

**Morristown Board of Zoning Appeals  
March 10, 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  
Board Member Frank McGuffin

**Others Present**

Steve Neilson, Development Director  
Lori Matthews, Senior Planner  
Josh Cole, Planner  
Tina Allison, Admin. Asst. Planning  
John Ricker  
Jason Buel  
Debra Williams  
Pete Barile

Chairman Jack Kennerly called the meeting to order and invited anyone who wished to join the Board in an Invocation and Pledge of Allegiance.

**I. Approval of February 11<sup>th</sup>, 2020 minutes:**

Mayor Gary Chesney made a motion for approval of the February 11<sup>th</sup>, 2020 minutes seconded by Board Member Frank McGuffin.

Upon voice votes, all Ayes. Motion Carries.

**II. Old Business:**

None

**III. New Business:**

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

Planner Josh Cole discussed a request by Mr. Pete Barile, representing Daniel Paul Chairs which is located in the East Tennessee Valley Industrial District off of Industrial Avenue, for a variance to Chapter 33 (LANDSCAPE, BUFFERS, AND SCREENING”) of the Zoning Ordinance. In particular, the applicant is wanting a variance to 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).

The project received full site plan approval which included it meeting the minimum landscape requirements last year. The property contains 625 feet of 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 which is permitted in the Zoning Ordinance. The site plan provides 26 understory trees along Industrial Avenue and 3 canopy trees along the front of the building.

Staff recognizes that there are some topographical issues. The slope on the southern side of the property may require the location of some of the originally approved trees to be moved to other locations on the property. There appears to be adequate room on the property to plant the required and necessary trees, thus Staff does not recommend approval of the variance requests. However, if the variance requests are approved by the Board, it should be contingent upon approval from the Industrial Development Board also.


Mr. Pete Barile spoke on behalf of Danial Paul Chairs in favor of the variance requests.

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

Voting results: 0 yes, 7 no. Motion Failed.

No further business, meeting is adjourned.

Respectfully submitted,



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Bob Garrett, Secretary

BG/ta