

# **MORRISTOWN REGIONAL PLANNING COMMISSION**

## **Agenda April 11, 2017**



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### **Call to Order**

**I.** Approval of March 14<sup>th</sup>, 2017 Minutes

**II.** Old Business: none

**III.** New Business:

A. Annexations:

ANNX-2032-2017: annexation request for 14 acres at 6663 W. Andrew Johnson Hwy.

B. Subdivisions/Site Plans:

MISD-2038-2017: 3 lots, 2.35 acre subdivision of the Broyles Property on Dalton Ford Rd.

C. Zoning Issues:

D. Bond Reviews:

E. Right-of –Ways:

F. Ordinance Reviews:

Hamblen County Zoning Ordinance Amendments

G. Use on Review:

UORV-2037-2017: 207 Brown Avenue to allow a residential use in IB

**IV.** Departmental Reports:

Minor Subdivisions Approved:

### **Adjournment**

*The next meeting of the Morristown Regional Planning Commission is scheduled for May 9, 2017 at 4:00 pm.*

*The deadline to submit applications for this meeting is April 17, 2017.*

# City of Morristown

Incorporated 1855

## DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



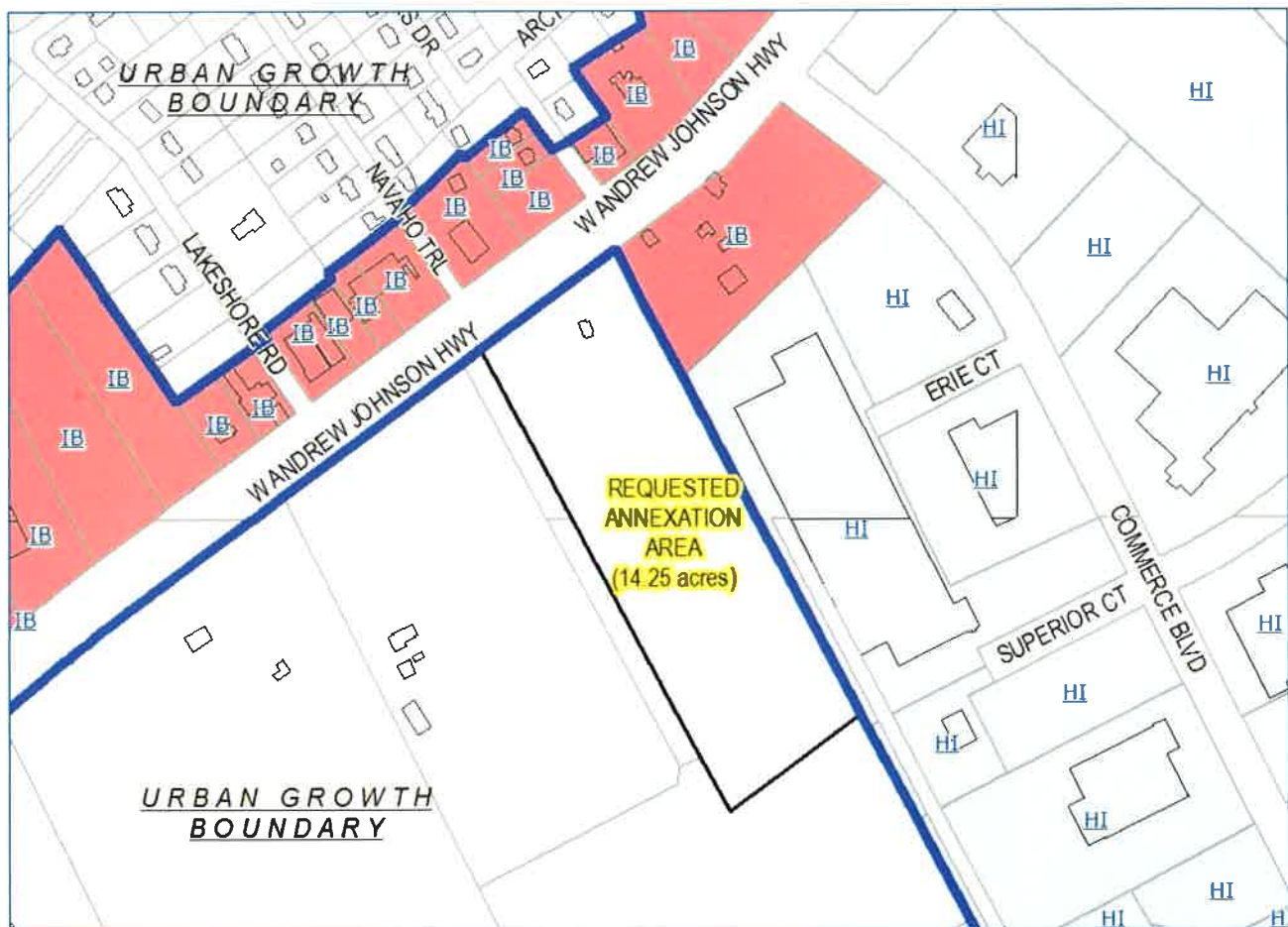
TO: Morristown Regional Planning Commission  
FROM: Lori Matthews, Senior Planner *LM*  
DATE: April 11, 2017  
SUBJECT: Annexation Requested

### **BACKGROUND:**

This is an annexation request from Mr. Phillip Carlyle for property he owns located along W. Andrew Johnson Highway just west of Commerce Drive and MAID. The parcel, (Hamblen County Tax ID # 032047 07200), is 14+/- acres in size and predominantly vacant. Zoned agriculturally (A-1) by Hamblen County, it is within the City of Morristown Urban Growth Boundary Region.

Mr. Carlyle has requested the City of Morristown annex the above described property into its corporate limits with a zoning designation of R-2 (Medium Residential Density) which would allow for either single or multi-family development. The applicant's request letter (attached to this memo) anticipates future use of the subject property as well as the easterly adjoining property (already in the City limits) will be for either single family or multi-family use.

A Plan of Services has been attached to this memorandum which includes utility servicing and standard City services. No additional Fire or Police personnel will be required at the time of incorporation. No streets or public right of way's are included with this annexation request. Water service will be provided by Alpha Talbott Utilities; all other utilities (sanitary sewer/fibernet/electrical) will be provided by Morristown Utilities Commission.



**RECOMMENDATION:**  
Staff recommends the Planning Commission approve the proposed annexation.

## **PLAN OF SERVICES**

RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF PROPERTY LOCATED ALONG WEST ANDREW JOHNSON HIGHWAY IN THE URBAN GROWTH BOUNDARY.

WHEREAS, TENNESSEE CODE ANNOTATED, TITLE 6, CHAPTER 51, AS AMENDED REQUIRES THAT A PLAN OF SERVICES BE ADOPTED BY THE GOVERNING BODY.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND COUNCIL OF THE CITY OF MORRISTOWN, TENNESSEE:

Property identified as Hamblen County Tax Parcel ID # 032047 07200, which includes 14.5+/- acres as shown in Deedbook 319, page 438 (as attached to this document), approximately 600 feet west of the intersection of Commerce Boulevard with West Andrew Johnson Highway.

**Section I.** Pursuant to the provisions of Title 6, Chapter 51, Tennessee Code Annotated, there is hereby adopted, for the area bounded as described above, the following plan of services.

### **Police Protection**

Patrolling, radio responses to calls, and other routine police services using present personnel and equipment will be provided upon the effective date of annexation.

### **Fire Protection**

Fire protection by the present personnel and the equipment of the fire fighting force, within the limitations of available water and distances from fire stations, will be provided upon the effective date of annexation. Water for fire protection to serve the substantially developed annexed area(s) will be provided in accordance with current policies of Alpha-Talbott Utility Commission unless authorized by franchise agreement with another utility district which has made service available with capabilities to meet City of Morristown Fire Protection Standards. Any extension of water system infrastructure beyond that of the Alpha-Talbott Utility Commission policies shall be at the expense of the property owner or developer.

### **Water Service**

Water for potable use will be provided in accordance with current policies of Alpha-Talbott Utilities Commission.

### **Sanitary Sewer Service**

Any extension of said shall be at the expense of the property owner or property developer.

### **Electrical Service**

Electrical service for domestic, commercial and industrial use will be provided at city rates for new lines as extended in accordance with current policies of Morristown Utility Commission. In those parts of the annexed area presently served by another utility cooperative, the above conditions or terms will begin with the acquisition by the city of such cooperatives or parts thereof, which may be delayed by negotiations and/or litigation.

### **Refuse Collection**

The same regular refuse collection service now provided within the City will be extended to the annexed area sixty days following the effective date of annexation.



**Streets**

Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters, and other such major improvements, as the need therefore is determined by the governing body, will be accomplished under current policies of the city. Traffic signals, traffic signs, street markings and other traffic control devices will be installed as the need therefore is established by appropriate study and traffic standards. Street name signs where needed will be installed as new street construction requires.

**Inspection Services**

Any inspection services now provided by the City (building, electrical, plumbing, gas, housing, sanitation, etc.) will begin upon the effective date of annexation.

**Planning and Zoning**

The planning and zoning jurisdiction of the city will apply to the annexed area in conjunction with the effective date of annexation. The Morristown Regional Planning Commission recommended the zoning designation of R-2, Medium Residential Density.

**Street Lighting**

Street lights will be installed in accordance to City policies.

**Recreation**

Residents of the annexed area may use all existing recreational facilities, parks, etc., on the effective date of annexation. The same standards and policies now used in the present city will be followed in expanding the recreational program and facilities in the enlarged city.

**Miscellaneous**

Fibernet will be installed per the current Morristown Utility System policy.

**Section II.** This Resolution shall become effective from and after its adoption.

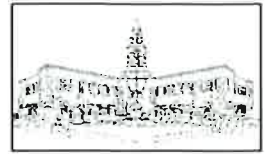
Passed on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator

**DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING**

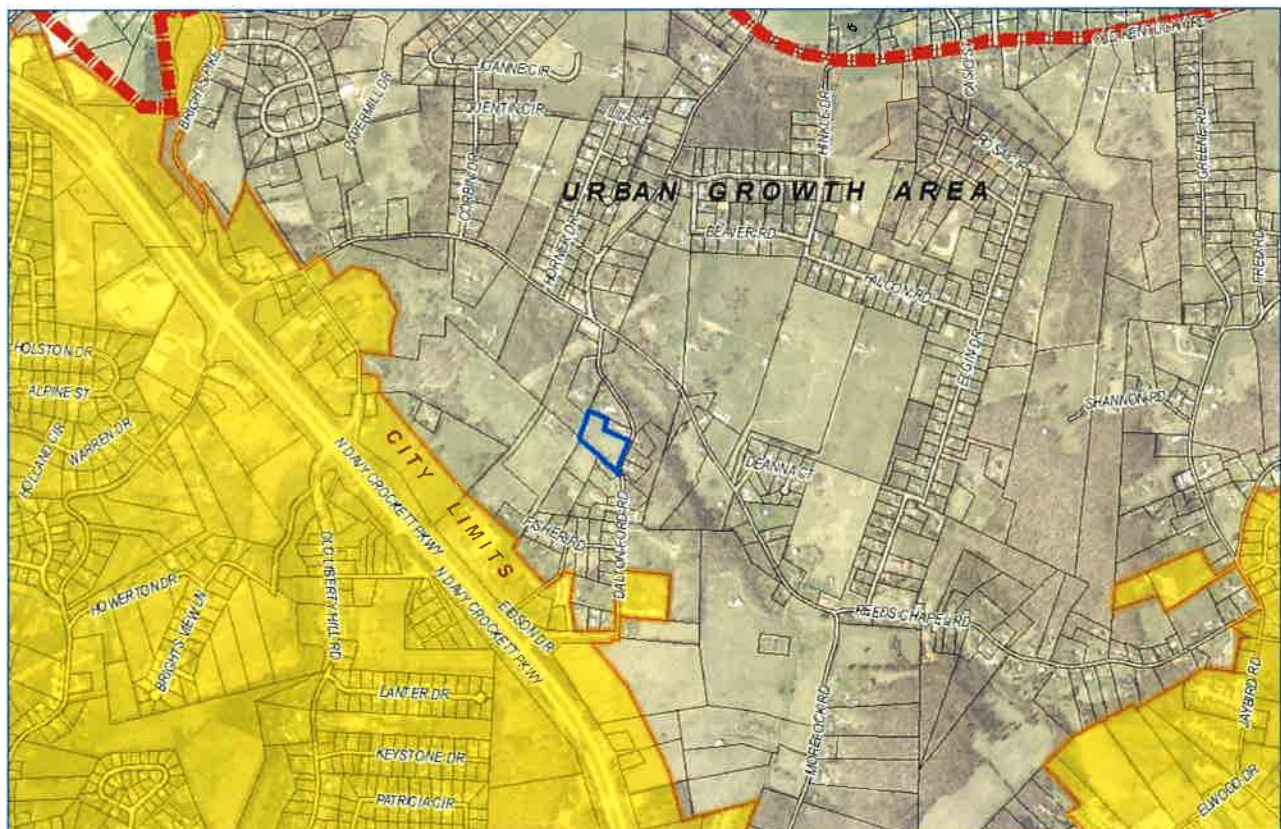


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Final subdivision plat approval is being requested by applicant/agent Mr. Ritchie Broyles for his property located off of Dalton Ford Road which is within the City's Urban Growth Boundary Region.

Staff recommends the Morristown Regional Planning Commission approve the final subdivision plat as submitted.

Staff recommends approval of the proposed subdivision.











# City of Morristown

*Incorporated 1855*

**DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING**



TO: Morristown Regional Planning Commission  
FROM: Steve Neilson, Planning Director *SN*  
DATE: April 11, 2017  
SUBJECT: County Text Amendments

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Attached is a series of Hamblin County Zoning Ordinance text amendments. Because the Morristown Planning Commission is a regional planning commission, amendments to the Hamblin County codes must be reviewed by the Planning Commission before moving to the County Commission for approval.

Midge Jessiman, Community Planner for the East Tennessee Development District will be attending the Planning Commission meeting to present the County's recommendations.

#### 10.2 Permit Requirements –Addition to the Requirements

If the house is occupied before the final inspection is completed, Hamblen County will not issue a certificate of occupancy. However, if the property owner provides the Planning Commission office with a certificate from a state licensed structural engineer saying that the building is structurally sound, the Planning Commission office will recognize that the evaluation was done and attach the report from the engineer to the building permit.

In a case that no building permit was issued and the property owner did not follow the proper building inspection process, the property owner can provide the Planning Commission office with a certificate from a state licensed structural engineer saying that the building is structurally sound and the Planning Commission office will acknowledge that the structural assessment has taken place. No building permit or certificate of occupancy will be issued.

## **Accessory Building**

All accessory buildings shall be located in the rear or side of the tract/lot unless the tract or lot is over three acres in which case the accessory building can be located anywhere on the lot. No accessory building on tracts/lots less than three acres shall be greater than 25 percent of the rear yard as measured ten feet from rear of existing structure, ten feet from both sides and rear lot line. For properties that have no structure, the accessory building shall be deemed the principle structure and shall meet all setback requirements of the principle structure. Location of utility lines and/or septic field and duplicate lines shall be the responsibility of the owner and submitted with the application for a building permit. No accessory buildings shall be placed over utility or field lines. A site plan shall be submitted for all accessory buildings; however, a site plan for an accessory building on a lot over three acres shall be submitted to the planning commission for review and approval. No variances will be permitted on any accessory buildings regarding size of building, location or setbacks.



## **Add Churches in the following Zoning Districts**

9.2 Agricultural-Forestry District A-1	Uses Permitted –Churches
9.3 Rural Residential District R-1	Uses Permitted-Churches
9.5 Commercial District C-1	Uses Permitted-Churches

## Requirements for a Medical hardship

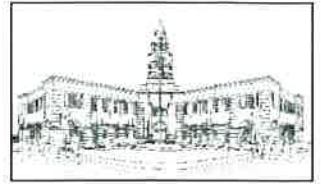
The purpose of granting a medical hardship is to provide an individual with quality care that would otherwise require a long term nursing home stay or hospice. The medical hardship must be life threatening or require constant remedial care after surgery or other serious health issues. The following conditions must be met:

1. The granting of a medical hardship allows a second dwelling to be placed on the property only if the primary residence is legal. The secondary residence must be a single wide, double wide or "granny pod" that meets current building codes. All zoning setbacks must be met or the second dwelling shall not be allowed. The second dwelling shall be served by public water and sewer or septic system. **If a septic system is to be used, the lot must have an additional evaluation to determine if an additional septic system and duplicate area can be utilized on the property. This second system must be certified by the health department.**
2. The second dwelling must be used exclusively to house an immediate family member that includes either a: great grandparent, grandparent, parent, sibling or adult child.
3. A family member must be needed to assist with the constant and reoccurring physical care. The family member must live either in the primary residence or the secondary structure.
4. The medical hardship must be life threatening such as: cancer, end stage renal failure, stroke, heart condition, ALS, Muscular Dystrophy or any similar disease. The applicant must have a letter from the attending physician(s) on official letterhead stating the medical issue and the length of time needed for the care. The letter must be submitted annually to the Board of Zoning Appeals.
5. The Board of Zoning Appeals shall hear the application for medical hardship from each applicant once a year. The medical hardship approval may be continued on a yearly basis as long as all of the conditions described in this paragraph continue to exist. Once the conditions authorized no longer exist or no annual paperwork and proof of medical hardship supporting the continuation has been submitted for the required annual hearing, the permit shall be deemed expired and the secondary structure must be removed within sixty (60) days. **If the structure is not removed and legal action is required, the County will seek the recouping of all legal fees including court costs and attorney fees.**

# City of Morristown

Incorporated 1855

DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Regional Planning Commission  
FROM: Steve Neilson, Planning Director *SN*  
DATE: April 11, 2017  
SUBJECT: Use Permitted on Review – 207 Brown Avenue (2037-2017)  
(H.C. Tax Parcel ID # 032 042A J 02500 000 2017).

## **BACKGROUND:**

A request has been received for a Use Permitted on Review for property located at 207 Brown Avenue. The applicants, Josh and Stephanie Greene are proposing to use the existing commercial building as a single-family residence. The property is currently zoned IB (Intermediate Business).

Single-family residences are allowed as a Use Permitted on Review in the IB District under Section 14-1003. 31



This property which was previously occupied by the “Sweet Magnolia Salon” is surrounded by single-family homes. Going east away from S. Cumberland Avenue, the land uses along Brown Avenue are predominantly single-family homes.





## PLANNING COMMISSION APPLICATION

City of Morristown

Prior to an **annexation, rezoning, subdivision** (major or minor) and/or **site plan** (preliminary or final plat approval) request being placed on the Regional Planning Commission Agenda, the applicant must furnish to the Department of Community Development and Planning the following information:

1. **Date:** 3/6/2017 RandyStep@aComcast.net
2. **Name of Property Owner:** Donald and Elizabeth Sauceman  
**Mailing Address:** 2424 Springvale Rd City/State/Zip 37813  
**Telephone:** (Home) 423-581-5775 (Business) \_\_\_\_\_ (Mobile) 423-231-8460  
**Name of Applicant:** Jack Greene Stephenie Greene  
**Mailing Address:** \_\_\_\_\_ City/State/Zip \_\_\_\_\_  
**Telephone:** (Home) \_\_\_\_\_ (Business) \_\_\_\_\_ (Mobile) \_\_\_\_\_
4. **Name of Agent** (if applicable): \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_ City/State/Zip \_\_\_\_\_  
**Telephone:** (Home) \_\_\_\_\_ (Business) \_\_\_\_\_ (Mobile) \_\_\_\_\_
5. **Property information:** Street Address: 207 Brown Ave  
County Tax Map: \_\_\_\_\_ Group: \_\_\_\_\_ Parcel(s) \_\_\_\_\_  
Current zoning: \_\_\_\_\_ Parcel size: \_\_\_\_\_ City/U.G.B. \_\_\_\_\_  
Existing Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_
6. **Nature of Request:** (please circle)  
a) Annexation (state reason for request) \_\_\_\_\_  
b) Right-of-way/Alley Closure (state reason for request) \_\_\_\_\_  
c) Subdivision/P.U.D.: Name \_\_\_\_\_ Acres/lots \_\_\_\_\_ Subdivided into \_\_\_\_\_  
☐ Concept Plan Approval ☐ Preliminary Plat Approval ☐ Final Plat Approval ☐ P.U.D. Approval  
7. **Zoning Classification Change** (\$100.00 Fee): From \_\_\_\_\_ To \_\_\_\_\_  
e) Other Requests: \_\_\_\_\_
7. List name and addresses of **adjacent property owner(s)** that would be affected by request (reverse side).
8. Submit site plans, surveys, special fees or other items as required for review by City staff and Regional Planning Commission members.
9. **Applicant Signature:** Elizabeth Sauceman **Date:** 3/6/2017

This application will not be accepted unless all information is complete. If a question is not applicable, please draw a line through the space provided or mark "n/a" (not applicable).



City of Morristown  
Incorporated 1855  
**DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING**

TO: Morristown Regional Planning Commission  
FROM: Lori Matthews, Senior Planner   
DATE: April 11, 2017  
SUBJECT: Worksession Discussion on Amending Zoning Regulations for Motor Vehicle Sales and Repair Facilities

Planning Staff has been confronted with complaints of differing degrees with regard to automobile sales and repair lots. Display of vehicles within City rights of way, complaints with traffic/pedestrian movement across City streets to sales lots, inability to keep vehicular aisles wide enough for emergency vehicular access, car sales morphing into repair only businesses, businesses operating without proper licensing to include a (required) City of Morristown Business License are but a few of the complaints received.

Currently, the City's Zoning Ordinance allows automotive sales as a permitted use in the Central Business District, (CBD) and the Intermediate Business (IB) District. Automotive type uses also permitted by right in these districts include auto rentals, auto parts, car wash and detailing shops, trailer sales and truck sales. Automotive repair is allowed only with BZA approval as is any towing business which is an accessory to the repair business.

Our industrial zones (LI, Light Industrial and HI, Heavy Industrial) are almost the exact reverse of the above as repair businesses with any incidental towing, used parts stores and wrecking yards are allowed by right with auto rentals, detailing sales and any incidental towing parts are allowed by right with auto rentals, sales, and detailing being allowed with BZA approval.

Planned Commercial Districts (PCD) allow only for gas station and convenience stores. The City's TA (Tourist Accommodation) which is predominantly located around Exit 8, (The Downs), allows for automobile service stations. Within this same area is located the Gateway Commercial Corridor Overlay District which permits those uses allowed within all underlying districts which would include automobile service stations (TA) and those allowed within Heavy Industry to include automotive repair and wrecking yards.

Staff met with personnel from the State of Tennessee Motor Vehicle Commission to better comprehend State requirements needed to gain dealership and sales person licenses. We believe that copying many of these same regulations into zoning code will better enable Staff to enforce the regulations set in place and by doing so, it will aid in cleaning up our major corridors into and out of the City.

Listed below are items to be discussed in order to provide at the May 2017 meeting a more enforceable control of automotive car sales and repair uses:

1. *Remove from the Ordinance in full the following uses: "trailer sales agency", "truck sales agency". The term 'automobile' is defined in full in the Section 14-203 to include any motorized vehicles used for the transport of people or goods.*
2. *Remove from the Ordinance in full the following use: "used auto parts store". A 'used' parts store should not differ from a 'new' parts store.*
3. *Remove from Chapter 10, (IB) Intermediate Business District the use of "automobile sales agencies, new and used" but allow it as a use permitted only with a site plan to be submitted and approved by the Board of Zoning Appeals. The site plan would not have to be provided by a design professional but it would be required to address all of the usual requirements as mandated by the State of Tennessee Department of Commerce and Insurance Motor Vehicle Commission and include a 5 foot vegetated front yard buffer. Remove from this same Chapter, under Uses Permitted on Review the following use: "automobile repair shops". This would grandfather existing (compliant) repair businesses but would not allow for any future repair businesses to open.*
4. *Prohibit all automotive land use types within the Commercial Gateway District.*



SPECIFIC LAND USE	IB	CBD	LI	HI	PCD	TA	RCGD
Auto Sales - New and Used	Y	Y		Y			
Auto Rentals	Y	Y		Y			
Auto Parts Store	Y	Y		Y			
Auto Used Parts Store			Y	Y			Y
Auto Car Wash and Detailing	Y	Y		Y			
Auto Repair Shop							
Auto Wrecking Yard	Y			Y	Y		Y
Auto Wrecker Service				Y	Y		Y
Auto Service Station							
Auto Sales and Repairs							
Gas Station and Convenience Store							
Towing as Accessory Use for Auto Repair Shop		Y	Y	Y		Y	
Trailer Sales	Y	Y		Y	Y		Y
Truck Sales	Y	Y	Y	Y	Y		



**STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE  
MOTOR VEHICLE COMMISSION**

500 JAMES ROBERTSON PARKWAY  
DAVY CROCKETT TOWER, 5th FLOOR  
NASHVILLE, TENNESSEE 37243  
TELEPHONE (615) 741-2711 FACSIMILE (615) 741-0651

Minimum Requirements for  
Tennessee Motor Vehicle Dealer License

The following requirements must be met (or exceeded) to complete the application.

1. **Established Place of Business** – Applicants must have a permanent facility principally and primarily used for sales and servicing of motor vehicles. Temporary facilities are prohibited, and established facilities shall not include a private residence of any kind. Modular Units must be underpinned.
  - a. **Facility** – The building/office must total 288 square feet and provide functioning restroom accommodations.
  - b. **Display Lot** – The facility shall have immediate and contiguous access to and exclusive dedicated use of a motor vehicle display lot capable of accommodating fifteen (15) motor vehicles of the dealership's product line and three (3) for customer parking. The display lot cannot, in any part, be public lands, unimproved land or driveways, or be co-mingled with the inventory or parking of any other business. The lot shall consist of compacted gravel, chert, stone or similar materials, and shall not include grass.
  - c. **Exception** – The dealer principal (only) may operate one (1) additional business at the dealer's established place of business; provided, at least sixty-six percent (66%) of the dealer's established place of business is used for the sale, service or both, of motor vehicles and that the income derived from the additional business is less than thirty-three percent (33%) of the gross income of the dealership. All records and inventory must be maintained separate and apart from the motor vehicle sales operation. Both shall be clearly labeled as such and all business records must be maintained separately, including sales and use tax records for inspection purposes.
2. **Surety Bond** – Each applicant must submit a Corporate Surety Bond with a minimum amount of \$50,000.00. It must be issued for two consecutive years and begin in the month of expected license issuance, and expire on the last day of the same month, 2 years later. You must submit the **ORIGINAL** Surety with the application. The **ORIGINAL** Surety Bond must be signed by the principal owner, or in the case of a partnership, both partners' signature. The name reflected on the bond **MUST** be **EXACTLY** the same as the entity being licensed, and the address must be the physical address. The Power of Attorney letter **MUST** be attached.
3. **Zoning Compliance** – Written approval from the local zoning/land-use authority must be provided. In localities without zoning restrictions, a written statement to this effect must be obtained from the authorized county or municipal official. Typically, these statements are

prepared by the Office of the County Executive, or Office of the Municipality Mayor. The address must be reflected in the letter, and the letter must state that automobile sales are a permitted use.

4. **Business Tax** – A current business tax license issued by the County Clerk, and if applicable, a city county license must be obtained in the name of the licensee. The name must match exactly with the entity being licensed. If a d/b/a is being used, this must be reflected on the license. These licenses should be a “Class 2”.
5. **Financial Statement** – A compiled financial statement indicating a minimum net worth of \$10,000.00, accompanied by a compilation letter executed by a Certified Public Accountant (CPA) on the CPA’s letterhead along with the CPA’s license number, is required. The financial statement must be prepared in accordance with generally accepted accounting principles, and dated no earlier than twelve (12) months prior to the date of application. If the CPA is not licensed in the State of Tennessee, a copy of the CPA’s license must be furnished.
6. **Corporation/LLC/LLP/LP** – A copy of the charter or articles of organization of the entity as filed with the Tennessee Secretary of State’s office must be provided, or if an out-of-state corporation or LLC, provide a copy of the Certificate of Authority to do business in Tennessee. If it is your intention to sell on behalf of the dealership, even if you own 100% interest in the Corporation or are the only member of the LLC, you will be required to maintain a separate salesperson license. You must list any officer or member who owns more than 5% of the entity, and designate the percentage owned by each individual as well as identifying the managing partner and registered agent. If a corporation is publicly traded, it must identify itself as publicly traded in the appropriate box in the Motor Vehicle Dealer Application.
7. **Certificate of Liability Insurance** – A Certificate of Liability Insurance with a minimum of \$300,000.00 per occurrence, indicating Garage Liability, must be submitted with each application. The Certificate must indicate the complete name of the entity being licensed and must reflect the physical address of the entity. It must also include a policy number, policy period, and coverage must continue, in force, for the life of the license. The Tennessee Motor Vehicle Commission must be reflected as the certificate holder. Additional information regarding Worker’s Comp Insurance requirements can be found at <http://www.state.tn.us/labor-wfd/wcomp.shtml>
8. **Service Agreement** – If no mechanical repair facility is located on-site, a Service Agreement with an operation repair garage, within a reasonable distance from the licensee’s location, must be provided and maintained during the licensing period. Any change in the designated facility must be reported to the Commission within 30 days of the change.
9. **Sales Tax** – A copy of the current Sales & Use Tax Certificate, obtained from the Department of Revenue, with the identification number and exact name and physical address of the licensed entity must be provided. If a d/b/a or assumed name is being used, it must appear on the certificate.
10. **Financial Background Disclosure** – The principal owner, directors and all persons owning more than five percent (5%) of the outstanding shares or stock issued by a corporation, LLC, LLP, or LP must complete the financial background disclosure form.



- 11. Signage/Photos** – Signs must contain letters a minimum of eight (8) inches in height and include the entire dealership name, including INC, LLC, LLP, or LP, if applicable. The sign must be permanently installed and clearly visible from the road. Banners are temporary in nature, and do not satisfy this requirement. If the dealer principal is engaged in an additional business along with the motor vehicle dealership, a separate sign can be posted advertising the second business. Photos being provided as part of the application should be in digital format and include the entire display lot, sign, hours and days of operation, phone number, office, and restroom facilities. You must also provide photos from a “street view” which show the building in its entirety, and all entrances and exits. If photos cannot be provided in digital format, all photos should be 8.5 X 11 or affixed to 8.5 X 11 paper, making sure the entire photo is firmly attached on all sides.
- 12. Franchised Vehicle Dealers** – A letter of acknowledgment sent from the Manufacturer(s) or Distributor(s) of the product or line-make awarding the applicant a franchise agreement(s) must be provided. The agreement **MUST** identify the specific line-makes the applicant is licensed to sell and define the relevant market area. If the relevant market area is not confined to geographic boundaries, the agreement must state that fact. The dealership name must be the same as the entity/name to whom the franchise was granted. A sworn statement containing the labor rate to be charged retail customers and the labor rate to be charged to the manufacturer(s) for warranty repairs must be provided. Thereafter, any change in the labor rate must be reported in writing to the Commission within ten (10) days after the change.
- 13. Salesperson Applications** – All salesperson applications, including the Eligibility Verification Form(s), should be submitted with the initial motor vehicle dealer application.
- 14. Conviction Record** – If any owner, officer or director of a corporation has been convicted of a felony, the applicant must furnish a copy of the final judgment order/disposition signed by the court of issuance in the jurisdiction of the conviction. The final judgment order must detail how the felony was disposed, when disposition occurred, and contain the signature of the judge. Evidence of probation or parole release requirements from the place of incarceration must accompany the applicable order. In the event an expungement order has been granted, it may be required to be submitted if your documentation reflects the felony conviction has not yet been discharged. In the event the applicant has obtained a re-employability certificate, please attach it to the other documents related to the charge(s).
- 15. Floor Plan Form** – Applicants are required to provide the Commission with, and keep current, the names of any inventory financiers, i.e. “floor planners” used by the dealership. Should floor planners be added or deleted after licensure, the dealer is responsible for advising the Commission of the change within 30 days, using the provided floor plan form.

**16. Dealer Licensing Fees –**

Franchise Vehicle Dealer License Fees.....	\$400 per line make
Used Vehicle Dealer License Fees.....	\$400
Franchise Motorcycle Dealer License Fees.....	\$400 per line make
Salesperson License Fees.....	\$35
Re-Inspection Fees.....	\$400
Re-Location Fees.....	\$400

**Applicable Licensing fees are payable by cash, check, money order, or certified check. Checks are to be payable to the Tennessee Motor Vehicle Commission. Cash must be paid at the Cashier's Office of the Department of Commerce and Insurance, located at 500 James Robertson Parkway, 1<sup>st</sup> Floor, Davy Crockett Tower.**

**DO NOT MAIL CASH. Enforcement Agents will NOT accept any payments.**

After all proper documentation of the above-requirements has been submitted, on-site inspection of the facility will be conducted. After inspection of the facility, a final review of the application, background, supporting documentation and facility findings is required. Please note that the Field Enforcement Agent is ONLY inspecting your physical location at this time, and does not have the authority to authorize the applicant to begin sales activity. Final eligibility determination requires satisfaction of **ALL** items identified above. Until all required documents have been submitted, the license application final eligibility cannot be determined.

Per Tennessee Comprehensive Rules and Regulations 0960-1-.14, Should the applicant fail to provide all required documents within 90 days from the application receipt date, the documents will be returned. If the applicant wishes to proceed, they must resubmit the fee and application in its entirety.

In the event the facility is deemed inadequate and fails to meet the minimum requirements, the application will be **DENIED**. A \$400 fee will be required upon any re-application and/or re-inspection.

Upon final review and approval, the license will be issued. Licenses should be received no later than fourteen (14) business days from the date of approval. Every effort is made to expedite the license issuance.