



CALLED BOARD OF ZONING APPEALS MEETING AGENDA

Wednesday, August 09, 2023 at 10:00 AM
City Hall, 415 Broad Street, Room 226

This meeting is an open and accessible meeting. If interested parties request special assistance or accommodations, please notify the Planning Department three (3) days in advance of the meeting.

I. CALL TO ORDER - 10:00 A.M.

II. INTRODUCTION AND MEETING PROCEDURES

III. PUBLIC HEARING

1. Case:23-0253–The owner of property located at 1 Tribe Way, Control Map 061D, Group J, Parcel 02.00 requests a 115.8 square foot variance to Sec 114-536(2). The purpose of the request is to exceed maximum size requirements for a new electronic message board. The property is zoned R-4, Medium Density Apartment District.

INTERESTED PARTIES:

Owner: Dobyys-Bennett High School

1 Tribe Way

Kingsport, TN 37660

423.378.8415

Representative: Brian Tate

IV. BUSINESS

1.

V. ADJUDICATION OF CASES

VI. PUBLIC COMMENT

Citizens may speak on issue-oriented items. When you come to the podium, please state your name and address and sign the register that is provided. You are encouraged to keep your comments non- personal in nature, and they should be limited to five minutes.

VII. ADJOURN

REGULAR MEETING & PUBLIC HEARING
Kingsport Board of Zoning Appeals

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that an open and public meeting of the Kingsport Board of Zoning Appeals scheduled for Wednesday, August 9, 2023 will be conducted beginning at 10:00am in the Kingsport City Hall, Conference Room 226, 415 Broad Street, 2nd floor, Kingsport, Tennessee.

Public Hearings: The Kingsport Board of Zoning Appeals will conduct a Public Hearing during this meeting to consider the following cases:

Case:23-0253– The owner of property located at 1 Tribe Way, Control Map 061D, Group J, Parcel 02.00 requests a 115.8 square foot variance to Sec 114-536(2). The purpose of the request is to exceed maximum size requirements for a new electronic message board. The property is zoned R-4, Medium Density Apartment District.

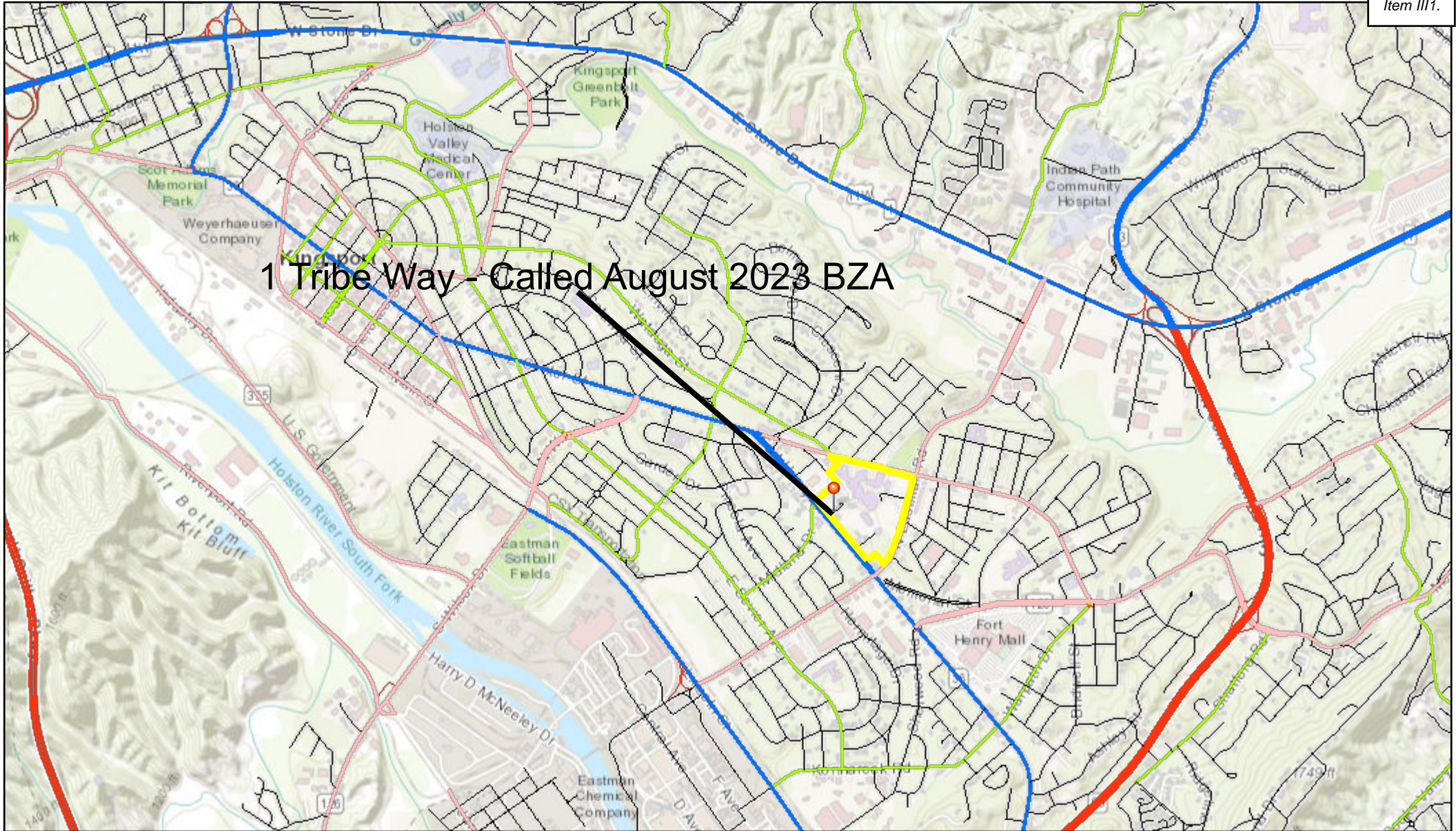
All interested persons are invited to attend this Public Hearing. Additional information concerning this case may be obtained by contacting City of Kingsport Planning Division staff, telephone (423) 224-2482.

All City of Kingsport public meetings are conducted in accessible locations. If you require accommodations to participate in this meeting, these may be requested by calling (423) 224-2482 or by emailing ADAContact@KingsportTN.gov at least 72 hours in advance. Copies of any documents used are available in accessible formats upon request.

CITY OF KINGSPORT
Angie Marshall, City Clerk
PIT: 8/4/2023

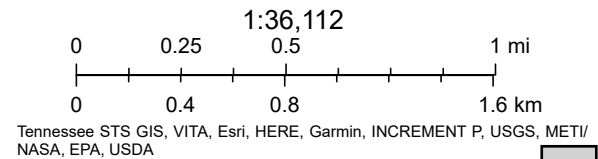
ArcGIS Web Map

Item III.1.



8/4/2023, 10:35:25 AM

- | | | | | | |
|----------------|-----------------------|--|------------------|--|----------------|
| | Urban Growth Boundary | | Major Arterial | | Local Street |
| Streets | | | | | |
| | Interstate | | Minor Arterial | | Private Street |
| | Expressway | | Collector Street | | Ramp |



TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: August 3, 2023

RE: 1 Tribe Way

The Board is asked to consider the following request:

Case:23-0253– The owner of property located at 1 Tribe Way, Control Map 061D, Group J, Parcel 02.00 requests a 115.8 square foot variance to Sec 114-536(2). The purpose of the request is to exceed maximum size requirements for a new electronic message board. The property is zoned R-4, Medium Density Apartment District.

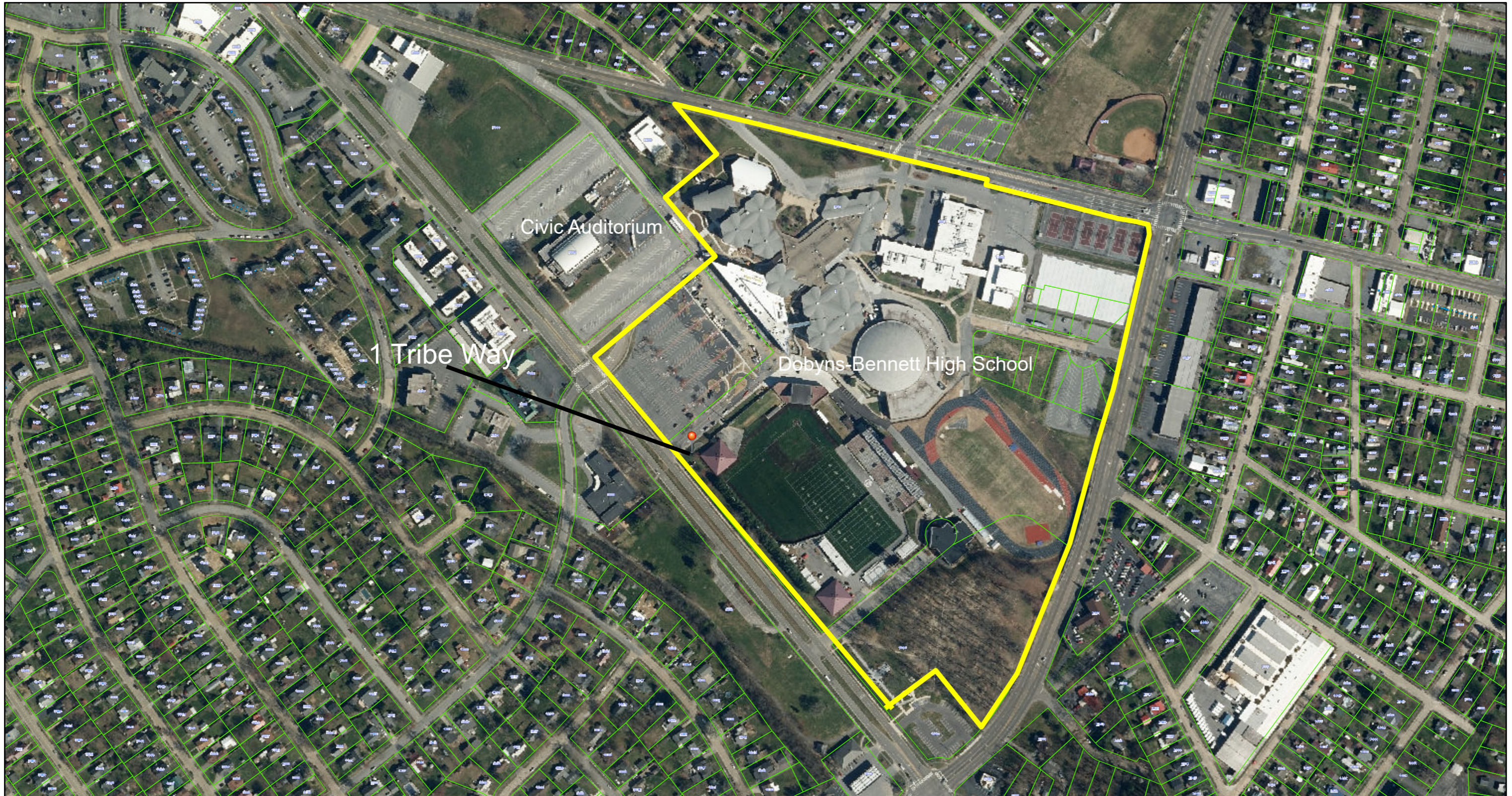
Code reference:

Sec. 114-536. - Electronic message board signs for public schools and churches.

Electronic message board signs are allowed in any residential district for public schools and churches as follows:

- (1) Only one freestanding electronic message board to convey information by words, letters, or still pictures shall be permitted for each institution provided that at least one parcel within the development has a minimum road frontage of 150 feet located on a minor arterial or above as classified by the adopted Major Street and Road Plan and the electronic message board sign is located along that road.
- (2) The electronic message board must be a part of the primary freestanding sign with a maximum size of 50 square feet per side. The electronic message board portion of the freestanding sign must not exceed 50 percent of the total freestanding sign.
- (3) The maximum height of the sign is as permitted in the underlying zoning district.
- (4) Electronic message boards shall include an automatic dimmer. The maximum allowable brightness of an electronic message board shall not exceed 4,000 nits during the hours between sunrise and sunset and 1,000 Nits after sunset and before sunrise.
- (5) Hours of operation for electronic message boards located within a residential zone are from sunrise to 10:00 p.m. and must be turned off completely by 10:00 p.m. each night.
- (6) Electronic message boards shall not interfere with traffic signal devices as determined by the city traffic engineer.
- (7) Electronic message boards shall not be used for off-premises advertising.
- (8) Signage shall be limited to text, images and still pictures only. Video or animation of any type is prohibited. Animated signs are prohibited.
- (9) Scrolling or flashing text shall be prohibited.
- (10) Any display on an electronic message board shall be for a minimum of five seconds in duration. Any message change shall be completed within one second, shall be simultaneous, and fixed in place for a minimum five seconds.

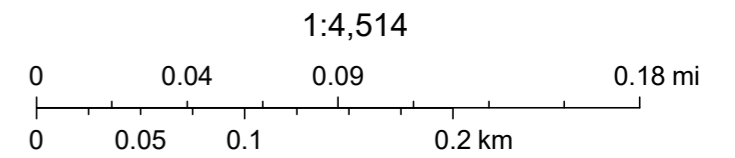
(11) Electronic message boards shall not be allowed in any historic district as designated by the city.



8/7/2023, 8:25:22 AM

Sullivan County Parcels Jan 2023

- Parcels
- Kpt 911 Address



1 Tribe Way - Called August 2023 BZA ArcGIS Web Map

Item III.1.



8/7/2023, 8:30:39 AM

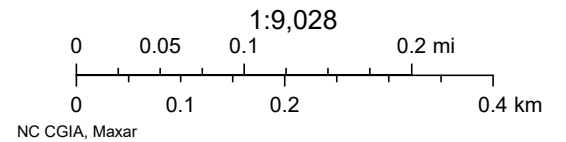
Sullivan County Parcels Jan 2023

Parcels

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TAC

R-5	A-2	B-3	B-4P	M-1R	P-D	PMD-1
GC	AR	B-3	BC	M-2	PBD-3	PMD-2
B-2E	B-1	B-4	GC	MX	PBD/*	PUD
A-1	B-2	B-4P	M-1	P-1	PD	PVD



APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name TATE First BRIAN M.I. K Date 8-1-23
 Street Address 1 Tribe Way Apartment/Unit #
 City Kingsport State TN ZIP 37660
 Phone 423-378-8415 E-mail Address btate@k12k.com

PROPERTY INFORMATION:

Tax Map Information Tax map: 061D Group: J Parcel: 2 Lot:
 Street Address 1 Tribe way Apartment/Unit #
 Current Zone R-4 Proposed Zone No change
 Current Use High School Proposed Use Same

REPRESENTATIVE INFORMATION:

Last Name SAME AS APPLICANT First M.I. Date
 Street Address Apartment/Unit #
 City State ZIP
 Phone E-mail Address

REQUESTED ACTION:

A 115.8 sq ft variance to sec 114-536 (2)

DISCLAIMER AND SIGNATURE

By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Board of Zoning Appeals will review my application. I further state that I am/we are the sole and legal owner(s) of the property described herein and that I am/we are appealing to the Board of Zoning Appeals.

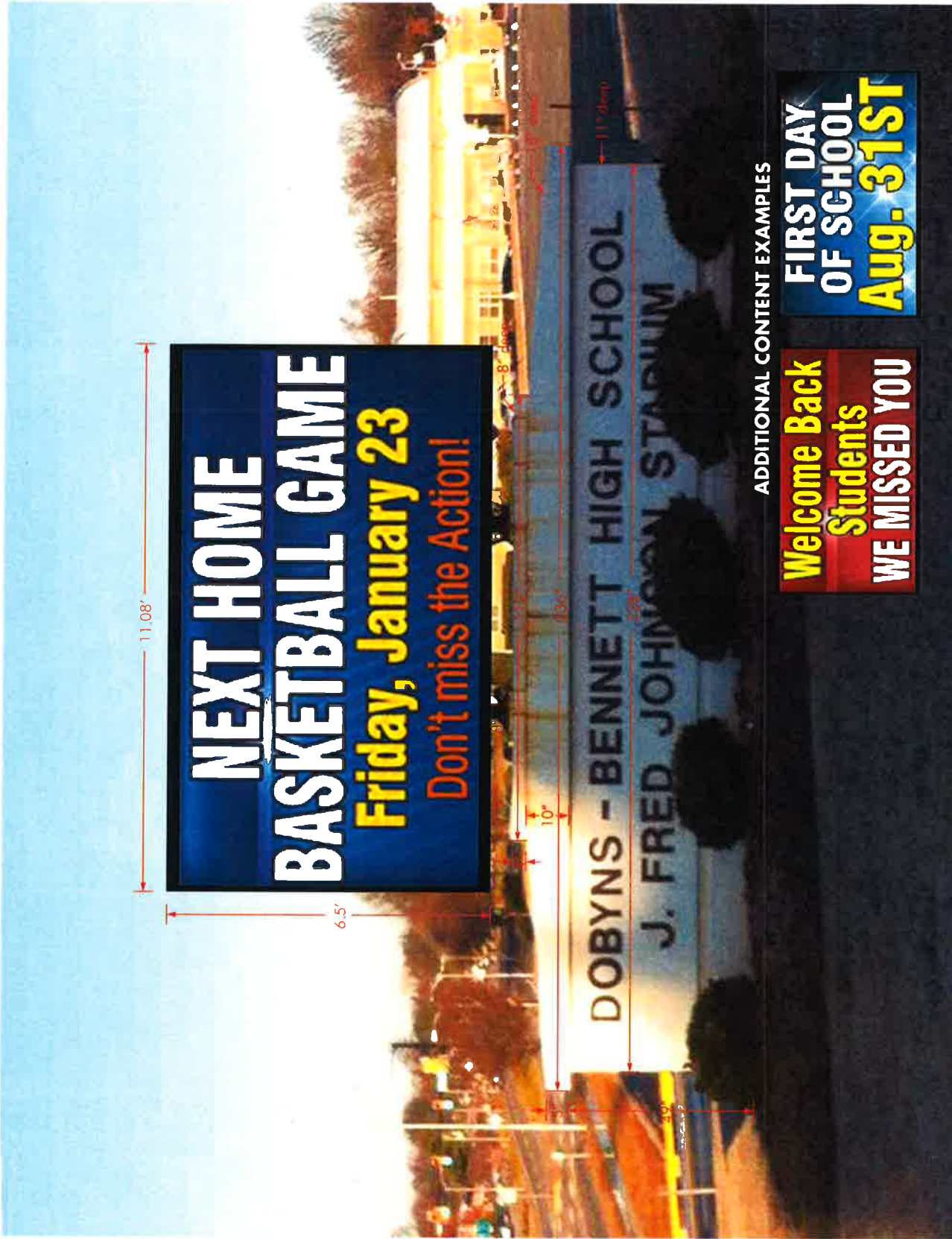
Signature: Brian K Tate Date: 8/1/23

Signed before me on this 1st day of August, 2023
 a notary public for the State of Tennessee
 County of Sullivan

Notary Lori P. Lane
 My Commission Expires November 21st 2026







- Overall: 165.8 sq. ft.
- LED Display GT6x-180x324-10-RGB 72 sq. ft.
- (Existing) Support Structure 93.8 sq. ft.

ADDITIONAL CONTENT EXAMPLES



PRODUCTION READY ARTWORK NEEDED FOR:
None

06/13/2023 (Rev 0) Concept Dobybys Bennett HS_TN Entrance GT6x-180x324-10 (1)

DOBYNS BENNETT HIGH SCHOOL KINGSPORT, TN

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Variance Worksheet – Finding of Facts

Variances. Except as provided herein to hear and decide applications for variance from the terms of this chapter, because of exceptional narrowness, shallowness or shape of a specific piece of property which on June 16, 1981, was a lot of record or where, because of exceptional topographic conditions or other extraordinary or exceptional situation or condition of a piece of property, the strict application of this chapter would result in peculiar and exceptional practical difficulties to exception or undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purposes of this chapter. Before any variance is granted, the board must find all of the following, which shall be recorded, along with any imposed conditions or restrictions, in minutes and records and issued in written form to the applicant to constitute proof of the variance:

- a. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

The entire school campus is much larger than any other school campus in this area. The parcel is encapsulated within three major streets. With the larger campus and land size, the need for a larger communication device is needed.

- b. The manner in which the strict application of this chapter would deprive the applicant of a reasonable use of the land.

The amount of information needed to be processed and displayed is greater than that of the average Piece of signage. With the large parcel size and road frontage, the need exists to increase the size of the current display.

- c. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption or amendment of this chapter.

Fifteen years ago when constructed, the base was designed to hold a larger display due to the parcel size and road frontage traffic. The technology did not exist to install a quality piece of equipment at that time that matched the base design.

- d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

Given the amount of traffic from the road frontage and the size of the campus, the variance allowance will not only preserve but enhance the area as the information needed to be displayed can be accomplished much more effectively.