

MORRISTOWN BOARD OF ZONING APPEALS
Agenda
January 11th, 2022



Call to Order

I. Approval of October 12th, 2021, Minutes

II. Old Business: none

III. New Business:

UORV-2580: Use on Review Request
Automobile Repair in Intermediate Business District
South Cumberland Street

UORV-2581: Use on Review Request
Automobile Sales in Intermediate Business District
East Morris Boulevard

Adjournment

*The next meeting of the Morristown Board of Zoning Appeals is scheduled for February 8th, 2022, at 4:00 pm.
The deadline to submit applications for this meeting is January 17th, 2022.*

**Morristown Board of Zoning Appeals
October 12, 2021**

Members Present

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

Others Present

Steve Neilson, Development Director
Lori Matthews, Senior Planner
Josh Cole, Planner
Tina Allison, Admin. Asst. Planning
Larry Clark, Asst. City Administrator

Members Absent

Wanda Neal

Chairman Ventrus Norfolk called the meeting to order.

I. Approval of September 14th, 2021 minutes:

Board Member Bill Thompson made a motion for approval of the September 14th, 2021 seconded by Mayor Gary Chesney.

Upon voice votes, all Ayes. Motion Carries.

II. Old Business:

None

III. New Business:

**VARI-2561: Variance Request to the Setbacks of Detached Accessory Structure
Pool location at 177 Cole Road**

Senior Planner discussed by property owners Steve and Jill Colardeau to locate an underground swimming pool within the side yard setback of 177 Cole Road, which is located just behind Cherokee Heights Baptist Church on Cherokee Road. Current zoning regulations dictate accessory structures must be behind the principal structure, 6 feet from the principle structure, 5 feet from any side yard lot line and 10 feet from any rear yard lot line.

The subject property is 31,000 square feet in size, with 142' of street frontage. Contained on the property is a 3,700 square foot house located along the front of the property. The owners are wishing to add a 300 square foot swimming pool approximately 10 feet from the east side of the existing house. A hard surface landing approximately 43 x 20 feet in size and retaining wall are also shown on the plans, with a fence being built around the entire project.

Subdivision regulations amended in 2019 allowed for the construction of houses with no sanitary sewer access. In lieu of sanitary sewer lines, the property must be approved by TDEC for an underground septic tank and field lines. Depending on the soils found, the area subject to placement of the field lines can encompass a large area. In addition, a 'reserve' area must be maintained, in the event the existing field lines fail.

Staff could not support this request based largely on it not meeting the criteria needed for a variance. The applicant must show that meeting zoning regulations presents an 'undue hardship' listed as topographic difficulties, excessive narrowness, shallowness of the lot, and shape of the property. The property meets none of the criteria.

Board Member Frank McGuffin made a motion to deny the variance request seconded by Secretary Bob Garrett.

Steve Colardeau, the property owner, spoke in favor of the variance request.

Voting Results: 3 yes, 3 no. Motion failed.

Board Member Jack Kennerly made a motion to postpone to next meeting seconded by Secretary Bob Garrett.

No further business, meeting is adjourned.

Respectfully submitted,

Bob Garrett, Secretary

BG/ta

The City of Morristown

Community Development & Planning



TO: Morristown Board of Zoning Appeals
FROM: Lori Matthews
DATE: January 11th, 2022
REQUEST: Use on Review Consideration for Automobile Repair Lot

Applicant, Mr. William Williams is seeking use approval for an automobile repair business to be located at 1625 South Cumberland Drive, between Hayter and Highland Drives. The property, zoned Intermediate Business, consists of two parcels totaling roughly three-fourths of an acre.

Pursuant to the City's Zoning Ordinance, Chapter 10, Section 14-1003.2, automobile repair falls under those uses which require approval by the Board of Zoning Appeals. Conditions of site plan approval and screening the business with a fence is required and has been shown on the site plan.

The subject site is located along a commercial corridor, stretching from Morris Boulevard south, to Highway 160. As shown by the graphic below, the site is surrounded by commercial zoning (Intermediate Business in red). An additional auto repair business is located to the north; a home improvement store (going out of business) faces the site from South Cumberland Street and Little Dandy (convenience) market adjoins the site to the south. The parcel located behind happens to be split zoned for both commercial and residential uses. A single family residence exists within the commercially zoned portion of the property. The property as a whole will be screened by trees from the proposed business along with a fence no less than 6 feet high.

As the site plan complies with zoning requirements, Staff would ask the Board of Zoning Appeals to approve the automotive repair use, and, site plan. The applicant has been informed that should the site change from the approved plan, the property would be considered as non-compliant, and the matter be turned over to the City's Codes Enforcement Department.





811
 Please Check Below
 Call before you dig.

SHEET
C-101

CONCEPTUAL LAYOUT PLAN

JOB NO. 21-34
 DATE: NOVEMBER 2021
 DESIGNED BY: JG
 CADD BY: JG
 DESIGN REVIEW: _____
 CONST. REVIEW: _____
 FILE NAME: _____
 WillieWilliamsGarage.dwg

**WILLIE WILLIAMS
 AUTOMOTIVE GARAGE**

MORRISTOWN, TENNESSEE

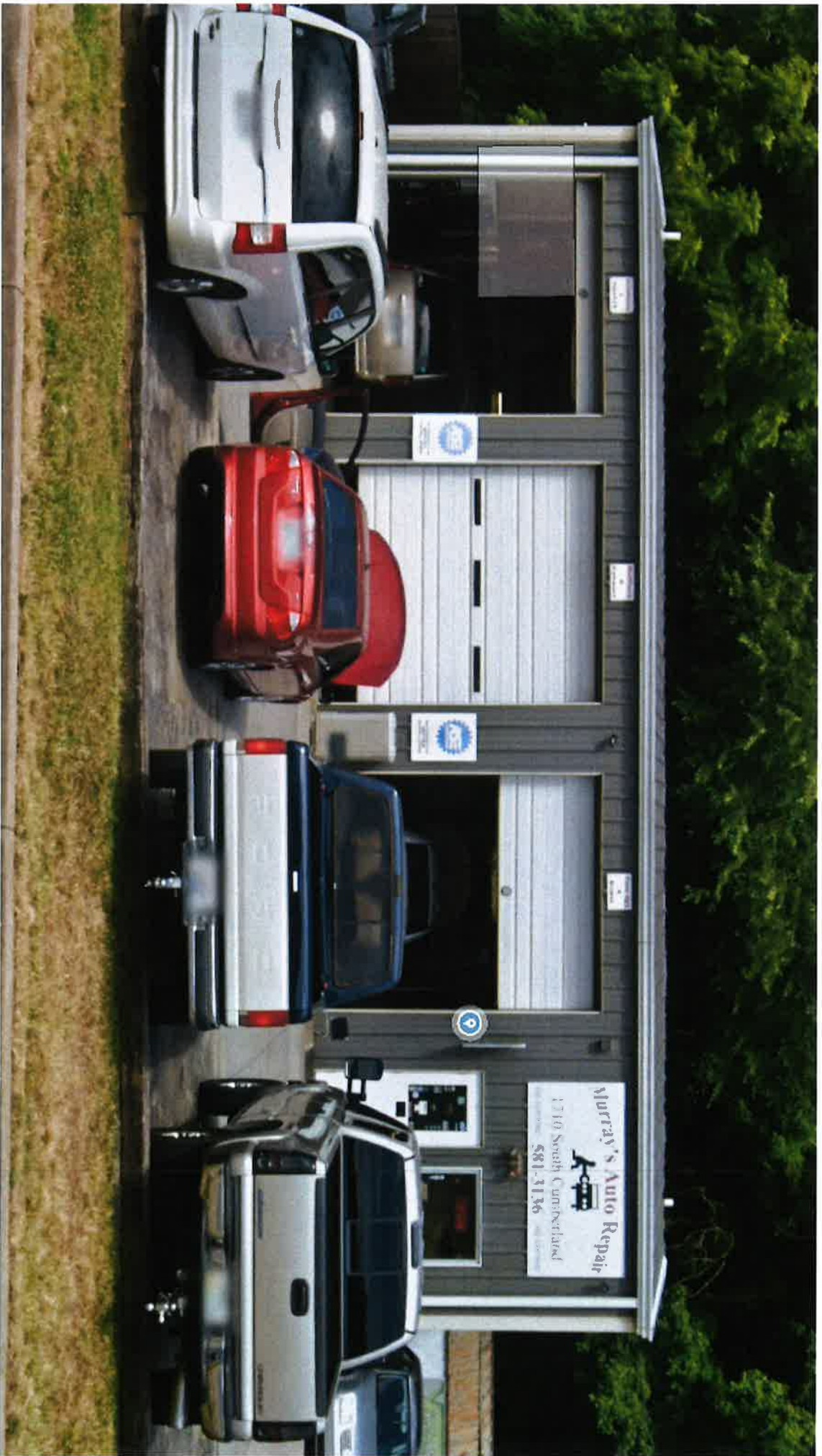


**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

NO.	DATE	REVISION

- NOTES**
1. PROPERTY ID: MAP 002 GROUP A PARCEL E.881 & 809-1-02
 2. OWNER TOTAL: _____
 3. OWNER INFO: _____
 4. PROJECT ADDRESS: 1123 S. CUMBERLAND STREET, MORRISTOWN, TN 37132
 5. PROJECT ZONING: U-1B (UNIVERSITY BUSINESS)
 6. PROJECT AREA: 2.21 ± ACRES (91,111 S.F.)
 7. PROJECT AREA: 2.21 ± ACRES (91,111 S.F.)
 8. PROJECT AREA: 2.21 ± ACRES (91,111 S.F.)
 9. PROJECT AREA: 2.21 ± ACRES (91,111 S.F.)
 10. PROJECT AREA: 2.21 ± ACRES (91,111 S.F.)

ADJACENT EXISTING EXAMPLE



The City of Morristown



Community Development & Planning

TO: Morristown Board of Zoning Appeals
FROM: Lori Matthews
DATE: January 11th, 2022
REQUEST: Automobile Car Lot - Use on Review Consideration

BACKGROUND -

Applicant Terry Costner is seeking use approval for his automobile sales lot, to be located at 3710 East Morris Boulevard, just past Carroll Road. The property is zoned Intermediate Business and is approximately (1) one acre in size; however, the applicant will be dedicating only 26,000 square feet of his lot to the car sales business. The remainder of the lot will remain vacant.

The subject site shares its east property line with Onin Staffing (formerly TVA), which is also zoned Intermediate Business. A clothing store, zoned Light Industrial, adjoins to the west. A small residential subdivision zoned R-2 sits behind this site. Omatex and Supplier Solutions face the site across East Morris Boulevard, both being zoned Heavy Industrial.

Per the City's Zoning Ordinance, automobile sales within IB Districts must have both a site plan and the use approved by the Board of Zoning Appeals. All new car lots will be required to include either curb stops or bollards to ensure vehicles stay well out of the public rights-of-way. In addition, they must have a minimum of (3) parking spaces dedicated to customer parking, and (15) parking spaces for vehicular storage.

Design plans show the applicant has met these requirements, using bollards along the front of the site. A 1,200 square foot sales center is shown with 18 parking spaces, one of which will be handicapped accessible.

RECOMMENDATION -

As the site plan appears to comply with zoning requirements, and due to the small number of vehicles being sold, Staff sees the use as compatible with surrounding uses, Staff would ask the Board of Zoning Appeals to approve both the use and site plan.



14-1003. USES PERMITTED ON REVIEW (3596-02/06/2018)

3. Automobile Sales:

- a. A site plan shall be submitted to meet requirements as put forth in Section 14-1903 APPROVAL OF PLANS AND ISSUANCE OF BUILDING PERMIT. Traffic aisles shall meet the requirements as stated under Chapter 2, Section 14-203 Definition of Parking Aisle for one way and two way traffic. All plans will include access as required by the Morristown Fire Department for emergency vehicles.
- b. In addition to parking as required for in Section 14-216-3.e, a minimum of three (3) customer spaces must be provided for and identified; a minimum of fifteen (15) parking stalls must be provided for sales stock. All parking shall meet the specifications of Section 14-216-2 requiring parking stalls to be 9.5 feet by 18 feet in size.
- c. Automobiles displayed along property lines must include a Staff approved physical barrier. New development sites require a 10 foot grassed strip along property lines which front rights-of-way. Existing or redeveloped sites may choose this option or provide a smaller grassed strip with barriers such as chain and bollard or wheelstops to prevent vehicles from encroaching into rights of way and/or prevent overlap onto adjacent properties. Either method will be shown on the site plan.
- d. All parking to include sales stock shall be composed of a hard surface material as stipulated under Section 14-216.4 and Section 14-203.209 of the Zoning Ordinance unless granted a variance by the Planning Commission.

REV	BY	DATE	DESCRIPTION
1	MP	12/20/21	REVISED

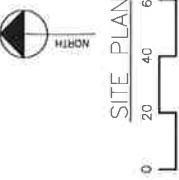
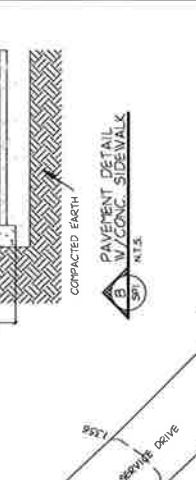
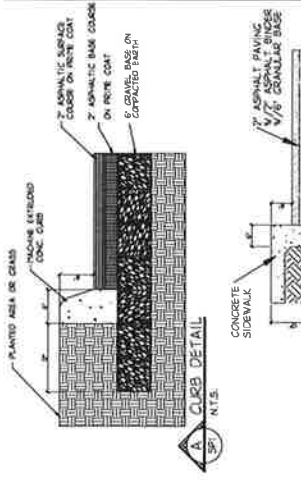
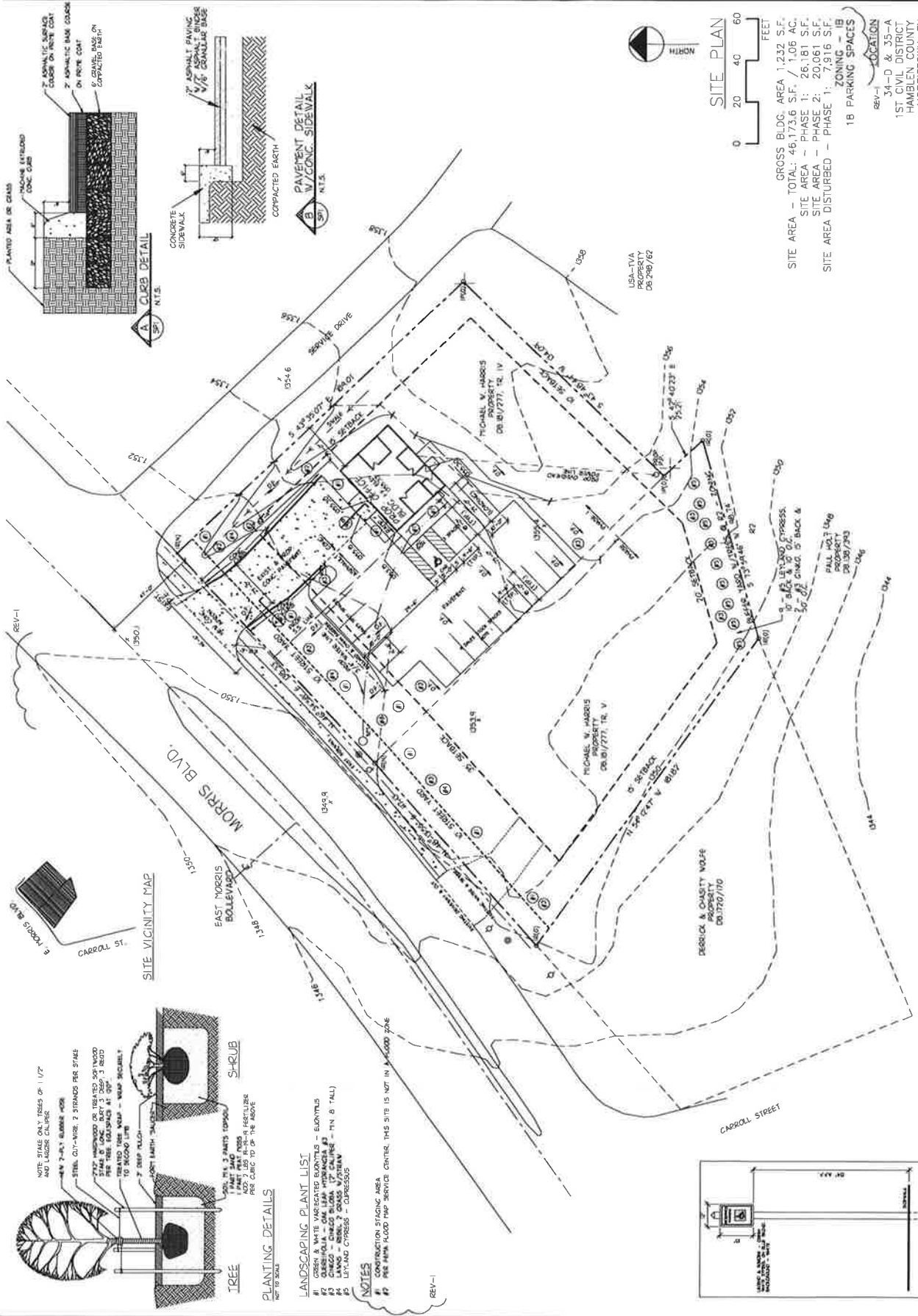
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MORRISTOWN, TN 37814

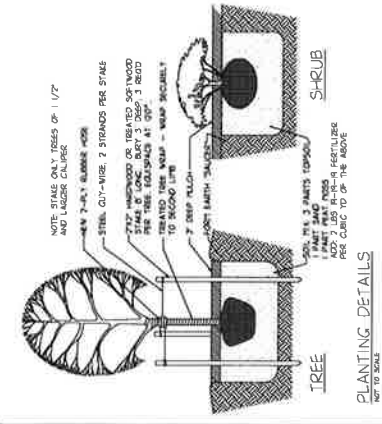
SITE PLAN
BUSINESS - OFFICE BUILDING
TERRY COSTNER
3710 E. MORRIS BLVD.
MORRISTOWN, TN

CAD	MP
DATE	29 NOV 21
SCALE	1" = 20'-0"
PROJECT	3710 E. MORRIS BLVD. OFFICE BUILDING
SP1	



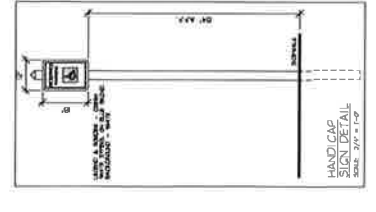
GROSS BLDG. AREA 1,232 S.F.
SITE AREA - TOTAL: 46,173.6 S.F. / 1.06 AC.
SITE AREA - PHASE 1: 26,181 S.F.
SITE AREA - PHASE 2: 20,061 S.F.
SITE AREA DISTURBED - PHASE 1: 7,916 S.F.

18 PARKING SPACES
ZONING - IB
LOCATION
86V-1
34-D & 35-A
1ST CIVIL DISTRICT
HAMBLEN COUNTY
MORRISTOWN, TN
3710 E. MORRIS BLVD.
PROPERTY OWNER: TERRY COSTNER
SURVEY INFORMATION TAKEN FROM BILLY KNIGHT SURVEY DATED 10/13/2020



LANDSCAPING PLANT LIST
#1 OVER 10' TALL - 1/2" CALIBRE - EUCALYPTUS
#2 OVER 10' TALL - 1/2" CALIBRE - EUCALYPTUS
#3 OVER 10' TALL - 1/2" CALIBRE - EUCALYPTUS
#4 OVER 10' TALL - 1/2" CALIBRE - EUCALYPTUS
#5 OVER 10' TALL - 1/2" CALIBRE - EUCALYPTUS

NOTES
#1 CONSTRUCTION STAGING AREA
#2 PER PERM FLOOD HAZARD SERVICE CENTER, THIS SITE IS NOT IN A 1000 YEAR FLOOD ZONE



REV	BY	DATE	DESCRIPTION
1	MP	12/20/21	REVISED

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SITE PLAN
BUSINESS - OFFICE BUILDING
TERRY COSTNER
3710 E. MORRIS BLVD.
MORRISTOWN, TN

CAD	MP
DATE	29 NOV 21
SCALE	1" = 20'-0"
PROJECT	3710 E. MORRIS BLVD. OFFICE BUILDING
SP1	

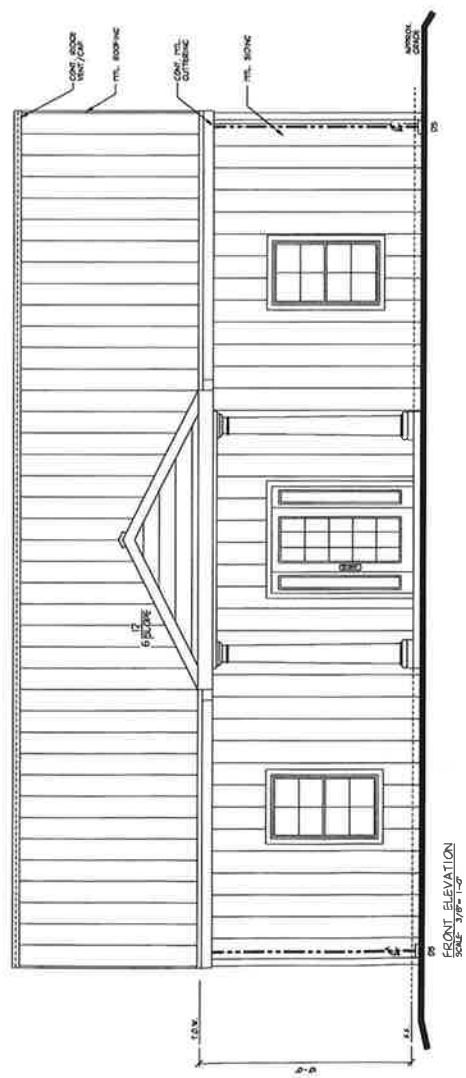
REVISIONS	BY



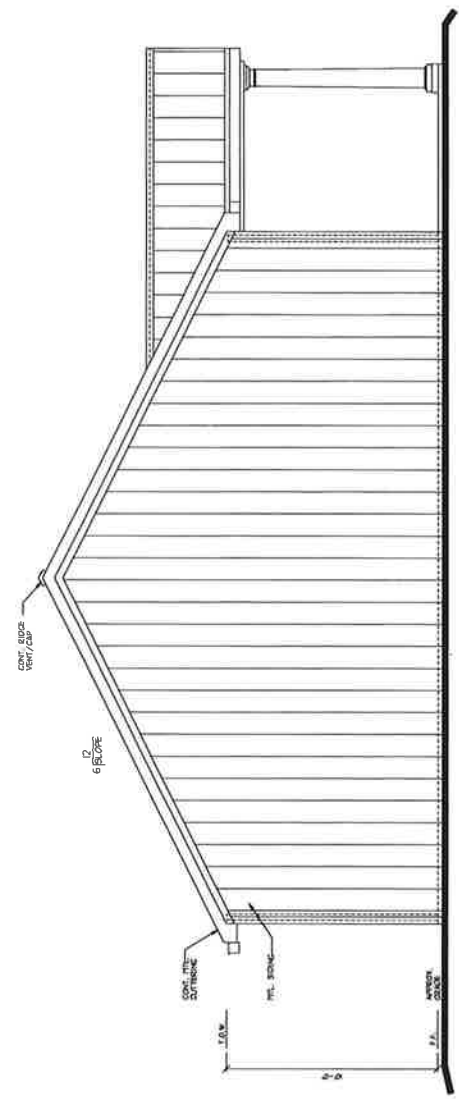
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 architectm@musfiber.com

EXTERIOR ELEVATIONS
 COSTNER & TRENT
 3710 EAST MORRIS BLVD.
 MORRISTOWN, TN

DATE	29 NOV 21
BY	MJP
SCALE	3/8" = 1'-0"
PROJECT	C10021
SHEET	A3
TOTAL SHEETS	3



FRONT ELEVATION
SCALE - 3/8" = 1'-0"



LEFT ELEVATION
SCALE - 3/8" = 1'-0"

REVISIONS	BY

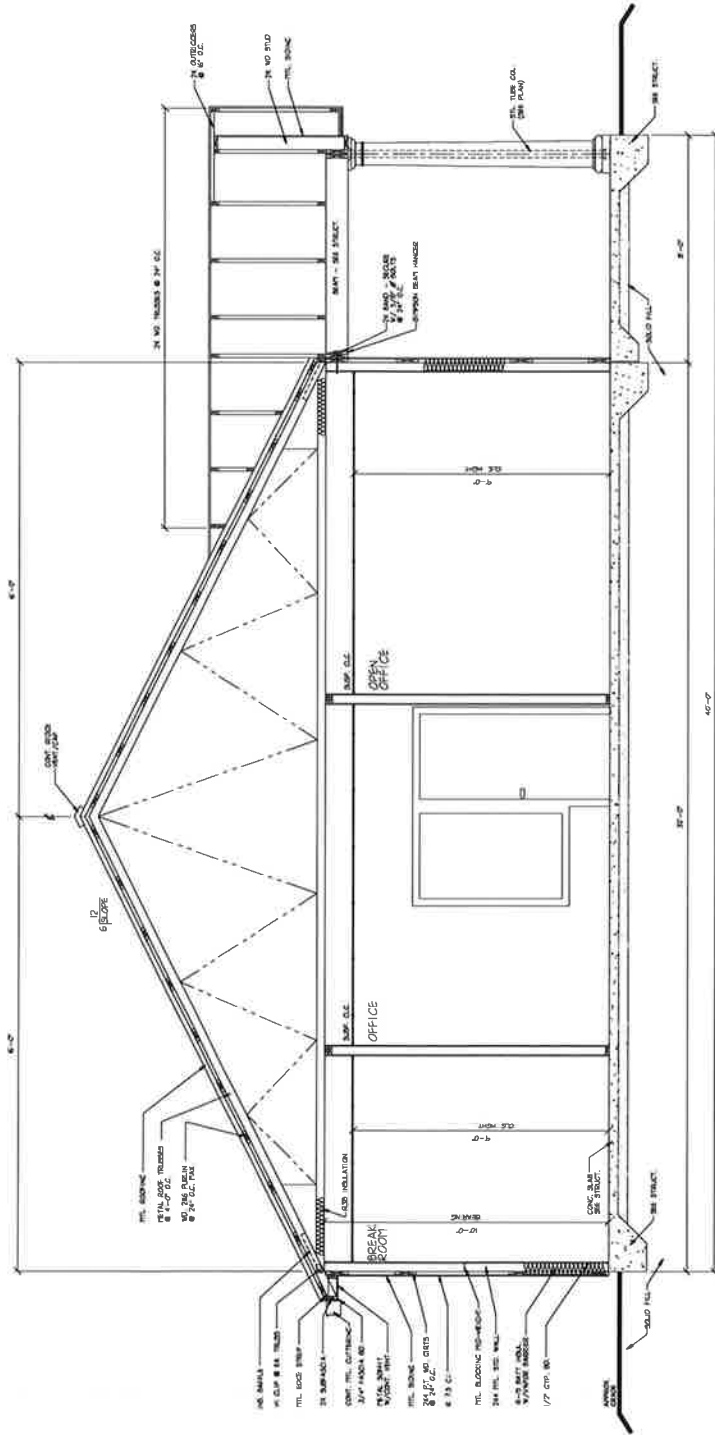
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BUILDING SECTION
COSTNER & TRENT AUTO DEALERSHIP
3710 EAST MORRIS BLVD.
MORRISTOWN, TN

DATE	
BY	
DATE	28 NOV 21
SCALE	1/2" = 1'-0"
TITLE	CROSS SECTION
NO.	A5



A BUILDING SECTION
SCALE: 1/2" = 1'-0"

ROOF TRUSS NOTE:
DESIGN & ENGINEERING IS BASED UPON
THE ASSUMPTIONS AND CONDITIONS
LISTED BELOW. ENGINEER DOES NOT
WARRANT OR GUARANTEE THE
ACCURACY OF THE INFORMATION
PROVIDED HEREIN. THE USER
SHOULD CONSULT WITH THE
DESIGNING PROFESSIONAL
FOR ANY ADDITIONAL
INFORMATION.