



BOARD OF ZONING APPEALS MEETING AGENDA

Thursday, July 03, 2025 at 12:00 PM
City Hall, 415 Broad Street, Boardroom

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: BZA25-0139 – The owner of the property located at 100 Breckenridge Trace, Control Map 106, Parcel 026.51** request a 17.6 square foot variance to Sec. 114-533(14)c to exceed the permitted wall sign allowance for Premier Transport. The property is zoned MX, Mixed Use District.

INTERESTED PARTIES:

Owner:

Jerrold Herron

1225 Weisgarber Road

Knoxville, TN 37909

(865)850-3073

Representative: Jerrold Herron

- 2. Case: BZA25-0156– The owner of property located at 154 Commerce Street, Control Map 046P, Group B, Parcel 038.00** request a 50 square foot variance to Sec. 114-194(g)2 to exceed the permitted wall sign allowance for Bays Mountain Brewing Company. The property is zoned B-2, Central Business District.

INTERESTED PARTIES:

Owner:

Anthony Williams

205 Broad Street

Kingsport, TN 37660

(423)502-1695

Representative: Daniel Cheevers

- 3. Case: BZA25-0157 – The owner of the property located at 2217 Silverdale Road, Control Map 045P, Group A, Parcel 025.00** requests a 3.9-foot rear yard variance from Section 114-201(e)(1)e to allow for the construction of a home addition. The property is zoned GC, Golf Course District.

INTERESTED PARTIES:

Owner:

Kathleen McCann

2217 Silverdale Road

Kingsport, TN 37660

(865)209-3843

Representative: Kathleen McCann

IV. BUSINESS

- 1. Approval of the June 5, 2025 regular meeting minutes.**

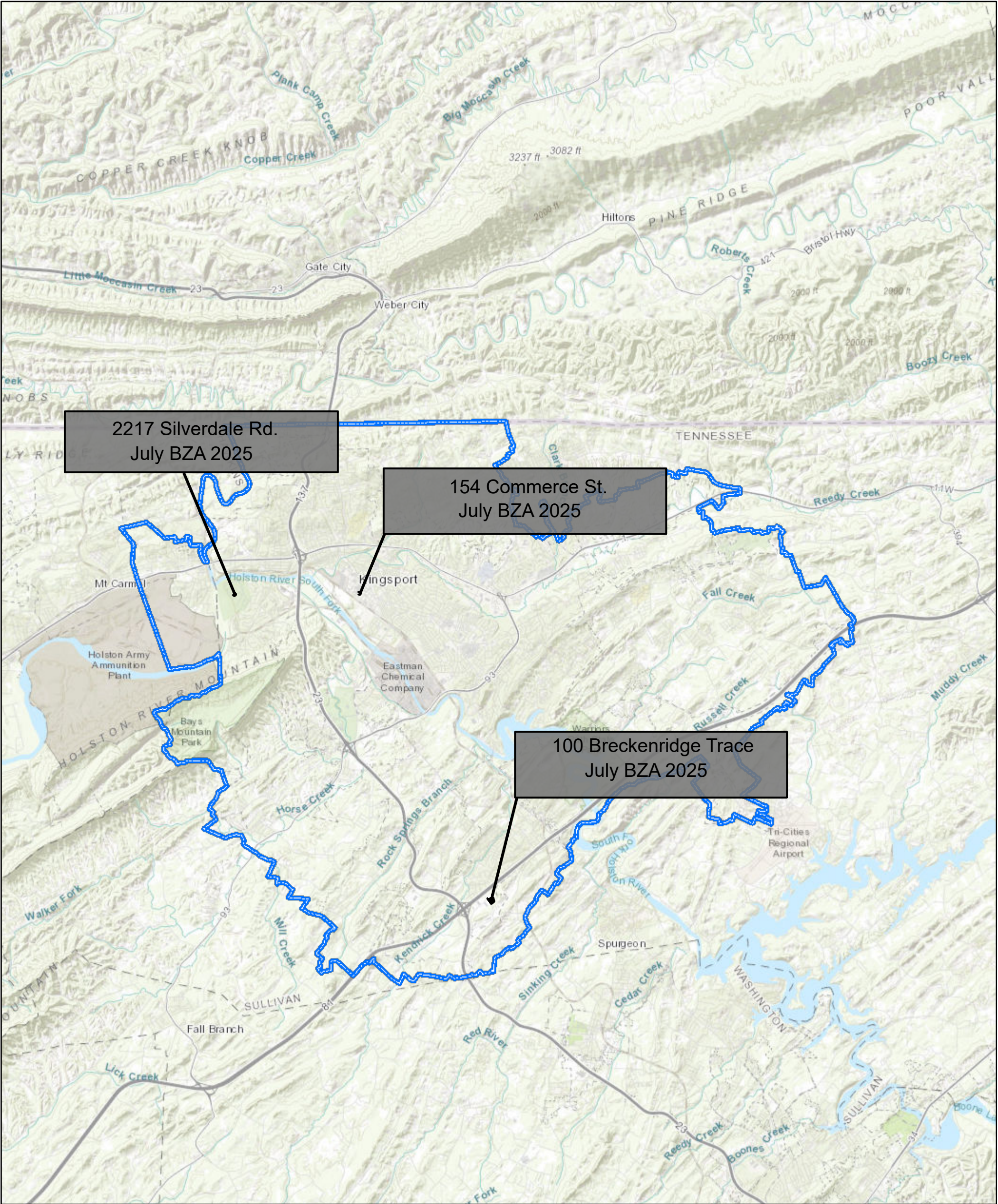
Stating for public record, the next application deadline is July 15, 2025 at noon, and meeting date (Thursday, August 7, 2025).

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.

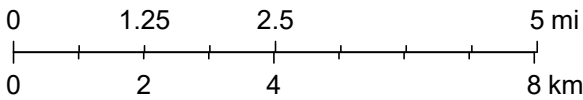
VII. ADJOURN



6/24/2025, 10:54:06 AM

 Urban Growth Boundary

1:144,448



Tennessee STS GIS, VITA, 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, July 3, 2025 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: BZA25-0139 – The owner of the property located at 100 Breckenridge Trace, Control Map 106, Parcel 026.51 request a 17.6 square foot variance to Sec. 114-533(14)c to exceed the permitted wall sign allowance for Premier Transport. The property is zoned MX, Mixed Use District.

Case: BZA25-0156– The owner of property located at 154 Commerce Street, Control Map 046P, Group B, Parcel 038.00 request a 50 square foot variance to Sec. 114-194(g)2 to exceed the permitted wall sign allowance for Bays Mountain Brewing Company. The property is zoned B-2, Central Business District.

Case: BZA25-0157 – The owner of the property located at 2217 Silverdale Road, Control Map 045P, Group A, Parcel 025.00 requests a 3.9-foot rear yard variance from Section 114-201e(1)e to allow for the construction of a home addition. The property is zoned GC, Golf Course 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, these may be requested by calling (423) 229-9485 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: 6/23/2025



6/18/2025, 4:41:04 PM

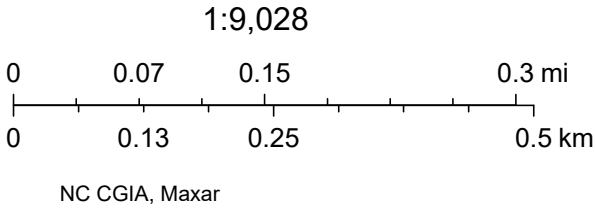
Sullivan County Parcels Jan 2023

Parcels

Streets

- Interstate
- Expressway
- Major Arterial

- Minor Arterial
- Collector Street
- Local Street
- Private Street
- Ramp





6/18/2025, 4:29:16 PM

Sullivan County Parcels Jan 2023

Parcels

City Zoning

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TA/C

R-5

GC

B-2E

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R-3A

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Split

TA

TA-C

UAE

Streets

Interstate

Expressway

Major Arterial

Minor Arterial

Collector Street

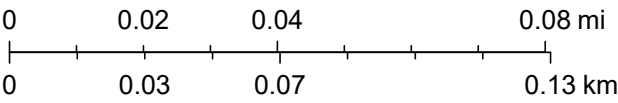
Local Street

Private Street

Ramp

Urban Growth Boundary

1:2,257



NC CGIA, Maxar, Microsoft

TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: June 17, 2025

RE: 100 Breckenridge Trace

The Board is asked to consider the following request:

Case: BZA25-0139 – The owner of the property located at 100 Breckenridge Trace, Control Map 106, Parcel 026.51 request a 17.6 square foot variance to Sec. 114-533(14)c to exceed the permitted wall sign allowance for Premier Transport. The property is zoned MX, Mixed Use District.

Per code, Premier Transport is permitted 75 square feet of signage, calculated as 1% of the 7,500-square-foot ground coverage of their new building. The request is for two wall signs, each measuring 46.3 square feet, for a total of 92.6 square feet.

Code reference:

Sec. 114-533. - On-premises signs.

(14) Mixed-Use District (MX).

a. Single tenant businesses are permitted freestanding signs, provided that:

- 1. The sign surface area does not exceed 32 square feet per side or a total of 64 square feet for all sides;*
- 2. A lot with a multiple-street frontage is allowed a total of two signs;*
- 3. The height shall not exceed five feet above the ground; and*
- 4. Signs shall be indirectly illuminated.*

b. Each mixed-use park within the district shall be permitted master identification signs, provided:

- 1. Only one such sign is located at each major access point;*
- 2. Such sign shall not exceed 50 square feet per side and a maximum of 100 square feet total of all sides;*
- 3. The maximum height of such signs shall be 20 feet; and*
- 4. Signs shall be indirectly illuminated.*

c. The area of wall signs shall not exceed one percent of the business' building ground coverage area. If a business' building ground coverage is less than 4,000 square feet, the business may utilize up to 40 square feet of sign area.



APPLICATION

Board of Zoning Appeals

APPLICANT INFORMATION:

Last Name	Herron	First	Jerrod	M.I.		Date	5-30-25
Street Address	1225 Weisgarber Rd.				Apartment/Unit #	390	
City	Knoxville	State	TN	ZIP	37909		
Phone	865-850-3073						

PROPERTY INFORMATION:

Tax Map Information	Tax map: 106	Group:	Parcel: 026.51	Lot:	
Street Address	Eastern Star Rd.			Apartment/Unit #	
Current Zone	MX	Proposed Zone	Unchanged		
Current Use	Greenfield	Proposed Use	Bus shop/office		

REPRESENTATIVE INFORMATION:

Last Name	Herron	First	Jerrod	M.I.		Date	5-30-25
Street Address	1225 Weisgarber Rd.				Apartment/Unit #	390	
City	Knoxville	State	TN	ZIP	37909		
Phone	865-850-3073						

REQUESTED ACTION:

Signage variance for 2 building signs to the proposed sqft of 95.76 sqft each, non internally illuminated. We are forgoing a freestanding pylon or monument sign to receive these 2 building signs.

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:

Date: 5-30-25

Signed before me on this 30th day of May, 2025

a notary public for the State of Tennessee

County of Knox

Notary Jerri Long

My Commission Expires 5/1/2027



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 land is positioned back off the main access road and not visible from the interstate or eastern star rd. This makes it hard for customers or service vendors to find the location.

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

The small allowable signage by code would prevent the proposed sign design from being very legible or visible to visiting customers.

- 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.

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

The proposed signage will be on 2 sides of the proposed new building. We are not requesting a free standing sign that could potentially be a traffic concern or eyesore. The proposed 2 building signs are also non internally illuminated and wouldn't pose as a distraction for anyone driving or provide any light pollution to neighbors. The signs are tasteful and fit the building and the industrial commercial area they are located within.

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.

Separately, there are existing businesses in very close proximity to our proposed property that appear to greatly exceed the code allowed signage as well as the variance amount of signage we are applying for. Below are 2 examples:

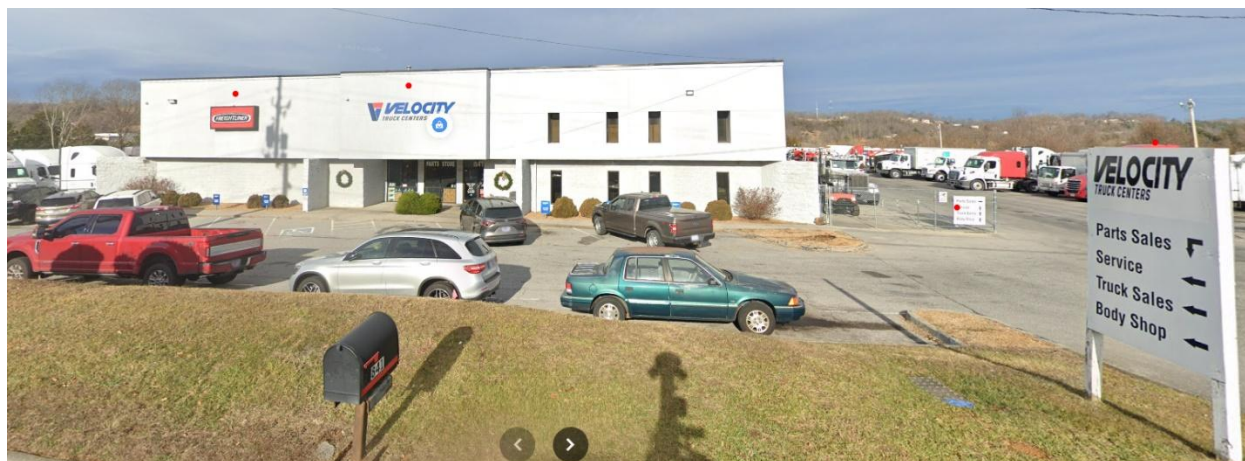
1. Free Service Truck Tire Center

- a. (2) Very large Free Service Truck Tire Center signs on the building that appear to be internally illuminated
- b. (1) large double pylon sign, 2 sided, appears to be internally illuminated
- c. Alignment sign over service bay



2. Velocity Truck Centers

- a. Large Velocity Truck Centers over main door
- b. Large internally illuminated Freightliner box sign on building
- c. Multiple large directional signs on frontage and internally on property



RECORD PROPERTY DESCRIPTION :

SITUATED in the Fourteenth (14) District of Sullivan County, Tennessee, and being more fully described as follows:

BEING all of Lot 11B, Interstate Park South Industrial Park, as shown on maps of record in the Register's Office for Sullivan County at Blountville, Tennessee in Plat Book 38, page 81, Plat Book 58, page 24 and Plat Book 37, page 6, all in Register's Office for Sullivan County at Blountville, Tennessee.

BEING the same property conveyed to Heartland Express, Inc. of Iowa, an Iowa corporation, by Warranty Deed from A & M Express, Inc., a Tennessee corporation, dated March 28, 2019, filed for record in Book 3327, page 1031, in the Register's Office for Sullivan County at Blountville, Tennessee.

EARTH MOVING :

No recent earth work on subject property.

R.O.W. CHANGES :

No visible evidence of right-of-way changes at time of survey.

PROPERTY ADDEESS :

Tax ID : Tax Map 106, Parcel 026.51
Eastern Star Road
Kingsport, TN 37663

ZONING :

The Property is currently zones MX, as per the current Kingsport, Tennessee Zoning Map.
No Zoning Letter was provided to surveyor at time of survey.

SETBACKS:

Front - 30'
Rear - 30'
Sides - 15'

FLOOD NOTE :

The subject property does not lie in a special flood hazard area on the latest Flood Insurance Rate Map, Map Numbers 47163C02350.
Effective date September 29, 2006.

JERRY C. COLEMAN
Deed Book 3463-Page 145
Plat Book 52-Page 511
Tax Map 106, Parcel 026.54

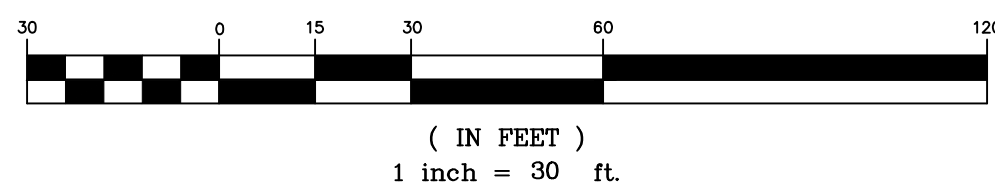
JERRY C. COLEMAN
Deed Book 3128-Page 1356
Plat Book 38-Page 81
Tax Map 106, Parcel 026.52

HEARTLAND EXPRESS, INC.
Deed Book 3327-Page 1031
Plat Book 58-Page 24
Tax Map 106, Parcel 026.51

106,325 Sq.Ft. ±
2.441 Acres ±

BRECKENRIDGE TRACE
50' R.O.W. (PUBLIC)

GRAPHIC SCALE



LEGEND :

- IRON ROD SET (T&L CAP)
- PTP TO - POWER/TELEPHONE POLE
- TP TO - TELEPHONE POLE
- CURB INLET
- CATCH BASIN
- WV - WATER VALVE
- WM - WATER METER
- PH - FIRE HYDRANT
- SAN - SANITARY SEWER MANHOLE
- SN - SIGN
- SAN - SANITARY SEWER
- OHE - OVERHEAD ELECTRIC
- OHT - OVERHEAD TELEPHONE
- OHEAT - OVERHEAD ELECTRIC & TELEPHONE
- UGEAT - UNDERGROUND ELECTRIC & TELEPHONE
- WL - WATER LINE
- PROPERTY LINE (SURVEYED)
- ADJOINING PROPERTY LINES (NOT SURVEYED)
- FENCE
- TITLE COMMITMENT ITEM NUMBER

ENCROACHMENTS :

- 4.8' DRIVEWAY ENCROACHMENT
- 2.6' DRIVEWAY ENCROACHMENT
- 0.7' BASKETBALL GOAL POST ENCROACHMENT
- 4.6' & 5.2' PARKING LOT ENCROACHMENT

CERTIFICATION :

To: American Land Title Association

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and included items 1,2,3,4,5,6(a),8, 11(a),11(b),13,14,15,16,17,18 & 19 of Table A thereof.
The field work was completed on 1/31/2025.

Jeffrey Martin Rader R.L.S. No. 3221

Date of Plot or Map

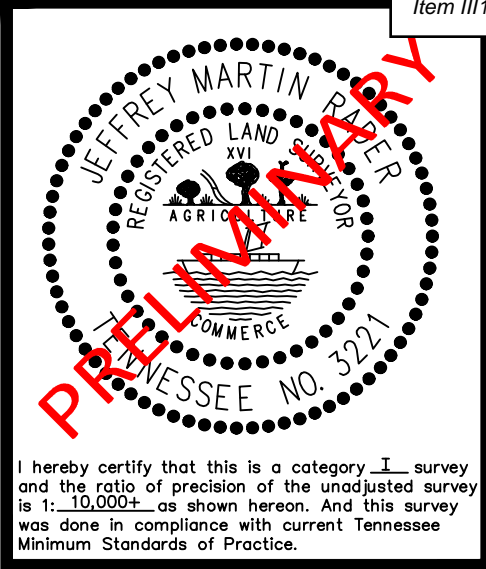
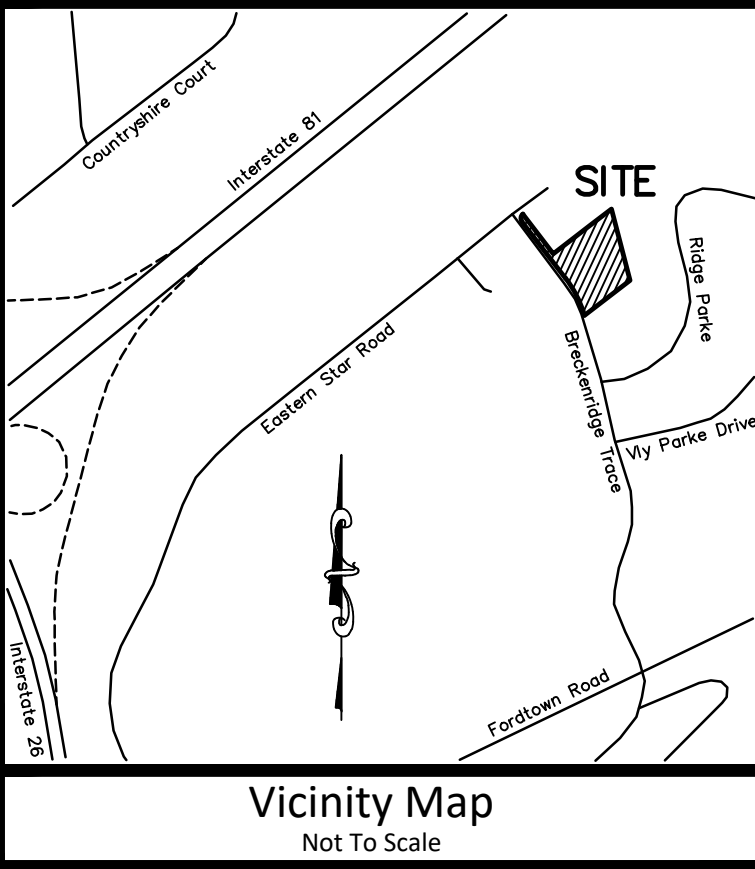
GENERAL NOTES :

- This survey was requested by Premier Transportation, Inc.
- Deed Reference : Deed Book 3327-Page 1031 & Plat Book 58-Page 22.
- Tax ID : Map 106, Parcel 026.51
- Location of all utilities and underground structures shown are approximate and those shown are not necessarily all of the existing utilities and structures. It is the contractors responsibility to determine the exact location and the existence of all utilities and underground structures. 811 One Call was requested on 01/27/2025.
- The contours shown where taken from a combination of the Tennessee Strategic Technology Solutions Geographic Information Systems (STS-GIS) Services and a ground run topographic survey.
- There is no observable evidence of site use as a cemetery, grave site or burial grounds.
- Land surveyor's as licensed professionals by the State of Tennessee, are not experts in the identification of wetlands, cemeteries or burial grounds, items of historical or cultural significance, therefore exception is taken to any such matters which may exist on this survey.
- This plat does not eliminate or change the dimensions or the location of existing easements that are associated with any undiscovered underground utility.
- The surveyed property forms a mathematically closed figure and is contiguous with adjacent parcels with no gaps, gores, or overlaps.
- No part of the surveyed property lies within any public right-of-way.
- The surveyed property is the same property as described in the title commitment.

TITLE COMMITMENT :

American Land Title Association
(Tennessee Valley Title Insurance Company)
Commitment Number: 250005
Commitment Date : January 20, 2025 at 8:00 AM

- Matters depicted or disclosed by maps of record Plat Book 38, page 81, Plat Book 58, page 24 and Plat Book 37, page 6, all in the Sullivan County Register of Deeds Office. AFFECTS SUBJECT PROPERTY AS SHOWN ON SURVEY.
- Memorandum of Covenants and Conditions of Option to Purchase as dated May 31, 1985, filed for record in Book 3483, page 1196, in the Sullivan County Register of Deeds Office. (AFFECTS SUBJECT PROPERTY.) SUBJECT PROPERTY IS A PART OF OPTIONED PROPERTY DESCRIBED IN EXHIBIT "A" AND MIGHT BE SUBJECT TO CONDITION 2 WHICH RESTRICTS THE USE OF THE PROPERTY.
- Right of Way by and between Heartland Express, Inc. of Iowa and Kingsport Power Company as dated August 30, 2021, filed for record in Book 3483, page 1196, in the Sullivan County Register of Deeds Office. AFFECTS SUBJECT PROPERTY AS SHOWN ON SURVEY.
- Right of Way by and between Samuel T. Easley and Allison B. Easley (his wife) and Kingsport Power Company as dated October 25, 1994, filed for record in Book 1041C, page 339, in the Sullivan County Register of Deeds Office. DOES NOT AFFECT SUBJECT PROPERTY.
- Easement Agreement by and between Mark M. Nickels and Paula A. Nickels, his wife, and Kingsport Power Company as dated July 17, 1991, filed for record in Book 790C, page 596, in the Sullivan County Register of Deeds Office. AFFECTS SUBJECT PROPERTY AS SHOWN ON SURVEY.
- Agreed Order dated November 16, 1990, filed for record in Book 763C, page 300, in the Sullivan County Register of Deeds Office. DOES NOT AFFECT SUBJECT PROPERTY.
- Right of Way easement by and between Bristol Tennessee Electric System and Inter-Mountain Telephone Company as dated November 14, 1958, filed for record in Book 189A, page 412, in the Sullivan County Register of Deeds Office. DOES NOT AFFECT SUBJECT PROPERTY.
- Right of Way Agreement as dated July 10, 1984, filed for record in Book 405C, page 562, in the Sullivan County Register of Deeds Office. DOES NOT AFFECT SUBJECT PROPERTY.
- Perpetual Easement for Highway Purposes dated March 4, 1971, filed for record in Book 355A, page 487, in the Sullivan County Register of Deeds Office. DOES NOT AFFECT SUBJECT PROPERTY.
- Right of Way Agreement as dated July 30, 1952, filed for record in Book 136A, page 190, in the Sullivan County Register of Deeds Office. DOES NOT AFFECT SUBJECT PROPERTY.



Project: **PREMIER TRANSPORTATION EASTERN STAR ROAD, KINGSFORT, TN.**
Location: **14th CIVIL DISTRICT SULLIVAN COUNTY, TENNESSEE**
Drawing Title: **ALTA/NSPS LAND TITLE SURVEY**

Purpose of Document Issue	
No.	
Date	
No.	

Drawn	R.Tipton
Checked	J.Rader, J. Turner
Date	1/31/2025
Project No.	018795

Document No.
018795-Survey.dwg



Sheet No.

1 of 1

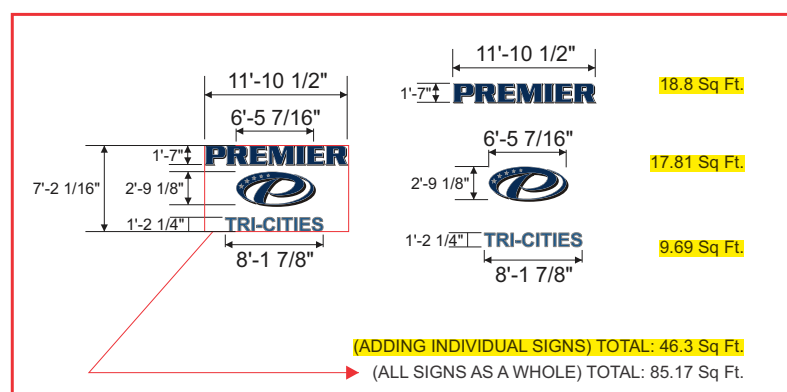
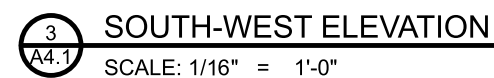
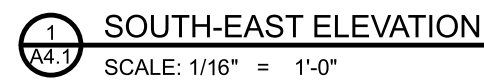
Item III 1.

Project No.: **250827-01**

Designer: JLG

Revisions
06/17/25

Scale: 1/16" = 1'	Page: 1 of 2	14
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6/18/2025, 4:23:10 PM

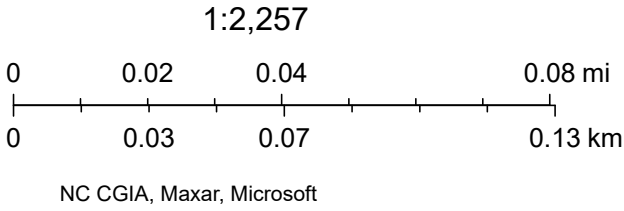
Sullivan County Parcels Jan 2023

Parcels

Streets

Interstate

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





6/18/2025, 4:10:49 PM

Sullivan County Parcels Jan 2023

Parcels

City Zoning

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Streets

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Major Arterial

Minor Arterial

Collector Street

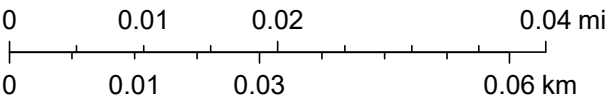
Local Street

Private Street

Ramp

Urban Growth Boundary

1:1,128



NC CGIA, Maxar, Microsoft

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: June 17, 2025

RE: 154 Commerce Street

The Board is asked to consider the following request:

Case: BZA25-0156– The owner of property located at 154 Commerce Street, Control Map 046P, Group B, Parcel 038.00 request a 50 square foot variance to Sec. 114-194(g)2 to exceed the permitted wall sign allowance for Bays Mountain Brewing Company. The property is zoned B-2, Central Business District.

Code reference:

Sec. 114-194. - B-2, Central Business District.

(g) Signs.

(2) Wall Signs. Single-tenant businesses and multitenant centers are permitted wall signs equivalent to one percent of the business's building ground coverage area up to 100 square feet total signage. Businesses having less than 5,000 square feet area may utilize up to 50 square feet of signage.

APPLICATION

Board of Zoning Appeals

**APPLICANT INFORMATION:**

Last Name WILLIAMS First ANTHONY M.I. _____ Date 6/10/25
 Street Address 205 BROAD ST SUITE 2 Apartment/Unit # _____
 City KINGSPORT State TN ZIP 37660
 Phone 423-502-1695

PROPERTY INFORMATION:

Tax Map Information _____ Tax map: _____ Group: _____ Parcel: _____ Lot: _____
 Street Address 154 COMMERCE ST. Apartment/Unit # _____
 Current Zone _____ Proposed Zone _____
 Current Use _____ Proposed Use _____

REPRESENTATIVE INFORMATION:

Last Name CHEEVERS First DANIEL M.I. _____ Date 6/10/25
 Street Address 2 DEERCREEK DR. KINGSPORT, TN 37660 Apartment/Unit # _____
 City KINGSPORT State TN ZIP 37660
 Phone 616-516-0078

REQUESTED ACTION:

ADDITIONAL 50 SQUARE FOOTAGE FOR SIGNAGE

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: Date: 6-10-25Signed before me on this 10 day of 6, 2025,a notary public for the State of TNCounty of SullivanNotary My Commission Expires 9-25-27

Variance Worksheet

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.

Bays Mountain Brewing Company faces significant challenges with its signage due to the building's setback from the street and its location between other commercial structures, which reduces visibility from the main thoroughfare. This makes it difficult for pedestrians and drivers to find the business, especially during evening hours. Additionally, as a non-traditional business that focuses on community engagement through events, collaborations, and outdoor seating, the brewery requires signage that effectively promotes its identity and activities. The current signage regulations limit the size and placement, hindering the brewery's ability to attract attention and communicate its presence clearly. The combination of limited visibility, historical design constraints, and proximity to infrastructure creates a hardship in installing signage that meets both the brewery's functional and aesthetic needs. Granting a variance would allow the business to create signage that addresses these challenges while preserving the character of the surrounding district.

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

Bays Mountain Brewing Company faces reduced visibility due to its location on Commerce Street, where the building's setback and position between other structures limit street exposure. Current signage regulations do not allow for a sufficiently visible sign, making it difficult for pedestrians and drivers to find the brewery, particularly affecting foot traffic and awareness, especially among local patrons and tourists unfamiliar with the area.

As a community-focused business that hosts events, live music, and social gatherings, the brewery relies on signage not only for identification but also for event promotion and community engagement. Without clear signage, the business would be forced to use costly or less effective marketing methods, creating a financial strain. Restricting signage also limits the brewery's ability to establish a strong visual identity and integrate into the community.

Additionally, as a local tourist attraction, Bays Mountain Brewing Company benefits from visitors to nearby sites like Bays Mountain Park. Without effective signage, the brewery risks losing potential business from tourists who may have difficulty finding the location.

In summary, the strict application of current signage regulations would negatively impact the brewery's visibility, accessibility, community involvement, and economic viability, making it difficult for the business to thrive in a competitive market.

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.

The architectural features of the building, which predate the brewery's establishment, restrict the types of signage that can be installed without disrupting its historic aesthetic. These design limitations have existed long before the brewery opened and were not influenced by the actions of the current owner. Additionally, the building's limited visibility is a result of its pre-existing location within the urban landscape, and the applicant did not create this challenge.

The zoning district and signage regulations in the area were already established before the brewery began operating. Therefore, the brewery inherited these constraints from the property's previous use and the existing zoning designations, and the difficulties with signage compliance are not a result of actions taken by the applicant after the adoption or amendment of the zoning laws.

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

Bays Mountain Brewing Company faces challenges with visibility due to the lack of adequate signage, particularly in the evenings, which makes it harder for pedestrians and drivers to locate the business. A signage variance would enhance visibility, improving safety by helping patrons find the brewery and guiding emergency responders in case of an emergency. The proposed signage would complement the historic district's aesthetic, fitting with the building's architecture and the character of the surrounding area, without overwhelming the neighborhood. The variance would also benefit the local economy by attracting more foot traffic and tourists, supporting nearby businesses, and strengthening the brewery's role as a community hub. Additionally, it would allow Bays Mountain Brewing Company to effectively promote events, contribute to local collaboration, and align with the city's goals for community engagement and business growth.

The Old Kingsport Grocery Building in the same district had its signage altered, demonstrating that flexibility in signage regulations has been granted for properties with similar conditions in the historic district. Given that this building was allowed to change its signage to better meet business needs while still respecting the neighborhood's aesthetic, Bays Mountain Brewing Company should similarly be permitted to update its signage. This precedent shows that the city has previously recognized the importance of functional, visible signage for businesses in this area, and the brewery should be afforded the same consideration to ensure its visibility and business success without disrupting the district's character.

By granting this variance, Bays Mountain Brewing Company would simply be following the same approach that was previously established for another local business, further supporting the case for a consistent and fair application of signage rules in the district.

Dimensions:

2ft tall x 50ft long = 100sq ft total (see attached photo)

Signage will be painted on the building and not a 3 dimensional sign.





6/18/2025, 4:05:25 PM

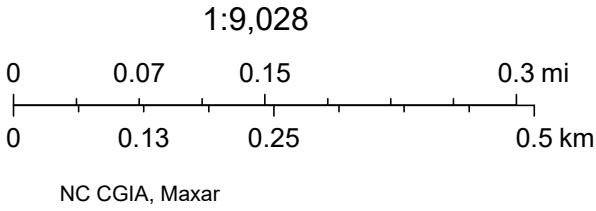
Sullivan County Parcels Jan 2023

- Parcels
- Railroad_ROW

Streets

- Interstate

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



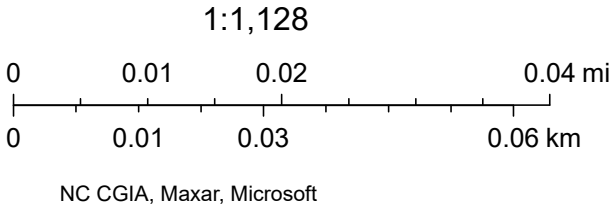


6/18/2025, 3:58:47 PM

- Sullivan County Parcels Jan 2023
- Parcels
- City Zoning
- <Null>
- TA/C
- R-5
- GC
- B-2E
- A-1
- A-2

- | | | | |
|------|-------|-------|-------|
| AR | M-1 | PMD-2 | R-3B |
| B-1 | M-1R | PUD | R-4 |
| B-2 | M-2 | PVD | Split |
| B-3 | MX | R-1 | TA |
| B-3 | P-1 | R-1A | TA-C |
| B-4 | P-D | R-1B | UAE |
| B-4P | PBD-3 | R-1C | |
| B-4P | PBD/* | R-2 | |
| BC | PD | R-3 | |
| GC | PMD-1 | R-3A | |

- Streets
- Minor Arterial
- Collector Street
- Local Street
- Private Street
- Ramp
- Urban Growth Boundary
- Kpt 911 Address



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: June 17, 2025

RE: 2217 Silverdale Road

The Board is asked to consider the following request:

Case: BZA25-0157 – The owner of the property located at 2217 Silverdale Road, Control Map 045P, Group A, Parcel 025.00 requests a 3.9-foot rear yard variance from Section 114-201(e)(1)e to allow for the construction of a home addition. The property is zoned GC, Golf Course District.

Code reference:

Sec. 114-201. - Golf Course Community District (GC).

(e) Design standards.

(1) Minimum requirements.

- a. Minimum lot area, 10,000 square feet.*
- b. Lot frontage, 60 feet; and all nonresidential uses must have access directly from an arterial or collector street as designated by the major street and road plan.*
- c. Front yard. Minimum front yard setback shall be 40 feet.*
- d. Side yard. Minimum side yard setback shall be ten feet for one or two stories; 15 feet for three stories; plus 50 percent of the side yard setback listed above for a side yard abutting a public street.*
- e. Rear yard, minimum rear yard setback shall be 30 feet.*



APPLICATION

Board of Zoning Appeals

APPLICANT INFORMATION:

Last Name McCann	First Kathleen	M.I. L	Date 6/13/2025
Street Address 2217 Silverdale Rd., Ridgefields Subdivision		Apartment/Unit #	
City Kingsport	State TN	ZIP 37660	
Phone 865-209-3843			

PROPERTY INFORMATION:

Tax Map Information	Tax map: 045P	Group: A	Parcel: 025100	Lot: 4
Street Address 2217 Silverdale Rd., Kingsport, TN 37660				Apartment/Unit #
Current Zone		Proposed Zone		
Current Use Private Residence - single family home		Proposed Use Private Residence - single family home		

REPRESENTATIVE INFORMATION:

Last Name McCann	First Kathleen	M.I. L	Date 6/13/2025
Street Address 2217 Silverdale Rd., Ridgefields Subdivision		Apartment/Unit #	
City Kingsport	State TN	ZIP 37660	
Phone 865-209-3843			

REQUESTED ACTION:

Requesting a variance on the backyard setback to allow us to build an addition onto the south end of our primary residence 25 feet from the property line. This will allow the addition to align with the west outside wall of the existing house (originally built in 1959). We have neighboring houses to the west and the north. Our home is situated on a corner, so we have streets to the east and south of us and more neighbors across the streets. There is ample space between us and all our neighbors for fire protection. Our home has an unusually small backyard (25-27 feet from the property line) compared with other homes in the subdivision. I do not believe you will be bothered by other neighbors wanting to do this also. It will not alter the essential character of the neighborhood. We are asking only for a 5 foot variance, just enough to allow us to extend our home 9.5 feet on the south end. Relocating the structure 5 feet to the east would make the home look odd and make access to the center room of the three rooms being added unacceptably awkward. We appreciate anything you can do to help us in this matter. Thank you.

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: Kathleen L McCann Date: 6/13/25

Signed before me on this 13th day of June, 2025
 a notary public for the State of Tennessee
 County of Sullivan

Notary Lori L. Pyatte
 My Commission Expires 11-21-2026



I hereby certify that this is a Category I survey and the ratio of precision of the unadjusted survey is 1' in 10,000' as shown hereon.



PB. 6,
PG. 134

Lot #3,
Block 5,
Ridgefields S/D
PB. 6, PG. 134

N62°22'00"E
126.40'

IPO

46.26'

Driveway

A=113.53'
R=525.88'

Chord- S33.27°32'E
113.31'

Drive-way

Silverdale Road
40.0' R/W

Lot #6,
Block 5,
Ridgefields S/D
PB. 6, PG. 134

PP.

52.82'

1-Story-
Brick-
House

Lot #4
0.477 ACRES

PT.

S39°35'00"E
50.00'

N39°13'00"W
198.53'

24.04'

Wood Fence

Proposed
Addition
6-18-25

Chord-
S46.02°10"W
80.07'

A=80.11'
R=735.24'

Havendale Road
40.0' R/W

Lot #5,
Block 5,
Ridgefields S/D
PB. 6, PG. 134

IPO

PP.

Overhead
Utility

S44°14'00"W
33.20'

IPN- Iron Pin New
IPO- Iron Pin Old
PP.- Power Pole
PT.- Point Calculated

Jonathan Wayne Willis
(Land Surveyor #2385)
170 Lakeview Lane
Gray, TN. 37615
423-202-8667

Buyer's- Andrew &
Kathleen McCann
Seller- Billie Jo Spencer

Property Address-2217 Silverdale Road, Kingsport, TN. 37660

Lot #4, Block 5, Ridgefields S/D

SCALE: 1" = 40'

APPROVED BY:

DRAWN BY J.W.

DATE: 1/4/2023

Willis Land Surveying

REVISED

Located in the 12th Civil District of
Sullivan County, TN.

Tax Map 045P, Group A, Parcel 025.00
DB. 1471C, PG. 636, PB. 6, PG. 134

DRAWING NUMBER
1-4-Mccann-23







MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

June 5, 2025 Regular Meeting

Noon

Montgomery-Watterson Boardroom, City Hall

Members Present:

Bill Sumner
Tracey Cleek
Wes Combs
Joe White
Josh Taylor
Hoyt Denton
Calvin Clifton

Members Absent:

Staff Present:

Lori Pyatte
Ken Weems
Jessica McMurray

Visitors:

Ken Bates	Candice Hilton
Richard Banks	Will Hutchinson
Lilly Tupper	Bob Tupper

Chairman Bill Sumner called the meeting to order at 12:02pm.

Chairman 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: BZA25-0101 – The owner of the property located at 1383 Dewey Avenue, Control Map 062I, Group J, Parcel 025.00 requests a special exception to Section 114-183(c) to operate an educational group Monday through Friday. The property is zoned R-1B, Residential District.

Property owner William Hutchinson and representative Candice Hilton presented the case. Mr. Hutchinson explained that they are requesting a Special Exception to operate Hilton Horizons Academy on-site, Monday through Friday. He stated that the facility is currently a church building, and they are making this request to remain in compliance with local regulations and to obtain the appropriate approvals to use the space for more than just church services.

The Board asked whether church services are still being held at the location. Mr. Hutchinson confirmed that services currently take place on Sundays at 2:00 p.m., with an additional 10:00 a.m. service starting in the fall, as well as a Wednesday service.

The Board then requested more details about the educational component of the request. Ms. Hilton explained that Hilton Horizons Academy serves homeschool students and is operated by certified teachers. The academy offers tutoring and enrichment opportunities, including math assessments, art, foreign language, and STEM activities. She clarified that all students are enrolled through either a

homeschool program, the Tennessee Online Public School (TOPS), or a hybrid program through Sullivan County Schools.

In response to a question about the age range of students, Ms. Hilton stated the academy serves students in grades K–12. When asked about parking and student volume, Mr. Hutchinson noted that the site has approximately 65 parking spaces. Ms. Hilton added that they expect a maximum of 50 students per day, with staggered drop-off times to manage traffic flow.

Finally, the Board asked whether the Fire Marshal had approved the facility and if any building upgrades were required. Ms. Hilton confirmed that the Fire Marshal has approved the site, and Mr. Hutchinson stated that no upgrades to the building are currently planned.

Staff confirmed that no public comments or calls had been received regarding this item or any other items on the agenda.

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

Case: BZA25-0113 – The owners of properties located at 117 Virgil Avenue (Lot 12R), 121 Virgil Avenue (Lot 11R), 1211 Fairway Avenue (Lot 10R), 208 Glen Avenue (Lot 9R), 204 Glen Avenue (Lot 8R) and 200 Glen Avenue (Lot 7R) request approval for multiple variances. The purpose of the request is to replat six existing houses in order to obtain individual deeds for each property, placing each house on its own lot. The properties are zoned R-1B, Residential District. The specific variances requested are as follows: **117 Virgil Avenue (Lot 12R):** 2,200 sq ft lot size variance to Sec. 114-183(e)(1)a, 6.4-foot front yard variance to Sec. 114-183(e)(1)c, 1.2-foot rear yard variance to Sec. 114-183(e)(1)e. **121 Virgil Avenue (Lot 11R):** 2,720.18 sq ft lot size variance to Sec. 114-183(e)(1)a, 0.2-foot side yard variance to Sec. 114-183(e)(1)d, 7.9-foot front yard variance to Sec. 114-183(e)(1)c. **1211 Fairway Avenue (Lot 10R):** 2,523.8 sq ft lot size variance Sec. 114-183(e)(1)a, 5-foot front yard variance to Sec. 114-183(e)(1)c, 1.1-foot side yard variance to Sec. 114-183(e)(1)d, 1-foot accessory structure setback variance to Sec. 114-133(2). **208 Glen Avenue (Lot 9R):** 2,077.85 sq ft lot size variance Sec. 114-183(e)(1)a, 1-foot side yard variance (street side requires 12 ft) to Sec. 114-138(4)c, 2.1-foot front yard variance to Sec. 114-183(e)(1)c, 7.6-foot rear yard variance to Sec. 114-183(e)(1)e. **204 Glen Avenue (Lot 8R):** 2,593.77 sq ft lot size variance Sec. 114-183(e)(1)a, 10.1-foot front yard variance to Sec. 114-183(e)(1)c. **200 Glen Avenue (Lot 7R):** 1,069.68 sq ft lot size variance Sec. 114-183(e)(1)a, 16.7-foot front yard variance to Sec. 114-183(e)(1)c, 0.8-foot side yard variance to Sec. 114-183(e)(1)d.

Mr. Richard Banks, representing the property owner, presented the case to the Board. He explained that the owner is seeking to re-subdivide three existing lots to allow each of the six houses on the property to be placed on its own individual lot. This would allow for separate deeds, property tax accounts, insurance policies, and the potential sale of the homes as individual units.

The Board asked whether the houses are currently rental properties and if they are occupied. Mr. Banks confirmed that all six homes are rentals and are currently occupied.

The Board then asked if approval of the requested variances would allow the subdivision to proceed. Staff confirmed that it would. Staff clarified that without the variances, the subdivision would not comply with zoning regulations and therefore would not be feasible.

Staff explained that the primary challenge in subdividing the property lies with the home located on Fairway Avenue, which currently has a property line running through the center of the house. Creating a

legal lot for that home triggers setback and lot size variances for the adjacent properties located on Glen and Virgil Avenues.

The Board inquired whether granting the variances would impact utilities or rights-of-way. Staff responded that it would not. All appropriate departments have reviewed the proposal and confirmed that each structure is served by water and sewer, and that no changes to rights-of-way are necessary. Staff noted that from their perspective, this is essentially a zoning cleanup effort.

The Board asked what would happen if the variances were not approved. Staff confirmed that the property would remain as is—one large parcel containing multiple structures. They added that purchasing a parcel with multiple structures is typically complicated, as standard financing options are not designed for such arrangements.

Staff also explained that the hardship in this case stems from the fact that the structures were built in the 1920s and 1930s, long before modern zoning codes were established. At the time, land use regulations did not exist, so this request is an attempt to align historic development patterns with current zoning requirements.

The Board asked whether all six homes have access to a public street. Mr. Banks confirmed that each home has road frontage.

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

Case: BZA25-0127 – The owner of property located at 2003 N. Eastman Road Suite 210, Control Map 047P, Group A, Parcel 003.00 request a 45.62 square foot variance to Sec. 114-533(9)c to exceed the permitted wall sign allowance for the Eggs Up Grill restaurant. The property is zoned B-4P, Planned Business District.

Mr. Ken Bates presented the case to the Board. He explained that he is requesting a sign variance of approximately 45 square feet to allow for additional signage at the Eggs Up Grill located in East Stone Commons. Mr. Bates noted that this is his third Eggs Up Grill location in the Tri-Cities area.

He stated that the restaurant has limited visibility from Stone Drive and no visibility from Eastman Road, which creates a challenge in attracting customers. The proposed additional signage would be placed on the east side elevation of the building and would match the existing signage on the front façade.

Mr. Bates referenced the McAlister's Deli location in the same development, which has similar side elevation signage. Staff confirmed that the Board previously granted a variance for additional signage at McAlister's, as well as at the adjacent U-Haul location.

In response to a question from the Board, Mr. Bates confirmed that the signage will consist of non-illuminated channel letters.

The Board acknowledged that the hardship in this case is due to the site's location within the shopping center and its limited visibility from major roadways.

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

Case: BZA25-0132– The owner of property located at 2112 Eastwood Avenue, Control Map 061L, Group J, Parcel 019.00 requests special exception to Sec 114-183(c) for the purpose of operating an in-home childcare center. The property is zoned R-1B, Residential District.

Ms. Lilly Tupper, representing the property owner, presented the case to the Board. She explained that she is requesting a Special Exception to operate an in-home childcare center within a residential neighborhood. Ms. Tupper stated she plans to care for up to eight children and emphasized that the center would not create excessive noise. She also noted that a fence would be installed for safety.

Ms. Tupper reported that the property has on-site parking for seven vehicles, with space for an additional three cars along the street. She does not anticipate all children arriving at the same time and noted that some will be siblings arriving together in one vehicle.

The Board asked whether any neighbors had submitted comments or concerns. Staff confirmed that notification letters were sent to adjacent properties and those across the street, and a public notice sign was posted on May 30th. No calls or comments had been received. Ms. Tupper added that she had personally spoken with several neighbors, who were supportive and understood the nature of the request.

The Board stated that one of their primary concerns with in-home childcare centers is the potential for traffic-related complaints and safety issues due to increased vehicle activity. They inquired about staffing, and Ms. Tupper responded that the center would be operated by herself and one additional employee.

When asked about licensing, Ms. Tupper explained that she is currently working through the state licensing process but wants to ensure proper zoning approval before proceeding.

The Board asked if she was fixed on the number of eight children. Ms. Tupper responded that she is flexible and willing to work with the Board on that number if needed.

Board members acknowledged the local need for childcare services but expressed the importance of balancing that with neighborhood considerations. They asked staff to clarify the Special Exception process, and staff confirmed that, if approved, the use is allowed until it ceases or changes.

The Board also inquired about signage. Staff confirmed that, under current regulations, the business would be permitted to have one wall-mounted sign not exceeding two square 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 June 16, 2024 at noon, and meeting date Thursday, July 3, 2025 at noon.

The board reviewed the May 1, 2025 regular meeting minutes.

MOTION: made by Mr. Joe White, seconded by Mr. Wes Combs, to approve the Kingsport Board of Zoning Appeals minutes for May 1, 2025.

VOTE: 7-0 to approve the minutes.

Adjudication of Cases:

Case: BZA25-0101 – The owner of the property located at 1383 Dewey Avenue, Control Map 062I, Group J, Parcel 025.00 requests a special exception to Section 114-183(c) to operate an educational group Monday through Friday. The property is zoned R-1B, Residential District.

The board acknowledged that the intent was clearly articulated, the planning was well-executed, and the facilities met the necessary standards.

MOTION: Made by Mr. Wes Combs and seconded by Mr. Joe White to approve the request as presented.

VOTE: 7-0 to approve the request.

Case: BZA25-0113 – The owners of properties located at 117 Virgil Avenue (Lot 12R), 121 Virgil Avenue (Lot 11R), 1211 Fairway Avenue (Lot 10R), 208 Glen Avenue (Lot 9R), 204 Glen Avenue (Lot 8R) and 200 Glen Avenue (Lot 7R) request approval for multiple variances. The purpose of the request is to replat six existing houses in order to obtain individual deeds for each property, placing each house on its own lot. The properties are zoned R-1B, Residential District. The specific variances requested are as follows: **117 Virgil Avenue (Lot 12R):** 2,200 sq ft lot size variance to Sec. 114-183(e)(1)a, 6.4-foot front yard variance to Sec. 114-183(e)(1)c, 1.2-foot rear yard variance to Sec. 114-183(e)(1)e. **121 Virgil Avenue (Lot 11R):** 2,720.18 sq ft lot size variance to Sec. 114-183(e)(1)a, 0.2-foot side yard variance to Sec. 114-183(e)(1)d, 7.9-foot front yard variance to Sec. 114-183(e)(1)c. **1211 Fairway Avenue (Lot 10R):** 2,523.8 sq ft lot size variance Sec. 114-183(e)(1)a, 5-foot front yard variance to Sec. 114-183(e)(1)c, 1.1-foot side yard variance to Sec. 114-183(e)(1)d, 1-foot accessory structure setback variance to Sec. 114-133(2). **208 Glen Avenue (Lot 9R):** 2,077.85 sq ft lot size variance Sec. 114-183(e)(1)a, 1-foot side yard variance (street side requires 12 ft) to Sec. 114-138(4)c, 2.1-foot front yard variance to Sec. 114-183(e)(1)c, 7.6-foot rear yard variance to Sec. 114-183(e)(1)e. **204 Glen Avenue (Lot 8R):** 2,593.77 sq ft lot size variance Sec. 114-183(e)(1)a, 10.1-foot front yard variance to Sec. 114-183(e)(1)c. **200 Glen Avenue (Lot 7R):** 1,069.68 sq ft lot size variance Sec. 114-183(e)(1)a, 16.7-foot front yard variance to Sec. 114-183(e)(1)c, 0.8-foot side yard variance to Sec. 114-183(e)(1)d.

The board commented that everything was in place except for the lot lines. The site has access and utilities; however, it lacks clearly defined lot lines. While the variances are significant, there is little that can be done to reduce them. The board noted that the hardship in this case stems from the fact that the structures were built before modern zoning codes were established.

MOTION: Made by Vice Chairman Calvin Clifton and seconded by Mr. Wes Combs to approve the request as presented.

VOTE: 7-0 to approve the request.

Case: BZA25-0127 – The owner of property located at 2003 N. Eastman Road Suite 210, Control Map 047P, Group A, Parcel 003.00 request a 45.62 square foot variance to Sec. 114-533(9)c to exceed the

permitted wall sign allowance for the Eggs Up Grill restaurant. The property is zoned B-4P, Planned Business District.

The board noted that the hardship stems from the distance from the street and the site's topography, and that additional signage would help improve visibility and identify the business.

MOTION: Made by Mr. Wes Combs and seconded by Ms. Tracy Cleek to approve the request as presented.

VOTE: 7-0 to approve the request.

Case: BZA25-0132– The owner of property located at 2112 Eastwood Avenue, Control Map 061L, Group J, Parcel 019.00 requests special exception to Sec 114-183(c) for the purpose of operating an in-home childcare center. The property is zoned R-1B, Residential District.

The board confirmed that notification letters were sent to all adjoining property owners, including those directly across the street. They noted that a concern with the site is its location on a through street. The board agreed that allowing eight children could generate excessive traffic. However, they also noted that the street is relatively wide and the property features a double driveway, which should provide adequate parking for the center. Ultimately, the board determined that limiting the number of children to six would be appropriate. They welcomed the property owner to return at a later date to request an increase, provided no complaints are received from neighboring residents.

MOTION: Made by Mr. Wes Combs and seconded by Vice Chairman Calvin Clifton to approve the request with a maximum of six children to minimize traffic and neighborhood disturbances, with the option to return for an increase if no complaints arise.

VOTE: 7-0 to approve the request.

Public Comment:

With no further business the meeting was adjourned at 12:50pm.

Respectfully Submitted,

Jessica McMurray

Jessica McMurray
Development Coordinator