motion to approve use on review seconded by Mayor Gary Chesney.

Scott Hodge was available to answer any questions about the use on review.

Voting results: 6 yes, 0 no. Motion Passed.

No further business, meeting is adjourned.

Respectfully submitted,

Bob Garrett, Secretary

BG/ta


DRAFT

City of Morristown

Incorporated 1855

DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Board of Zoning Appeals
FROM: Josh Cole, Planner 
DATE: March 10th, 2020
SUBJECT: Landscape Variance Request
Daniel Paul Chairs at 226 Industrial Avenue

BACKGROUND:

Mr. Pete Barile, representing Daniel Paul Chairs, is requesting a variance to Chapter 33 (“LANDSCAPE, BUFFERS AND SCREENING”) of the Zoning Ordinance. In particular, the applicant is wanting a variance to the following sections:

14-3304.C Front Yard Area Trees

1. Canopy trees shall be planted within the front yard (building) setback area at a minimum ratio of one tree per 50 linear feet of street (public right of way) frontage

14-3304.D. Vehicular Use Areas

2. Design Standards

- a. All vehicular use areas shall be designed to ensure that every parking space is within 50 feet of a tree location (excluding off-site street trees).

This project received full site plan approval which included it meeting the minimum landscape requirements. The applicant has recently completed construction at this location and is now requesting the above noted variances. This property contains 624.98’ of public street frontage which requires a minimum of 13 canopy trees, however, since there are overhead powerlines, smaller understory trees were substituted for the canopy trees at a 2:1 ratio as allowed for in the zoning ordinance. The site plan provides for 26 understory trees along Industrial Avenue and 3 canopy trees along the front of the building.

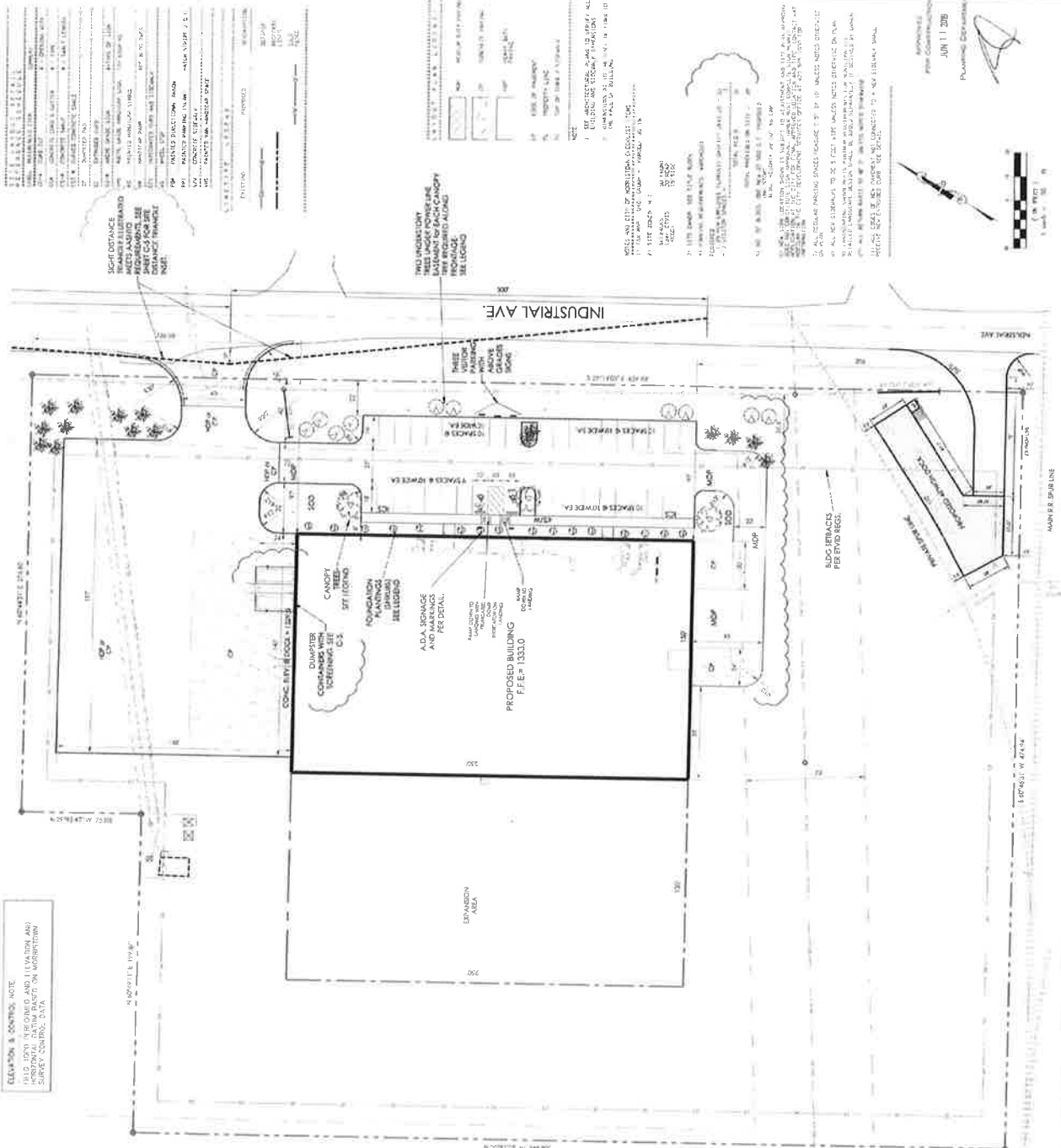


RECOMMENDATION:

Staff recognizes that there are some topographical issues that may require the location of some of the originally approved trees to be moved to other locations of the property but there appears to be adequate room on this property to place the minimum required number of trees. Thus, staff does not recommend approval of the variance requests.

However, if the variance requests are approved by the Board, they should be approved contingent upon approval from the Industrial Development Board for the modification of the landscape plan.

P.O. Box 1499 • Morristown, Tennessee 37816-1499 • Phone (423) 585-4620 • Fax (423) 585-4679



PERMITS AND REGULATIONS

1. ALL PLANTINGS SHALL BE INSTALLED BY THE CONTRACTOR.
 2. ALL PLANTINGS SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS.
 3. ALL PLANTINGS SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS.
 4. ALL PLANTINGS SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS.

PERMITS AND REGULATIONS

1. ALL PLANTINGS SHALL BE INSTALLED BY THE CONTRACTOR.
 2. ALL PLANTINGS SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS.
 3. ALL PLANTINGS SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS.
 4. ALL PLANTINGS SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS.

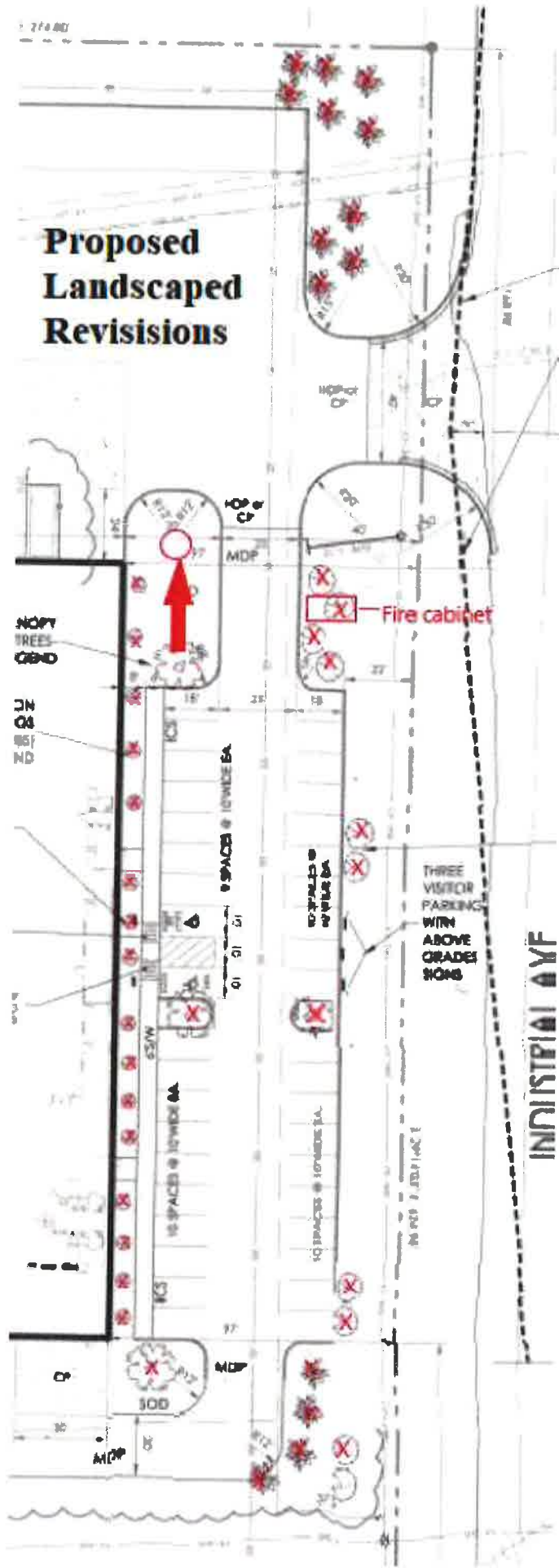
LEGEND

1. ALL PLANTINGS SHALL BE INSTALLED BY THE CONTRACTOR.
 2. ALL PLANTINGS SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS.
 3. ALL PLANTINGS SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS.
 4. ALL PLANTINGS SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS.

NOTES

1. ALL PLANTINGS SHALL BE INSTALLED BY THE CONTRACTOR.
 2. ALL PLANTINGS SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS.
 3. ALL PLANTINGS SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS.
 4. ALL PLANTINGS SHALL BE INSTALLED WITHIN THE SPECIFIED PLANTING AREAS.

Proposed Landscaped Revisions



INDUSTRIAL AVE

THREE VISITOR PARKING WITH ABOVE GRADE SIGN

Fire cabinet

NO PLY TREES

NO PLY TREES

9 SPACES 10'WIDE BA

10 SPACES 10'WIDE BA

10 SPACES 10'WIDE BA

MDP

MDP

From: Jodi Barnard <industry@morristownchamber.com>

Sent: Monday, March 2, 2020 1:46 PM

To: Steve Neilson <sneilson@mymorristown.com>; Tony Cox <tc Cox@mymorristown.com>

Cc: Marshall Ramsey <president@morristownchamber.com>

Subject: Daniel Paul Chairs

Steve:

Below is the Industrial Board action regarding Daniel Paul Chairs:

Taken from the minutes of the meeting of the Industrial Development Board of the City of Morristown on 5-6-19.

Re: Daniel Paul Chairs

The chairman then presented the board with a request from Pete Barile with Danial Paul Chairs to reconsider the requirement for extensive landscaping for the proposed building plan in the *East Tennessee Valley Industrial District*. Plans for the building were brought to the board on April 5 which the board approved along with a variance for dock doors facing Morris Blvd. This variance required landscaping be placed between the dock doors and the property line facing Morris Blvd. (directly behind UPS.) Mr. Barile has asked that the board rescind the landscaping requirement from the variance and instead allow him to submit a landscaping plan. Upon motion by Hice, second by Campbell, Resolution No. 2283 was introduced. The following vote was recorded:

Ayes – 10

Noes – 0

The chairman declared Resolution No. 2283 approved. Resolution No. 2283 is as follows:

RESOLUTION NO. 2283

RESOLVED, The Industrial Development Board of the City of Morristown does hereby rescind the requirement for extensive landscaping in the variance granted for the dock doors facing Morris Blvd. and instead request that a landscaping plan be submitted for review and approval.

Hope that helps.

Jodi Barnard
Business Development Specialist
Morristown Area Chamber of Commerce
825 W. First North St.
P. O. Box 9
Morristown, TN 37815
industry@morristownchamber.com
www.SelectMorristownTN.com

