

Morristown Board of Zoning Appeals

Minutes

December 12, 2017

Members Present

Chairman Bill Thompson

Board Member Jim Beelaert

Vice Chairman Jack Kennerly

Board Member Wanda Neal

Secretary Bob Garrett

Mayor Gary Chesney

Others Present

Lori Matthews, Senior Planner

Josh Cole, Planner

Steve Neilson, Planning Director

Todd Carter

Raymond Williams

Todd and Dottie Wright

Hix Masengill

Glen Fox

Chairman Bill Thompson 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 Bill Thompson called for the approval of the November 14th, 2017 minutes.

Vice Chairman Kennerly made a motion for approval of the November 14th, 2017 minutes and it was seconded by Board Member Neal. Upon voice votes, all Ayes.

II. Old Business: None

III. New Business:

Approval of the 2018 Meeting Dates and Deadline Schedule

Board Member Beelaert made a motion for approval of the 2018 Meeting Dates and Deadline Schedule and it was seconded by Board Member McGuffin. Upon voice votes, all Ayes.

A. Use-on-Review:

UORV-2139-2017: New Church @ 4910 West A.J. Highway

Planner Josh Cole discussed the request that was received from Mr. Jason Saylor, acting on behalf of JW Congregation Support, to allow a Place of Worship at 4910 West A.J. Highway.

The property is 1.27 acres in size and is currently undeveloped. The property has an Enterprise car rental agency across Andrew Johnson Highway, a Consumer Credit Union to the west across Brentwood Drive, and a car lot to the east. The applicant provided a concept plan containing a one story building that is 2,832 square feet and provided 1 parking space per 3 seats for a total of 45 spaces, which are more spaces than required by our code.

Places of worship are allowed in the Intermediate Business district as a use permitted on review. Staff recommended approval of this proposed request.

Vice Chairman Kennerly made a motion for approval of this request and it was seconded by Mayor Chesney.

Mayor Chesney asked if this was an existing church. Todd Carter came forward and stated that he represented the JW Congregation Support. He also stated that this was an existing church in town but he did not have the address in front of him.

Glen Fox came forward and stated that he is the owner of the property next door at 4860 West A.J. Highway. He stated that he was concerned that he would not be able to sell his property that is currently on the market if a church moves in next door. He stated the reason he feels this way is because his property would need a liquor license and he feels like the church could oppose it. Josh assured him that the church would not be able to oppose the liquor license in the future.

Hix Masengill of Century 21 Realtors came forward and stated that the church would create very little traffic one or two days a week and any other business would create far more traffic than a church. He also stated that a church would not affect the value of Mr. Fox's property value when he goes to sell it.

Voting Results: 7 yes; 0 no. Motion carries.

UORV-2140-2017: Auto Sales @ 828 East Morris Boulevard

Planner Josh Cole discussed the request that was received from Marlene Trujillo for a use permitted on review to allow a used automobile sales agency to be placed on property located at 828 East Morris Boulevard. The property is currently zoned Intermediate Business district.

The proposed site is a 0.28 acre parcel that is paved with one office building on the lot. It contains a car lot to the east, a State Farm agency to the west, and warehouses across East Morris Boulevard. The lot has recently been utilized as a Budget Truck Rental Agency and as an automobile sales agency. The applicant provided a site plan that meets our zoning requirements as it illustrated room for an inventory of 15 automobiles for sale and 3 customer parking spaces with adequate space on the lot to handle two-way traffic.

Staff recommended approval of this proposed request.

Board Member Beelaert made a motion to approve this use on review request and it was seconded by Mayor Chesney.

Voting Results: 7 yes; 0 no. Motion carries.

Other:

Eddie Davis came forward and stated that he assumed he would be on the agenda although he had requested to withdraw the item at the previous meeting in November. At the last meeting, Chairman Thompson had asked Mr. Davis to send something in writing to the Planning Department that stated his withdrawal request. Mr. Davis stated that he assumed since he did not turn in any such letter that he would automatically be on this month's agenda.

Planning Director Steve Neilson stated that this was not the case and Mr. Davis would still need to get approval for a use on review if Mr. Davis still wanted to invite the public onto the property. Mr. Neilson also stated that Mr. Davis could start storing items on the property as long as no one from the public is admitted and that Mr. Davis needs to get in contact with the Chief Building Official to schedule an inspection of the inside of the building.

The meeting was adjourned.

Respectfully submitted,

Bob Garrett



Secretary

BG/jc