



## BOARD OF ZONING APPEALS MEETING AGENDA

Thursday, June 04, 2026 at 12:00 PM

City Hall, 415 Broad Street, Montgomery-Watterson Boardroom: Room 307

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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 - 12:00 P.M. NOON

### II. INTRODUCTION AND MEETING PROCEDURES

### III. PUBLIC HEARING

1. Case: BZA26-0121–The owner of property located at 4472 W. Stone Drive, Control Map 022, Parcel 036.06 requests an 8.68 square foot variance from Section 114-528(1)b to allow directional signage that exceeds the maximum permitted sign area. The property is zoned B-3, Highway-Oriented Business District.

#### ***INTERESTED PARTIES:***

Owner:

Erik Fishman

5600 W. Lovers Lane

Dallas, Texas 75209

Representative: Melissa Justice

2. Case: BZA26-0123–The owner of property located at 1302 W. Sullivan Street, Control Map 045E, Group G, Parcel 028.00 requests a 9-inch variance in both side yards from Sec. 114-184(e)(1)d and Sec. 138(4)c to accommodate construction of single family home. The property is zoned R-1C, Residential District.

#### ***INTERESTED PARTIES:***

Owner:  
S3 of Bristol GP, George Smith  
367 Hog Hollow Road  
Johnson City, TN 37615

Representative: Justin Gonzales

- 3. Case: BZA26-0127–The owner of property located at 1800 Lynn Garden Drive, Control Map 012M, Group C, Parcel 004.00** requests a four-space parking reduction variance from Sec. 114-564(4)p to allow for the construction of Stateline Collision Center. The property is zoned B-3, Highway-Oriented Business District.

***INTERESTED PARTIES:***

Owner:  
Stateline Collision  
124 Adams Avenue  
Kingsport, TN 37665

Representative: Kattie Casebolt

- 4. Case: BZA26-0129–The owner of property located at 1600 Arbor Place, Control Map 029D, Group D, Parcel 003.00** requests a 3,815.97 sq. ft. lot area reduction variance for Lot 16A and a 647.60 sq. ft. lot area variance for Lot 16B from Sec. 114-183(e)(1)a. The purpose of the request is to replat the property containing two existing houses in order to create individual lots and deeds for each residence. The property is zoned R-1B, Residential District.

***INTERESTED PARTIES:***

Owner:  
Joseph McMurray  
2105 Heatherly Road  
Kingsport, TN 37660

Representative: Joseph McMurray

- 5. Case: BZA26-0125–The owner of property located at 2529 Russell Street, Control Map 091A, Group E, Parcel 011.00** requests administrative review of the legal nonconforming status at 225 Shady View Road.

***INTERESTED PARTIES:***

Owner:

Brandon Jessee

2529 Russell Street

Kingsport, TN 37660

Representative: Brandon Jessee

**IV. BUSINESS**

- [1.](#) Approval of the May 7, 2026 regular meeting minutes.

Stating for public record, the next application deadline is June 15, 2026 at noon, and meeting date (Thursday, July 2, 2026).

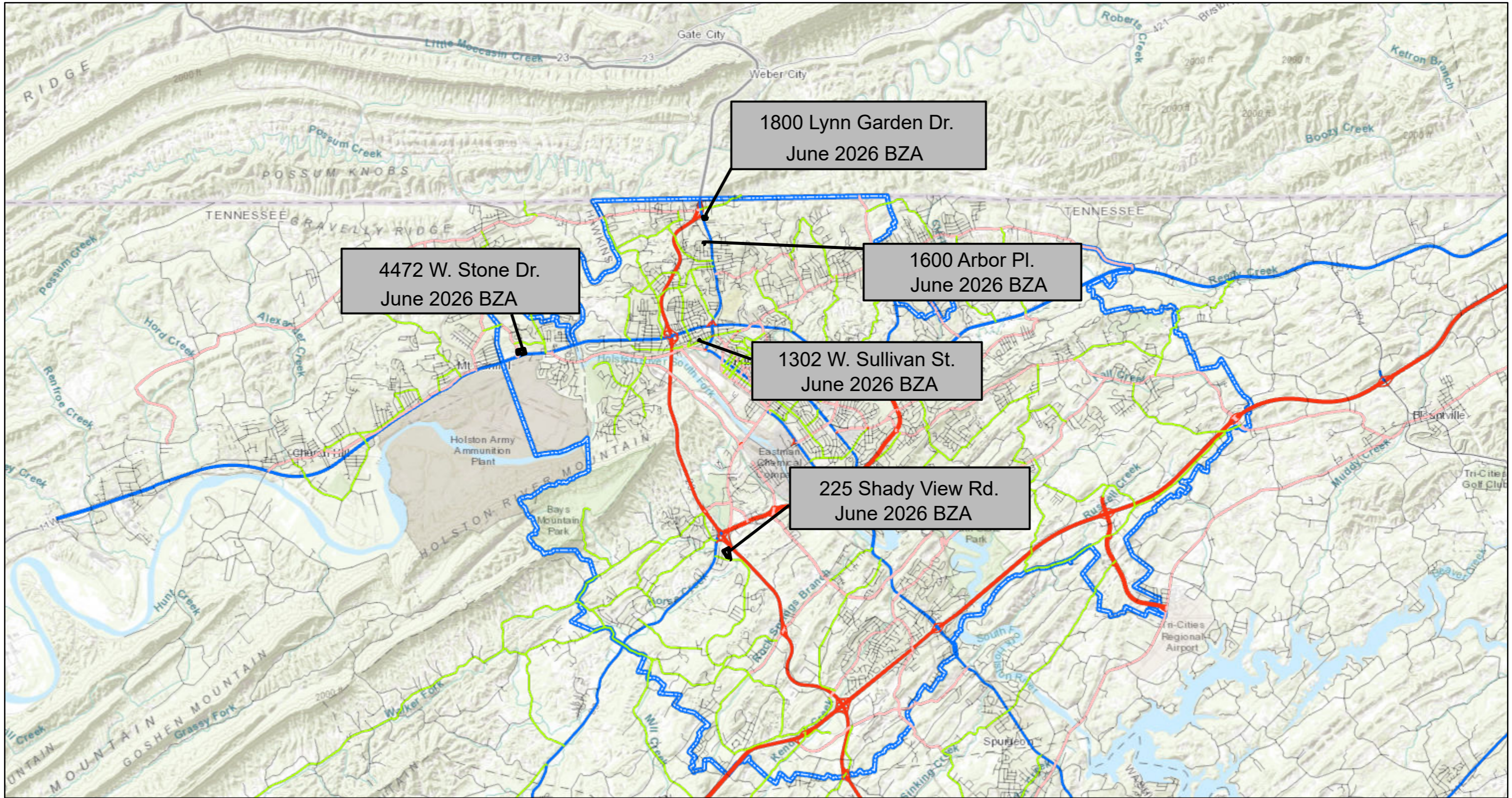
**V. ADJUDICATION OF CASES**

**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**

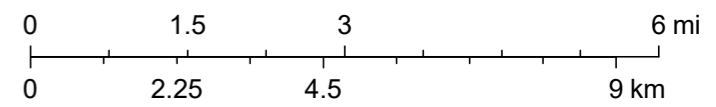
# ArcGIS Web Map



5/19/2026, 2:38:35 PM

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



Tennessee STS GIS, Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS

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 Thursday, June 4, 2026 will be conducted beginning at NOON in the Kingsport City Hall, Montgomery-Watterson Boardroom, 415 Broad Street, 3rd 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: BZA26-0121–The owner of property located at 4472 W. Stone Drive, Control Map 022, Parcel 036.06** requests an 8.68 square foot variance from Section 114-528(1)b to allow directional signage that exceeds the maximum permitted sign area. The property is zoned B-3, Highway-Oriented Business District.

**Case: BZA26-0123–The owner of property located at 1302 W. Sullivan Street, Control Map 045E, Group G, Parcel 028.00** requests a 9-inch side yard variance from Sec. 114-184(e)(1)d and Sec. 138(4)c to accommodate construction of single family home. The property is zoned R-1C, Residential District.

**Case: BZA26-0127–The owner of property located at 1800 Lynn Garden Drive, Control Map 012M, Group C, Parcel 004.00** requests a four-space parking reduction variance from Sec. 114-564(4)p to allow for the construction of Stateline Collision Center. The property is zoned B-3, Highway-Oriented Business District.

**Case: BZA26-0129–The owner of property located at 1600 Arbor Place, Control Map 029D, Group D, Parcel 003.00** requests a 3,815.97 sq. ft. lot area reduction variance for Lot 16A and a 647.60 sq. ft. lot area variance for Lot 16B from Sec. 114-183(e)(1)a. The purpose of the request is to replat the property containing two existing houses in order to create individual lots and deeds for each residence. The property is zoned R-1B, Residential District.

**Case: BZA26-0125–The owner of property located at 2529 Russell Street, Control Map 091A, Group E, Parcel 011.00** requests administrative review of the Zoning Administrator’s decision to allow the continuation of a legal nonconforming use at 225 Shady View Road, which is zoned M-1R, Light Manufacturing Restricted District. The applicant’s property is zoned R-1B, Residential 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) 229-9485.

All City of Kingsport public meetings are conducted in accessible locations. If you require accommodations to participate in this meeting, please call (423) 229-9485 or email [ADAContact@KingsportTN.gov](mailto: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: 5/26/2026

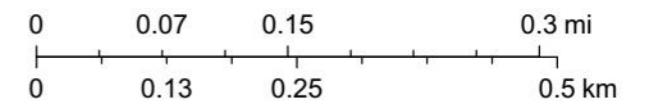


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Hawkins County Parcels 2023 Jan Streets

- |                       |                |                  |
|-----------------------|----------------|------------------|
| Parcels               | Major Arterial | Collector Street |
| Urban Growth Boundary | Minor Arterial | Local Street     |
|                       | Private Street |                  |

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NC Collaboratory at UNCCH, Vantor



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Hawkins County Parcels 2023 Jan

Parcels

City Zoning

A-1

B-3

B-4P

M-1R

M-2

R-1A

R-1B

R-3

R-4

Streets

Urban Growth Boundary

Major Arterial

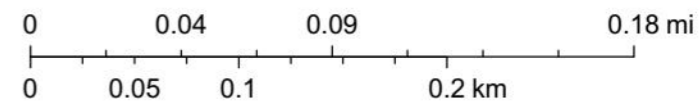
Minor Arterial

Collector Street

Local Street

Kpt 911 Address

1:4,514



NC Collaboratory at UNCCH, Vantor

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: May 19, 2026

RE: 4472 W. Stone Drive

The Board is asked to consider the following request:

**Case: BZA26-0121–The owner of property located at 4472 W. Stone Drive, Control Map 022, Parcel 036.06** requests an 8.68 square foot variance from Section 114-528(1)b to allow directional signage that exceeds the maximum permitted sign area. The property is zoned B-3, Highway-Oriented Business District.

*Code reference:*

**Sec. 114-528. - Permit exceptions.**

*The following signs shall not require a sign permit and are allowed in all zoning districts:*

*(1) Permanent signs. Signs which generally are permanent in nature as follows:*

*a. Official signs. Signs of a constituted governmental body, including traffic signs and signals, historical markers, informational directions, official notices, governmental flags or emblems, property identification, recreational activity signs.*

*b. Directional or location signs. Small signs, not exceeding two square feet in area, to identify underground public utilities, public telephones and restrooms, parking areas, freight entrances, etc., or to direct traffic movement onto a premises, within a premises or to indicate similar directional or location signs.*

*c. Ownership. Name and address identification signs, not to exceed two square feet in area, for a property owner or occupant.*

*d. Decorations. Seasonal displays not advertising a product, service or entertainment.*

*e. Warning signs. Signs, no larger than four square feet in area, warning the public against hunting, fishing, trespassing, swimming, etc., or to advise of dangerous animals, hazardous wastes, unsafe conditions, etc., on the applicable property.*



# APPLICATION

Board of Zoning Appeals

### APPLICANT INFORMATION:

Last Name: <u>Fishman</u>	First: <u>Erik</u>	M.I.: <u>N/A</u>	Date: <u>5/13/26</u>
Street Address: <u>5600 W. Lovers Lane</u>		Apartment/Unit #: <u>Suite 223</u>	
City: <u>Dallas</u>	State: <u>TX</u>	ZIP: <u>75209</u>	
Phone: [REDACTED]	E-mail Address: [REDACTED]		

### PROPERTY INFORMATION:

Tax Map Information	Tax map:	Group:	Parcel:	Lot:
Street Address: <u>4472 W. Stone Drive, Kingsport, TN</u>				Apartment/Unit #: <u>N/A</u>
Current Zone:			Proposed Zone:	
Current Use: <u>Vacant</u>			Proposed Use: <u>Commercial &amp; Residential</u>	

### REPRESENTATIVE INFORMATION:

Last Name: <u>Justice</u>	First: <u>Melissa</u>	M.I.: <u>M</u>	Date: <u>5/13/26</u>
Street Address: <u>2918 Creekmore Drive</u>		Apartment/Unit #:	
City: <u>Johnson City</u>	State: <u>TN</u>	ZIP: <u>37601</u>	
Phone: [REDACTED]	E-mail Address: [REDACTED]		

### REQUESTED ACTION:

Please allow larger directional for commercial/retail and residential apartment entry.

### 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: Melissa Justice

Signed before me on this 13<sup>th</sup> day of May, 2026

a notary public for the State of Tennessee

County of Sullivan

Notary: Debbie Scott

My Commission Expires 1-31-28



## 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.
1. The property line on University Blvd sits almost 40' from road. To get the 5' setback, sign will need to be placed behind shrubbery that is on the bank's property. Owner requesting larger sign to increase visibility.
  2. Signage in retail area - only requesting 10 sf. to maximize visibility.
- b. The manner in which the strict application of this chapter would deprive the applicant of a reasonable use of the land.
1. Owner of property is building apartment complex that needs visual signage from University Blvd. to ensure maximum occupancy.
  2. Commercial space signage directionals should be visible directing new residents to leasing office. 2sf makes directionals very small & unnoticeable. Requesting 10sf vs 2sf.
- 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. **No**

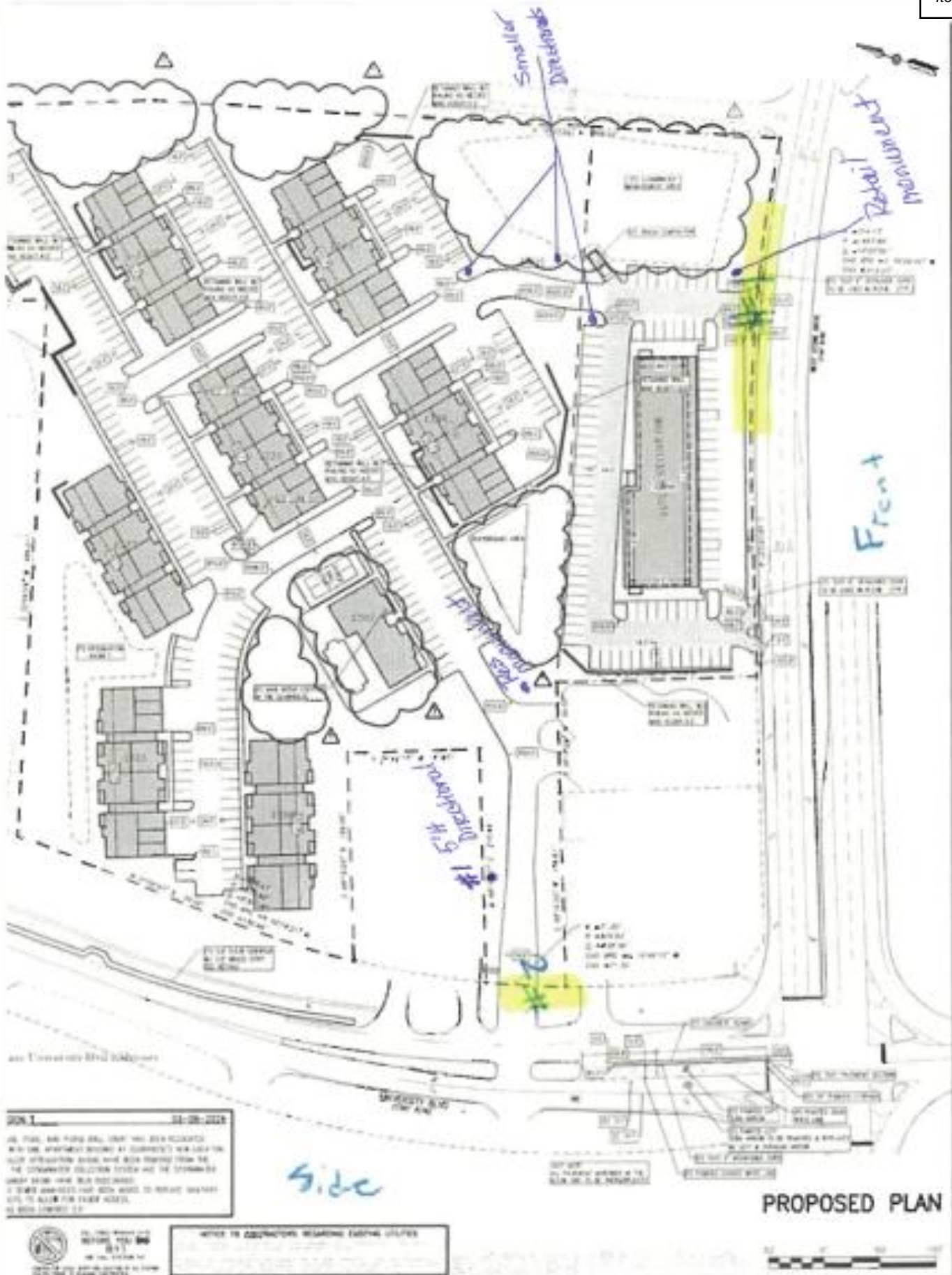
d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

1. & 2 The signs will not be internally illuminated so will not be hindrance to residential neighbors.  
Signage will direct potential residents preventing possible confusion of pathways through commercial vs residential.

Further, a variance may be granted only if the Board finds that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and this chapter. Variances shall not be granted permitting an increase in floor area or density above the maximum permitted by the zoning district; allowing a use other than those specifically authorized by this chapter in the applicable zoning district; or from the denial of a zoning permit when such denial is due to the fact that such lot has no frontage on a public street unless such lot was a lot of record on June 16, 1981.

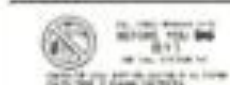
Hardship - There is no definition of a "hardship". Some guidelines, based on legal precedent, for applying the concept of unnecessary hardship are:

1. The premises of cannot be used in a manner permitted by the Zoning Ordinance unless the variance is granted.
2. A strict application of the terms of the Zoning Ordinance precludes its use for any purpose to which the land is reasonably adopted.
3. Inability to put the property to its most profitable use DOES NOT constitute a "hardship".
4. Mere inconvenience to the applicant is not sufficient grounds for determining a "hardship". In granting a variance the BZA may not make any decision that is contrary to the purpose and intent of the Zoning Ordinance.



PROPOSED CONSTRUCTION PLANS THE IIIIF

SHEET NO. 10-20-2024  
 ALL THIS SHEETING SHALL BE THE PROPERTY OF THE ARCHITECT AND SHALL BE RETURNED TO HIM AT THE COMPLETION OF THE PROJECT. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL INFORMATION CONTAINED HEREIN. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL INFORMATION CONTAINED HEREIN. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL INFORMATION CONTAINED HEREIN.



NOTICE TO CONSTRUCTION REGARDING EARTHQUAKE SAFETY  
 THE ARCHITECT HAS CONDUCTED VISUAL GENERAL VERIFICATION OF THE EXISTING STRUCTURE AND FOUND NO EVIDENCE OF SIGNIFICANT DEFICIENCIES. HOWEVER, THE ARCHITECT HAS NOT CONDUCTED A DETAILED STRUCTURAL ANALYSIS OF THE EXISTING STRUCTURE. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE PROPOSED CONSTRUCTION. THE ARCHITECT DOES NOT WARRANT THE SAFETY OF THE EXISTING STRUCTURE OR THE SAFETY OF THE PROPOSED CONSTRUCTION. THE ARCHITECT DOES NOT WARRANT THE SAFETY OF THE EXISTING STRUCTURE OR THE SAFETY OF THE PROPOSED CONSTRUCTION.

PROPOSED PLAN



*\*Allowed\**



**The Jules at Allandale  
Two Monument**

4472 W. Stone Drive  
Kingston, TN 37660 United States

Project #: **251635-01B**

Sales Rep: **Melissa Justice**

Designer: **JLG**

Date: **05/07/26**

Revised: **05/11/26**

①

Customer Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Landlord Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Project Landlord Name: \_\_\_\_\_

Landlord's Phone Number: \_\_\_\_\_

**Snyder Signs**

211 CEDARWOOD DRIVE, ANDOVER, TN 37015  
401-474-0001 snyder-signs.com

No design is the exclusive property of Snyder Signs, Inc. and it is not to be used in whole or in part without written permission from Snyder Signs, Inc.

Scale: 1/4" = 1' Page: 2 of 2



\* Proposed \*



**The Jules at Allandale** Item III.1.  
**Two Monument**

4472 W. Stone Drive  
 Kingsport, TN 37660 United States

Project No.: **251635-02**

Sales Rep.: **Melissa Justice**

Designer: **JLG**

Date: **04/07/26**

Revisions  
**04/24/26**

- ① \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Customer Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Landlord Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Landlord's Name: \_\_\_\_\_

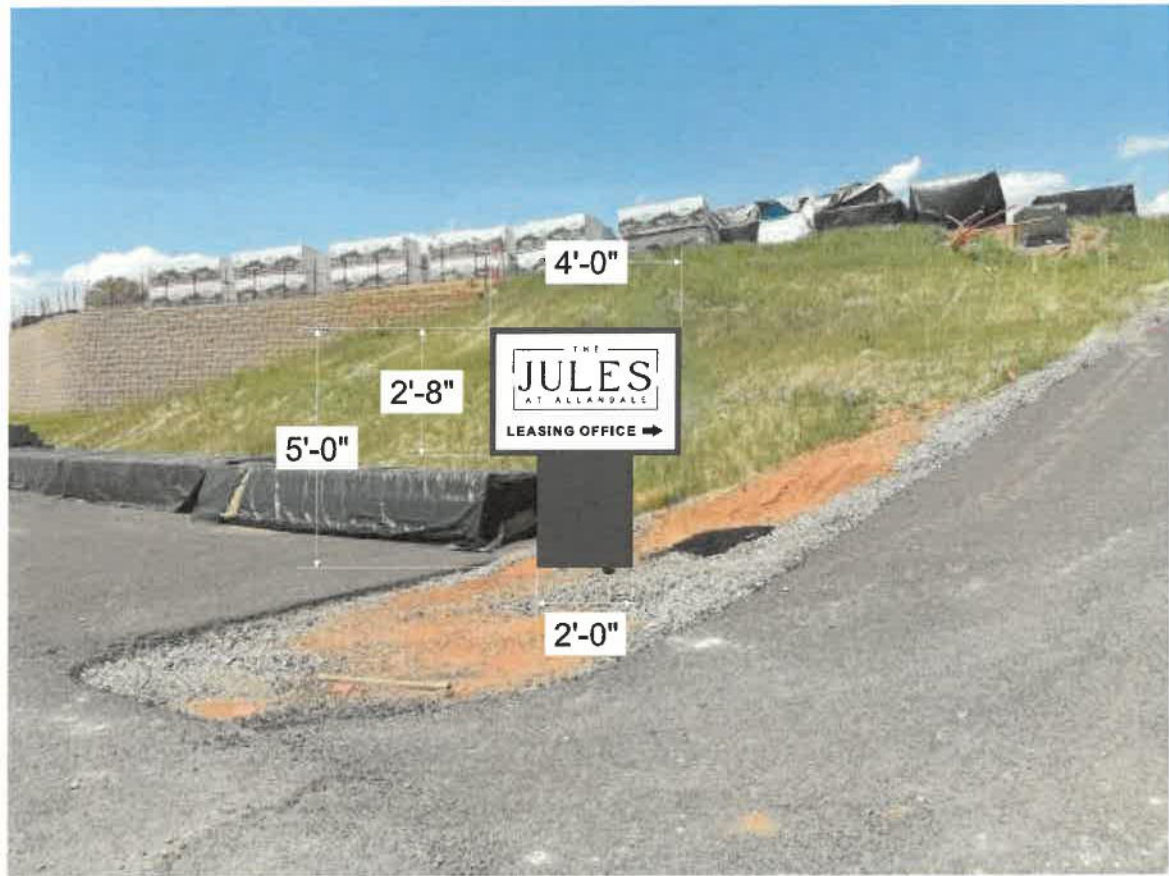
Landlord's Phone Number: \_\_\_\_\_

Snyder Signs

INC.

2918 CREEKMORE DRIVE, JOHNSON CITY, TN 37601  
 423-282-6221 snyder signs.com

This design is the exclusive property of Snyder Signs, Inc., and is not to be used in whole or in part without written permission from Snyder Signs, Inc.



**The Jules at Allandale** Item III.1.  
**Two Monument**

4472 W. Stone Drive  
 Kingsport, TN 37660 United States

Project No.: **251635-02**

Sales Rep.: **Melissa Justice**

Designer: **JLG**

Date: **04/07/26**

Revisions  
**04/24/26**

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Customer Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Landlord Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Landlord's Name: \_\_\_\_\_

Landlord's Phone Number: \_\_\_\_\_



2918 CREEKMORE DRIVE, JOHNSON CITY, TN 37601  
 423-282-6221 snyder signs.com

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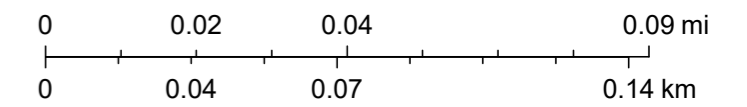


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Sullivan County Parcels Jan 2023 Streets

- Parcels
- Urban Growth Boundary
- Major Arterial
- Minor Arterial
- Collector Street
- Local Street
- Ramp

1:2,257



NC Collaboratory at UNCCH, Microsoft, Vantor



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Sullivan County Parcels Jan 2023

Parcels

City Zoning

R-1B

R-1C

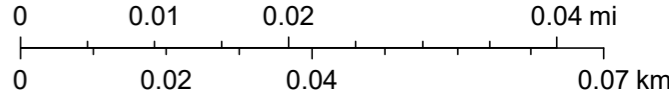
Urban Growth Boundary

Streets

Collector Street

Local Street

1:1,128



NC Collaboratory at UNCCH, Microsoft, Vantor

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: May 19, 2026

RE: 1302 W. Sullivan Street

The Board is asked to consider the following request:

**Case: BZA26-0123–The owner of property located at 1302 W. Sullivan Street, Control Map 045E, Group G, Parcel 028.00** requests a 9-inch variance in both side yards from Sec. 114-184(e)(1)d and Sec. 138(4)c to accommodate construction of single family home. The property is zoned R-1C, Residential District.

*Code reference:*

**Sec. 114-184. - R-1C, Residential District.**

*(e) Dimensional requirements. The minimum and maximum dimensional requirements for the R-1C district are as follows:*

*(1) Minimum requirements.*

- a. Lot area, 5,000 square feet.*
- b. Lot frontage, 50 feet.*
- c. Front yard, 25 feet.*
- d. Each side yard, eight feet.*
- e. Rear yard, 25 feet.*
- f. Usable open space, not applicable.*

**Sec. 114-138. – Yards.**

*(4) Side yards. The following shall apply to side yards:*

- a. Decrease for narrow lots. For each foot by which a lot of record existing on June 16, 1981, is narrower than 50 feet and where the owner of record does not own any adjoining property, 1½ inches may be deducted from the required least width of any side yard for buildings not exceeding 2½ stories in height; provided, however, that no side yard shall be narrower at any point than three feet in any case.*
- b. Increase for deep buildings. In any zone where a side yard is required, the least width of each side yard shall be increased by one inch for each foot by which the sidewall of a building adjacent to a side yard exceeds 50 feet.*
- c. Corner lot. On a corner lot in any residential zone, the required least width of a side yard along the side street shall be at least 50 percent greater than the side yard required for that zone.*
- d. Attached dwellings. For attached dwelling units, the entire structure shall be considered as a single building with respect to side yard requirements.*



Case No. \_\_\_\_\_  
Date Filed \_\_\_\_\_

### APPLICATION FOR BOARD OF ZONING APPEALS

**To be completed by applicant:**

Property Owner			Representative		
Name:	53 of Bristol GP Gregg Smith		Name:	Land Star Justin Gonzales	
Address:	367 Hog Hollow Rd		Address:	367 Hog Hollow Rd	
City	State	Zip	City	State	Zip
		Johnson City TN 37615			Johnson City TN 37615
Telephone:	[Redacted]		Telephone:	[Redacted]	
Email:	[Redacted]		Email:	[Redacted]	

**Information regarding the property site:**

Street Address: 1302 W Sullivan St  
 Tax Map: 045E Group: 6 Parcel: 028.00 Lot: \_\_\_\_\_  
 Current Zoning: R1-C Current Use: vacant lot

**Requested action:**

**Request:**

- Variance
- Special Exception
- Administrative Review
- Called Meeting

9" side variance on each side setback

By signing below, I confirm and understand the conditions of this application. I have been informed of the date, time, and location of the Board of Zoning Appeals meeting. I am/we are the sole and legal owner(s) of the property listed in this application. I am/we are submitting this appeal to the Board of Zoning Appeals.

[Signature]  
Signature of Property Owner

5/14/26  
Date

Signed before me on this 14th day of May, 2026  
 a notary public for the State of Tennessee  
 County of Hawkins.

Notary Signature [Signature]  
 My Commission Expires 5-2-2029



## Variance Worksheet – Finding of Facts

Please answer the questions below and submit with your application:

1. What specific conditions make your property unique?

Please describe these conditions in detail. Explain how they are different from other properties in the same zoning district and nearby area.

The lot in question at 1302 W Sullivan St is a corner lot that was recorded before 1981 and is the standard width of lots on the street of 50' that is subject to increased setbacks for the corner.

2. How does strict application of this chapter limit your ability to reasonably use your property? Explain what you are unable to do under the current requirements.

Strict application of these setbacks on a corner lot that is of standard width increases the cost to build a home due to the restriction on home width imposed by the corner lot setbacks.

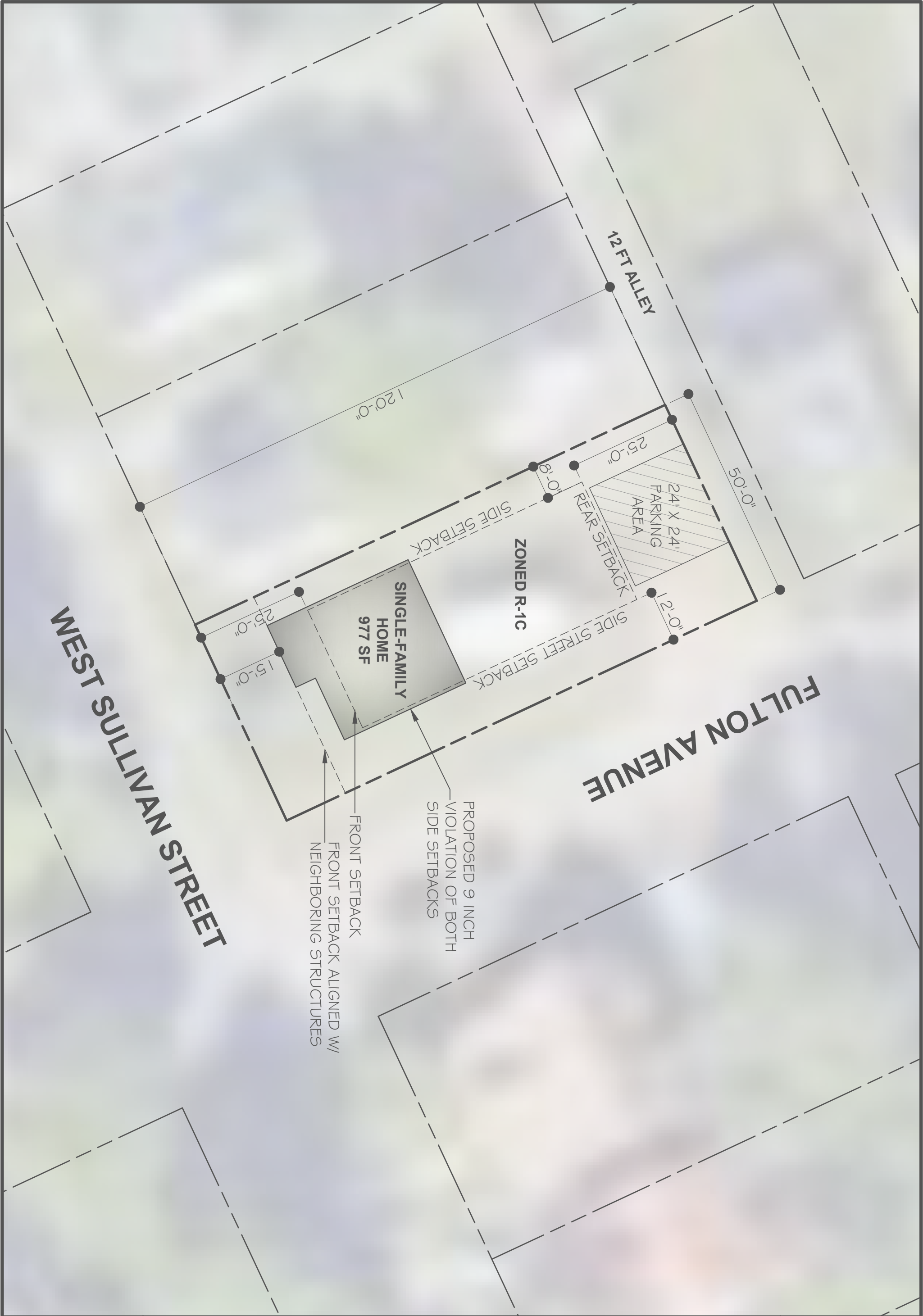
3. Did you create these unique conditions? Explain whether the conditions existed before you owned the property or before the chapter was adopted or amended.

These conditions have existed since the implementation of additional setback requirements on corner lots has been established.

4. How will your requested variance protect public health, safety, and welfare?

Explain why the variance will not change the overall character of the neighborhood.

We are requesting a variance of 9" on both sides of the existing set back requirements. This variance does not violate safety considerations for the set back from the adjacent unit and does not materially impact the character of the neighborhood.



**WEST SULLIVAN STREET**

**FULTON AVENUE**

120'-0"

50'-0"

25'-0"

15'-0"

FRONT SETBACK

FRONT SETBACK ALIGNED W/  
NEIGHBORING STRUCTURES

PROPOSED 9 INCH  
VIOLATION OF BOTH  
SIDE SETBACKS

ZONED R-1C

SIDE SETBACK

REAR SETBACK

24' X 24'  
PARKING  
AREA

SIDE STREET SETBACK

12 FT ALLEY

SINGLE-FAMILY  
HOME  
977 SF

**A1**

5/13/2026

**SITE PLAN**

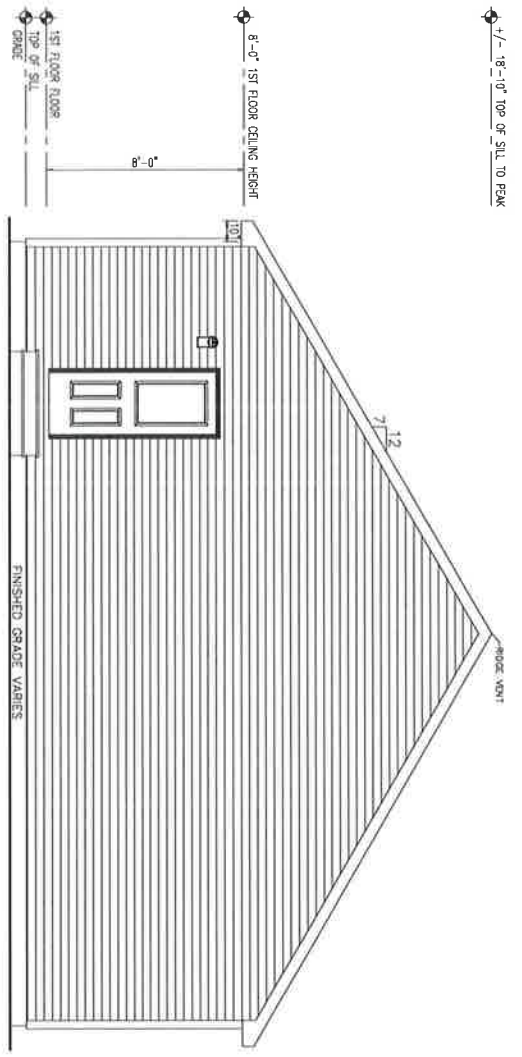
**1302 WEST SULLIVAN STREET  
KINGSPORT, TENNESSEE**



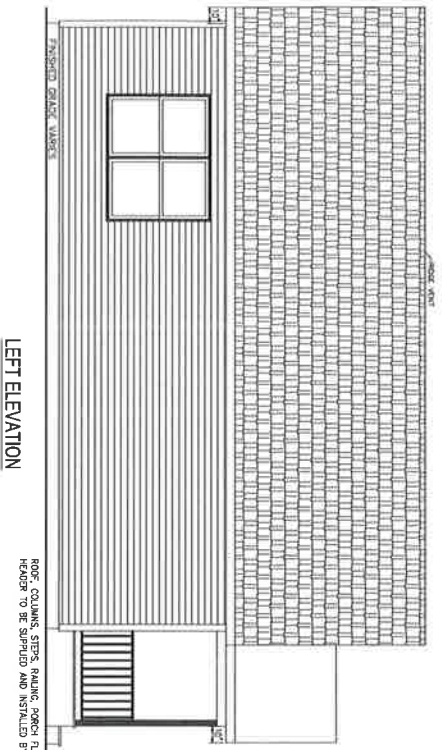
**COX CONCEPTS**  
1416 DOBYNS DRIVE  
KINGSPORT, TN 37664  
423-732-2940

The proposed placement on 1302 W Sullivan St will be designed to meet the IRC using standard stick framing requirements typically using 2x4 and 2x6 lumber for the walls and 2x10 for the floor members. The exterior of the home will be covered using architectural shingles and vinyl siding.

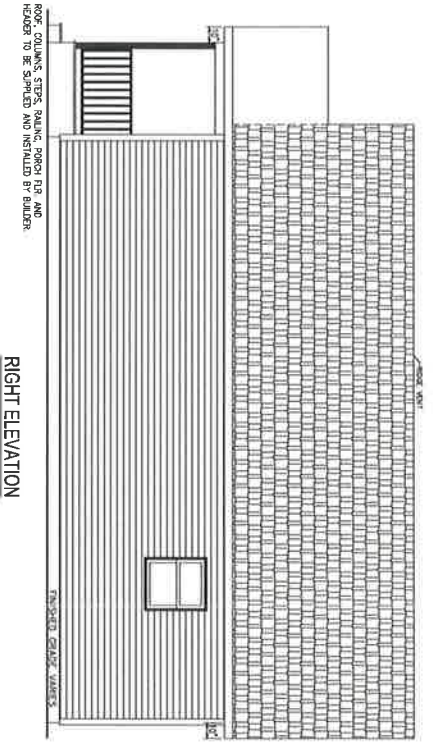




REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

**NOTES:**  
1. ITEMS SHOWN ON THE EXTERIOR ELEVATION DRAWINGS ARE FOR ILLUSTRATIVE PURPOSES ONLY

ACCEPTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
**BUILDER / OWNER SIGNATURES:**

Champion Factory 041  
 Champion Modular, Inc.  
 10642 S. Susquehanna Trail  
 Liverpool, PA 17045  
**CHAMPION MODULAR**



BUILDER: **LAND STAR**

CUSTOMER/PROJECT:



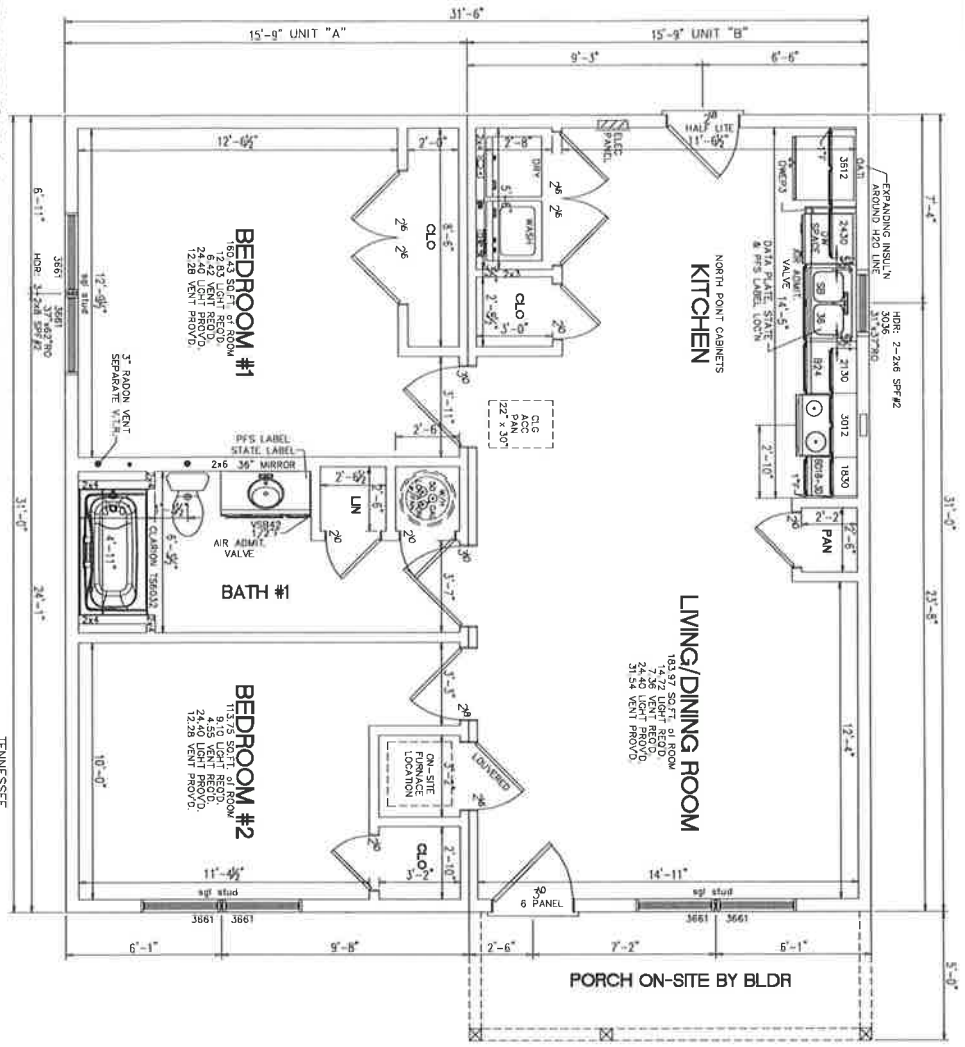
MODIFICATIONS  
 ONI 12/15/25 ATT  
 PD3 ALT ELEVATIONS 1/28/28 SAN

PROJECT: **45916 RANCH CM1041-02**  
 TITLE: **ELEVATIONS**

DRAWN BY: **GRAN BRISAN**  
 DATE: **10-30-25**  
 SCALE:  
 FILE NAME: **45916**  
 PLOT

SHEET: **ELEVATIONS**

PROPRIETARY AND CONFIDENTIAL. THESE DRAWINGS AND CONSTRUCTION METHODS OF CONSTRUCTION ARE THE PROPERTY OF CHAMPION MODULAR. © 2019 BY CHAMPION MODULAR.



FRONT

- NOTES:
1. 2x6 EXT WALLS @ 16" O.C./2x4 WARR WALLS @ 16" O.C. (EXCEPT AS NOTED)
  2. 8'-0" SQ. HI. FLOOR JOISTS @ 12" O.C.
  3. 2" RIGID INSUL. @ 12" O.C.
  4. ROOF SYSTEM TO BE 24" O.C.
  5. KIMRO SINGLE HUNG WINDOWS
  6. BASED ON 130 VOLT WIND LOAD & EXPOSURE "B"
  7. SITE LOCATION: KINGSPORT, TN, SULLIVAN COUNTY, 20' EST GROUND SNOW LOAD
  8. HEAT WAS CALCULATED W/ R-30 FLOOR INSULATION
  9. \*\*\* WINDOWS INSTALLED WITHIN 24" OF THE FINISHED FLOOR. THE BUILDER WILL INSTALL WINDOW GUARDS IN ACCORDANCE WITH IRC (2018 IRC, R312.2)

ACCEPTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

BUILDER/OWNER SIGNATURES:

Champion Factory 041  
 Drexelton Modular, Inc.  
 10642 S. Susquehanna Trail  
 Liverpool, PA 17045  
**CHAMPION**  
 MODULAR

BRAND: **excel** HOMES

BUILDER: LAND STAR

CUSTOMER/PROJECT:

EXPIRES: 12/31/2026

REGISTERED ENGINEER  
 STEVEN J. DAME  
 REGISTERED ENGINEER  
 AGRICULTURE  
 STATE OF TENNESSEE  
 COMMERCIAL  
 No. 11875

APPROVERS SEAL: 02/12/2026

**PFS APPROVED**  
 DATE 4/2/26  
**PFS CORPORATION**  
 Cottage Grove, WI

MODIFICATIONS: 12/15/25 AT P03 A.I.T. ELEVATIONS 1/28/26 SAN

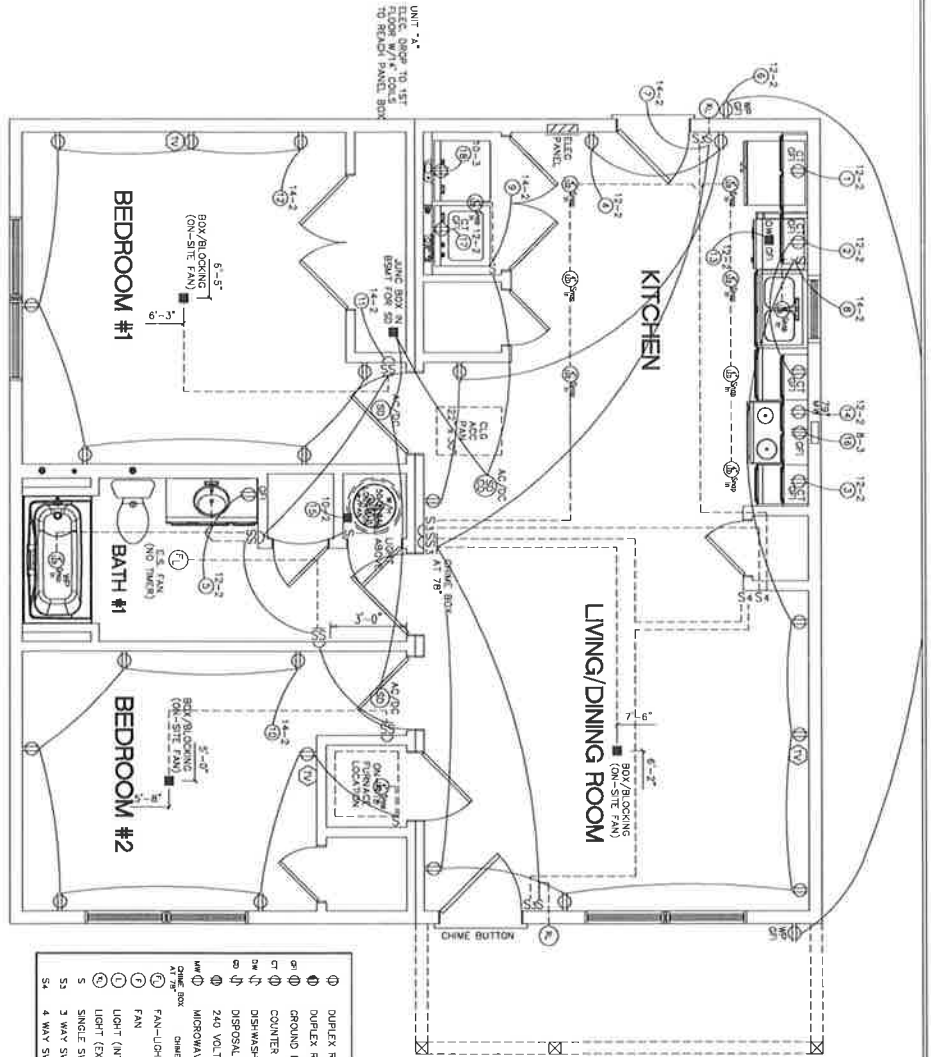
PROJECT: 45916 RANCH CM1041-02

TITLE: FIRST FLOOR FLOOR PLAN

DRAWN BY: BSMN  
 DATE: 10-30-25  
 SCALE: 3/8" = 1'-0"  
 FILENAME: 45916\_P01

SHEET: 1ST FLR

PROPRIETARY AND CONFIDENTIAL  
 THESE DRAWINGS AND COMPUTATIONAL METHODS OF CHAMPION  
 ARE THE PROPERTY OF CHAMPION  
 CHAMPION 11875 2017 ©



2017 NEC

- THIS PLAN MAY HAVE ADDITIONAL APPLIANCES/FIXTURES ADDED TO THE ELECTRICAL SCHEMATIC AND/OR PANEL BOX PROVIDING THE LOADING DOESN'T EXCEED THE MAXIMUM ALLOWED BY STATE & LOCAL CODES.
- E-CUTOFF SWITCH ON-SITE BY OTHERS PER ALL STATE & LOCAL CODES.
- ALL BRANCH CIRCUITS SUPPLYING 15 & 20 AMPERE OUTLETS IN LIVING SPACES ARE PROTECTED BY AN ARC-FULT CIRCUIT INTERRUPTER IN ACCORDANCE WITH PER 406.11 OF 2017 EC ALL 125 - VOL. 1, 15 AND 20 AMP RECEPES INSTALLED IN AREAS SPECIFIED BY 210.52. SHALL BE LISTED TAMPER RESISTANT TYPE.
- 50# LIGHT BOXES REQUIRED

①	DUPLEX RECEPT	②	RECESSED EYEBALL LIGHT
②	DUPLEX RECEPT SWITCHED	③	RECESSED SPOT LIGHT
③	GROUND FAULT INTERRUPTER	④	RECESSED LIGHT
④	COMPUTER TOP RECEPT	⑤	KITCHEN FLOURESSANT LT.
⑤	DISHWASHER RECEPT	⑥	PHONE JACK
⑥	DISPOSAL RECEPT	⑦	TELEVISION JACK
⑦	240 VOLT RECEPT	⑧	SMOKE DETECTOR
⑧	MICROWAVE RECEPT	⑨	SMOKE/CARBON MONOXIDE DETECTOR
⑨	CHIEF ATTENDANT	⑩	PANEL BOX
⑩	FAN-LIGHT COMBO	⑪	THEMOSTAT
⑪	FAN	⑫	ELECTRIC HEATER
⑫	LIGHT (INTERIOR)	⑬	JUNCTION BOX
⑬	LIGHT (EXTERIOR)	⑭	CIRCUIT BOX
⑭	SINGLE SWITCH	⑮	CIRCUIT NUMBER
⑮	3 WAY SWITCH	⑯	RECESSED FLOW/RT LT.
⑯	4 WAY SWITCH		

ACCEPTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

TITLE: **BUILDER / OWNER SIGNATURES:**

CHAMPION FACTORY 041  
 CHAMPION MODULAR, INC.  
 10642 S. SUSQUEHANNA TRAIL  
 LIVERPOOL, PA 17045  
**CHAMPION**  
 MODULAR



BUILDER: **LAND STAR**

DATE/TIME/PROJECT: **COTTAGE 1**



NOTIFICATIONS: 12/15/25 ATN  
 7/25 AAT ELEVATIONS 1/20/25 SMN

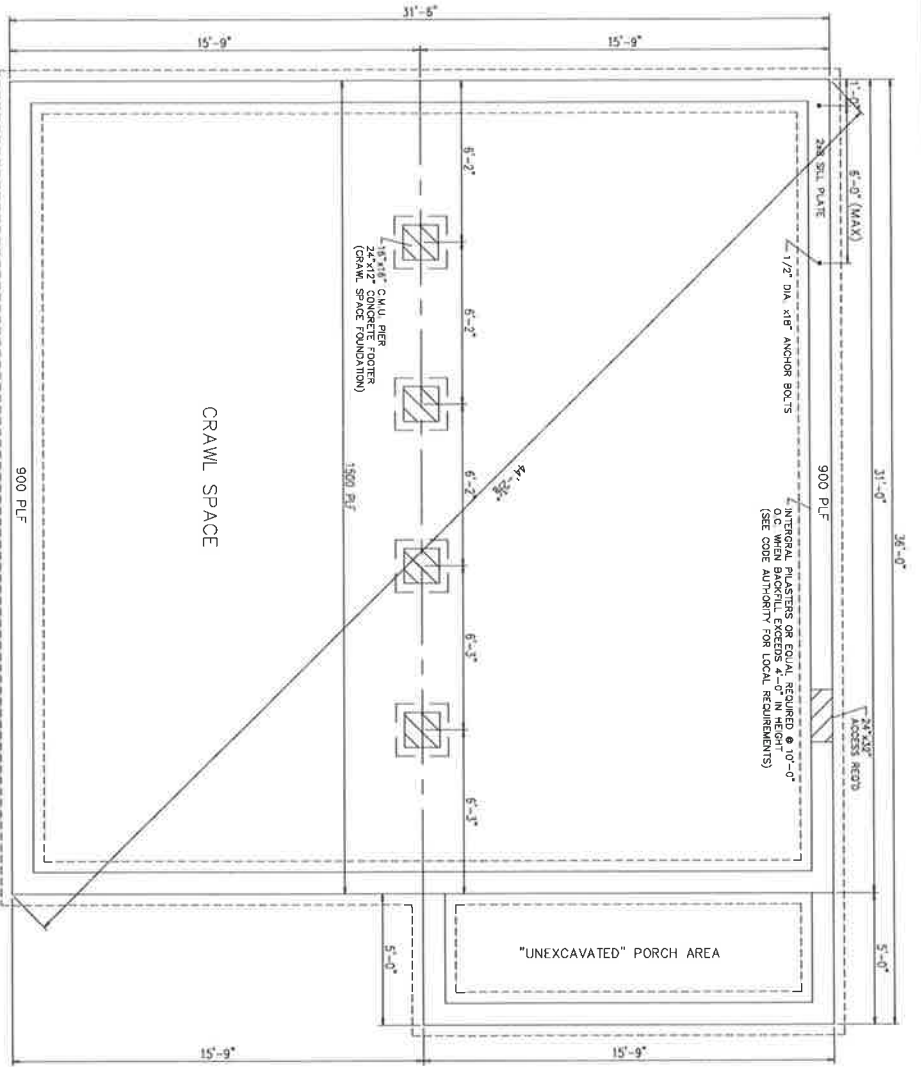
PROJECT: **45916 RANCH CMT1041-02**

TITLE: **FIRST FLOOR ELECTRICAL PLAN**

DRAWN BY: SMN  
 DATE: 10-30-25  
 SCALE: 3/16" = 1'-0"  
 FILENAME: 45916  
 PDI

SHEET: **1ST ELEC**

PROPRIETARY AND CONFIDENTIAL  
 THIS PLAN AND ALL INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF CHAMPION MODULAR AND SHOULD BE KEPT CONFIDENTIAL BY CHAMPION



- NOTES:**
- 1) THE FOUNDATION PLAN AND NOTES ARE FOR REVIEW ONLY. ACTUAL FOUNDATION DESIGN SHALL BE DESIGNED FOR YOUR SPECIFIC SITE AS REQUIRED PER LOCAL CODES.
  - 2) ALL CONSTRUCTION AND MATERIALS BELOW THE BOTTOM OF THE FLOOR JOIST IS THE RESPONSIBILITY OF THE BUILDER. FOUNDATION SHALL BE CONSTRUCTED PER LOCAL CODES & CONDITIONS & REINFORCED WASHERY UNIT REQUIRED AT CENTER BEARING LOCATIONS.
  - 3) LOCAL CODES AND CONDITIONS SHALL BE OBTAINED FROM THE LOCAL CODES & CONDITIONS. LOCAL COLUMN SPACING IS BASED ON V.N. 1/2" x 1/4" STEEL PLATE BETWEEN COLUMN & CENTER BEAM.
  - 4) FOUNDATION SHALL BE CONSTRUCTED TO ACCOMMODATE ALL LOCAL CODES & CONDITIONS. SHEATHING AND SOILING TO OVERHANG THE FOUNDATION IF STRUTTING IS USED.
  - 5) FOUNDATION SHALL BE CONSTRUCTED TO ACCOMMODATE ALL LOCAL CODES & CONDITIONS. FOUNDATION MAY BE INCREASED IN LENGTH AND WIDTH TO ACCOMMODATE AT 16" O.C. INSTALLATION OF WASHER, DRIVER AND/OR WATER HEATER IN BASEMENT PER STATE AND LOCAL CODES IS THE RESPONSIBILITY OF MODULAR MANUFACTURERS, BUILDER.
  - 6) LOCAL CODES IS THE RESPONSIBILITY OF MODULAR MANUFACTURERS, BUILDER.
  - 7) PROVIDE AND INSTALL FLOOR JOIST WHERE NEEDED BY MODULAR MANUFACTURERS AND PER LOCAL CODES.
  - 8) GRAVEL SPACE FOUNDATION REQUIRES A MINIMUM 18" x 18" ACCESS OPENING, INSPECT & ROBERT PROOF PER LOCAL CODES & CONDITIONS.
  - 9) PROVIDE AND INSTALL WASHERS, DRIVERS AND/OR WATER HEATER IN BASEMENT PER STATE AND LOCAL CODES.
  - 10) PROVIDE AND INSTALL WASHERS, DRIVERS AND/OR WATER HEATER IN BASEMENT PER STATE AND LOCAL CODES.
  - 11) PROVIDE AND INSTALL WASHERS, DRIVERS AND/OR WATER HEATER IN BASEMENT PER STATE AND LOCAL CODES.
  - 12) PROVIDE AND INSTALL WASHERS, DRIVERS AND/OR WATER HEATER IN BASEMENT PER STATE AND LOCAL CODES.
  - 13) PROVIDE AND INSTALL WASHERS, DRIVERS AND/OR WATER HEATER IN BASEMENT PER STATE AND LOCAL CODES.

**BUILDER / OWNER SIGNATURES:**

ACCEPTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

TITLE: \_\_\_\_\_

Champion Factory 041  
 Champion Modular, Inc.  
 10642 S. Susquehanna Trail  
 Liverpool, PA 17045  
**CHAMPION MODULAR**



**BUILER:**  
 LAND STAR

**CUSTOMER/PROJECT:**



**MODIFICATIONS:**  
 CNI 12/15/25 ATT  
 P03 ALT ELEVATIONS 1/28/26 SAN

**PROJECT:**  
 45916  
 RANCH  
 CM1041-02

**TITLE:**  
 FOUNDATION  
 PLAN

**DATE:** 12/15/25  
**SCALE:** 1/8" = 1'-0"  
**FILENAME:** 45916  
**POI:**

**SHEET:**  
 FOUNDATION

DESIGNER: \_\_\_\_\_  
 CHECKER: \_\_\_\_\_  
 DATE: \_\_\_\_\_

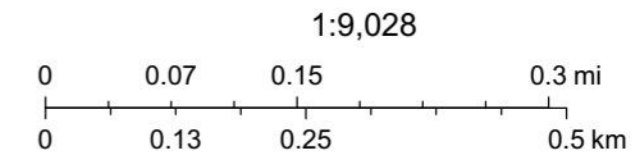




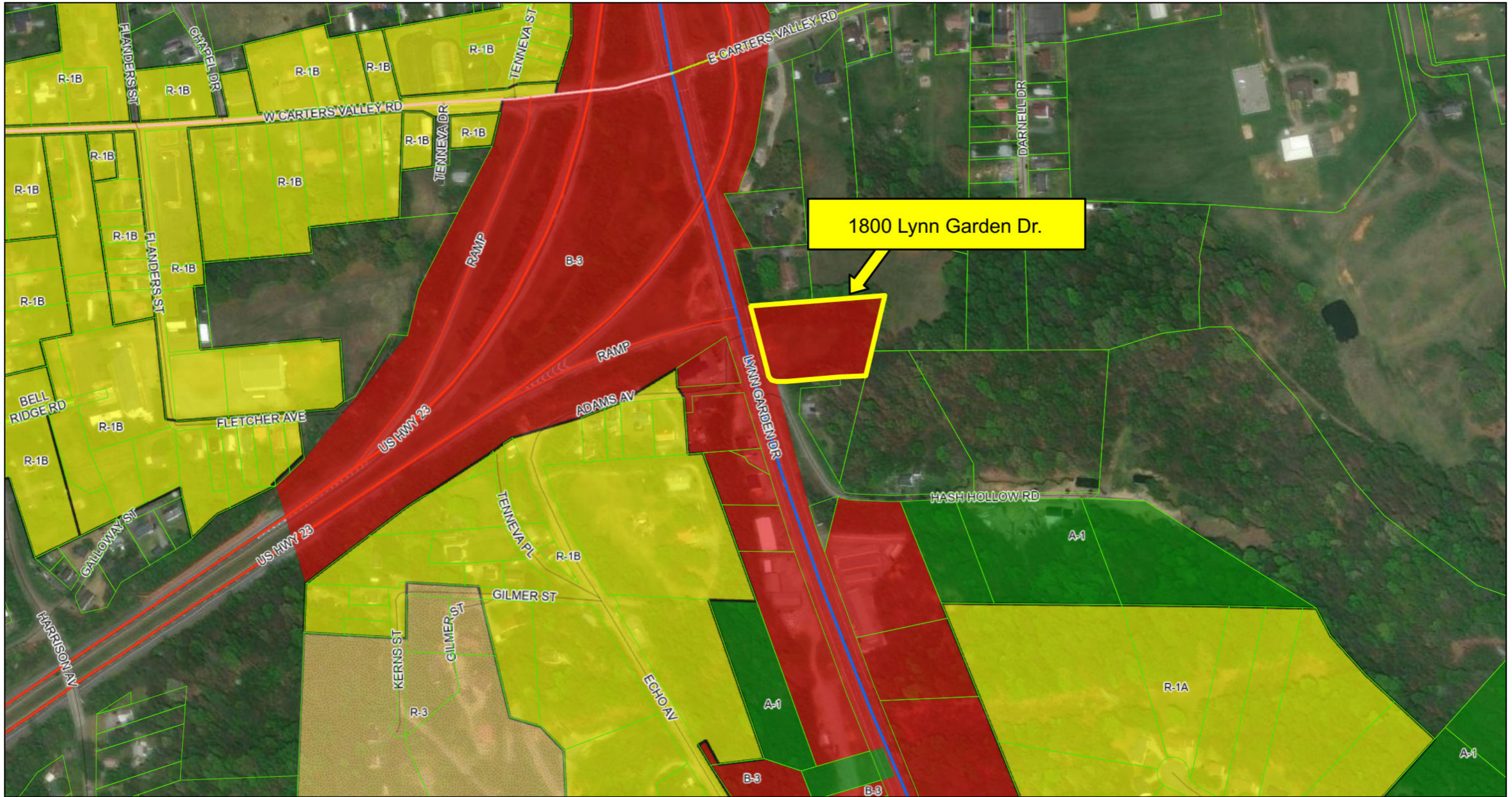
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Sullivan County Parcels Jan 2023 Streets

- Parcels
- Urban Growth Boundary
- Collector Street
- Local Street
- Interstate
- Major Arterial
- Minor Arterial
- Ramp



NC Collaboratory at UNCCH, Vantor



5/19/2026, 1:56:35 PM

Sullivan County Parcels Jan 2023

Parcels

City Zoning

A-1

B-3

R-1A

R-1B

R-3

Urban Growth Boundary

Streets

Interstate

Major Arterial

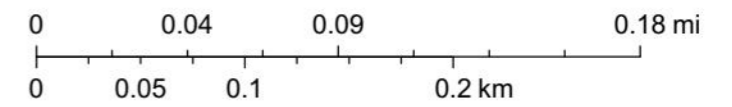
Minor Arterial

Collector Street

Local Street

Ramp

1:4,514



NC Collaboratory at UNCCH, Vantor



TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: May 19, 2026

RE: 1800 Lynn Garden Drive

The Board is asked to consider the following request:

**Case: BZA26-0127–The owner of property located at 1800 Lynn Garden Drive, Control Map 012M, Group C, Parcel 004.00** requests a four-space parking reduction variance from Sec. 114-564(4)p to allow for the construction of Stateline Collision Center. The property is zoned B-3, Highway-Oriented Business District.

*Code reference:*

***Sec. 114-564. - Minimum required parking spaces***

*The minimum off-street parking spaces as accessory to the uses designated in this section shall be as follows:*

***p. Repair service establishment: one space per 200 square feet of gross floor area.***



Case No. BZA \_\_\_\_\_  
Date Filed \_\_\_\_\_

### APPLICATION FOR BOARD OF ZONING APPEALS

**To be completed by applicant:**

Property Owner	Representative
Name: <u>Stataline Collision Center LLC</u>	Name: <u>Collective Architecture Company</u>
Address: <u>124 Adams Ave</u>	Address: <u>236 E Market Street</u>
<u>Kingsport, TN 37665</u>	<u>Kingsport, TN 37660</u>
City: _____ State: _____ Zip: _____	City: _____ State: _____ Zip: _____
Telephone: _____	Telephone: _____
Email: _____	Email: _____

**Information regarding the property site:**

Street Address: 1800 Lynn Garden Dr

Tax Map: 012M Group: C Parcel: 004.00 Lot: \_\_\_\_\_

Current Zone: B-3 Current Use: Vacant

**Requested action:**

- Variance
- Special Exception
- Administrative Review
- Called Meeting

**Request:**

Parking variance requested from 44 per zoning code to 41 spaces. See attached C1 drawing for additional variance request information on justification.

By signing below, I confirm and understand the conditions of this application. I have been informed of the date, time, and location of the Board of Zoning Appeals meeting. I am/we are the sole and legal owner(s) of the property listed in this application. I am/we are submitting this appeal to the Board of Zoning Appeals.

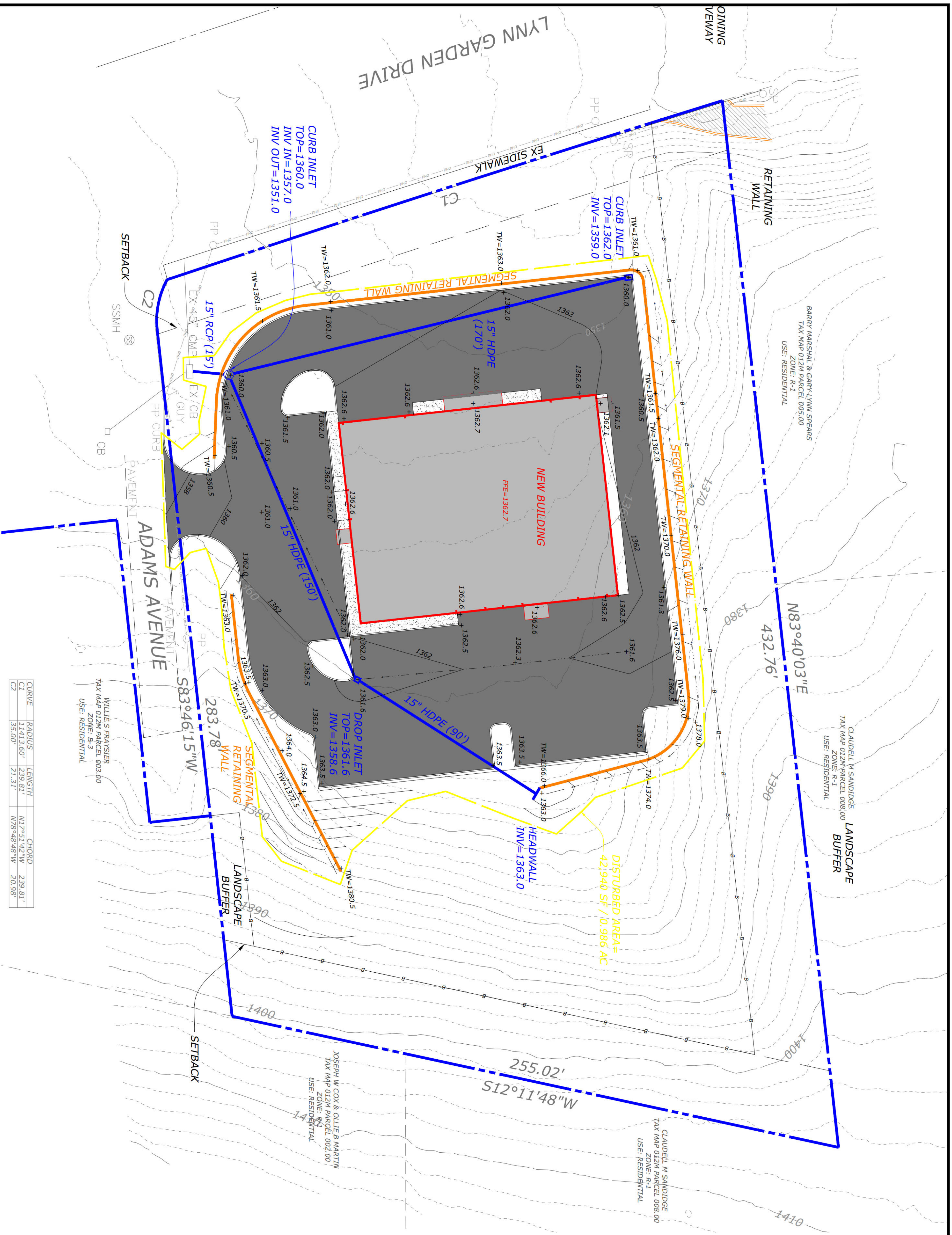
[Signature] Signature of Property Owner      5-14-2026 Date

Signed before me on this 14th day of May, 2026  
a notary public for the State of Tennessee  
County of Sullivan

Notary Signature [Signature]  
My Commission Expires 9-25-27

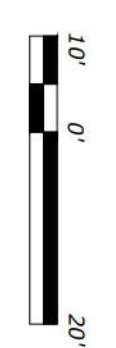






CURVE	RADIUS	LENGTH	CHORD
C1	11413.60'	239.81'	N17°51'42"W 239.81'
C2	35.00'	21.31'	N78°48'48"W 20.98'

EXISTING UNDERGROUND UTILITIES  
 CONTACT TENNESSEE ONE CALL AT 811 AT LEAST 3 DAYS BEFORE STARTING ANY EARTHWORK OR CONSTRUCTION FOR LOCATION OF EXISTING UNDERGROUND UTILITIES.



**GRADING AND STORMWATER PLAN**  
**STATE LINE COLLISION CENTER**  
 LYNN GARDEN DR  
 KINGSFORT, TN 37665

NO.	REVISIONS	BY	DATE



**DTWood Engineering, Inc.**  
 Land Development Design & Consulting  
 PO Box 4373, Johnson City, Tennessee 37602-4373  
 423-791-4730 todd@dtwoodengineering.com

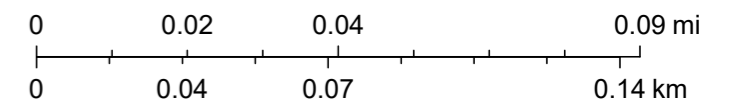


5/19/2026, 1:51:58 PM

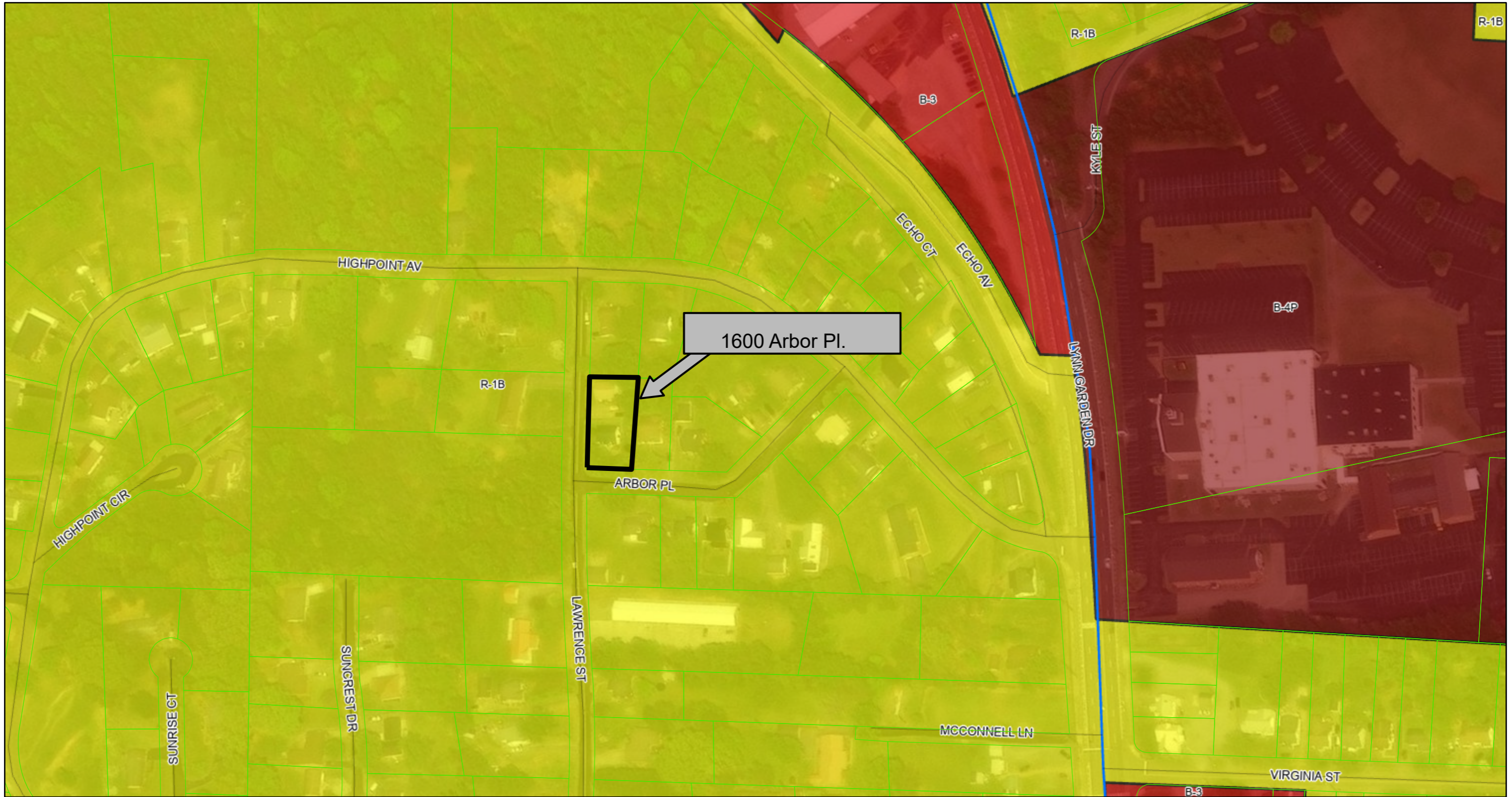
Sullivan County Parcels Jan 2023 Streets

- Parcels
- Urban Growth Boundary
- Major Arterial
- Local Street

1:2,257



NC Collaboratory at UNCCH, Microsoft, Vantor



5/19/2026, 1:46:02 PM

Sullivan County Parcels Jan 2023

Parcels

City Zoning

B-3

B-4P

R-1B

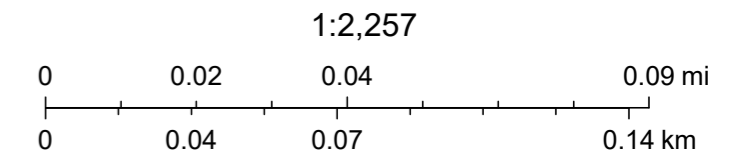
R-3

Urban Growth Boundary

Streets

Major Arterial

Local Street



NC Collaboratory at UNCCH, Microsoft, Vantor

TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: May 19, 2026

RE: 1600 Arbor Place

The Board is asked to consider the following request:

**Case: BZA26-0125–The owner of property located at 1600 Arbor Place, Control Map 029D, Group D, Parcel 003.00** requests a 3,815.97 sq. ft. lot area reduction variance for Lot 16A and a 647.60 sq. ft. lot area reduction variance for Lot 16B from Sec. 114-183(e)(1)a. The purpose of the request is to replat the property containing two existing houses in order to create individual lots and deeds for each residence. The property is zoned R-1B, Residential District.

*Code reference:*

**Sec. 114-183. - R-1B, Residential District.**

*(e) Dimensional requirements. The minimum and maximum dimensional requirements for the R-1B district are as follows:*

*(1) Minimum requirements.*

- a. Lot area, 7,500 square feet.*
- b. Lot frontage, 50 feet.*
- c. Front yard, 30 feet.*
- d. Each side yard, eight feet.*
- e. Rear yard, 30 feet.*
- f. Usable open space, not applicable.*



Case No. \_\_\_\_\_

Date Filed \_\_\_\_\_

### APPLICATION FOR BOARD OF ZONING APPEALS

**To be completed by applicant:**

Property Owner	Representative
Name: <u>Joseph McMurray</u>	Name: <u>same as property owner</u>
Address: <u>2105 Heatherly Road</u>	Address: _____
<u>Kingsport</u> <u>TN</u> <u>37660</u>	_____
City State Zip	City State Zip
Telephone: <u>[REDACTED]</u>	Telephone: _____
Email: <u>[REDACTED]</u>	Email: _____

**Information regarding the property site:**

Street Address: 1600 & 1603 Arbor Place

Tax Map: 029D Group: D Parcel: 003.00 Lot: 16

Current Zoning: R-1B Current Use: duplex & single family home

**Requested action:**

- Variance
- Special Exception
- Administrative Review
- Called Meeting

**Request:**

Lot 16A - 3,815.973 sq ft lot area reduction variance to Sec. 114-183(e)(1)a

Lot 16B - 647.601sq ft lot area reduction variance to Sec. 114-183(e)(1)a

By signing below, I confirm and understand the conditions of this application. I have been informed of the date, time, and location of the Board of Zoning Appeals meeting. I am/we are the sole and legal owner(s) of the property listed in this application. I am/we are submitting this appeal to the Board of Zoning Appeals.

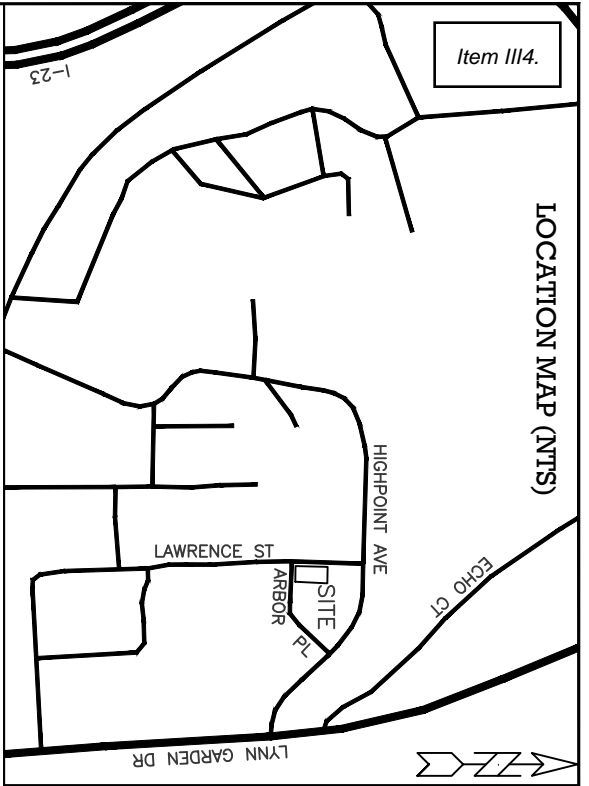
[Signature]  
 Signature of Property Owner

5/18/2026  
 Date

Signed before me on this 18th day of May, 2026  
 a notary public for the State of Tennessee  
 County of Sullivan.

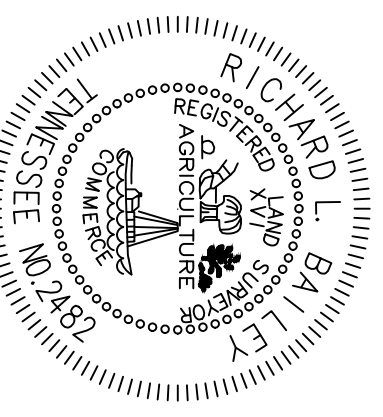
Notary Signature Lori Puatte  
 My Commission Expires 11-21-2026





**GENERAL NOTES:**

1. NO TITLE REPORT WAS FURNISHED TO THIS SURVEYOR AT THE TIME OF THIS SURVEY. THEREFORE, THIS SURVEY IS SUBJECT TO ANY FINDINGS THAT AN ACCURATE TITLE SEARCH MAY REVEAL.
2. DEED REFERENCES ARE BASED ON INFORMATION OBTAINED IN THE COUNTY TAX ASSESSOR'S OFFICE.
3. SURVEY IS SUBJECT TO ANY EASEMENTS, EITHER WRITTEN OR UNWRITTEN.
4. PROPERTY SUBJECT TO ANY EXACT LOCATION OF COUNTY, CITY, STATE RIGHT-OF-WAY.
5. FIGURES IN PARENTHESIS DENOTE DEED/PLAT BEARINGS & DISTANCES.
6. THIS PROPERTY DOES NOT LIE IN A FLOOD ZONE AS SHOWN ON FIRM MAP 47163C0030D BEARING AN EFFECTIVE DATE OF 9/29/2006.
7. PLAT STATES THIS LINE TO BE S 85°35' E, HOWEVER HOLDING BEARINGS ALONG LOT LINES & INTERIOR ANGLES SHOWN ON PLAT CALCULATES THIS BEARING TO BE S 84°43' E.
8. PROPERTY OWNER INFORMATION:  
 JOSEPH W. MCMURRAY  
 D/B/A MCMURRAY'S LLC  
 D.B. 3221, PG. 1836  
 PARCEL NO. S: 029D-003.00



I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY, AND THAT THE RATION OF PRECISION OF THE UNADJUSTED SURVEY IS 1:10,000 AS SHOWN HEREON AND IS DONE IN COMPLIANCE WITH THE "TENNESSEE MINIMUM STANDARDS OF PRACTICE"

TN R.L.S. NO. 2482 DATE

**LEGEND**

- CALCULATED POINT
- ⊙ IRON PIN OLD (O)
- ⊙ IRON PIN W/ CAP SET (N)
- BOUNDARY LINE
- ADJOINING
- OVERHEAD UTILITIES

**BALLEE ENGINEERING & LAND SURVEYING, INC., P.C.**  
 EXCELLENCE IN ENGINEERING & SURVEYING  
 ROSEDALE VIRGINIA 24280  
 P.O. BOX 155  
 TELEPHONE: (270) 880-9027 FAX: (270) 880-1278

**ZONING CLASSIFICATIONS:**  
 R-1B (RESIDENTIAL DISTRICT)  
 MINIMUM REQUIREMENTS:  
 LOT AREA: 7,500 SQ. FT.  
 LOT FRONTAGE: 50'  
 FRONT YARD: 30'  
 EA SIDE YARD: 8'  
 REAR YARD: 30'

MAXIMUM PERMITTED:  
 LOT COVERAGE: 30% INCLUDING ACC. BLDG.'S  
 BUILDING HEIGHT: 2 STORES

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I/(WE) HEREBY CERTIFY THAT I/(WE) ARE THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I/(WE) HEREBY ACCEPT THIS PLAN OF SUBDIVISION WITH MY(OUR) FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

OWNER \_\_\_\_\_ DATE \_\_\_\_\_

OWNER \_\_\_\_\_ DATE \_\_\_\_\_

**CERTIFICATE OF ACCURACY**

I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE KINGSPORT REGIONAL PLANNING COMMISSION AND THAT THE MONUMENTS HAVE BEEN PLACED AS SHOWN HEREON.

DATE \_\_\_\_\_

TENNESSEE REGISTERED SURVEYOR \_\_\_\_\_

**CERTIFICATION OF THE APPROVAL OF WATER SYSTEM**

I HEREBY CERTIFY THAT THE WATER SUPPLY SYSTEM OR SYSTEMS INSTALLED, OR PROPOSED FOR INSTALLATION, MEET THE REQUIREMENTS OF THE TENNESSEE DEPARTMENT OF REVENUE AND CONSERVATION, DIVISION OF WATER RESOURCES

DATE \_\_\_\_\_

CITY OR COUNTY HEALTH OFFICER OR HIS REP AND/OR THE LOCAL MUNICIPAL WATER DEPARTMENT AND ARE HEREBY APPROVED AS SHOWN

**CERTIFICATION OF THE APPROVAL OF SEWERAGE SYSTEM**

I HEREBY CERTIFY THAT SEWAGE DISPOSAL UTILITY SYSTEM OR SYSTEMS INSTALLED, OR PROPOSED FOR INSTALLATION, FULLY MEET THE REQUIREMENTS OF THE TENNESSEE DEPARTMENT OF REVENUE AND CONSERVATION, DIVISION OF WATER RESOURCES

DATE \_\_\_\_\_

CITY OR COUNTY HEALTH OFFICER OR HIS REP AND/OR THE LOCAL MUNICIPAL SEWER DEPARTMENT, AND ARE HEREBY APPROVED AS SHOWN

**CERTIFICATE OF APPROVAL FOR RECORDING**

I HEREBY CERTIFY THAT THE DIVISION SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE DIVISION REGULATIONS FOR LAND RECORDS. THE EXEMPTION REGULATIONS VARIANCES IF ANY, AS NOTED IN THE MINUTES OF THE SULLIVAN COUNTY REGIONAL PLANNING COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY REGISTRAR.

DATE \_\_\_\_\_

SECRETARY OF THE SULLIVAN COUNTY REGIONAL PLANNING COMMISSION \_\_\_\_\_

**REPLAT OF LOT 16 OF SUNNY-SIDE ADDITION**

KINGSPORT REGIONAL PLANNING COMMISSION

TOTAL ACRES 0.242± TOTAL LOTS 2

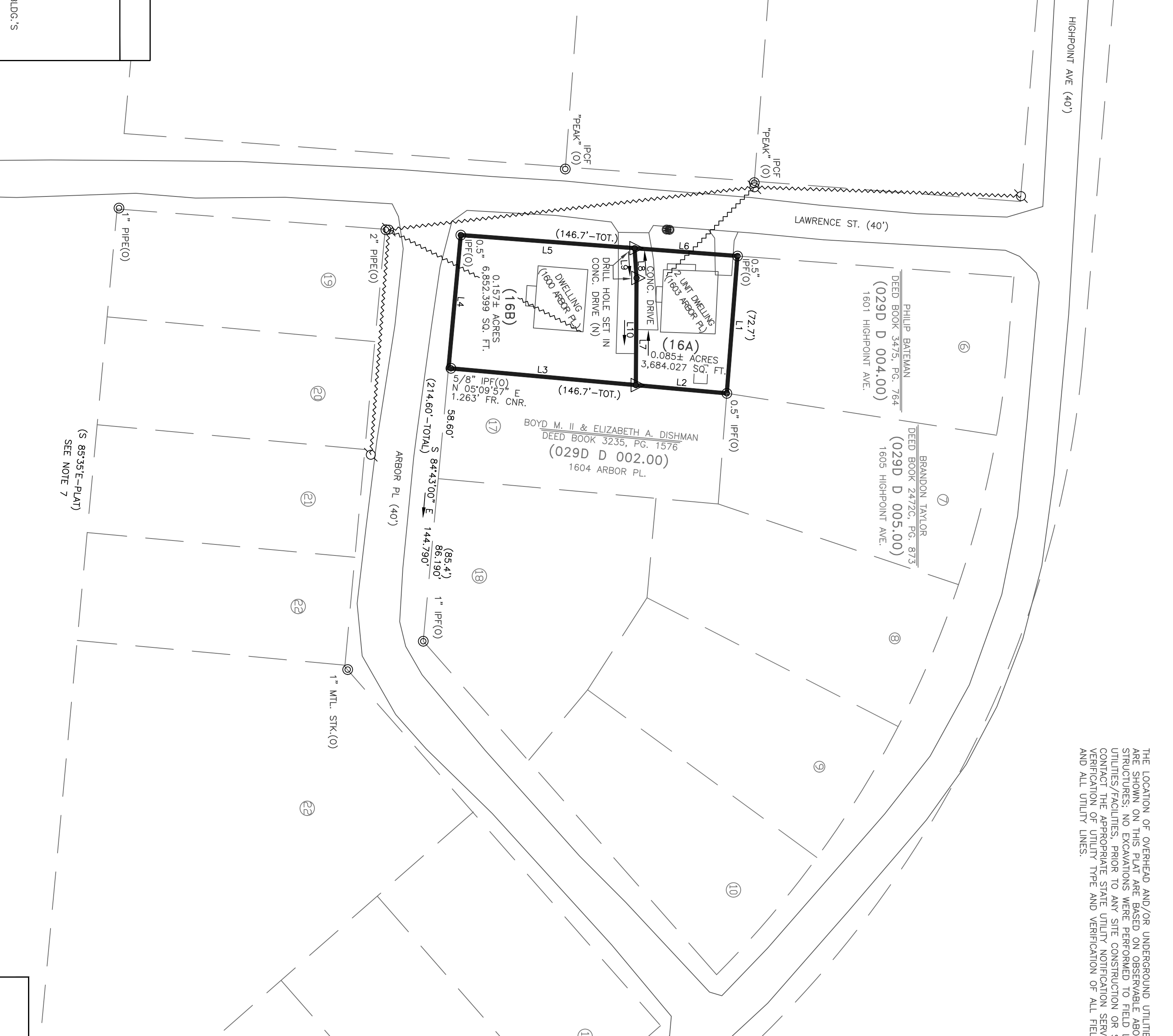
ACRES NEW ROAD -0- MILES NEW ROAD -0-

OWNER JOSEPH MCMURRAY CIVIL DISTRICT 12TH

SURVEYOR RICHARD L. BALLEE CLOSURE ERROR 1:10,000

SCALE 1" = 40' 0" 40' 80' 120'

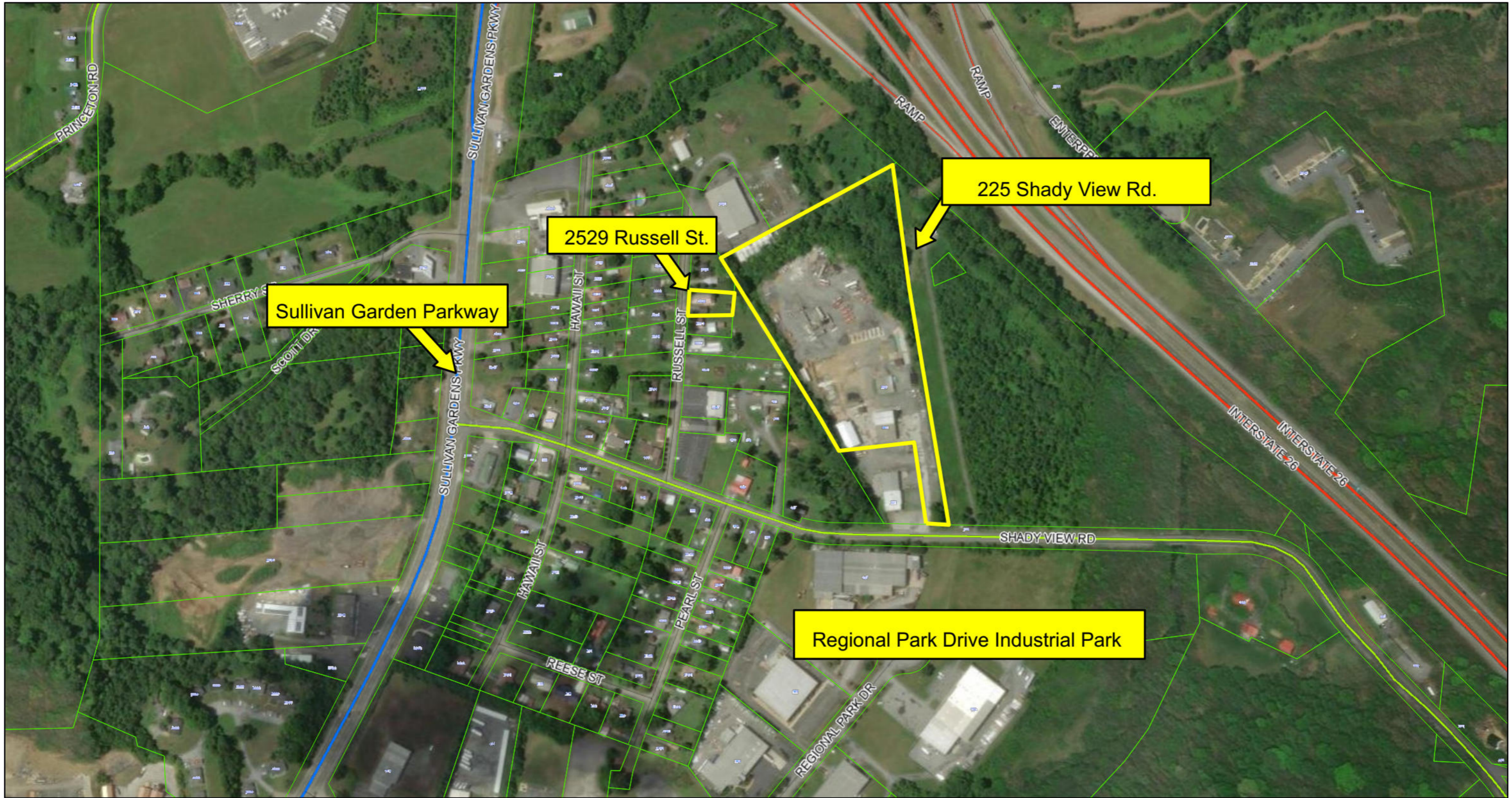
DATE: 5-07-2026



**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S 85°33'31" E	72.734'
L2	S 05°09'57" W	48.224'
L3	S 05°09'57" W	99.328'
L4	N 84°43'00" W	70.600'
L5	N 04°20'00" E	92.031'
L6	N 04°20'00" E	54.471'
L7	N 89°38'14" W	56.572'
L8	S 86°18'40" W	15.751'
L9	N 86°18'40" E	15.751'
L10	S 89°38'14" E	56.572'

THE LOCATION OF OVERHEAD AND/OR UNDERGROUND UTILITIES OR FACILITIES THAT ARE SHOWN ON THIS PLAT ARE BASED ON OBSERVABLE ABOVE GROUND STRUCTURES. NO EXCAVATIONS WERE PERFORMED TO FIELD LOCATE BURIED UTILITIES/FACILITIES. PRIOR TO ANY SITE CONSTRUCTION OR SITE EXCAVATIONS, CONTACT THE APPROPRIATE STATE UTILITY NOTIFICATION SERVICE/AGENCY FOR VERIFICATION OF UTILITY TYPE AND VERIFICATION OF ALL FIELD LOCATIONS OF ANY AND ALL UTILITY LINES.

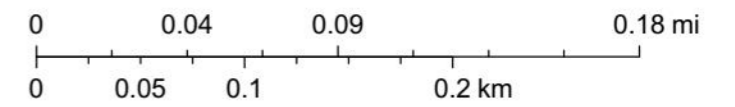


5/19/2026, 3:16:09 PM

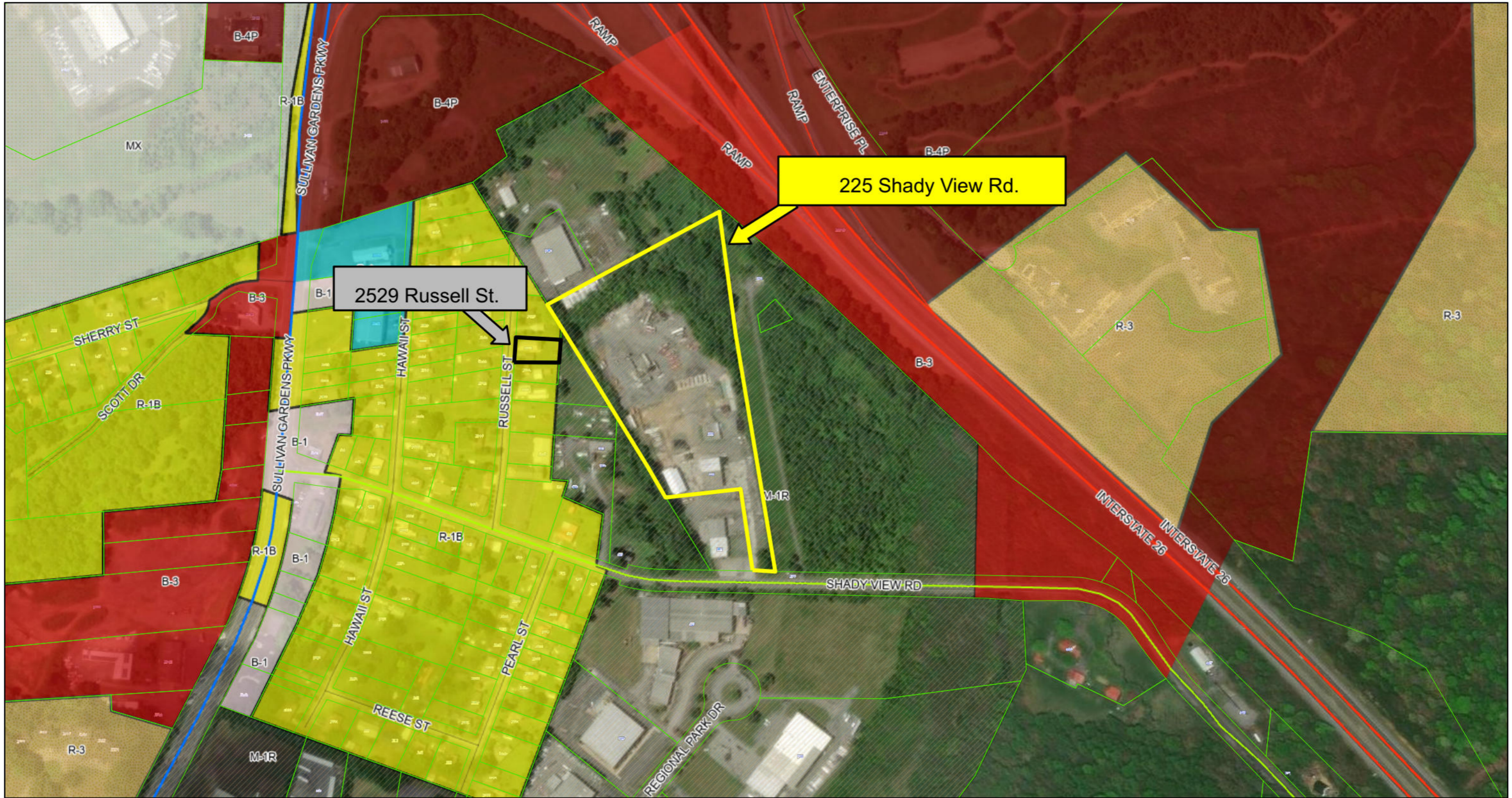
Sullivan County Parcels Jan 2023 Streets

- Parcels
- Urban Growth Boundary
- Interstate
- Major Arterial
- Collector Street
- Local Street
- Ramp
- Kpt 911 Address

1:4,514



NC Collaboratory at UNCCH, Vantor









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Sullivan County Parcels Jan 2023

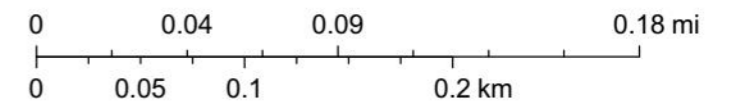
Parcels

City Zoning

B-1

- |  |  |   |  |
|--|--|---|--|
|  B-3  |  P-1  |  Urban Growth Boundary |  Collector Street |
|  B-4P |  R-1A |  Streets               |  Local Street     |
|  M-1R |  R-1B |  Interstate            |  Ramp             |
|  MX   |  R-3  |  Major Arterial        |  Kpt 911 Address  |

1:4,514



NC Collaboratory at UNCCH, Vantor

TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: May 26, 2026

RE: 225 Shady View Road

The Board is asked to consider the following request:

**Case: BZA26-0125–The owner of property located at 2529 Russell Street, Control Map 091A, Group E, Parcel 011.00** requests administrative review of the legal nonconforming status at 225 Shady View Road.

***Sec. 114-8. - Nonconforming uses.***

*Under this chapter, nonconforming uses shall be governed by the following:*

*(1)Conditions for continuation. Any building or use existing on June 16, 1981, or whenever a district is changed by an amendment may be continued, subject to subsections (3) and (4) of this section, even though such building or use does not conform to this chapter.*

*(2)Extension of uses. No building or land containing a nonconforming use shall be extended unless such extension shall conform with the sections of this chapter for the district in which it is located; provided, however, that a nonconforming use may be extended throughout those parts of a building which were manifestly arranged or designed for such use prior to June 16, 1981.*

*(3)Damage or deterioration. Any nonconforming structure damaged by fire, flood, wind or other act of God or man, including dilapidation, to the extent of more than 50 percent of the assessed value, as established from time to time by the appropriate county property assessor, shall not be reconstructed. However, any structure suffering such degree of damage or dilapidation may be reconstructed and the nonconforming use permitted to continue if the reconstruction is completed within 12 months of the date of such damage or finding of dilapidation. All reconstruction authorized by this subsection shall be accomplished in conformity with the applicable provisions of the building code, as set forth in chapter 22, and the applicable sections of this chapter in force immediately preceding the date of the zoning change by which the structure or its use became nonconforming.*

*(4)Discontinuance. When a nonconforming use of any building or land has ceased for a period of one year, it shall not be reestablished or changed to any use not in conformity with this chapter without the written approval of the board of zoning appeals.*



Case No. 102026-0125  
Date Filed May 15 2026

### APPLICATION FOR BOARD OF ZONING APPEALS

To be completed by applicant:

Property Owner	Representative
Name: <u>Brandon Jessee</u>	Name: <u>Brandon Jessee</u>
Address: <u>2529 Russell St.</u>	Address: <u>2529 Russell St.</u>
<u>Kingsport, TN 37660</u>	<u>Kingsport, TN 37660</u>
City: _____ State: _____ Zip: _____	City: _____ State: _____ Zip: _____
Telephone: <u>[Redacted]</u>	Telephone: <u>[Redacted]</u>
Email: <u>[Redacted]</u>	Email: <u>[Redacted]</u>

Information regarding the property site:

Street Address: 225 Shadyview Rd.

Tax Map: 091 Group: \_\_\_\_\_ Parcel: 038.00 Lot: \_\_\_\_\_

Current Zoning: M1-R Current Use: M-2 Heavy Industry

Requested action:

- Variance
- Special Exception
- Administrative Review
- Called Meeting

Request:

Administrative review of Legal non-Conforming status at 225 Shadyview Rd.

By signing below, I confirm and understand the conditions of this application. I have been informed of the date, time, and location of the Board of Zoning Appeals meeting. I am/we are the sole and legal owner(s) of the property listed in this application. I am/we are submitting this appeal to the Board of Zoning Appeals.

[Signature]  
Signature of Property Owner

5/15/26  
Date

Signed before me on this 15th day of May, 2026  
a notary public for the State of Tennessee  
County of Sullivan

Notary Signature [Signature]  
My Commission Expires 11-21-2026



# BOARD OF ZONING APPEALS (BZA)

## Administrative Appeal Application

City of Kingsport, Tennessee

### 1. APPELLANT & PROPERTY INFORMATION

APPELLANT NAME	Brandon Jessee
SUBJECT PROPERTY ADDRESS	225 Shady View Road, Kingsport, TN
MAILING ADDRESS	2529 Russell St, Kingsport, TN 37660
CURRENT ZONING	M-1R (Restricted Mix Use District)
PHONE & EMAIL	[REDACTED]
TAX MAP / PARCEL	Control Map: 091   Parcel: 038.00

### 2. NATURE OF APPEAL

Appeal of Administrative Decision/Enforcement

**Decision Being Appealed:** Administrative determination allowing an M-2 Heavy Industrial concrete batching operation to exist in an M-1R Restricted Mixed Use District. This appeal challenges the determination on three critical fronts:

- 1. Lack of Baseline Status:** Per 1993 Sullivan County annexation records (Exhibit A), no concrete batching infrastructure existed to establish legal non-conforming status.
- 2. Legal Termination & Statutory Abandonment:** Any permitted use was legally terminated through abandonment exceeding **12 months (Kingsport Code § 114-8)** and **30 months (T.C.A. § 13-7-208)**, supported by TDEC and Corporate records (Exhibits C & D).
- 3. Lack of Evidentiary Basis:** As documented in the **City's formal records response (Exhibit F)**, the City admitted *no records exist* to support continuous operation, rendering the permit arbitrary and void.

### 3. BASIS FOR APPEAL (FACTS & LEGAL CITATIONS)

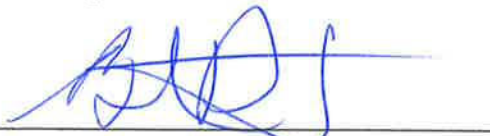
- A. Termination of Nonconforming Use:** Evidence proves a lapse of 44 months of operation, far exceeding the 12-month local and 30-month state thresholds.
- B. Administrative Error & Record of Absence:** Exhibit F confirms the City has no records to justify current use. Under Tennessee law, the burden of proof for continuity rests with the property operator.
- C. Illegal Expansion & Intensification:** 1993 records show zero batching equipment. The current M-2 operation is an illegal intensification beyond the annexation baseline.
- D. Community Impact:** Supported by 10 signed impact statements regarding residential equity, safety, and health in the Vernon Heights Community.

**4. EVIDENCE CHECKLIST (ATTACHED EXHIBITS)**

- **Exhibit A:** 1993 Sullivan County Property Records (Annexation Baseline)
- **Exhibit B:** 1997-2012 Satellite Sequence (Documentation of Lack of Infrastructure)
- **Exhibit C:** TN Secretary of State Business Records (2020)
- **Exhibit D:** TDEC Administrative Termination & Witness Testimony
- **Exhibit E:** Neighborhood Impact Portfolio (10 Signed Statements - Vernon Heights)
- **Exhibit F:** Public Records Request Response (City of Kingsport)
- **Exhibit G:** Statutory Basis for Revocation (Copy of § 114-8 and T.C.A. § 13-7-208)

**5. AUTHORIZATION & SIGNATURE**

I hereby certify that the information contained in this application and its attachments is true and correct to the best of my knowledge.



Signature of Appellant



Date

**Printed Name:** Brandon Jessee

*Submitted to the Kingsport Board of Zoning Appeals - May 2026*

Item III.5.



## EVIDENCE SUMMARY: ADMINISTRATIVE APPEAL

Property: 225 Shady View Road | Parcel ID: 091 038.00

Appellant: Brandon Jessee

The following documentation proves the permanent loss of non-conforming status through statutory abandonment and physical non-existence of infrastructure. Any claim of industrial manufacturing rights is void ab initio.

### **EXHIBIT A: 1993 PROPERTY RECORD CARD (ANNEXATION BASELINE)**

**FACT:** At the time of annexation into the City of Kingsport, the site was a Retail/Wholesale Masonry Supply facility.

**LEGAL IMPACT:** Documentation proves there was zero concrete batching equipment present at the baseline. Under Kingsport City Code § 114-8, the current heavy industrial batching plant is an illegal establishment of use, as any prior non-conforming manufacturing rights (if they existed) were terminated by a period of discontinuance exceeding 12 months.

### **EXHIBIT B: SATELLITE IMAGERY SEQUENCE (1997-2012)**

**FACT:** High-resolution aerial photographs from 1997, 2007, and 2012 show a complete absence of the industrial batching tower, silos, and infrastructure required for the current operation.

**LEGAL IMPACT:** This evidence proves that for 15+ years, there was no concrete batching equipment on site. Because the facility did not exist during this critical window, any claim of a continuous non-conforming use is VOID AB INITIO (void from the beginning). The use was never legally established under city jurisdiction.

### **EXHIBIT C: TN SECRETARY OF STATE BUSINESS RECORDS (2020)**

**FACT:** Kingsport Concrete LLC was Administratively Dissolved on October 6, 2020.

**LEGAL IMPACT:** The legal entity authorized to conduct the business ceased to exist. Combined with TDEC records, this establishes an overt act of abandonment exceeding the 30-month limit set by T.C.A. § 13-7-208.

### **EXHIBIT D: TDEC ADMINISTRATIVE TERMINATION & WITNESS TESTIMONY**

**FACT:** The Tennessee Department of Environment and Conservation officially terminated the site's industrial operational status as 'Inactive/Terminated'. Furthermore, employees of East Tennessee Masonry and the property owner at the time confirmed that the illegal batch plant had not been in operation for several years.

**LEGAL IMPACT:** Provides government-verified and eye-witness confirmation of discontinuance. This testimonial evidence directly refutes any claim of continuous operation and confirms the site failed to maintain its non-conforming status under both state and local law.

### **EXHIBIT E: NEIGHBORHOOD IMPACT PORTFOLIO (VERNON HEIGHTS)**

**FACT:** 10 signed impact statements from surrounding residential property owners documenting the negative environmental and structural impacts of the illegal intensification.

**LEGAL IMPACT:** Demonstrates the direct harm caused to the residential community by the zoning violation.

### **EXHIBIT F: PUBLIC RECORDS REQUEST RESPONSE (CITY OF KINGSPORT)**

**FACT:** In response to a formal request for documents establishing a determination of continuous operation, the City stated: "**No such records exist.**"

**LEGAL IMPACT:** Confirms a lack of administrative evidence to support the current non-conforming status. Under Tennessee law, the burden of proof for continuity rests with the property operator.

**EXHIBIT G: STATUTORY BASIS FOR REVOCATION**

**FACT:** Full text of Kingsport Code § 114-8 and T.C.A. § 13-7-208.

**LEGAL IMPACT:** Mandates that a non-conforming use discontinued for 12 months (local) or 30 months (state) shall thereafter conform to current zoning regulations.

Testimony from property ownership and local employees, combined with state and city records, establishes a definitive period of discontinuance that terminates all grandfathered rights.

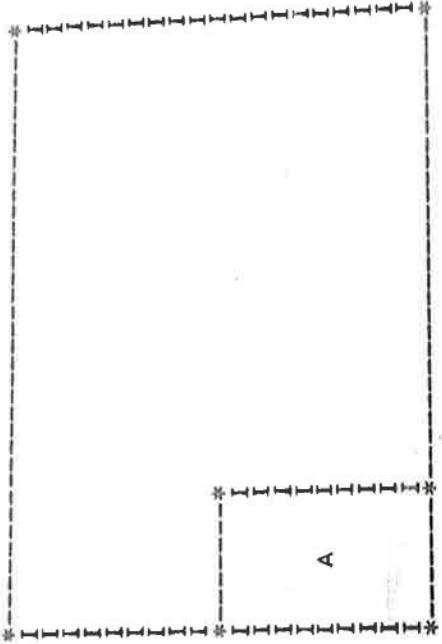
*Evidence Brief for the Kingsport Board of Zoning Appeals - June 4, 2026*

annex 1993 192

TAX YEAR 1992  
 COUNTY OF SULLIVAN  
 MAP 091  
 PARCEL 038-001  
 DATE UPDATED 01/20/92  
 CARDS IN PARCEL 1 OF 2

DEED CALC 4.00

BASE-90\*30\*20\*30\*70\*  
 60  
 A-DFA-30\*20



APPROVED

PG RL LT  
 PG BL LT  
 DIMENSIONS  
 HF 1.00  
 PWF 1.00  
 RMS PF 1.00  
 BRF 1.00000

AGE	REPL COST NEW	DEPR REPL COST	NO. OF STORIES	PERCENT BOND.	ADJ. UNIT LAND PRICE	UNIT LAND PRICE	TOTAL CALCULATED EX. FEAT./SPEC. BLDG. VALUE
4	5400	69312	1	1	3360.00	4200.00	4.00
EX FEAT/SPEC BLDG DESCRIPTION	REPL COST NEW	DEPR REPL COST	UNITS	EFF. YR. BUILT	ADJ. UNIT LAND PRICE	UNIT LAND PRICE	TOTAL CALCULATED EX. FEAT./SPEC. BLDG. VALUE
AREA DESC	AREA RATE	AREA RATE	UNIT PRICE	UNITS	ADJ. UNIT LAND PRICE	UNIT LAND PRICE	TOTAL CALCULATED EX. FEAT./SPEC. BLDG. VALUE
BASE 100	12.16	4800	4800	100	3360.00	4200.00	4.00
OFA 200	12.16	660	660	80	3360.00	4200.00	4.00

GENERAL PARCEL DATA  
 LAND APPRAISAL BY 06/10/83 01  
 ROAD NO. 2110  
 BLOCK 3  
 AREA 3.00  
 SUBDIV. TRACT  
 COORDINATES  
 ZONING  
 DCC COND  
 000

GENERAL CARD DATA  
 BLDG. APPRAISAL BY 06/10/83 01  
 SOURCE AG  
 F.H.A. NUMBER 13110  
 PERMIT NO.  
 MARKET LAND VALUE 13440  
 LAND UNITS 4.00  
 ADJ. UNIT LAND PRICE 3360.00  
 UNIT LAND PRICE 4200.00  
 COND. FACTOR 100  
 SHAMP/DEPR 80  
 UN. CLEAR 100  
 APPR. BY

LAND USE CODES  
 1. 51.2  
 3.  
 4.  
 LAND TOTAL 13440  
 THIS CARD 13440  
 NOTES

COMM-SPLIT E TENN MASONRY  
 -20%-ACCESS

Item III.5.









**Legend**  
● 225 Shady View Rd  
● East TN Masonry Supply Storage

**April 2012**  
NO BATCH PLANT EQUIPMENT

# KINGSPORT CONCRETE, LLC

Entity Type: Limited Liability Company (LLC)

Formed in: TENNESSEE

Term of Duration: Perpetual

Managed By: Manager Managed

Series LLC: No

Number of Members: 6 or less

Status: Inactive - Dissolved (Administrative)

Control Number: 000696703

Initial Filing Date: 10/11/2012 7:00:00 AM

Fiscal Ending Month: December

AR Due Date: 04/01/2020

Obligated Member Entity: No

## Registered Agent

WAYNE DEERE

225 SHADY VIEW RD

KINGSPORT, TN 37660

## Principal Office Address

225 SHADY VIEW RD

KINGSPORT, TN 37660-7452

## Mailing Address

225 SHADY VIEW RD

KINGSPORT, TN 37660-7452

AR Standing: Delinquent

RA Standing: Good

Other Standing: Good

Revenue Standing: Good

## History (14)

Type	Date	Tracking Number	Change History
Dissolution/Revocation - Administrative for Kingsport Concrete, LLC	10/6/2020 1:40:21 AM	B0932-1230	<ul style="list-style-type: none"> <li>Filing Status changed from: Active to: Inactive - Dissolved (Administrative)</li> <li>Inactive Date changed from: No Value to: 10/06/2020</li> </ul>
Notice of Determination for Kingsport Concrete, LLC	8/1/2020 1:40:36 AM	B0900-0222	
System Amendment for Kingsport Concrete, LLC	4/14/2020 1:40:34 AM		
2018 Annual Report for Kingsport Concrete, LLC	3/29/2019 8:36:18 AM	B0682-5178	
2017 Annual Report for Kingsport Concrete, LLC	3/30/2018 2:48:36 PM	B0525-8697	
2016 Annual Report for Kingsport Concrete, LLC	3/30/2017 1:58:33 PM	B0373-5718	
2015 Annual Report for Kingsport Concrete, LLC	3/31/2016 10:07:11 AM	B0228-0575	



STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
DIVISION OF WATER RESOURCES  
Johnson City Environmental Field Office  
2305 Silverdale Road  
Johnson City, TN 37601  
Phone 423-854-5400    Statewide 1-888-891-8332    Fax 423-854-5401

**To:** Vojin Janjic, Manager, Water-Based Systems

**From:** Brianne Begley, Environmental Scientist, JCEFO

**Date:** February 17, 2023

**Subject:** Kingsport Concrete, LLC notes and site observations – request for administrative termination of permit TNG110410

NPDES permit TNG110410 was not properly terminated before the site became inactive. The division issued a Notice of Violation (NOV) in March 2020 and scheduled a Compliance Review Meeting (CRM) with the owner in April 2020. JCEFO staff provided Notice of Termination (NOT) paperwork to the owner but it is unclear whether it was submitted. TDEC staff made multiple attempts to contact the permittee by email and phone, but have received no response.

On February 15, 2023, Ms. Brianne Begley of the JCEFO performed a site visit to 225 Shady View Lane in Kingsport, TN to determine the operational status of Kingsport Concrete, LLC. The former concrete plant was inactive at the time of observation. The roadside signage and signs on two buildings read "East TN Supply" and "East TN Masonry." East TN Masonry employees stated that Kingsport Concrete, LLC had not been in operation for several years and the property was now owned by Mr. Steve Arnold. During a phone call with Mr. Arnold on February 15, 2023, he confirmed that he purchased the property from Mr. Wayne Deere in either 2020 or 2021 and the Kingsport Concrete plant had not been in operation for several years.

Photos below document that the concrete plant is inactive and is now being used to store landscaping rock and sand associated with East TN Supply



# NEIGHBOR IMPACT STATEMENT - ZONING / INDUSTRIAL ACTIVITY

Name: Donald of Lori Holt

Address: 145 Shady view rd.

Contact (optional): \_\_\_\_\_

Date: 4/19/26

## OBSERVED ACTIVITY

Describe observed activity: see attached

Approx. start date: couple of months

Frequency of activity: DAILY

Time of day observed: All Hours!

## IMPACTS

Noise: see attached

Dust / environmental: \_\_\_\_\_

Traffic / safety: \_\_\_\_\_

Impact on property use: \_\_\_\_\_

## CHANGES OVER TIME

Observed changes: Getting worse

## CERTIFICATION

Signature: [Signature]

Date: 4/19/26

I have lived in this neighborhood my entire life, I grew up in the two-story house on the corner of Hawaii st. and shady view rd. (Alaska Ave) and met my wife in high school and decided once I was married I would come back to this neighborhood and start a family, which i did back in the early 90's because it was so peaceful and the neighborhood is exactly where i wanted my future kids to be able to play and grow up. I have been a very proud resident for over 30 years and i have to say this is the first time that i can actually say it has gone downhill. I have witnessed children almost being hit by the speeding trucks and I because i live near the curve before the concrete plant i must constantly hear the loud breaking and it has become more of an aggravation than anything. I have been woken up several times late at night because we do go to bed early at our age. I would have never imagined something like this would be placed in a residential area. There is a neighboring industrial park that doesn't make this kind of noise. I just wish the business owners or developers would have to stay in this neighborhood for a few days and experience what we must. Then maybe they would have a better understanding of why this is NOT the place for a business like this. I am a business owner and understand that it has created jobs and benefits the tri cities area, but also as a business owner i would NEVER be this disrespectful to even consider placing a PLANT in a residential area. Also, have they even considered what kind of damage these trucks are going to do to our roads? Or how about the amount of road dust that is being pushed from these large trucks. This is completely unacceptable. I was woken up around 2 or 3 am not too long ago because i thought someone was breaking into my garage...all i heard was loud boom noises and it sounded so close. I had no idea they were allowed to operate at that time of night. Also, i understand that people need concrete on the weekends as well, but it's not enough to deal with this crap through the week.... There goes my relaxing weekends spent in the yard or in my garage with my family. I have to keep my front door shut because it feels like every 30 min to an hour one of those trucks are speeding by and causes my dog to go crazy. I remember when this used to just be county and when it was annexed to be city limits; everyone thinks this 2-lane RESIDENTIAL road is a highway. So now we pay city and county taxes and now adding this type of business. Has anyone else considered the fact that homeowners' property taxes can increase because this new business raises property values all around it!? This business is going to ruin one of the few good neighborhoods we have left, because now this area will become more desirable to even more businesses. Something has to be done; this is so disrespectful and really shows how much the owners care about how they have affected their neighbors! NOT!

# NEIGHBOR IMPACT STATEMENT – ZONING / INDUSTRIAL ACTIVITY

Name: Heather Callahan

Address: 137 Shady View Rd.

Contact (optional):

Date: 4/25/24

### OBSERVED ACTIVITY

Describe observed activity: loud trucks constantly up and down the road, Driving too fast + All hours of the day + NIGHT! -

Approx. start date: about a month or more....

Frequency of activity: DAILY!! Even weekends!!

Time of day observed: All hours, even 2am!! STUPID

### IMPACTS

Noise: Loud Trucks, loud beam sounds!!

Dust / environmental:

Traffic / safety: Speeding + not paying attention

Impact on property use: Can't even enjoy being outside in the evenings with my dogs....

### CHANGES OVER TIME

Observed changes: Getting worse!

### CERTIFICATION

Signature: Heather Callahan

Date: 4/25/24

more observed activity:

There are loud noises all hours of the night, loud booming noises after 2am! This is a very small neighborhood. I have also seen truck drivers pulling onto Shady view speeding and almost hit my niece!! They do not pay attention! There is NO reason this type of business should be allowed this close to a residential area! I used to love sitting on my porch after a long days work, now I can't even enjoy a quiet evening... truck after truck!!!

I am 40 years old and have lived here since 1997! There has never been a louder ~~loud~~ business! and there is a glass plant in the INDUSTRIAL park next to us! Even they aren't this disrespectful ~~across~~ A neighborhood I have grown up in and loved and chose to stay my adult life is now being taken over by businesses like this..... heart-breaking. A few weeks ago I kept hearing what sounded like echoing gunshots..... Nope Just your loud ass TRUCKS!!! Disrespectful!!

I the resident Sam & Regina Stapleton at 2537 Russell Street have lived here 31 yrs. At that time the only business behind us was East Tenn. Masonary

As of Feb. 2<sup>nd</sup> 2026 when SMR came in it has been loud racket starting at 2:30 am or 3:00 am with beating & banging plus beeping from their trucks. We have to get up at 5 and the other at 6 to go to work ourselves and this is uncalled for.

Dust being stirred up all day over the concrete trucks and the plant going all day.

City came in 23 yrs ago double our taxes and has never done anything our road needs paving pot holes every where and they allow this business to come in with no kind of notice or anything. Sam & Regina Stapleton  
11.12.2026

April 27, 2026

To Whom It May Concern,

I moved to Vernon Heights in 2009 to get out of a trailer park to feel safe and have a yard for our dogs. My Family lives in the same area and it was nice to be closer and visit. My brother even mows my yard every week for me so my yard is nice and doesn't look trashy. We like to sit outside and enjoy pretty weather and talking with neighbors while they enjoyed their yard and animals as well.

Now I get woken up in the wee hours of the night with sounds that sound like my house is being broken in and causing me extreme anxiety, panic attacks and loss of sleep. I work for a living and sleep is important for me to function, it's not like its a once in a blue moon kind of thing its all the time! That's not even talking about the big trucks going in and out of there all the time. They are huge, loud and stink up the air. Then there's all the dust too.

So now, NO porch sitting, the noise is too loud and if my dogs were still alive they would be on medication to calm them down because this kind of loudness would have sent them into total meltdowns.

It's such a shame to let a company move into a quiet family neighborhood. There are other places for this kind of company to be. It's not right. This seems like somebody did something illegal to let this happen.

My once quiet and safe neighborhood is now a loud industrial park. I feel this has diminished my property value of my home, now if I wanted to sell. NO ONE will want to buy my home, unless they also want it to make it more like this company has done.

Angela D. Crawford  
2524 Russell Street  
Kingsport, TN 37660  
Cell# 423-384-0366

When we moved here, Vernon Heights was more than just a place to live; it was a close-knit neighborhood where everyone looked out for one another. The streets were safe, the air was clean, and the sense of community was palpable. It was a place where memories were made, and families began, a stark contrast to the challenges the neighborhood faces today due to SRM concrete. The introduction of SRM Concrete into the Vernon Heights neighborhood has regrettably disrupted the community's tranquility and economic stability. The persistent odors emitted during the concrete production process have created an unpleasant living environment for myself and other residents, impacting mine and the other residents' quality of life. The constant noise from heavy machinery and truck traffic has disrupted the peace, leading to increased stress and discomfort among residents. Furthermore, the presence of SRM Concrete has negatively impacted property values in Vernon Heights, causing financial strain for homeowners who have seen their investments diminish due to the undesirable presence of the industrial facility. A final concern is the release of respirable crystalline silica (RCS) during concrete production. Inhaling these tiny particles can lead to serious, irreversible lung diseases such as silicosis, COPD, and lung cancer, and the high pH of RCS can also cause harmful skin burns and dermatitis.

Benjamin Fields and Joshua Williams  
2516 Russell St  
Kingsport, TN, 37660

04/25/26

# NEIGHBOR IMPACT STATEMENT – ZONING / INDUSTRIAL ACTIVITY

Name: Kristie Ford

Address: 2533 Russell St Kingsport Tn 37640

Contact (optional): yes

Date: 4/27/2016

## OBSERVED ACTIVITY

Describe observed activity: increase noise, especially at night, Speeding on roads, dust

Approx. start date: 2/2016

Frequency of activity: Everyday - Everynight

Time of day observed: All day; Extreme noise seems to be starting around 1am and continues all night. I even hear it when getting ready to leave for work.

## IMPACTS

Noise: wakes both me and my child up; I have a full time job and my child is in school.

Dust / environmental: unable to leave windows open due to dust; increase sickness in my child due to dust causing sinus infections.

Traffic / safety: unable to feel safe taking neighborhood walk due to high speed of workers on the road when driving, myself as well as others have yelled for them to slow down.

Impact on property use: Can't leave windows open to enjoy spring time due to noise and dust

## CHANGES OVER TIME

Observed changes: the noise has progressively gotten worse, the sounds wake both myself and child up, making it difficult for him to go back to sleep because he is scared. The dust has caused my child to be increasingly sick with a cough and runny nose which turns into sinus infections.

## CERTIFICATION

Signature: Kristie Ford

Date: 4/27/2016

### NEIGHBOR IMPACT STATEMENT - ZONING / INDUSTRIAL ACTIVITY

Name:

HUNTER G. SWINEY

Address:

2528 RUSSELL ST, KINGSPORT, TN 37660

Contact (optional):

Date:

04/27/2022

#### OBSERVED ACTIVITY

Describe observed activity:

MACHINES/INDUSTRIAL EQUIPMENT OPERATING IN NEIGHBORHOOD - BANGING, VIBRATIONS, VERY LOUD

Approx. start date:

SINCE WE MOVED HERE - JANUARY 2022

Frequency of activity:

EVERYDAY BEGINNING AROUND 3AM

Time of day observed:

ALL DAY - VERY NOTICEABLE IN EARLY MORNINGS

#### IMPACTS

Noise:

VERY LOUD - DISTURBS SLEEP

Dust / environmental:

CONCRETE DUST EXHAUSTED IN NEIGHBORHOOD

Traffic / safety:

N/A

Impact on property use:

ALL THE NOISE & RUMBLING IMPACTS EVERY DAY.

#### CHANGES OVER TIME

Observed changes:

NO CHANGES - CONSISTENT OPERATIONS

#### CERTIFICATION

Signature:

Date:

04/27/2022

Name:

Dalton and Faith, Balthour

Item III.5.

Address:

2536 Russell Street, Kingsport, TN 37660

Contact (optional):

N/A

Date:

9/26/20

**OBSERVED ACTIVITY**

Describe observed activity:

Loud, disruptive, and the lame grinder is in clear sight to our home. We did find a rock

Approx. start date:

lodged in a shingle across from location

Frequency of activity:

Daily

Time of day observed:

All hours / randomly

**IMPACTS**

Noise:

Noise disturbs husband who works night shift, and tries to sleep during the day. Also will shake pictures and walls when active.

Dust / environmental:

Traffic / safety:

Concern for child and animal long-term safety. The drivers speed heavily on the road, with no mind for people/other cars.

Impact on property use:

Unsure of safety: from dusts, to be outside. Effects sleep of family, and leisure in the house from noise and shaking

**CHANGES OVER TIME**

Observed changes:

Noise level - going up over time.

**CERTIFICATION**

Signature:

*[Handwritten Signature]*

Date:

9/26/20

Kenneth Adams  
148 Shady View Rd

I have lived at 148 Shady View Rd. for 62 years and have lived in the Vernon Heights community all of my life. At no point in time has there ever been a concrete batch plant at 225 Shady View Rd. There may have been an attempt at some point but nothing that ever stayed for more than a few months and nothing on the scale that this facility is at.

Beginning in February, the daily noise and disruption that has been brought to this community is nothing less than a full scale construction zone. Speeding Concrete trucks kicking up dust and debris throughout the day. The loud blaring alarms from dump trucks and loaders Starting as early as 2 a.m. and continuing throughout the day and into the evening at times. Dump trucks slamming their beds at all hours when delivering material. Loaders banging and dragging their buckets bring disruption to my ability to enjoy my home and the peace that should come with it

This disruption has interfered with my ability to sit on my front porch and enjoy the peace and quiet of the outdoors and my community. There has been nothing good that has come from this and I am ashamed to know that the city played such a part in it. There are no ordinances or codes that would help reduce the noise and disruption and several of our neighbors have been informed that the city can and will do nothing about the issues that the concrete plant has caused.

Ken Adams

KENNY ADAMS

Joe and Joyce Hilton  
2544 Russell St  
Kingsport, TN 37660

April 27, 2026

This statement is in regards to the SRM cement plant that was recently opened for operation in our Vernon Heights neighborhood. I do not mind them sharing our neighborhood but I do believe they need to follow noise ordinance that should be established in a residential neighborhood.

"We shape the built environment of the City of Kingsport by promoting the goals and vision of its citizens through quality planning & development without sacrificing excellence in quality of life."

The above I am sure you are aware is the mission statement of Kingsport City Planning Department. The response I got from Melanie Baker when I called to complain about SRM starting the business at 3am. The beeping trucks and the slamming of a nopper should not be in anyone's back yard at 3am. I was told by Melanie that they can start work any time they want to as there is no noise ordinance in place. They are zones just like Eastman and Dometar. Eastman and Dometar are not boaring anyone's back yard. They are residential believing that in a residential neighborhood. So does that mean I can have an outdoor party with a band that 3:00 am? She also told me I should have checked the zoning before we bought our home. Well this house was bought by my husband's family in 1958 and it was considered Sullivan County at that time. That comment was not only inappropriate but extremely unprofessional. I am a CEO of a medical company and if any of my employees treated a patient that way, they would no longer work for me. As far as I am considered Kingsport City disrespected my husband's family home when they annexed this neighborhood into the city. Maybe you all should have seen houses and families before you decided to rezone.

I am all for the growth of Kingsport and you cannot do that without industry. I don't think a business should be allowed to start making noise before 7 am or run business on a Sunday morning when Vernon Heights Baptist Church is holding service. If our alarms are set on Monday morning at 5:00 am why should we have to be awake at 3:00 am? Remember we all pay our tax's too.

We have put a lot of money remodeling our home. We don't have to live here but chose to live here. All of us here on Russell Street have worked hard for the last 20 years to turn this neighborhood into a great residential street to be family friendly once again. We are proud of the neighborhood with all the upgrades we are doing to making it a safe and a desirable street to live on. We now have kids playing in the street people walking and jogging using the undesirable that used to occupy this street. We are asking for respect and for you to stand by your mission statement.

Thank you for your time

Joyce Hilton

## PUBLIC RECORD REQUEST RESPONSE FORM B

Brandon Jessee, brandondjessee@gmail.com5/14/26

Requestor's Name and Contact Information

Date

In response to your records request received on 5/13/26 this office is taking the action(s)<sup>1</sup> indicated below:

- The public record(s) responsive to your request will be made available for inspection:

Location: \_\_\_\_\_

Date &amp; Time: \_\_\_\_\_

- Copies of public record(s) responsive to your request are:

 Attached Available for pickup at the following location: Being delivered via: \_\_\_\_\_ USPS First-Class Mail  Electronically  Other: \_\_\_\_\_

- Your request is **partially** denied on the following grounds:

 Your request was not sufficiently detailed to enable identification of the specific requested record(s). You need to provide additional information to identify the requested record(s). **No such record(s) exists or this office does not maintain record(s) responsive to your request.** No proof of Tennessee citizenship was presented with your request. Your request will be reconsidered upon presentation of an adequate form of identification. You are not a Tennessee citizen. You have not paid the estimated copying/production fees. The following state, federal, or other applicable law prohibits disclosure of the requested records:

\_\_\_\_\_

- It is not practicable for the records you requested to be made promptly available for inspection and/or copying because:

 It has not yet been determined that records responsive to your request exist; or The office is still in the process of retrieving, reviewing, and/or redacting the requested records.

The time reasonably necessary to produce the record(s) or information and/or to make a determination of a proper response to your request is \_\_\_\_\_.

If you have any additional questions regarding your record request, please contact the undersigned.

Sincerely,

Angie Marshall, MMC  
 City Clerk/Deputy City Recorder  
 City of Kingsport  
 415 Broad Street  
 Kingsport, Tennessee 37660  
 423-229-9384 (phone)  
 423-224-2832 (fax)  
[AngieMarshall@KingsportTN.gov](mailto:AngieMarshall@KingsportTN.gov)

<sup>1</sup> If all requested records do not have the same response, so indicate

# EXHIBIT G: STATUTORY BASIS FOR REVOCATION

## *Evidence of Abandonment and Discontinuation of Nonconforming Use*

### 1. Kingsport City Code § 114-8 (The "12-Month" Rule)

**Sec. 114-8(4):**

"When a nonconforming use of land or a nonconforming use of a part or all of a structure is **discontinued for a period of one year (12 months)**, then the land or building or other structure shall thereafter be used only for a conforming use. **Intent to resume active operations shall not affect the foregoing provision.**"

**Legal Application:**

The City Code mandates that rights to a nonconforming use are lost after 12 months of discontinuation. With documented evidence of a 44-month gap, the use is legally terminated. Per the ordinance, any stated "intent" to reopen is legally irrelevant once the 12-month threshold is crossed.

### 2. Tennessee Code Annotated § 13-7-208 (The "30-Month" Rule)

**T.C.A. § 13-7-208(g):**

"Except as provided in subsection (l), subsections (b)-(d) shall not apply if an industrial, commercial, or other business establishment **ceases to operate for a period of thirty (30) continuous months** and the industrial, commercial, or other business use of the property did not conform with the land use."

**T.C.A. § 13-7-208(c):**

"...establishments in operation and permitted at the time of zoning change shall be allowed to expand operations... which involve an **actual continuance** of the activities of the industry."

**Legal Application:**

State law provides a maximum 30-month protection window. The Subject Property ceased industrial operations for 44 months, exceeding the State limit by 14 months. Furthermore, the property failed to maintain an "actual continuance" of manufacturing activities during the period of TDEC-certified inactivity.

### 3. Burden of Proof & Case Law

**Custom Land Development, Inc. v. Town of Coopertown (Tenn. Ct. App. 2004):**

Tennessee courts have established that the **burden of proof** to demonstrate that a nonconforming use is lawful and has been continuous rests solely on the **property owner/operator**, not the local residents or the municipality.

*Prepared for the Kingsport Board of Zoning Appeals Hearing - June 4, 2026*

**MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)**

**May 7, 2026 Regular Meeting**

Noon  
Montgomery-Watterson Boardroom, City Hall

Members Present:

Lora Barnett  
Bill Sumner  
Calvin Clifton  
Josh Taylor  
Wes Combs

Members Absent:

Hoyt Denton  
Joe White

Staff Present:

Lori Pyatte  
Ken Weems  
Jessica McMurray

Visitors:

Stephen Ellis  
Rick Millsap

Chairman Bill Sumner called the meeting to order at 12:00pm.

Chairman Bill Sumner explained the meeting procedures.

Ms. Lori Pyatte conducted the swearing in ceremony for those wishing to speak during the regular meeting. All visitors were sworn in.

**Public Hearing:**

**Case: BZA26-0081–The owner of property located at 2721 John B. Dennis Highway, Control Map 031J, Group A, Parcel 01.00** requests a 7.8-foot front yard variance from Sec. 114-195(f)(1)c, along with a 7.5-foot reduction to the required landscape buffer from Sec. 114-600(d)2. These requests are to facilitate the construction of a new convenience store and gas station. The property is zoned B-3, Highway-Oriented Business District.

Mr. Stephen Ellis, representing the property owner, presented the case to the Board. He explained that the applicant proposes to construct a new convenience store and gas station on the site. Due to the property’s topography and the stream located at the rear of the parcel, the applicant is requesting a reduction to the required landscape buffer and a variance to allow the fuel canopy within the required front yard setback. He further noted that the proposed canopy location would better align with the existing gas station canopy on the adjacent property.

Chairman Sumner, seeing no one wishing to speak further on the item, closed the public hearing.

**Case: BZA26-0084–The owner of property located at 1905 Brookside Lane, Control Map 047A, Group A, Parcel 09.30** requests a variance from Section 114-535(1) to reduce the minimum required lot

frontage by 27.12 feet in order to install a freestanding sign with an electronic message board. The property is zoned M-1, Light Manufacturing District.

Mr. Rick Millsap, the property owner, presented the case to the Board. Mr. Millsap explained that the sign he proposes to install was previously located at another business he is in the process of closing, and he would like to reuse the existing sign. He stated the sign would be installed approximately 15 feet from the property line. He further noted that he is requesting a reduction to the required 150 feet of lot frontage in order to install the sign with an electronic message board on the parcel.

The Board confirmed that the issue was not related to the sign’s height, size, or location. Staff clarified that the request is solely due to the parcel not meeting the minimum required lot frontage of 150 feet.

Chairman Sumner, seeing no one wishing to speak further on the item, closed the public hearing.

**BUSINESS:**

Staff stated for record, the next application deadline is May 15, 2026 at noon, and meeting date Thursday, June 4, 2026 at noon.

The board reviewed the April 2, 2026 regular meeting minutes.

**MOTION:** made by Mr. Wes Combs, seconded by Ms. Lora Barnett to approve the Kingsport Board of Zoning Appeals minutes for April 2, 2026.

**VOTE:** 5-0 to approve the minutes.

**Adjudication of Cases:**

**Case: BZA26-0081–The owner of property located at 2721 John B. Dennis Highway, Control Map 031J, Group A, Parcel 01.00** requests a 7.8-foot front yard variance from Sec. 114-195(f)(1)c, along with a 7.5-foot reduction to the required landscape buffer from Sec. 114-600(d)2. These requests are to facilitate the construction of a new convenience store and gas station. The property is zoned B-3, Highway-Oriented Business District.

The Board found that the hardship is caused by the property’s topography and the presence of Leslie Branch, a stream at the rear of the property.

**MOTION:** Made by Vice Chairman Calvin Clifton and seconded by Mr. Wes Combs to approve the request as presented on the site plan provided in the May 7, 2026 Board of Zoning Appeals meeting packet.

**VOTE:** 5-0 to approve the request.

**Case: BZA26-0084–The owner of property located at 1905 Brookside Lane, Control Map 047A, Group A, Parcel 09.30** requests a variance from Section 114-535(1) to reduce the minimum required lot frontage by 27.12 feet in order to install a freestanding sign with an electronic message board. The property is zoned M-1, Light Manufacturing District.

The Board noted that the reduction in the lot frontage requirement would not create any adverse impacts, and that the proposed sign and its location along Brookside Lane would not create traffic or visibility issues.

**MOTION:** Made by Mr. Wes Combs and seconded by Ms. Lora Barnett to approve the request as presented.

**VOTE:** 5-0 to approve the request.

**Public Comment:**

With no further business, the meeting was adjourned at 12:17pm.

Respectfully Submitted,

*Jessica McMurray*

Jessica McMurray  
Development Coordinator