

Morristown Board of Zoning Appeals

Minutes

April 11, 2017

Members Present

Board Member Jim Beelaert

Vice Chairman Jack Kennerly

Board Member Wanda Neal

Board Member KC Alvarado

Secretary Bob Garrett

Mayor Gary Chesney

Others Present

Lori Matthews, Senior Planner

Ralph "Buddy" Fielder, Asst. City Administrator

Steve Neilson, Planning Director

Greg Ellison, Chief Building Official

Terry Ball

T. Phillip Carlyle

Ritchie Broyles

Clint Harrison

I. Election of Officers:

Planning Director Steve Neilson stated that the first item on the agenda was the Election of Officers. Vice Chairman Kennerly nominated Commissioner Neal for Chairman of the Board of Zoning Appeals and she respectfully declined the nomination.

Vice Chairman Kennerly then nominated Board Member Thompson for the position and it was seconded by Board Member Beelaert.

Members Absent

Board Member Bill Thompson

Board Member Beelaert moved for a motion that the nomination of Board Member Thompson for Chairman of the Board of Zoning Appeals stand and that it should be made official by all ayes of a voice vote.

Upon voice votes, all Ayes. Board Member Bill Thompson was officially elected to the Chairman of the Board of Zoning Appeals.

II. Vice Chairman Kennerly called for the approval of the March 14th, 2016 minutes.

Commissioner made a motion for approval of the March 14th, 2016 minutes; seconded by Commissioner Thompson. Upon voice votes, all Ayes.

III. Old Business: None

IV. New Business:

A. Use-on-Review:

UORV-2043-2017: 171 Algonquin Drive to allow multiple buildings on 1 lot

Planning Director Steve Neilson discussed the request that was submitted by Oakes Salvage which is located at 171 Algonquin Drive. The applicant, Tim Oakes proposed a PUD for a multiple building development. The property is currently zoned IB (Intermediate Business).

Mr. Neilson stated that the members of the board should recall that this property came before them in January as a use-on-review to allow a building material yard. The lot was already graded and already had gravel put down. The petitioner installed a 10 foot tall fence that surrounds the whole property. He currently requested that he be allowed to build two structures on the lot. The first proposed structure would be a one-story, 6,400 square foot building. The other proposed structure would be a one story, 4,800 square foot storage shed. Being one story and the way that the property slopes down, it would most likely not be visible from the street.

The buildings would meet setbacks and they would provide landscaping. A row of evergreen trees would be put up on the side that has multiple family residences adjacent to them. The plan met the requirements of the zoning code and Staff recommended approval of this request.

Vice Chairman Kennerly called for a motion. Commissioner Neal made a motion for approval and it was seconded by Mayor Chesney.

Voting Results: 6 yes; 0 no. Motion carries.

B. Variances:

VARI-2040-2017: Merchants Greene Blvd. Texas Roadhouse landscape regulations

THIS ITEM WAS WITHDRAWN BY THE APPLICANT

VARI-2041-2017: 4327/4329 W. Andrew Johnson Hwy. Dumpster Screening

Planning Director Steve Neilson discussed the request for a variance to Section 14-3304.F.1.b. and c. of the Landscape Regulations requiring all four sides of the dumpster being screened. The plan was previously approved, but the dumpsters are in slightly different location than what was originally submitted. Also, at that time, the dumpsters were fully screened with gates. The petitioner is arguing that the dumpsters cannot be seen from the new Walmart or Andrew Johnson Highway. However, if you were to look on Bellwood, you would see them clearly. Staff found no justification for a variance in this case. There is no topographic or unusual shape of the property that would warrant a variance. Staff recommended denial of this request.

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

Board Member Beelaert ask Mr. Neilson how this happened and if the applicant turned in a revised plan for the dumpsters. Mr. Neilson replied that there were no revised plans submitted.

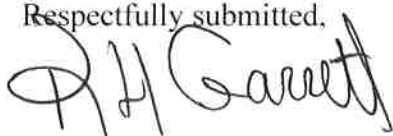
Vice Chairman Kennerly called for a vote and restated that a vote of yes will indicate that the applicant's request for a variance will be approved and a vote of no will indicate denial of this request.

Voting Results: 0 yes; 6 no. Motion fails. The applicant's request for a variance was denied.

C. Interpretations: None

The meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bob Garrett". The signature is written in a cursive, somewhat stylized font.

Bob Garrett

Secretary

BG/jc