

**Morristown Board of Zoning Appeals
December 11, 2018**

Members Present

Chairman Jack Kennerly
Vice-Chairman Bill Thompson
Secretary Robert (Bob) Garrett
Mayor Gary Chesney
Board Member Wanda Neal
Board Member Ventrus Norfolk
Board Member Frank McGuffin

Others Present

Steve Neilson, Community Development Director
Lori Matthews, Senior Planner
Josh Cole, Planner
Tina Allison, Admin. Asst. Planning
Debra Stamey, City Clerk/Executive Asst.
Greg Ellison, Chief Building Inspector
Michael D. Price
James Soule
Terry Ball

Chairman Jack Kennerly 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 Jack Kennerly called for approval of the October 9th, 2018 minutes.

Board Member Frank McGuffin made a motion for approval of the October 9th, 2018 minutes seconded by Mayor Gary Chesney.

Upon voice votes, all Ayes. Motion carries.

II. Old Business:

None

III. New Business:

UORV-2244-2018: Use Permitted on Review Automobile Sales at 5027 W. Andrew Johnson Hwy

Planner Josh Cole discussed a use permitted on review from Mr. Leroy Royston to allow an Automobile Sales Lot at 5027 W. Andrew Johnson Highway. This parcel is zones IB (Intermediate Business) and is located at the intersection of W. Andrew Johnson Highway and Old 11E. It is approximately one acre in size with a small office building and a paved parking lot. It has an auto sales lot to the east, an older commercial strip center to the west, and a gas station across W. Andrew Johnson Highway.

This location has previously been utilized as an automobile sales lot. This used has been discontinued for several years and has lost its grandfathered status. Mr. Cole states the applicant has provided a site plan that illustrates that this location currently meets the conditions required in the zoning ordinance for this use. It has more than adequate striped paved parking with travel aisles and grass strip buffering the lot from the right-of-way.

Automobile Sales are allowed in the Intermediate Business district as a use permitted on review. This request meets the conditions set forth in the zoning ordinance. Staff recommends approval.

Board Member McGuffin made a motion to approve request Vice-Chairman Bill Thompson seconded motion.

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

UORV-2236-2018: Use Permitted on Review for Amusement Enterprise and Off-Site Parking at 709 E. Morris Boulevard

Senior Planner Lori Matthews discussed a request received from Mr. Michael Price on behalf of Queen Holdings, LLC Mr. James Soule for 709 East Morris Boulevard between Montvue Avenue and Cleveland Avenue. The property known as the Modern Upholstered Chair Company, prior to being the Carver Wagon Company, is zoned HI (Heavy Industrial). The applicant is seeking approval for both an amusement enterprise use and off-site parking for said use. Added to the City’s Zoning Ordinance in 2014, “Amusement Enterprise” includes both indoor and outdoor amusement and recreational facilities.

The site is approximately 33,000 sq. ft. in size with the existing building being approximately 30,000 sq. ft. in size. Tax records indicate the building was constructed circa 1955 with the building to the rear, Motorcycle Salvage, built in 1960. Montvue Avenue borders the west with Morris Boulevard fronting the property and a platted 60 foot right-of-way adjoining to the east.

Ms. Matthews stated it’s the intent of the owner to renovate the existing building, turning it into recreational center, arcade, kitchenette, trampoline jump area and other recreational uses. Review and approval of this use by the Board of Zoning Appeals is required in all industrial zoned districts. The Board of Zoning Appeals has the authority to grant approval of off-site parking provided it is within 400 feet of the principal use. With the building footprint covering 90% of the lot, redevelopment of the site is severely restricted. Current parking regulations will require a minimum of 84 parking spaces based on demolition of part of the existing building and its internal uses. The conceptual site plan shows a total of 26 spaces on site, leaving 65 spaces to be constructed west of Montvue Avenue on three separate parcels, one of which currently houses a small vacant retail store. A lease agreement has been signed by both parties and submitted to the planning department.

The Morris Boulevard corridor has been in a period of transition for the past several years with vacant industrial sites morphing into commercial and office establishments, this site being an eyesore for several years, redevelopment into a recreational center is looked upon favorably. Staff views the use as compatible with surrounding neighborhood and recommends granting the use as submitted based on its consistency with surrounding properties.

Staff recognizes the hardship on the property with existing building footprint occupying 90% of the total parcel of land. Ms. Matthews stated the applicant will be demolishing 20% of the building in order to maintain some onsite parking with the remainder to be located in close proximity across Montvue Avenue. As this is well within the required 400 feet from the parent site, Staff would ask that the Board of Zoning Appeals grant approval of the off-site parking.

Mayor Chesney made a motion to approve the use on review and the off-site parking Board Member Ventrus Norfolk seconded motion.

Mr. James Soule, owner of Queen Holdings, LLC spoke in favor of the request and answered questions.

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

UORV-2248-2018: Use Permitted on Review for Construction Materials Yard at 2515 Frontier Way

Senior Planner Lori Matthews discussed a use on review request from Mr. Terry Ball acting as a representative for Bunch and Jones Office Properties. The site is located at the southwest corner of North Davy Crockett Parkway and Brights Pike behind Lakemoore Subdivision. A building materials supplier seeks to relocate to this site which will include renovation of the existing building into an office, showroom and warehouse. The property, being zoned Intermediate Business, permits retail establishments by right but building material yards must receive approval from the Board of Zoning Appeals.

The six acre tract was originally subdivided into three lots to include a public street in 2009. Since that time, only the building sits on the property. Much of Davy Crockett Parkway to the west is commercially zoned and includes a hospice care business, automotive sales center and the new Hamblen County Government office. Properties opposite 25E are for the most part zoned residential. Lakemoore Subdivision and a small mini-storage warehouse adjoin the property to the rear.

Ms. Matthews stated the site will not have to be dramatically changed as it already has adequate parking for the proposed use. The applicant will be hard surfacing the driveway leading into the loading bay and adding some required trees along Brights Pike. The building material yard is expected to be approximately 15,000 sq. ft. size and will be located along the south side of the building adjacent to the storm water pond. Applicant will be fencing in the storage yard and planting evergreens along the perimeter.

Staff recommends approval of request.

Vice-Chairman Thompson made a motion to approve the request and Board Member McGuffin seconded motion.

Mr. Terry Ball, representative for the applicant Bunch and Jones Office Properties, answered questions.

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

No further business, meeting is adjourned.

Respectfully submitted,

A handwritten signature in black ink that reads "Bob Garrett". The signature is written in a cursive style with a large, looped "B" and "G".

Bob Garrett, Secretary

BG/ta