

MORRISTOWN BOARD OF ZONING APPEALS
Agenda
June 11th, 2024



Members of the public will have the opportunity to speak as items are presented.

Call to Order

I. Approval of May 14th, 2024 Minutes

II. Old Business:

Use on Review Request
Home Occupation (Salon) at 324 N. Hill Street

III. New Business:

Variance Request
Lot Width on Bushong Avenue

IV. Departmental Reports: None

Adjournment

*The next meeting of the Morristown Board of Zoning Appeals is scheduled for July 9th, 2024, at 4:00 pm.
The deadline to submit applications for this meeting is June 17th, 2024.*

Morristown Regional Board of Zoning Minutes

May 14th, 2024

Members Present

Chairman Ventrus Norfolk
Vice-Chairman Jack Kennerly
Secretary Robert (Bob) Garrett
Board Member Frank McGuffin
Board Member Sabrina Seamon
Board Member Dr. Alpha Alexander

Staff Present

Steve Neilson, Development Director
Josh Cole, Senior Planner
Hope Ross, Administrative Assistant

Members Absent

Mayor Gary Chesney

Others Present

Jorge Guzman
Lee Shepard
Tamy Shepard

Others Present Continued

T. Phillip Carlyle
James Ramsey
T. Clint Harrison

Chairman Ventrus Norfolk called the meeting to order.

I. Approval of January 9th, 2024, minutes:

Board Member Frank McGuffin. made a motion for approval of the January 9th 2024, minutes seconded by Vice-Chairman Jack Kennerly.

Upon voice votes, all Ayes. Motion carries.

II. Old Business:

None

III. New Business:

UORV-2982: Use on Review request Home Occupation (Hair Salon) 324 N Hill St.

Steve Neilson, Development Director received a request to operate an appointment only salon from a residence at 324 N. Hill Street, which is the former MATS location. Per the city's home occupation regulations, this request must receive BZA approval since clients will be going to the residence. The applicant has provided staff with a signed home occupation application agreeing to all the terms and conditions as stated under Section 14-228 which regulates Home Occupations. The applicant has noted that he will be using 480 square feet for the salon. Additionally, he knows that he must be a maintain his status as a resident at this location for the permit to remain valid.

Board of Zoning Appeals Minutes

January 9th, 2024

Staff recommended approval of this Home Occupation as the applicant as agreed to all the applicable terms and conditions required of such. It should be noted that any violation of said terms and conditions can result in the revocation of the permit.

Vice-Chairman Jack Kennerly made a motion to approve the use seconded by Board Member Frank McGuffin. Noting that some members had questions and no one was in attendance to answer, Vice-Chairman Jack Kennerly made a motion to rescind the use seconded by Board Member Frank McGuffin. Voting Results 6 yes, 0 no. Motion passed to rescind the request. Vice-Chairman Jack Kennerly made a motion to defer the use seconded by Board Member Sabrina Seamon.

Voting Results 6 yes, 0 no. Motion passed to defer the request.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Bob Garrett, Secretary

BG/hr

The City of Morristown

Community Development & Planning



TO: Morristown Board of Zoning Appeals
FROM: Lori Matthews
DATE: July 11th, 2024
SUBJECT: Home Occupation Use on Review Request
Salon at 324 N. Hill Street

BACKGROUND:

Staff has received request to operate an appointment only salon from a residence at 324 N. Hill Street, which is the former MATS location. Per the city's home occupation regulations, this request must receive BZA approval since clients will be going to the residence. The applicant has provided staff with a signed home occupation application agreeing to all the terms and conditions as stated under Section 14-228 which regulates Home Occupations (see attachment). The applicant has noted that he will be using 480 square feet for the salon. Additionally, he knows that he must be a maintain his status as a resident at this location for the permit to remain valid.



RECOMMENDATION:

Staff recommends approval of this Home Occupation as the applicant as agreed to all the applicable terms and conditions required of such. It should be noted that any violation of said terms and conditions can result in the revocation of the permit.

The City of Morristown

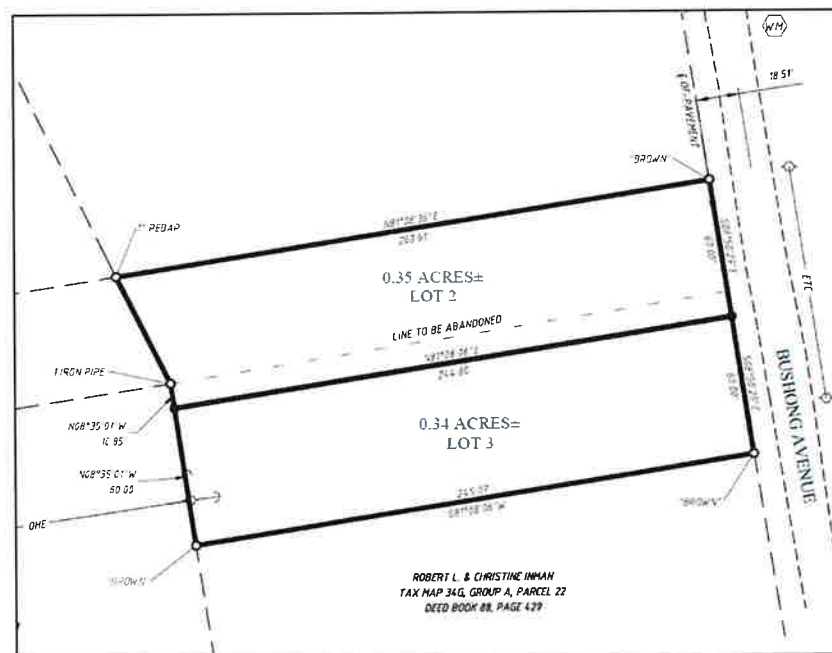
Community Development & Planning



TO: Morristown Board of Zoning Appeals
FROM: Steve Neilson, Development Director *SN*
DATE: June 11, 2024
REQUEST: Variance Request

Staff has received a request for a variance to the minimum lot width for two lots along Bushong Avenue. The property is zoned R1- Single-Family Residential District and the applicant is Larry Anglea.

The minimum lot width in the R-1 is 90 feet. Currently, the two lots have lot widths of 50 feet and 70 feet. The applicant is proposing to replat the parcels to make two 60' lots. One lot will become more conforming to the City's regulations and one will become less. These lots were originally created as part of the Morningside Addition Subdivision in 1945. This was three years prior to the City adopting its first zoning ordinance in 1948. Therefore, they are grandfathered lots of record and are both buildable lots.



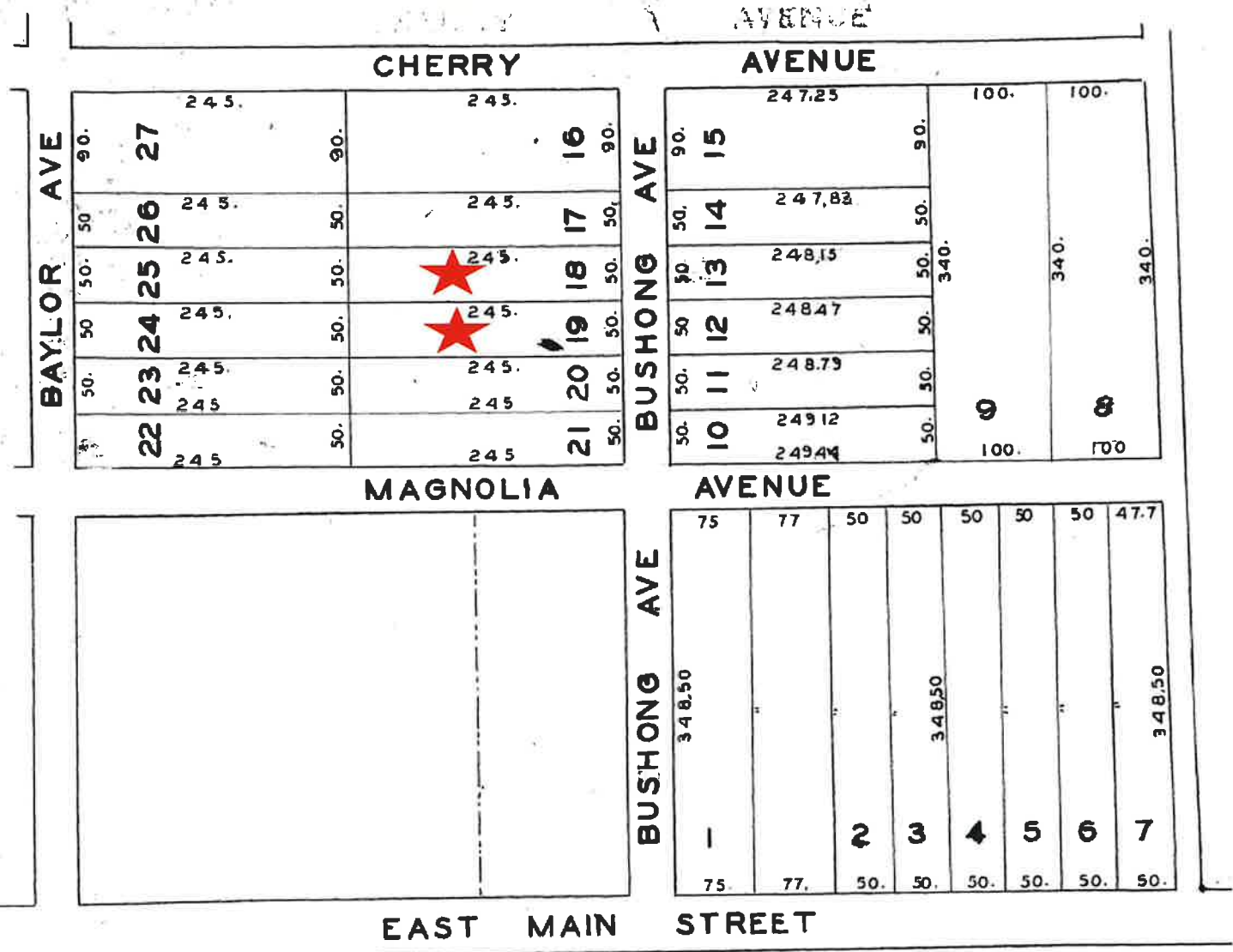
Under the R-1 District, the minimum sideyard setback is 15 feet. Lot #3 (the 70' lot) would have a building envelope of 40 feet while Lot #2 (the 50' lot) would have a building envelope of only 20 feet. The applicant stated the proposed replat would allow two lots with 30 foot building envelopes allowing him to build houses more compatible with surrounding homes.

RECOMMENDATION:

The 15 foot setbacks were intended for lots with 90 feet of lot width or more. These setbacks make the development of Lot #2 almost impossible. Staff feels that because these are lots of record and the proposed variance to the lot widths would allow for larger building envelopes while still meeting building setbacks that this request should be approved. Therefore, Staff recommends the Board approve this variance request.

MAP OF
MORNINGSIDE ADDITION
BELONGING TO
LOWRY & HUMPHRY
MORRISTOWN
TENNESSEE

Hamilton County
24 1965
257
Kist
H. H. Humphrey

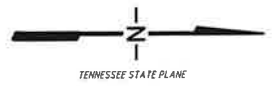


MULLER
Land Surveying, LLC

116 BROADWAY, 4TH FLOOR
KINGSDORF, TENNESSEE 37063
PHONE: 423-532-5300
WWW.MULLERSURVEYS.COM
OWNER/OWNER/CLIENT: SHANNON W. & JANICE G. GREENE

OWNER:
SHANNON W. & JANICE G. GREENE
PO BOX 1757
MORRISTOWN, TN 37816

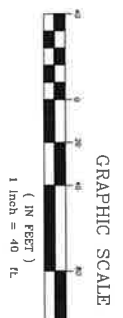
FINAL PLAT
TAX MAP 34G, GROUP A, PARCEL 25.01 & 25.02
DEED BOOK 2020, PAGE 697
DATE: MAY 21, 2024



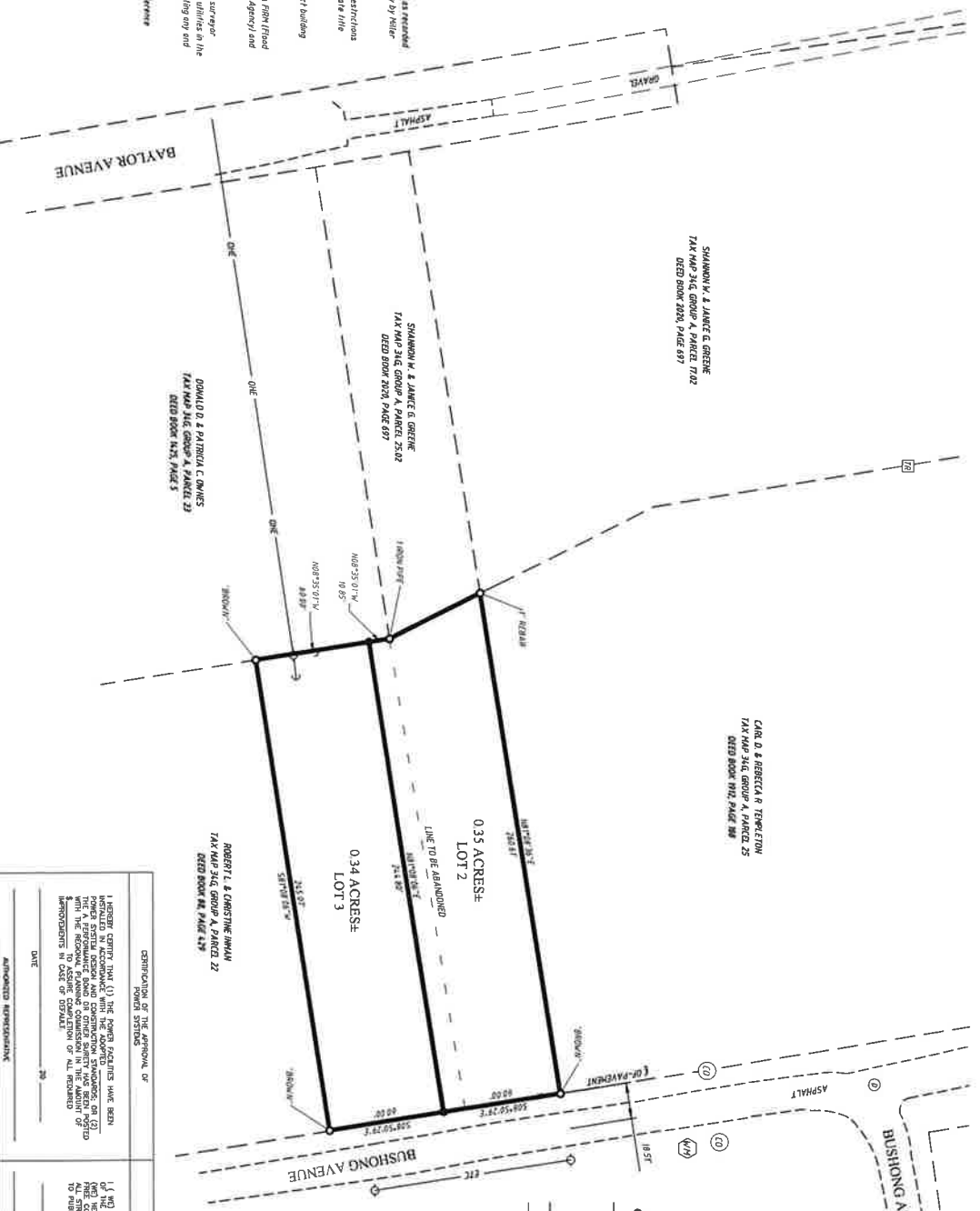
JAMES T. & ANGELA R. HANDEY
TAX MAP 34G, GROUP A, PARCEL 17
DEED BOOK 1942, PAGE 437

NOTES

- The information shown herein was obtained from the Deed Book 2020, Page 697 as recorded at the Register's Office for Hamilton County, Tennessee, and a field survey by Muller Land Surveying, LLC on May 2024.
- This survey is subject to any and all easements, servitudes, covenants or restrictions either written or unrecorded. Property is subject to any findings of an accurate title search. No title work was conducted in this survey.
- This property is zoned R-1. Setbacks shall conform to zoning. Always contact building authorities prior to construction as setbacks are subject to change.
- This property DOES NOT lie within a "Special Flood Hazard Area" as shown a FEMA Flood labeled as Map Number 47683C0202E, July 2, 2006.
- The underground utilities shown here have been located from a field survey. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The contractor is responsible for locating any and all utilities prior to any construction.
- Payment of this survey was performed with a check #1017 on 05/21/2024.
- Refer to Deed Book 2020, Page 697.
- Owner: SHANNON W. & JANICE G. GREENE.
- Deed Book 2020, Page 697.
- Surveyor: JAMES T. & ANGELA R. HANDEY.
- Date: MAY 21, 2024.



**FINAL PLAT OF
GREENE PROPERTY - PHASE II**
BUSHONG AVENUE, MORRISTOWN, TN 37814
1ST CIVIL DISTRICT, HAMBLLEN COUNTY, TN



LEGEND

- - 7/8" nail end cap (1/4")
- - 1/2" nail end cap (1/4")
- - Property Corner - Type (10d)
- - Brass and cap Steward - Brown (10d)
- - Brass - Face
- - Power Pole
- - Guy Anchor
- - Overhead Electric
- - Overhead Electric, Telephone & Cable
- - Storm Manhole
- - Transformer
- - Open D/I
- - Water Meter
- - Check Bearing
- - Dead Distance
- - EIT
- - Easement
- - Iron Pipe
- - Gas
- - Sewer
- - Water
- - Other
- - Other

DRAWN: IRW
SCALE: 1" = 40'
DATE: 05/21/2024
FILE: 1889 Phase 2.dwg



CERTIFICATE OF ACCURACY

I, JAMES T. MULLER, a duly licensed Professional Land Surveyor in the State of Tennessee, do hereby certify that this is a correct and true and accurate representation of the land shown on this plat as shown on the original survey and as shown on this plat, and that I am a duly licensed Professional Land Surveyor in the State of Tennessee.

DATE: 05/21/2024

CERTIFICATE OF THE APPROVAL OF THE RECORDING OFFICE

I, JAMES T. MULLER, a duly licensed Professional Land Surveyor in the State of Tennessee, do hereby certify that this is a correct and true and accurate representation of the land shown on this plat as shown on the original survey and as shown on this plat, and that I am a duly licensed Professional Land Surveyor in the State of Tennessee.

DATE: 05/21/2024

CERTIFICATE OF APPROVAL, THE RECORDING OFFICE

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DATE: 05/21/2024

CERTIFICATE OF OWNERSHIP AND DISPOSITION

I, JAMES T. MULLER, a duly licensed Professional Land Surveyor in the State of Tennessee, do hereby certify that this is a correct and true and accurate representation of the land shown on this plat as shown on the original survey and as shown on this plat, and that I am a duly licensed Professional Land Surveyor in the State of Tennessee.

DATE: 05/21/2024