

# MORRISTOWN REGIONAL PLANNING COMMISSION

## Agenda May 14, 2019



### Call to Order

**I.** Approval of April 9<sup>th</sup>, 2019 Minutes

**II.** Old Business: none

**III.** New Business:

PUD-2292: Planned Residential Unit Development  
Kader Duplexes Brights Pike

ANNX-2290: Cox Annexation

PUD-2291: Cox Planned Residential Unit Development

TEXT-2287: Detached Accessory Structures Text Amendment

**IV.** Departmental Reports:

Minor Subdivisions Approved:

MISD-2275: The Wayne Nesmith Property  
(480 Croxdale RD)

MISD-2286: Combining Lots 11 & 12 Dover Phase 1 and Lots 28A and 29A Brockland  
Acres (4316 Whitecliff St.)

MISD-2285: Panther Lake S/D- Phase II, Revision of Lots 2, 3, & 4  
(1090 and 1150 Mountain Laurel RD).

### Adjournment

*The next meeting of the Morristown Regional Planning Commission is scheduled for June 11, 2019 at 4:00 pm.  
The deadline to submit applications for this meeting is May 20, 2019.*

**Morristown Regional Planning Commission  
Minutes  
April 9, 2019**

**Members Present**

Chairman Frank McGuffin  
Vice-Chairman Jack Kennerly  
Mayor Gary Chesney  
Secretary Roni Synder  
Commissioner Wanda Neal  
Commissioner Ventrus Norfolk  
Commissioner Bill Thompson  
Commissioner Sylvia Hinsley  
Councilmember Robert (Bob) Garrett

**Others Present**

Steve Neilson, Development Director  
Lori Matthews, Senior Planner  
Josh Cole, Planner  
Tina Allison, Admin. Asst. Planning  
Sami Barile  
T. Clint Harrison  
T. Phillip Carlyle

Chairman Frank McGuffin called the meeting to order and invited anyone who wished to join the Commission in an Invocation and the Pledge of Allegiance.

**I. Approval of March 12<sup>th</sup>, 2019 minutes:**

Commissioner Secretary Roni Snyder made a motion for approval of the March 12<sup>th</sup>, 2019 minutes seconded by Vice-Chairman Jack Kennerly.

Voting Results upon voice vote all Ayes. Motion carries.

**II. Old Business:**

None

**III. New Business:**

**MASD-2274: Preliminary Plat Approval Bridgewater Pointe Subdivision**

Senior Planner Lori Matthews discussed a request Staff received for preliminary subdivision plat approval to Bridgewater Pointe, a single-family residential development to be located off of Hill Trail Drive in North Morristown between Windswept and Cherokee Lakeview Subdivisions. Owner Phillip Carlyle proposed to develop his 70-acre tract in two stages, starting first with the 50 acres adjacent to Cherokee Lake which will include 172 lots and 1.25 miles of new streets and sidewalks. The remaining 20 acres will be constructed at a later date. The entire property, annexed in October 2018, is zoned Medium Density Residential (R-2).

Plans provide for one entrance from Hill Trail Drive into the development with a second portion of right of way retained between lots 9 and 10 for access to the future development. Bridgewater Boulevard circles the 50 acres with Pointe Vista running parallel. Both streets will be dedicated to the City upon completion.

Ms. Matthews stated a traffic study was conducted for the whole of the development including Hill Trail Drive from Spout Springs Road to the new subdivision entrance. Improvements to Hill Trail Drive will be required per recommendations of the traffic study to include increasing the total pavement width to 18 feet and modification of the existing guardrail.

Utility service will be provided by Morristown Utility Commission to include electric, sanitary sewer and water.

The applicant requested two design variances.

Ms. Matthews explained Section 4.1D of the Subdivision Regulations require local streets have a grade not to exceed 10%. Both Bridgewater Boulevard and Pointe Vista have 12% grades in some areas. Section 4.2 of the same regulations regulates maximum lengths of blocks, or continuous lengths of street to 1,500 feet. Both proposed streets exceed 1,800 feet in length.

Staff had concerns that due to the proposed long streets and grades, speeding would become a problem. After meeting with the applicant and his engineer, it was agreed that some form of traffic calming measures would be installed. A paving plan was received by Staff and Staff is satisfied with the installation of islands as a traffic calming measure. Staff recommended that Planning Commission make a motion to approval variances to Sections 4.1D and 4.2 of the subdivision regulations to allow the new streets to exceed 10% grade and to allow continuous street blocks in excess of 1,500 feet. If Planning Commission approved the variances, Staff would then recommend the Commission grant preliminary approval to the Bridgewater Pointe plat subject to Staff's revision comments of March 27<sup>th</sup> and these include minor stormwater revisions and notes to be included on the plat.

T. Clint Harrison, Civil Engineer and project manager, spoke on behalf of developer T. Phillip Carlyle.

Vice-Chairman Jack Kennerly made a motion to approve the variances to Sections 4.1D and 4.2 of the Subdivision Regulations to allow new local streets to exceed 10% grade and to allow continuous street blocks in excess of 1,500 linear feet. Motion was seconded by Mayor Chesney.

Voting Results 8 yes, 0 no. Motion carries.

Commission Bill Thompson made a motion to grant preliminary plat approval to Bridgewater Pointe contingent on all Staff's comments being addressed. Motion was seconded by Vice-Chairman Jack Kennerly.

Voting Results 8 yes, 0 no. Motion carries.

**IV. Departmental Reports:**

**MISD-2278: Resubdivision of Lot 14 and Part of Lot 13, Baird Addition**

**MISD-2282: Resubdivision of Lot 2 Walden Place**

**MISD-2284: Lot 8, East Tennessee Progress Center**

There being no further business, the meeting was adjourned.

Respectfully submitted,

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Roni Snyder, Secretary

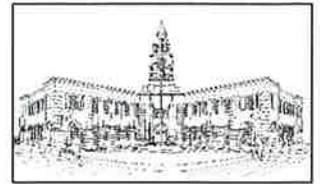
RS/ta



# City of Morristown

Incorporated 1855

DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Regional Planning Commission  
FROM: Josh Cole, Planner   
DATE: May 14<sup>th</sup>, 2019  
SUBJECT: Planned Unit Development (PUD) Site Plan Approval Request

## **BACKGROUND:**

A request for site plan approval by Planning Commission has been received from Mr. Randy Corlew on behalf of Abdul Kader for a proposed residential development to be located off of Bright's Pike. Per Section 14-222 of the Morristown Zoning Ordinance, multiple buildings on one lot for multifamily and/or commercial uses must receive site plan approval from the Regional Planning Commission

### "14-222. PLANNED UNIT DEVELOPMENT"

Approval of a site plan by the Planning Commission shall be required for any proposed planned unit development. The key test in evaluating a planned unit development proposal shall be equivalency with the provisions of the Zoning Ordinance. A proposed development should be approved if it complies with the intent of the Zoning Ordinance in meeting such goals as adequate open space, provision of needed public facilities, beneficial segregation of land uses, and protection of the environment. The area covered by a planned unit development may include either a single parcel or multiple parcels, but in no instance shall the planned unit development provisions apply to structures which are unrelated in function. ..."

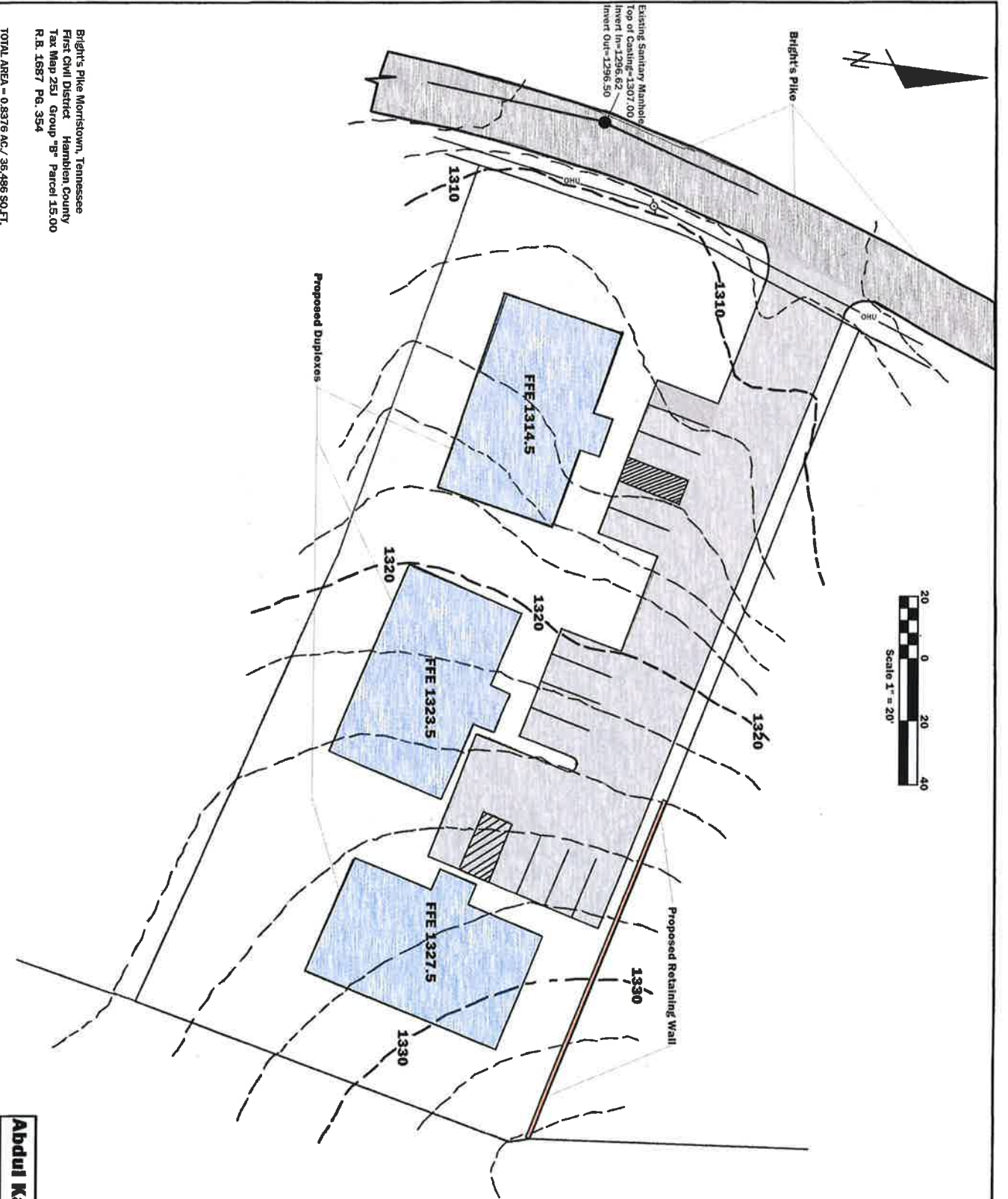


The applicant is currently going through the administrative site plan review process to place three duplex buildings at this location. The proposed duplexes are one-story, two bedrooms, and 1,253 square feet per unit. It is currently zoned R-2 (Medium Density Residential District) and contains 0.84 acres. The properties to the south and east are zoned R-2 with single-family residential units. The property to the north is also

zoned R-2 but is currently vacant. The properties to the west across Bright's Pike are zoned Local Business but do contain two-family residential units.

**RECOMMENDATION:**

Staff recommends approval of the proposed residential Planned Unit Development containing three duplex buildings.



Bright's Pike Morristown, Tennessee  
First Civil District Hamblen County  
Tax Map 25J Group "B" Parcel 15.00  
R.B. 1687 Pg. 354  
TOTAL AREA = 0.8376 AC/ 36,486 SQ.FT.

Boundary & Topographic Survey Provided - by Shockley Land Surveying  
This topographic information has been used as a base map for property

### Abdul Kader Duplex Development

SCALE: 1"=20'

APPROVED BY:

DRAWN BY: CRC

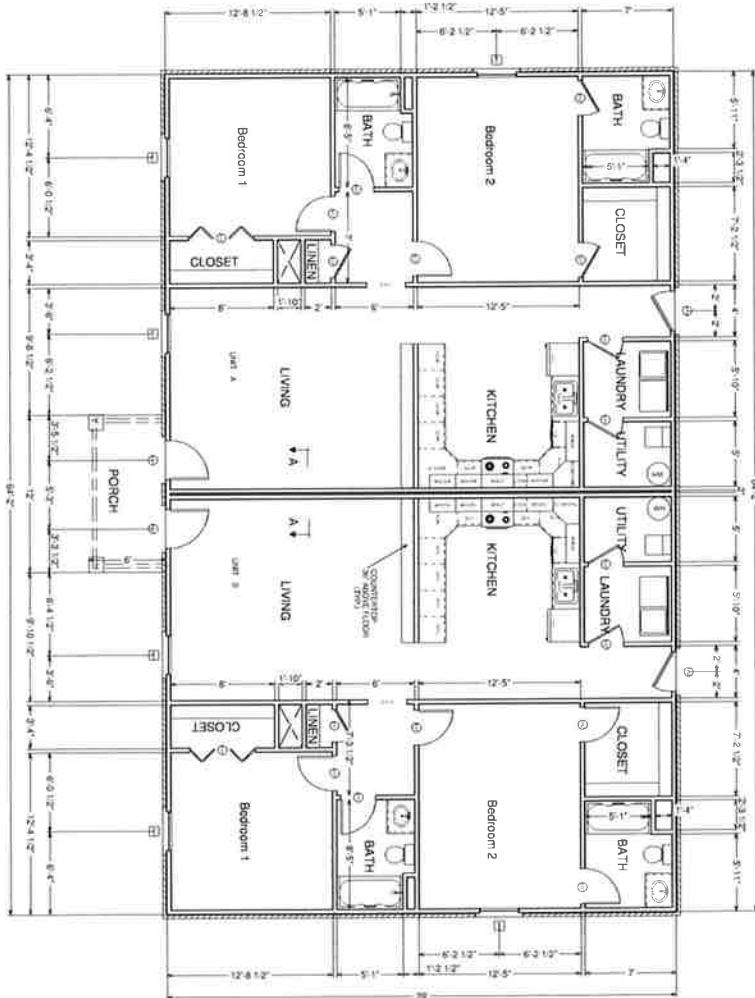
DATE: April 2019

REVISED

### Proposed Site Plan on Existing Conditions

Wetocenterprises, LLC Consulting Engineering/Development  
376 Lochness Drive, Morristown, TN 37814 ph. 423-312-8374

DRAWING NUMBER



ROOM SCHEDULE	
1	Living Area
2	Bedroom
3	Bathroom
4	Kitchen
5	Laundry/Utility
6	Closet

LIVING AREA  
2000 sq. ft.

ROOM SCHEDULE	
1	Living Area
2	Bedroom
3	Bathroom
4	Kitchen
5	Laundry/Utility
6	Closet

1st Floor

#### GENERAL NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL WALLS ARE 1/2" THICK UNLESS NOTED OTHERWISE.
3. ALL FLOORS ARE 4" THICK CONCRETE ON 6" GRAVEL.
4. ALL ROOFS ARE 2" THICK POLYSTYRENE INSULATION ON 2" THICK CONCRETE.
5. ALL EXTERIOR WALLS ARE 1/2" THICK CONCRETE ON 6" GRAVEL.
6. ALL EXTERIOR FLOORS ARE 4" THICK CONCRETE ON 6" GRAVEL.
7. ALL EXTERIOR WALLS ARE 1/2" THICK CONCRETE ON 6" GRAVEL.
8. ALL EXTERIOR FLOORS ARE 4" THICK CONCRETE ON 6" GRAVEL.
9. ALL EXTERIOR WALLS ARE 1/2" THICK CONCRETE ON 6" GRAVEL.
10. ALL EXTERIOR FLOORS ARE 4" THICK CONCRETE ON 6" GRAVEL.

A-2

SHEET:

SCALE: 1/4" = 1'-0"

DATE: 8/3/2018

DATE:

Brights Pike Duplex  
Plans are copyrighted © Abdul Kader 2018,  
and may not be copied or redistributed without written  
consent of Abdul Kader. Valid this project only.  
Plans prepared by Dennis Williams.

Living Area:  
2448 sq. ft.  
Garage:

Address:  
Brights Pike

NO.	DESCRIPTION	BY	DATE

XXX



## DEPARTMENT OF COMMUNITY DEVELOPMENT &amp; PLANNING

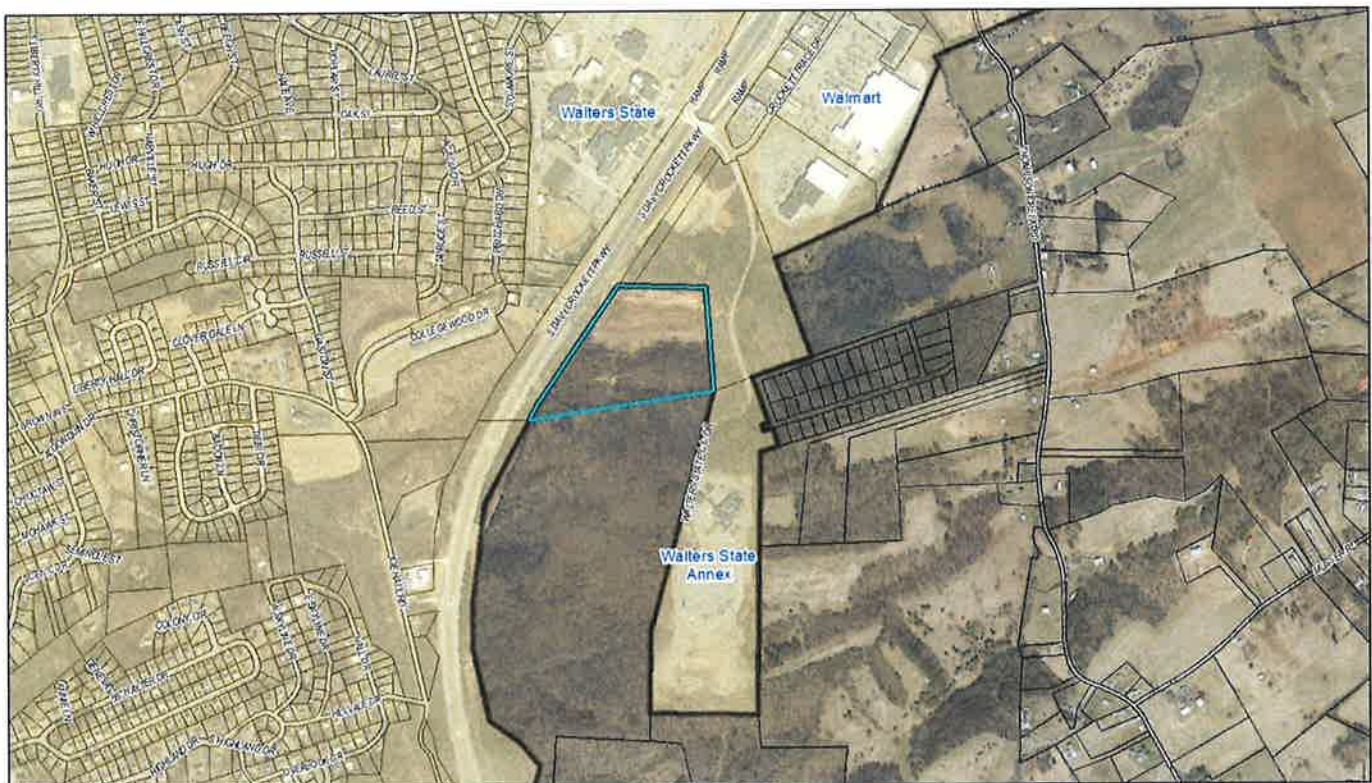


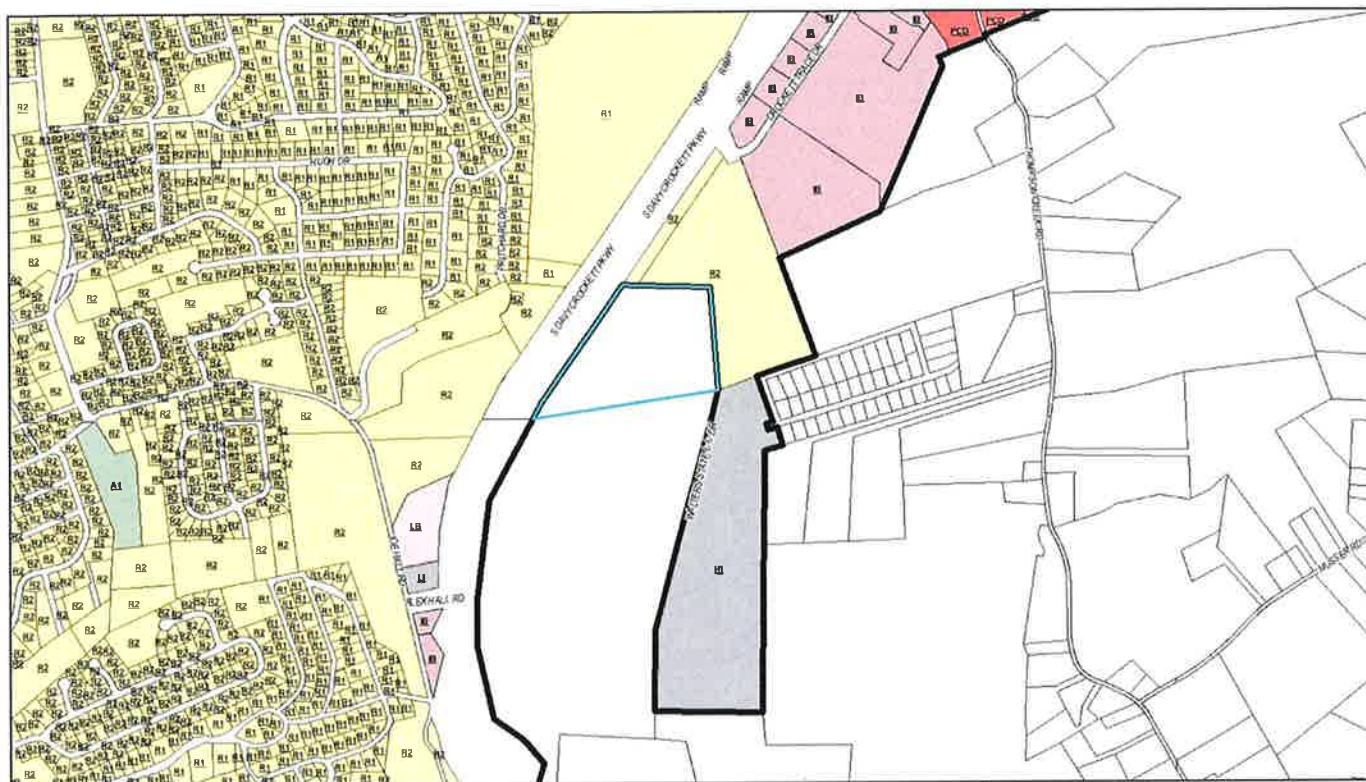
TO: Morristown Regional Planning Commission  
FROM: Lori Matthews, Senior Planner  
DATE: May 14<sup>th</sup> 2019  
SUBJECT: Annexation Request

A request for annexation has been submitted by Mr. Mitch Cox on behalf of property owners James and Sarah Gose for their property located off of South Davy Crockett Highway in the City's Urban Growth Boundary region, just south of Crockett Square/Walmart shopping center. The property being 23 acres in size will be developed into a 250 unit residential complex.

Morristown Utilities Commission will serve as provider for all utilities to include electric, sanitary sewer and water needs. No additional right-of-way is to be included. No additional Fire or Police personnel will be required at this time.

Staff would ask that the Planning Commission forward this annexation request on to City Council for their approval.





MAJORS STATE

STATE OF TENNESSEE  
D.B. 265 - P. 244

INDUSTRIAL BOARD OF MORRISTOWN  
D.B. 313 - P. 674



MURIEL W. FOSTER  
200 E. 3rd St.  
MORRISTOWN, TENNESSEE

I HEREBY CERTIFY THAT THIS IS A CLASS  
SURVEY AND THE RATIO OF PERIOD OF THE  
UNADJUSTED SURVEY IS 1:2,314 AS  
SHOWN HEREON.

84100094

CERTIFICATE OF OWNERSHIP

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building setback lines, and dedicate all public roads, easements, water and sewer lines, and other public facilities to the public use and enjoyment of the public.

Owner  
Owner

JOHN & MURIEL ARNOLD PROPERTY  
4th CIVIL DISTRICT HAMBLIN CO., TENN.

D.B. 52 - P. 328

SCALE 1" = 100'

JUNE 22, 1984

TOTAL ACRES  
22.24

②

6.31 AC.

LYLE MCORKLE & MARINTA FOSTER  
DB. 271 - P. 306

I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision standards for Morristown, Tennessee, Planning Region, with the exception of such variances, if any, as are shown in the minutes of the planning commission and that it has been approved for recording in the offices of the county register.

SEPT-13 1984  
Chairman, Planning Commission

AS FRONT & AID SIDE & REAR EASEMENT FOR UTILITIES & DRAINAGE

STATE OF TENNESSEE-HAMBLIN COUNTY

RECEIVED FOR RECORDING THE 13th DAY OF SEPTEMBER 1984  
AT 1:30 P.M. - ACTED IN 1984  
AND RECORDED IN PLAT 84100094  
STATE TAX & REC'D REC 12.00 REC. 11 - TOTAL 12.00  
RECEIPT NO. 1568 - PLAT 84100094 - REGISTER

MAG. NORTH

APPALACHIAN  
CENTERLINE  
Hwy

ACCESS

CONTROLLED

ACCESS

CONTROLLED

ACCESS

CONTROLLED

ACCESS

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## RESOLUTION NO.

**RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF PROPERTY LOCATED ALONG THE EAST SIDE OF SOUTH DAVY CROCKETT HIGHWAY (APPALACHIAN HIGHWAY) AND SHOWN AS LOTS 1 AND 2 OF THE JOHN AND MURIEL ARNOLD PROPERTY AS RECORDED IN PLAT CABINET A SLIDE A94**

**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 being located in the fourth civil district of Hamblen County, Hamblen County Tax Parcel ID # 034 031.00, shown as the John and Muriel Arnold Property survey of which is found in Plat Cabinet A, Slide A94 and as shown on the attached Exhibit A;*

**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 Morristown Utilities 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 Morristown Utilities 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 Morristown 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, property maintenance, 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 recommended zoning designation for this land will be R-3 (High Density Residential).

**Street Lighting**

Street lights will be installed in accordance to City and Morristown Utilities Commission 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 will be followed in expanding the recreational program and facilities in the enlarged city.

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

Passed on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor  
ATTEST:

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



ORDINANCE NO. \_\_\_\_\_

**ENTITLED AN ORDINANCE TO ANNEX CERTAIN TERRITORY AND TO INCORPORATE SAME  
WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF MORRISTOWN TENNESSEE;**

*Annexation of property identified as being located in the fourth civil district of Hamblen County, having Hamblen County Tax Parcel ID #034 031.00 which contains approximately 23.5 acres more or less, the general location being shown on the attached exhibit A;*

**Section 1. WHEREAS**, it now appears that the prosperity of the City and of the territory herein described shall be materially retarded and the safety and welfare of inhabitants and property owners thereof endangered if such territory is not annexed; and

**Section II. WHEREAS**, the annexation of such territory is deemed necessary for the welfare of the residents and property owners thereof and the City as a whole;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MORRISTOWN;**

1. **PURSUANT** to authority conferred by Section 6-15:102 of the Tennessee Code Annotated, there is hereby annexed to the City of Morristown Tennessee and incorporated within the corporate boundaries thereof, the following described territory:
2. Heavy Density Residential (R-3) zoning shall be applied upon adoption of the annexation area.
3. This Ordinance shall become operative thirty days after its passage or as otherwise provided for in Chapter 113, Public Acts of Tennessee, 1955.
4. This Ordinance shall become effective from and after its passage, the public welfare requiring it.

**PASSED ON FIRST READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY ADMINISTRATOR

**PASSED ON SECOND READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY ADMINISTRATOR

# City of Morristown

*Incorporated 1855*

**DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING**



TO: Morristown Regional Planning Commission  
FROM: Lori Matthews, Senior Planner  
DATE: May 14<sup>th</sup> 2019  
SUBJECT: Planned Unit Development (Residential) Approval Requested

## **BACKGROUND:**

The Planning Department has received a site plan submittal for a residential planned unit development (PUD) to be located on the east side of Highway 25E, just north of the East Tennessee Public Safety Building/Walters State Annex and south of the Crockett Trace Super Walmart. The submittal has been made by Mitch Cox on behalf of property owners, James and Sara Gose. Section 14-222 of the Zoning Ordinance states all planned unit developments must receive site plan approval by the Planning Commission prior to construction.

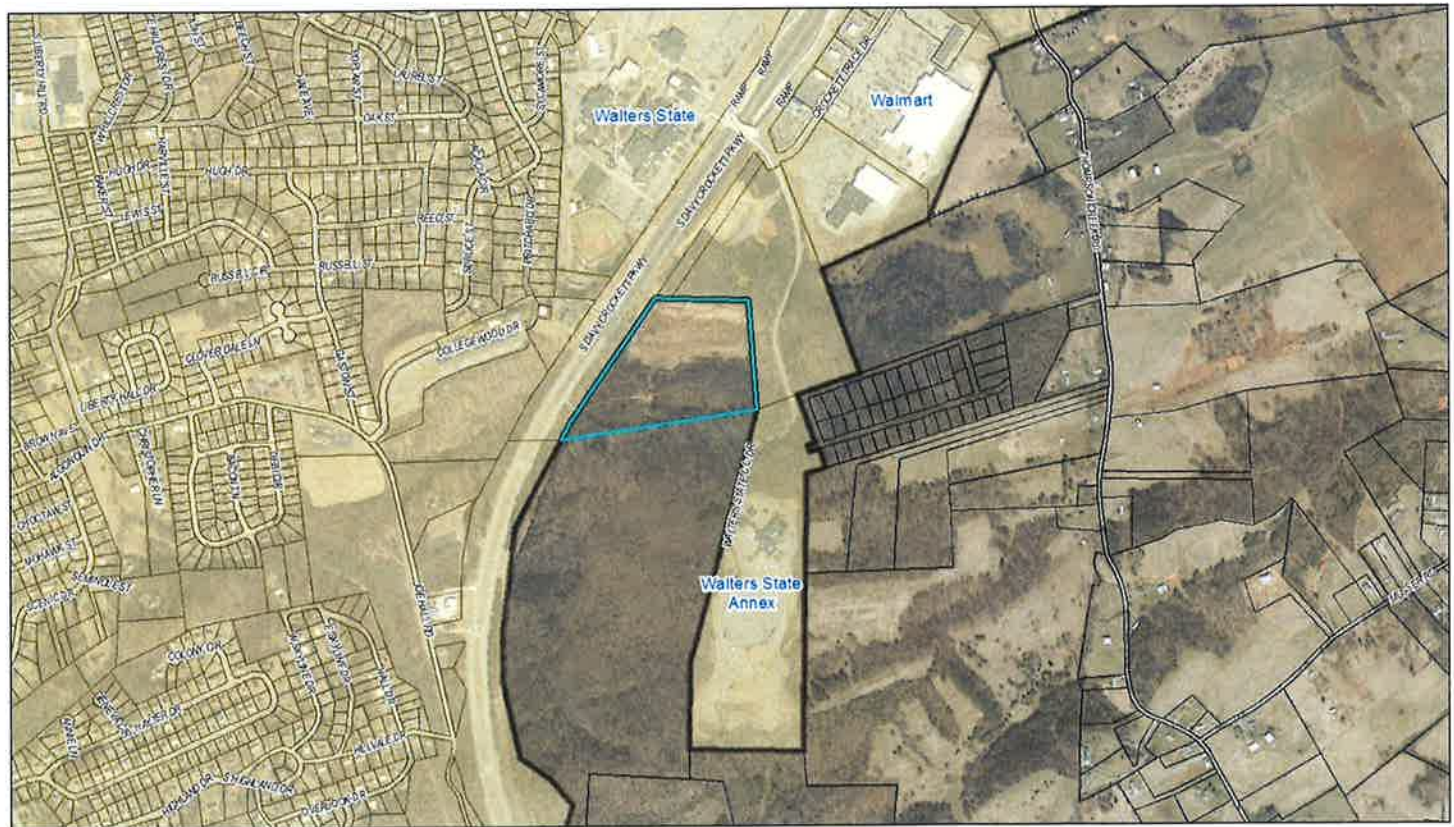
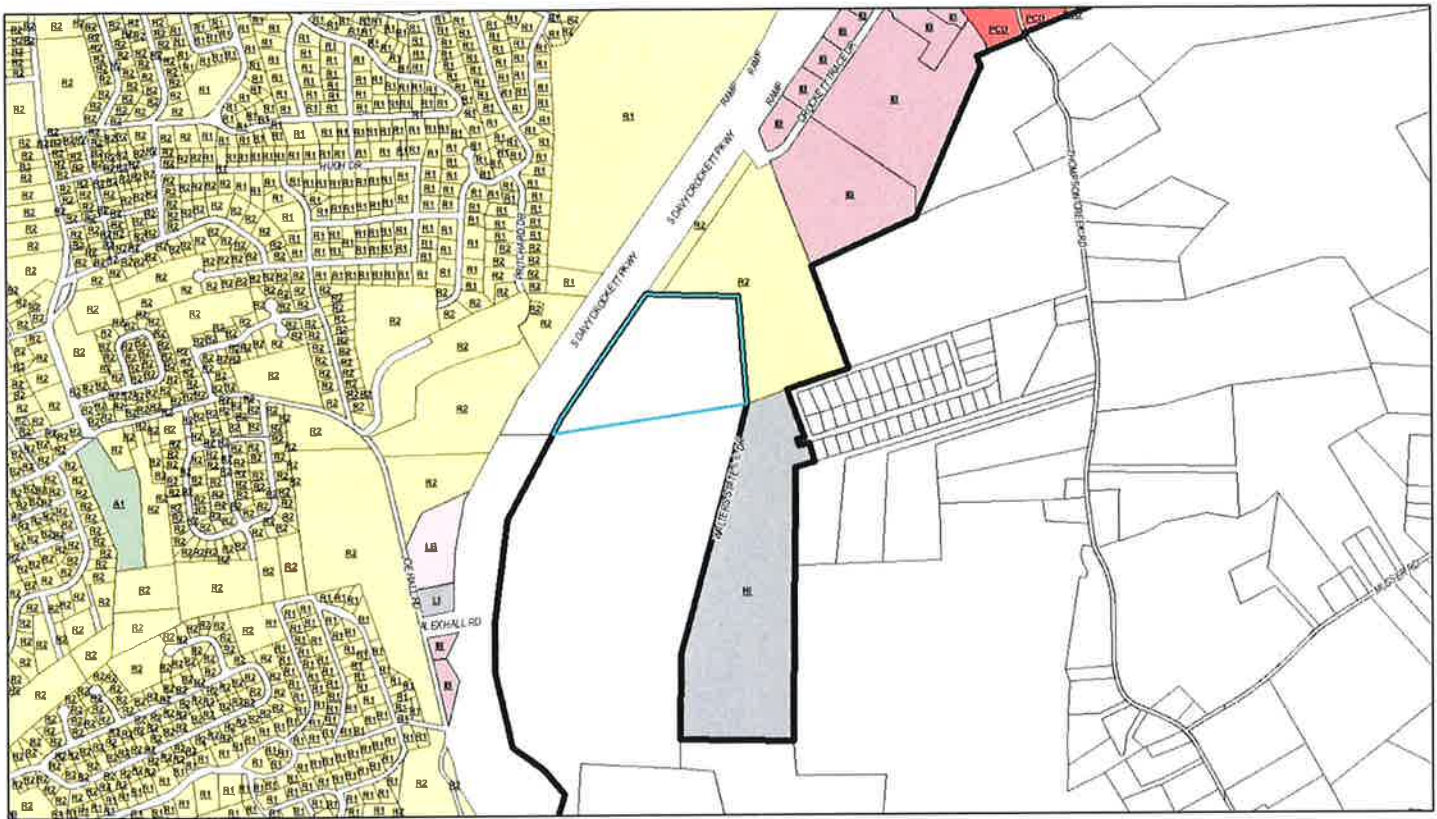
The property as it exists is within the City's Urban Growth Boundary but is currently going through the annexation approval process. The applicant has requested the property be rezoned simultaneously upon final annexation approval from its current designation of (County) A-1, Agricultural and Forestry to (City) R-3, Heavy Density Residential. Total number of units for the site (250) fall far below the maximum of 20 units an acre provided by the City's R-3 zoned properties. Once inside the City, utilities to the site will be provided by Morristown Utilities Commission to include sanitary sewer, water and electric.

Plans show 250 units on the 23 acre site, comprised of both apartment and townhome rental units. Apartments will be located on the north side of the property along with a clubhouse and pool. All townhome units will be located to the south of the property and will include 58 basement garages. Total parking for the site, to include handicapped, will be 528 total spaces. There is currently one ingress/egress shown to the site from Davy Crockett Highway which will line up with the existing highway median cut which also serves Living Promise Church.

As this is a multifamily development, building plans will go through the Tennessee State Fire Marshall approval process. A traffic study will be required for final site plan approval as it meets the City's daily traffic generators which require that a study be done.

## **RECOMMENDATION:**

City Staff recommends approval of this conceptual site plan provided the property receives final annexation approval from City Council.



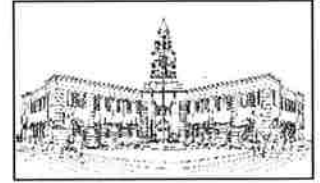





# City of Morristown

Incorporated 1855

DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Regional Planning Commission  
FROM: Josh Cole, Planner   
DATE: May 14<sup>th</sup>, 2019  
SUBJECT: Text Amendment – Accessory Structures

## **BACKGROUND:**

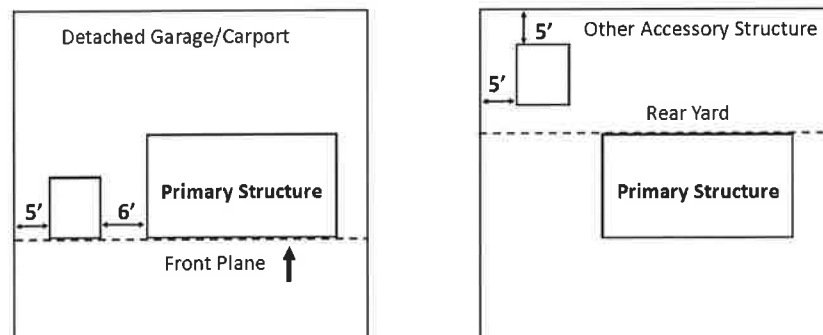
As part of our ongoing effort to update our zoning ordinance, staff has decided to bring forth a text amendment to Section 14-212 that discusses Detached Accessory Structures. Currently, the zoning ordinance allows any accessory structure as long as they meet the required setbacks and do not exceed the maximum lot coverage. There is no maximum size requirement or a requirement that the accessory structure be subordinate to the primary use, the single-family home. Under the current code a property owner with a typical half-acre lot and an 1,800 sq. ft. home could construct a 4,700 sq. ft. accessory structure. This would be a structure 2.5 times the size of the home or primary use. If the structure met setbacks, staff could not turn it down. With large accessory buildings, there is a much greater potential over time for these buildings to be converted into illegal uses such as auto repair shops, contractor yards, or other illegal home-based business.

Thus, Staff determined that there is a need to update this section to better regulate the location, the number, the size, and the types of structures permitted.

Staff reviewed ordinances from around the region and found that cities regulate accessory structures in a number of different ways (see attached). Some regulated accessory structures by maximum square footage ranging from 600 to 1,100 sq. ft., some have tied the maximum square footage to a percent of the principle building ranging from 25 to 30 percent, and some used lot coverage.

## **Location:**

Under the existing ordinance, accessory structures may be permitted anywhere on a residential parcel as long as they meet the setback requirements. Staff is proposing to limit the location of accessory structures to the rear yard except for detached garages/carports which may be permitted in the side yard behind the front plane of the principal structure or 60' from the front property line. Beyond this, all accessory structures must be setback at least 5' from all property lines and at least 6' from the principal building to meet the building code requirements.





Number:

There is currently no limitation on the number of accessory structures a parcel can have as long as it does not exceed 30% lot coverage. Thus, we are proposing to limit the number of accessory structure to two (2) per parcel. However, it should be noted that in-ground private swimming pools, tennis courts, alternative energy systems, and greenhouses are exempt from this requirement.



Size:

Currently, the code allows for accessory structures to be as large as or even larger than the principal structure as long as no more than 30% of the lot is covered. Thus, there is a need to place a maximum size provision in this section. Staff is proposing that the maximum size of the accessory structure(s) on a parcel be based on the lot size or the principal building's footprint:

- a. Lots of 15,000 sq. ft. or less: Maximum of 750 sq. ft. or 30% of the lot coverage area of the primary structure, whichever is greater
- b. Lots of more than 15,000 sq. ft. but less than an acre: Maximum of 900 sq. ft. or 30% of the lot coverage of the primary structure, whichever is greater.
- c. Lots of an acre or more: Maximum of 1,100 sq. ft., or 30% of the lot coverage of the primary structure, whichever is greater.

This gives flexibility to those with larger building footprints while also ensuring that the accessory structure remains subordinate in size to the principal structure.

Prohibited Structures:

A crucial part of this text amendment is that staff is proposing to prohibit the use of mobile storage units such as semi-trailers, converted vans/buses, and shipping containers as permanent accessory structures. Currently, these can be permitted as legal accessory structures and examples of such can be seen throughout the city.



These are often unattractive and can have a detrimental impact on residential neighborhoods or along commercial corridors. Staff recognizes that there is often a need for these structures on a temporary basis such as holiday or seasonal sales, building renovations, or business relocation. However, if there is a permanent need for storage, the property owner could construct a storage building that is more attractive and

more in keeping with the surrounding properties. Temporary accessory structures such as the metal pods used for moving can be utilized for up to for 90 days. However, a temporary extension could be approved if needed.

Finally, several definitions are also being added to the zoning ordinance to help clarify and assist in regulating this section.

**RECOMMENDATION:**

Staff recommends approval of the proposed accessory structure text amendment and would ask planning commission to forward this request on to City Council.

# City of Morristown

Incorporated 1855

## DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING

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TO: Morristown Regional Planning Commission  
FROM: Josh Cole, Planner  
DATE: May 14<sup>th</sup>, 2019  
SUBJECT: Text Amendment – Accessory Structures

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### 14-203 DEFINITIONS

17. **ALTERNATIVE ENERGY SYSTEMS** means any systems that utilize energy derived from resources that are regenerative or for all intents and purposes cannot be depleted and is generally thought of as an alternative to conventional energy supplied by combustion of fossil fuels. These include but are not limited to: solar energy, wind energy, biofuels, hydroelectric power, etc.
82. **DETACHED ACCESSORY STRUCTURE** means a structure that is located on the same parcel as the primary structure; not attached to the primary structure; and the use is customarily accessory and incidental to that of the primary structure.
83. **DETACHED CARPORT** is an accessory structure that is not attached to the primary structure and the intended use is for motor vehicle storage. The carport shall be open on at least two sides.
84. **DETACHED GARAGE** is an accessory structure that is not attached to the primary structure and is fully enclosed and the intended use is for motor vehicle storage.
145. **MOBILE STORAGE UNITS** means any structure that is built for storage and is designed to be easily moved from one location to another.
187. **SEMI-TRAILERS** is a trailer without a front axle that is designed to be attached to a truck for transport.
190. **SHIPPING CONTAINERS** is a container with strength suitable to withstand shipment, storage, and handling. Shipping containers usually refer to large reusable steel boxes that are intended to be used for intermodal shipments.
207. **SWIMMING POOL** means any structure that is intended for swimming, recreational bathing or washing that contains water over 24 inches deep. This includes in-ground, above-ground, and on-ground pools; hot tubs; spas and fixed in-place wading pools.
209. **TEMPORARY ACCESSORY STRUCTURE** is a building or other structure that is erected on a seasonal or other temporary basis for up to ninety (90) days.

14-212. LOCATION OF DETACHED ACCESSORY BUILDINGS ON RESIDENTIAL LOTS  
(3360-04/07/2009)

A detached accessory building in any Residential District or on any lot containing a principal building whose ground floor is used for residential purposes shall conform to the following regulations:

- 1) — No detached accessory building shall be within sixty (60) feet of the front property line.
- 2) — No detached accessory building shall be more than two (2) stories in height or exceed the height of the principal structure.
- 3) — No detached accessory building shall be located nearer than five (5) feet to any side lot line.
- 4) — No detached accessory building shall be located nearer than ten (10) feet to any rear lot line.
- 5) — No detached accessory building shall be located nearer than six (6) feet to the principal building.
- 6) — No detached accessory building shall be located within platted or recorded easements or over underground utilities.

**14-212. DETACHED ACCESSORY STRUCTURES**

**1. All Accessory Structures shall:**

- a. Be accessory, clearly incidental, and subordinate in area to the principal structure
- b. Be located on the same lot as the principal use or structure;
- c. Be constructed on or after the date when the principal structure is constructed
- d. Be maintained in a safe, sanitary, and secure fashion
- e. Not exceed two (2) stories in height or exceed the height of the principal structure.
- f. Not be located within any platted or recorded easements or over underground utilities.

**2. Accessory Structures in Residential Districts**

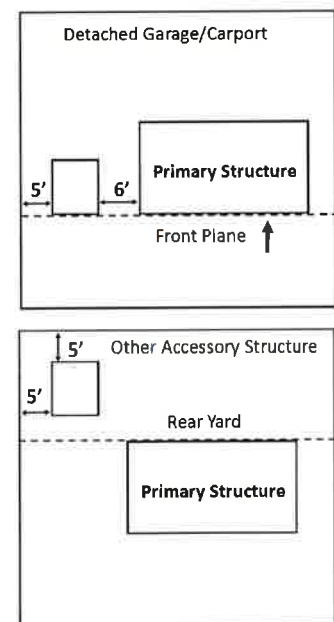
**a. Detached Garage/Carport**

- 1) The garage/carport shall only be permitted in the side and rear yard.
- 2) The garage/carport shall not be located any closer than the front plane of the principal building or sixty (60) feet from the front property line, whichever is less.
- 3) The garage/carport shall be setback a minimum of five (5) feet to all property lines
- 4) The garage/carport shall be located no closer than six (6) feet to the principal building.

**b. Other Detached Accessory Structure (DAS)**

- 1) The DAS shall only be permitted in the rear yard behind the principal building.
- 2) The DAS shall be setback a minimum of five (5) feet to all property lines
- 3) The DAS shall be located no closer than six (6) feet to the principal building.

- c. Maximum of two (2) accessory structures per lot. In-ground private swimming pools, tennis courts, alternative energy systems, and greenhouses are exempt from this requirement.



- d. The total combined square footage of all accessory structures cannot exceed the maximum allowed per the following:
  - 1) Lots of 15,000 sq ft. or less: Maximum of 750 sq ft. or 30% of the lot coverage area of the primary structure, whichever is greater
  - 2) Lots of more than 15,000 sq. ft. but less than an acre: Maximum of 900 sq ft. or 30% of the lot coverage of the primary structure, whichever is greater.
  - 3) Lots of an acre or more: Maximum of 1,100 sq. ft., or 30% of the lot coverage of the primary structure, whichever is greater.
- e. Prohibited accessory structures: Mobile storage units, e.g., semi-trailers, converted vans/buses, shipping containers, shall not be used as accessory structured for storage or human occupancy on any residential lot. The use of temporary accessory structures are not to exceed ninety (90) days.

3. Accessory Structures in Non-residential districts

- a. Prohibited accessory structures: Mobile storage units, e.g., semi-trailers, converted vans/buses, shipping containers, shall not be used as accessory structured for storage or human occupancy on any non-residential lot. The use of temporary accessory structures are not to exceed ninety (90) days.



## **Residential Accessory Buildings**

- **Bristol**

- Only allowed in side and rear yards and must cover no more than 25% of the required setback.
- Must be at least five feet from any lot lines or additional buildings.
- Those that exceed two stories or twelve feet in height must meet the setback requirements for the zoning district.

- **Johnson City**

Structures 850 square feet or less.

- Maximum height 15 feet;
- Accessory structures and uses shall be located in the side or rear yard with a minimum of seven and one-half feet from all lot lines; and
- No accessory structure shall be larger than the size of the principle dwelling.

Structures greater than 850 square feet and/or 15 feet in height, may be approved by special exception provided they meet the following conditions:

- Maximum size of structures shall not exceed 30 percent of the floor area of the principal dwelling;
- The accessory structure is constructed of similar materials of the principal dwelling for property less than an acre;
- Meet the district setbacks for a principle dwelling;
- Accessory structure shall not be taller than the principle dwelling; and
- The Board of Zoning Appeals may require additional standards be met in order to assure compatibility of the proposed use with adjoining properties and to maintain the integrity of the single-family zoning district.

No more than two accessory structures shall be permitted on the property. Private swimming pools, tennis courts, alternative energy systems, and greenhouses are exempt from this requirement. The total combined area of those buildings shall not exceed 850 square feet or 30 percent of the floor area of the principal dwelling, whichever is greater.

No accessory structure or use shall be constructed or established on any lot prior to the time of the substantial completion of the construction of the principal dwelling to which it is accessory.

Prohibited accessory structures: Mobile storage units, e.g., semi-trailers, converted vans, or converted buses, shall not be used as accessory structures for storage or human occupancy on any residential lot.

- **Kingsport**

- Only permitted in rear yards.
- Must be at least three feet from all lot lines and five feet from other structures.
- Not to exceed 30% of the primary structure's floor area.
- Height shall not exceed that of the primary structure or 35 feet, whichever is less.

- **Knoxville**

- Only allowed in side and rear yards.
- Must be five feet from the rear lot line and eight feet from the side lot line if structure is less than ninety feet from the front lot line, but only five feet if it is ninety feet or more.
- Lot of 15,000 sq. ft. or less: Maximum of 750 sq. ft. or the lot coverage of the primary structure, whichever is less.

- Lot of more than 15,000 sq. ft.: Maximum of 900 sq. ft. or lot coverage of the primary structure.
- Lots over an acre: Maximum of 1100 sq. ft., or the lot coverage of the primary structure.

- **Maryville**

- Must not be located in front yard, and must be a minimum of ten feet from any lot line.
- When height exceeds twelve feet, the accessory building shall be setback from the lot boundary lines an additional two feet for every foot of height exceeding twelve feet.

- **Mount Juliet**

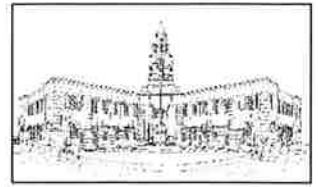
- Total lot coverage of primary and accessory structures shall be no more than 50% in RM-16 and RM-8, 40% in R-10, 35% in RS-10, 30% in RS-15, 25% in RS-20, 18% in RS-30, and 15% in RS-40 and AR-40.

- **Oak Ridge**

- Must meet all setback requirements in zoning district.
- Cannot exceed fifteen feet in height.
- Shall not exceed either 600 square feet or twenty-five percent of the entire footprint of the ground floor, whichever is greater.

- **Sevierville**

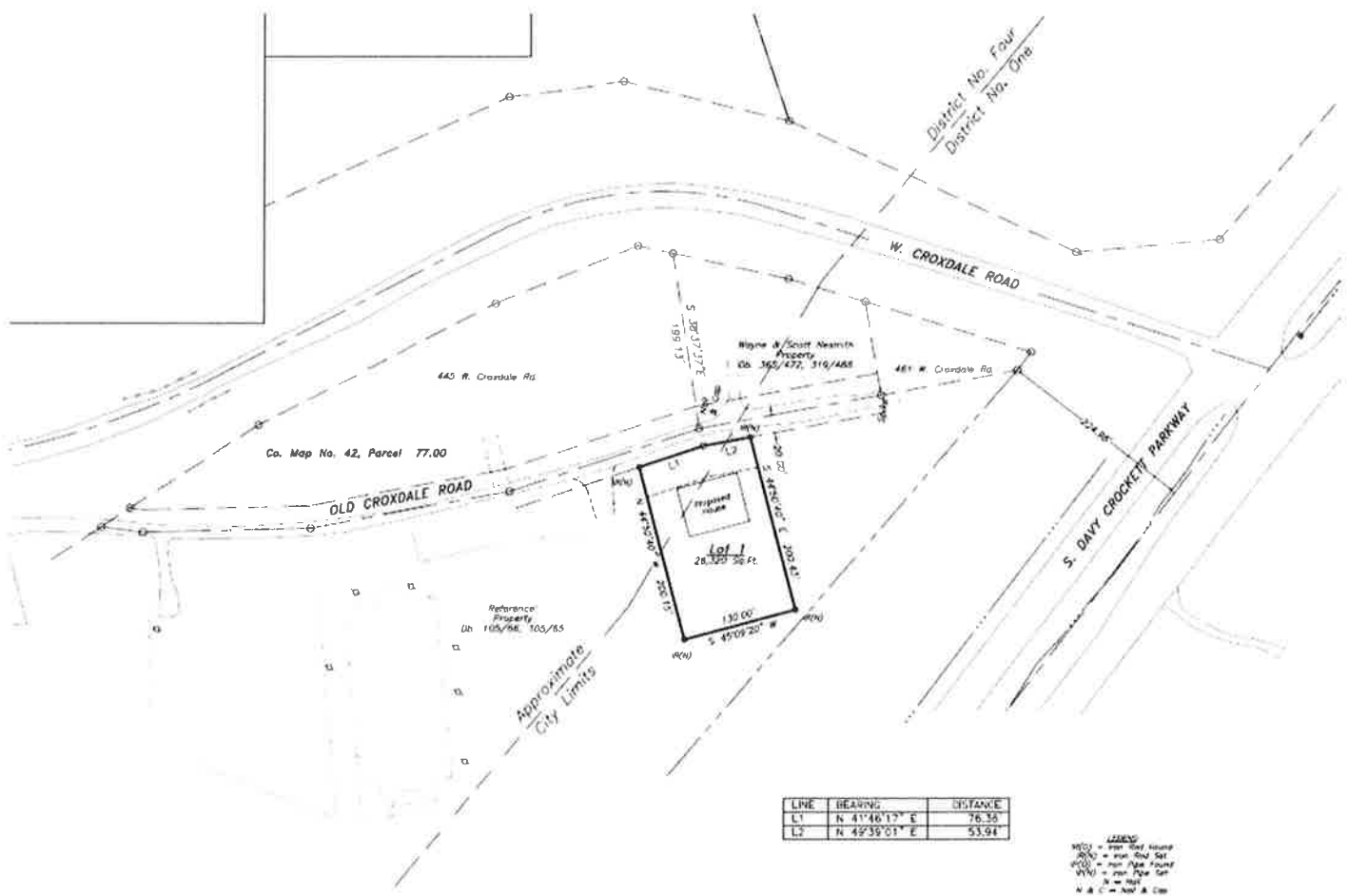
- Must be located in the rear yard, at least five feet from all property lines.
- Cannot exceed 20% of the rear yard.
- Cannot exceed one story.

**DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING**

Personal Planning Center

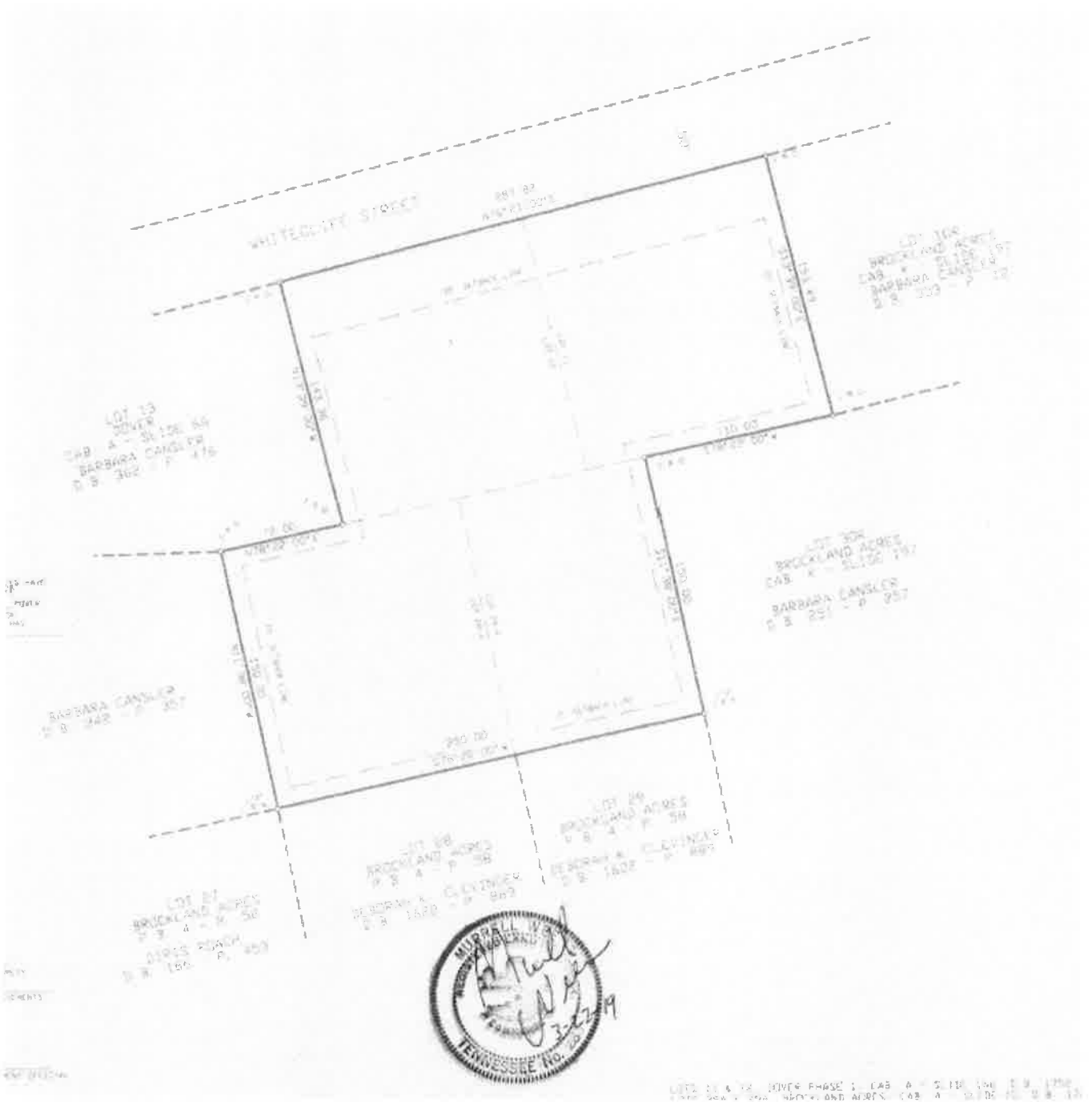
Three minor subdivision plats were administratively approved and recorded since the April meeting.

This plat created a new lot located off of W Croxdale RD in the UGB (1 lot into 2)



2) MISD-2286: Combining Lots 11 & 12 Dover Phase 1 and Lots 28A and 29A Brockland Acres (4316 Whitecliff St.)

This plat combined 4 lots located off of Whitecliff Street in the UGB (4 lots into 1).



3) MISD-2285: Panther Lake S/D- Phase II, Revision of Lots 2, 3, & 4

This plat revised lot lines at 1150 Mountain Laurel RD and 1090 Mountain Laurel RD to remove a lot line (3 lots into 2).

