



BOARD OF ZONING APPEALS MEETING AGENDA

Thursday, May 01, 2025 at 12:00 PM

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

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: BZA25-0100– The owner of property located at 1005 Yadkin Street, Control Map 046N, Group L, Parcel 023.00 requests approval for a variance to allow a 12-foot 4-inch front porch projection, exceeding the maximum permitted 8-foot projection as outlined in Sec. 114-140(1). The variance is sought to accommodate the extension of an existing front porch. The property is zoned R-1B, Residential District.

INTERESTED PARTIES:

Owner:

Ted Hollars

32 Southwiche Dr.

Arden, NC 28704

(828)265-6447

Representative: Mike Stone

IV. BUSINESS

1. Board of Zoning Appeals By-Laws Revisions.

2. Approval of the April 3, 2025 regular meeting minutes.

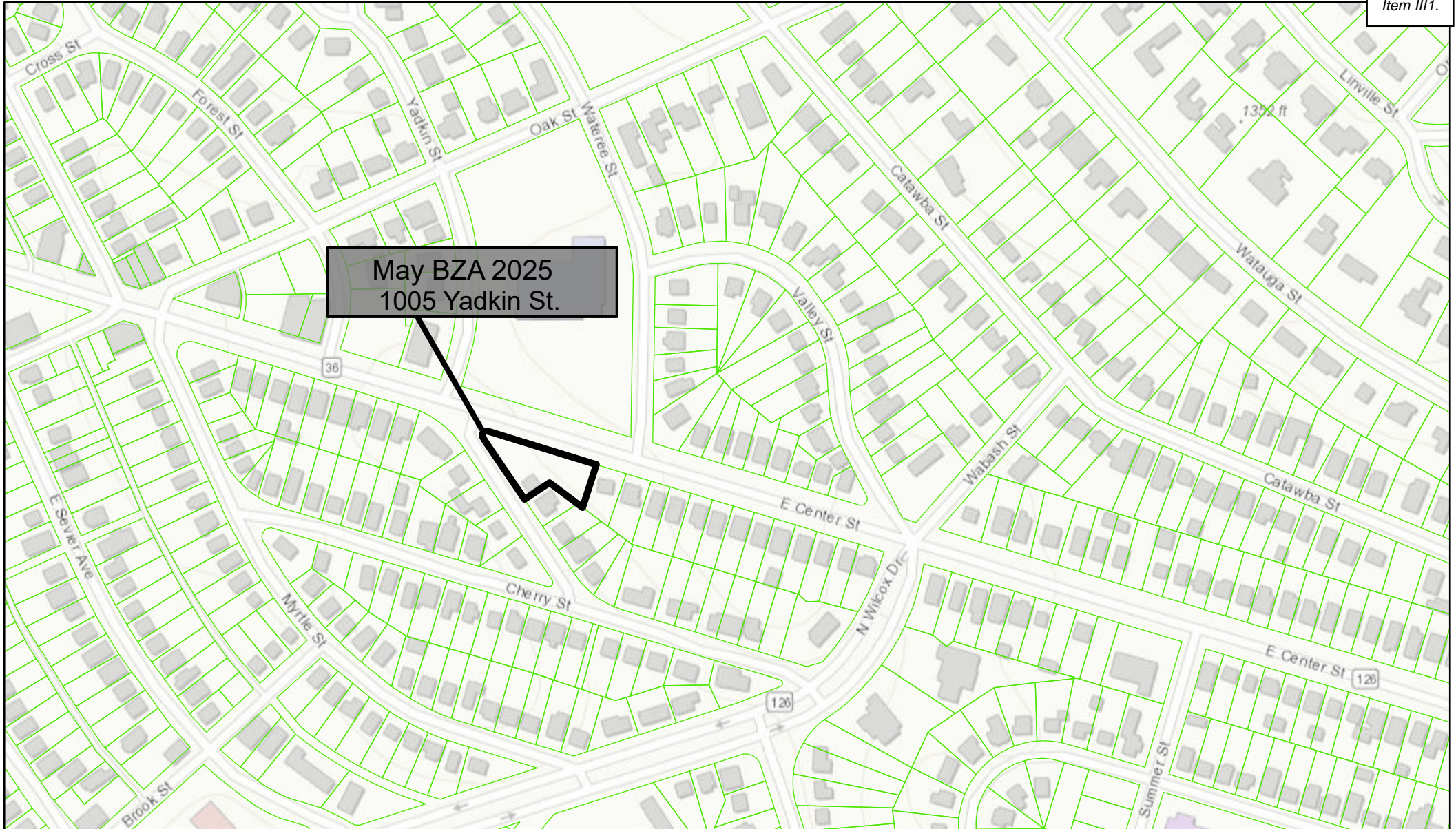
Stating for public record, the next application deadline is May 15, 2025 at noon, and meeting date (Thursday, June 5, 2025).

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

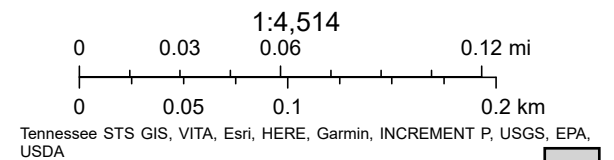


4/22/2025, 1:18:23 PM

Sullivan County Parcels Jan 2023

 Parcels

 Urban Growth Boundary



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, May 1, 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: BZA25-0100– The owner of property located at 1005 Yadkin Street, Control Map 046N, Group L, Parcel 023.00 requests approval for a variance to allow a 12-foot 4-inch front porch projection, exceeding the maximum permitted 8-foot projection as outlined in Sec. 114-140(1). The variance is sought to accommodate the extension of an existing front porch. The property is zoned R-1B, Residential District.

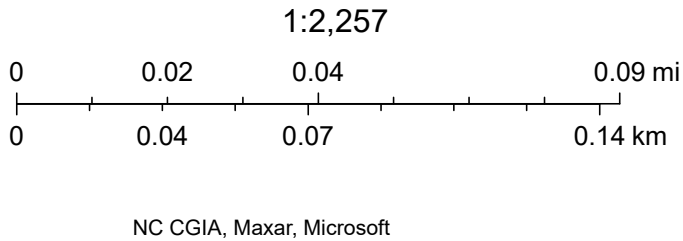
All interested persons are invited to attend this Public Hearing. Additional information concerning this case may be obtained by contacting City of Kingsport Planning Division staff, telephone (423) 229-9485.

All City of Kingsport public meetings are conducted in accessible locations. If you require accommodations to participate in this meeting, 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: 4/24/2025

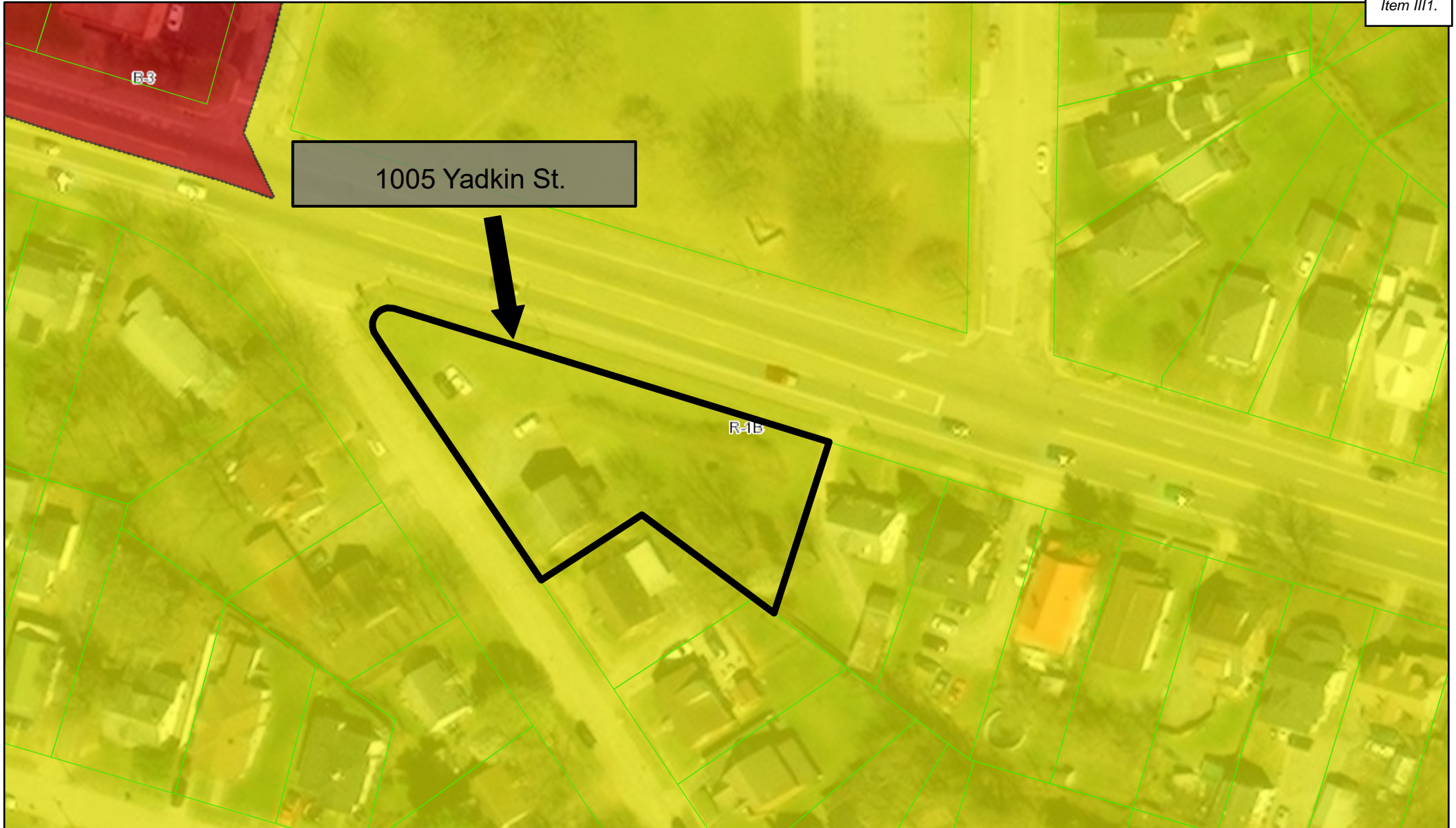


4/22/2025, 1:24:30 PM
Sullivan County Parcels Jan 2023
Parcels
Urban Growth Boundary



ArcGIS Web Map

Item III.1.



4/22/2025, 1:14:31 PM

Sullivan County Parcels Jan 2023

Parcels

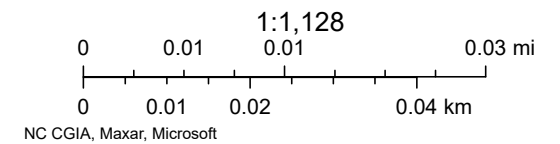
City Zoning

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TA/C

R-5

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



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: April 22, 2025

RE: 1005 Yadkin Street

The Board is asked to consider the following request:

Case: BZA25-0100– The owner of property located at 1005 Yadkin Street, Control Map 046N, Group L, Parcel 023.00 requests approval for a variance to allow a 12-foot 4-inch front porch projection, exceeding the maximum permitted 8-foot projection as outlined in Sec. 114-140(1). The variance is sought to accommodate the extension of an existing front porch. The property is zoned R-1B, Residential District.

Code reference:

Sec. 114-140. – Projections

Under this chapter, the following shall apply to projections:

- (1) *Porches, etc.* Porches, stairways, terraces or other similar features that are uncovered or unenclosed may project into a required front, side or rear yard not more than eight feet, provided that such porches, stairways, terraces or other similar features conform to subsection (4) of this section.
- (2) *Fire escapes, stairs.* Fire escapes may extend not more than three feet into any required court or side yard, and fire escapes or outside stairways may extend not more than five feet into any required rear yard.
- (3) *Chimneys, etc.* Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters and the like may extend not more than 24 inches into any required yard.
- (4) *Limitations.* Notwithstanding any other subsection of this section, no projection shall extend into any required side yard more than one-third the width of such yard or into any required court more than one-fourth the width of such court or within ten feet of the front or rear lot line or within three feet of any accessory building. The limitations of this subsection shall not apply to terraces and steps rendered necessary in side yards due to topographic situations or to loading docks or tailboards required in a side yard in connection with an industrial use in an industrial district because of topographic constraints.

APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

| | | | | | | | |
|----------------|-------------------|-------|-----|------------------------------------|---|------|---------|
| Last Name | HOLLARS | First | Ted | M.I. | W | Date | 4/18/25 |
| Street Address | 32 SOUTHWICHE DR. | | | Apartment/Unit # | | | |
| City | ARDEN | State | NC | ZIP 28704 | | | |
| Phone | 828-265-6447 | | | E-mail Address tj.tpille@gmail.com | | | |

PROPERTY INFORMATION:

| | | | | |
|---------------------|-------------------------------------|---------------|-------------------------|------------------|
| Tax Map Information | Tax map: 046N | Group: L | Parcel: 23.00 | Lot: 1 & 28 |
| Street Address | 1005 Yadkin Street | | | Apartment/Unit # |
| Current Zone | R-1B | Proposed Zone | R-1B | |
| Current Use | Single Family Apartments | | Proposed Use Apartments | |

REPRESENTATIVE INFORMATION:

| | | | | | | | |
|----------------|----------------------------|-------|------|--|---|------|---------------|
| Last Name | Stone | First | Mike | M.I. | A | Date | 18 April 2025 |
| Street Address | 2141 Mocassin Street South | | | Apartment/Unit # | | | |
| City | Kingsport | State | TN | ZIP 37660 | | | |
| Phone | 423-418-3333 | | | E-mail Address mike@mikestonearchitect.com | | | |

REQUESTED ACTION:

A variance to allow an 8ft deep covered front porch to be built onto the front of the existing house. The existing porch is 4ft plus 4 ft of stairs. This will encroach an additional 12'-4" beyond the 8ft distance that porches are typically allowed to be in front of the front setback. This will leave 9'-8" from yard. (2" buffer including in this language vs the drawings)

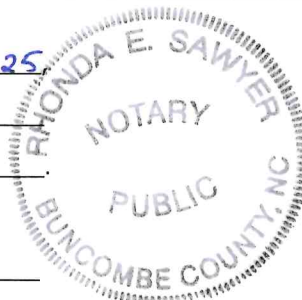
DISCLAIMER AND SIGNATURE

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: Ted W. Hollars Date: 4/21/25

Signed before me on this 21st day of April, 2025,
a notary public for the State of North Carolina
County of Buncombe

Notary Rhonda E. Sawyer
My Commission Expires 11/29/2029



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 existing house and the existing front porch already encroach.

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

A smaller porch for a four-unit apartment is not nearly as useful, and the 8ft porch will serve the occupants better.

- 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 existing house and existing porch that are to be removed already encroach into the front setback.

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

Other houses and porches encroach in this neighborhood encroach into the front setback.

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.



Apartment Renovations for:

1005 Yadkin

1005 Yadkin Street - Kingsport, TN 37660

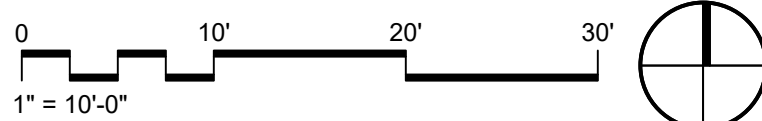
1005 Yarkin

1005 Yaddin Street - Kinasport. TN 37660

ISSUE DATE

M. S. 

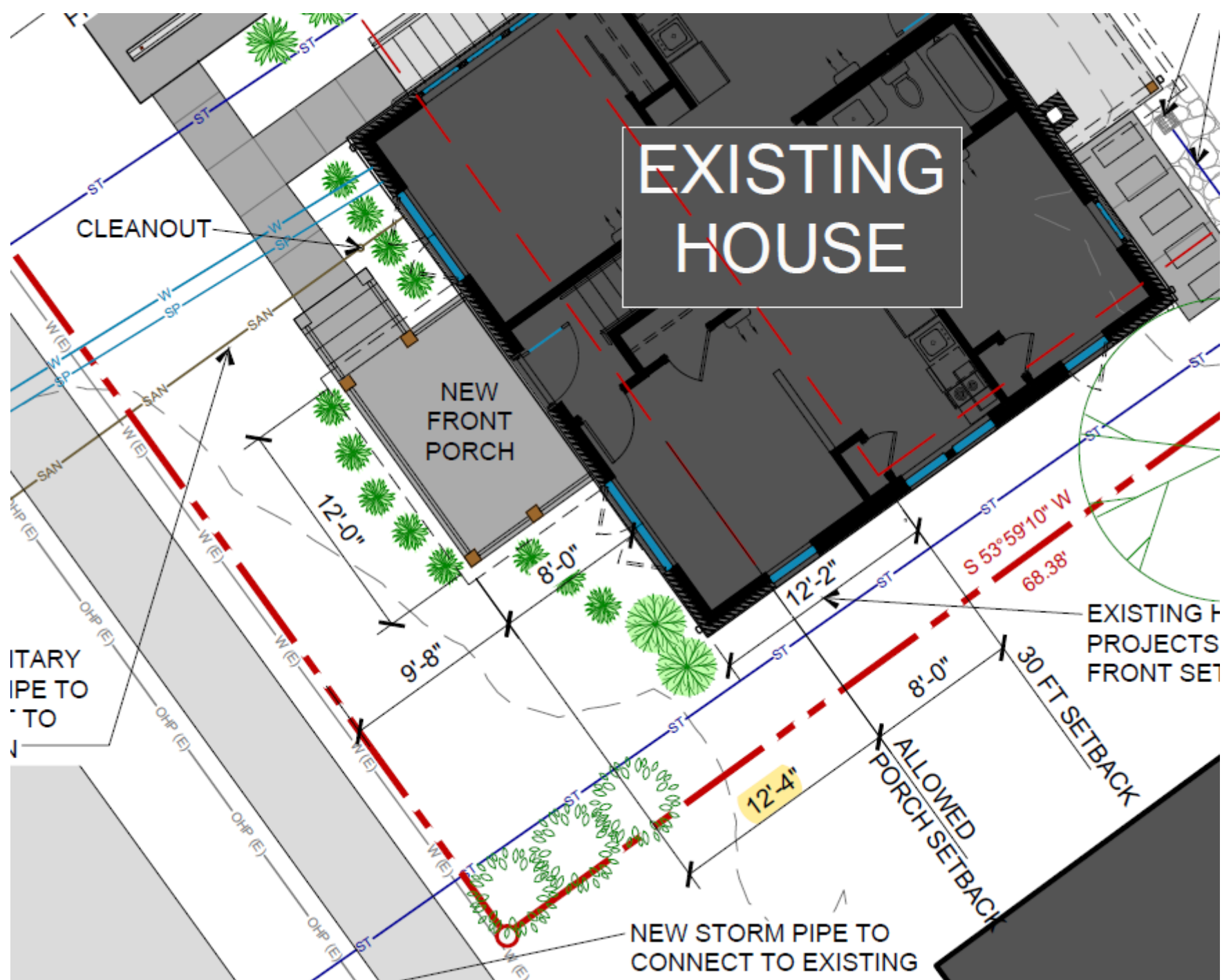
C1.1



PROPERTY LINE (THIS PROJECT)
PROPERTY LINE (OTHER)
SETBACK / EASEMENT
EXISTING STRUCTURE
EXISTING CONTOUR MINOR
EXISTING CONTOUR MAJOR
NEW CONTOUR MINOR
NEW CONTOUR MAJOR
EXISTING PAVEMENT
NEW ASPHALT PAVEMENT
NEW GRASS AREA

SANITARY SEWER
STORM SEWER
WATER LINE
OVERHEAD POWER / COMM
UNDERGROUND ELECTRICAL
SPRINKLER / FIRE WATER LINE
GAS LINE
FENCE
SPOT ELEVATION
POWER POLE
LIGHT POLE
CLEAN OUT
MAN HOLE
WATER VALVE
GAS VALVE
FIRE HYDRANT
WATER METER
CONNECT TO EXISTING UTILIT
DIRECTION OF SURFACE RUN

1. FILL MATERIAL SHALL BE COMPACTED AND SHALL GAIN THE APPROVAL OF A GEOTECHNICAL ENGINEER PRIOR TO PLACING THE FOOTINGS OR SLAB.
2. PROVIDE POSITIVE DRAINAGE TO ALL LOW POINTS TO PREVENT PONDING OF SURFACE RUN-OFF.
3. IT SHALL BE THE CONTRACTORS' RESPONSIBILITY TO LEAVE THE SITE ADEQUATELY PROTECTED AGAINST EROSION, SEDIMENTATION, OR ANY DAMAGE TO ANY ADJACENT PROPERTY AT THE END OF EACH DAY'S WORK.
4. THE CONTRACTOR IS RESPONSIBLE FOR ADEQUATELY CLEANING EQUIPMENT PRIOR TO LEAVING CONSTRUCTION SITE, SO AS NOT TO TRACK MUD, ASPHALT, ETC., ONTO PUBLIC RIGHT-OF-WAY. THE CONTRACTOR IS RESPONSIBLE FOR ANY CLEAN-UP OPERATIONS ON ADJACENT PROPERTY OR PUBLIC RIGHT-OF-WAY DUE TO MUD, ASPHALT, ETC., THAT IS TRACKED FROM THE CONSTRUCTION SITE.
5. ALL STREETS, STORM SEWER PIPES, DROP INLETS, AND CURB INLETS SHALL BE CLEANED OF DEBRIS AND ERODED MATERIAL DURING THE FINAL STAGE OF CONSTRUCTION.



BY-LAWS**KINGSPORT BOARD OF ZONING APPEALS****ARTICLE I****Objective**

The objectives, powers, duties, and membership of the Kingsport Board of Zoning Appeals shall be as set forth in Sections 13-7-205 thru 13-7-208 of the Tennessee Code Annotated, and amendments and supplements thereto.

The Board of Zoning Appeals shall act in accordance with the above mentioned laws and such other laws as are applicable.

ARTICLE II**Officers**

Section 1. The officers of the Board of Zoning Appeals shall be Chairman, Vice Chairman, and Secretary. The Chairman and Vice-Chairman shall be appointive members of the Board. The Zoning Administrator or designee shall serve as a non-voting Secretary of the Board.

Section 2. The Chairman shall preside at all meetings and hearings and shall have the duties common to parliamentary usage of that office. The Chairman may vote on and enter the discussion on all matters before the Board.

Section 3. The Vice Chairman shall act for the Chairman in his absence.

Section 4. The Secretary shall validate the minutes and records of the Board and perform other duties common to this office. Should the Secretary be unavailable, the Chairman shall perform all duties of the Secretary.

Section 5. Officers shall be elected by majority vote at the annual organization meeting in January of each year with nominations made from the floor.

Section 6. The Chairman and Vice Chairman shall be elected for one year terms and may succeed themselves. Vacancies in office shall be filled immediately for the unexpired term by regular election procedure.

ARTICLE III

Meetings

Section 1. Regular meetings shall be held on the first Thursday of each month.

Section 2. **Four** members of the Board of Zoning Appeals shall constitute a quorum. A quorum must be present for any business to be transacted.

Section 3. All meetings and hearings shall be open to the public.

Section 4. Robert's Rules of Order shall govern meetings. **However, the Board shall establish procedures of the Board of Zoning Appeals which shall delineate how the business of the Board shall be conducted, other than Robert's Rules of Order.**

Section 5. Special meetings may be called by the Chairman. In addition, the Chairman will call a special meeting when requested to do so in writing by a majority (4) of the Zoning Appeals Board members. The staff shall attempt to notify all members at least five (5) days in advance of the proposed meeting. The notice shall specify the purpose(s) of the meeting and no other business will be considered except by unanimous consent of the members in attendance.

ARTICLE IV

Amendments

These BY-LAWS may be amended by the affirmative vote of 4 members or majority vote of the entire Board of Zoning Appeals membership.

POLICIES AND PROCEDURES OF THE BOARD OF ZONING APPEALS

I. Membership

The Board of Zoning Appeals shall consist of **seven (7)** members, who may be members of the Kingsport Regional Planning Commission.

II. Method of Appointment

Members shall be appointed by the Chief Executive Officer of the City (the Mayor) and confirmed by a majority vote of the Board of Mayor and Aldermen. Vacancies are to be filled by the same process.

III. Eligibility

Persons who are residents of the City of Kingsport and are appointed by the Chief Executive Officer of the City are eligible to serve on the Kingsport Board of Zoning Appeals.

IV. Term of Office

The terms of membership shall be **three (3)** years.

V. Compensation

All members of the Kingsport Board of Zoning Appeals shall serve without compensation.

VI. Order of Business

The order of business at all regular meetings shall be as follows:

- a. Roll Call/Attendance Check
- b. Swearing In/Affirmation of participants
- c. Old Business
- d. New Business - Hearing of cases
- e. Approval of minutes
- f. Staff Reports
- g. Adjudication of Cases
- h. Public Comment**

The Board may adjourn a regular meeting if all applications or appeals cannot be disposed of on the day set, and no further public notice shall be necessary for such a meeting.

VII. Forms

The forms hereafter referred to in these policies and procedures and made part thereof are:

- a. Board of Zoning Appeals Application form stating specific request to be heard by the Board
- b. Notice of Public Hearing
- c. Advertisement of Public Hearing
- d. Resolution in the form of approved minutes

The applicant shall provide the Secretary with all information requested by the form prescribed for consideration of his or her case and any such additional information and data as may be required to advise the Board fully with reference to the application or appeal, whether such information is called for by the official forms or not. No application or appeal will be considered by the Board unless it is made on the form required. All required data and/or plans submitted in proper order shall be in the hands of the Secretary before the meeting is called.

VIII. Procedures for Hearing Cases

Appeals to the Board may be taken by any person affected by any decision of the Building Official. Such appeal shall be filed on a Board of Zoning Appeals Application and transmitted by the Building Official to the Secretary of the Board, along with all papers constituting the record upon which the action appeals was taken.

Applications for a variance or special exception permit shall be filed with the Building Official or at the same time as the application for a building permit, and the Building Official shall transmit both applications to the Secretary of the Board of Zoning Appeals.

- a. An application or appeal properly filed with the required data shall be given a case number and placed upon the calendar of the Board by the Secretary for a hearing within thirty (30) days of the date filed. Applications or appeals shall be numbered and heard in the order in which they are received.

The Secretary of the Board shall notify the parties of interest as to the time and place scheduled to hear the case and give ten (10) days public notice, in a newspaper of general circulation in Kingsport.

- a. At the time of the public hearing, the applicant or designee shall appear before the Board and present the case. The applicant may appear in his/her own behalf or be represented by counsel or agent.
- b. The applicant's statement shall be presented first followed by any statement of opposition after which the applicant may be heard in rebuttal.

Final decision of any application to the Board of Zoning Appeals shall be in the form of a resolution which must be approved by a quorum of the membership of the Board.

- a. Within thirty (30) days after the hearing, the Secretary of the Board shall notify the parties of interest and the Building Official of the Board's decision.

Rehearing of Cases

It is hereby the policy of the Kingsport Board of Zoning Appeals not to reconsider cases previously heard unless there are one or more substantial changes in the conditions surrounding the case. Rehearing of a case will not include the introduction of new testimony that could have been given during the first public hearing. The Board must concur through a majority vote that the underlying reasoning has changed. These changes do not include speculated financial losses, changes in ownership or lapse of time. It must be proven, through written documentation that a substantial change has occurred. The document must be received by the Secretary of the Board no later than ten (10) days prior to the Board meeting in which a request to rehear a case is to be considered. During the rehearing consideration, no additional testimony shall be received, either written or verbal. If a majority of the Board approved the re-opening of a case, the case shall be considered at the next scheduled Board meeting.

IX. Records

A file of all material received and decisions relating to each case shall be kept by the Secretary and all records of the Board of Zoning Appeals shall be public record.

X. Duties and Responsibilities

The Kingsport Board of Zoning Appeals shall have the power of Administrative Review, to hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, determination or refusal made by the Building Official in the carrying out or enforcement of any provisions of the Zoning Ordinance.

The Kingsport Board of Zoning Appeals shall have the power of Conditional Uses or Special Exceptions, to hear and decide applications for special exceptions as specified in the Zoning Ordinance, and for decisions on any special questions upon which the Board of Zoning Appeals is specifically authorized to pass by Zoning Ordinance.

The Kingsport Board of Zoning Appeals shall have the power of Variances, to hear and decide applications for a variance from the terms of this chapter (Chapter 114) where specified enforcement would result in unnecessary hardship provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Ordinance.

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

April 3, Regular Meeting

Noon

Montgomery-Watterson Boardroom, City Hall

Members Present:

Bill Sumner
Calvin Clifton
Wes Combs
Joe White

Members Absent:

Tracey Cleek

Staff Present:

Lori Pyatte
Ken Weems

Visitors:

| | |
|-----------------|-----------------|
| Allison Winters | Randell Drayne |
| Andy Carrier | Melissa Justice |
| Michael Bare | |

Chairman Bill Sumner called the meeting to order at 12:01pm.

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: BZA25-0051– The owner of property located at 2016 Netherland Inn Road, Control Map 045K, Group C, Parcel 030.00 requests a 41-foot maximum front yard variance to Sec. 114-189(5). The variance is to accommodate the construction of a new eight-unit townhome development. The property is zoned PVD, Planned Village District.

Michael Bare, the property owner, presented his case to the board, requesting a setback variance. Mr. Bare explained that he needed relief from the maximum setback requirement. Staff noted that while it is uncommon to receive requests for maximum setbacks, the Planned Village District (PVD) zone imposes a 10-foot maximum setback.

In this case, the proposed building is set back 51 feet from the road, requiring a 41-foot variance to comply. Mr. Bare is seeking the variance so the structure can align with the existing building along Netherland Inn Road.

The board asked how far the PVD zone extends. Staff responded that it runs from the circle on Industry Drive to the Ridgefields Bridge. Staff also noted that, due to the property's topography, meeting the maximum setback would be difficult.

The board raised concerns about access to the property. Staff clarified that Mr. Bare does have legal access from a road located at the rear of the property.

Staff also confirmed that no public comments or calls had been received regarding any of the items presented during the meeting.

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

Case: BZA25-0054– The owner of property located at 354 Shadowtown Road, Control Map 064, Parcel 0138.00 requests reinstatement of a nonconforming use for a free-standing sign pursuant to Sec. 114-8(1). The property is zoned B-3, Highway Oriented Business District.

Melissa Justice, a representative from Snyder Signs, presented the case to the board on behalf of the property owner. She explained that the owner wishes to update the existing signage by removing the current sign and replacing it with a new sign cabinet for an RV storage business.

Staff directed the board to the memo included in the meeting packet, noting that the proposed sign is slightly smaller and shorter than the existing nonconforming sign on the property. Specifically, the new sign would be reduced in height from 93 feet to 83 feet, and in size from 465 square feet to 437.5 square feet.

Staff explained that the intent of the proposal is to reduce the degree of nonconformance, referencing Part B of Section 114-8(1) of the zoning code. The board asked whether the old sign was still standing. Both staff and Ms. Justice confirmed that it is.

Staff noted that the sign should have been removed years ago when Carolina Pottery went out of business, but acknowledged that such removals do not always occur as they should. Staff went on to explain that the sign may have been conforming when originally installed; however, the property has since been rezoned to B-3, which only allows signage up to 100 square feet per side and a maximum height of 30 feet.

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

Case BZA25-0055 – The owner of property located at 1432 Brightridge Drive, Control Map 046K, Group H, Parcel 024.00 requests a 2-foot building separation variance from Sec. 114-133(2). The variance is sought to allow placement of an accessory structure behind an existing accessory structure. The property is zoned R-1A, Residential District.

Mr. Randell Drayne, the property owner, presented his case to the board. He explained that he is requesting a two-foot building separation variance in order to construct an additional accessory structure in his backyard, situated between two existing accessory structures. Mr. Drayne noted that he was advised to install fire-rated sheetrock on the wall closest to the existing structure to help prevent the spread of fire. Staff clarified that this recommendation was made by the City of Kingsport's Building Official.

Additionally, staff reported that no calls or objections were received from neighboring property owners.

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

Case: BZA25-0058 - The owner of property located at 401 Commerce Street, Control Map 046I, Group E, Parcel 033.00 requests a zoning interpretation of Sections 114-194(a)(1) and 114-194(d)(3) for the B-2

Central Business District. Specifically, the applicant seeks clarification on whether golf cart sales are considered an approved principle use within the B-2 zone.

Mr. Andy Carrier presented his case to the board, requesting clarification on the principle uses permitted within the B-2, Central Business District zoning designation. His request specifically pertains to the establishment of a golf cart sales business. Staff referred the board to the memo included in their meeting packets, which explained that while vehicles, boats, and trailers are considered principle uses in this zone, car dealerships are not. Staff expressed support for Mr. Carrier's request.

The board asked whether customers would be bringing golf carts to the site for service. Mr. Carrier clarified that this location would function solely as a sales center, and any repairs would be handled at a separate garage in Blountville. When asked how many golf carts would be present on-site at any given time, Mr. Carrier stated that up to 10 would be displayed in the showroom, and he has plans to enclose the rear portion of the building for secure overnight storage. He confirmed that no golf carts would be stored outside at night.

The board referenced Section 114-194(1)(a) of the zoning ordinance, which permits the sale of vehicles but explicitly prohibits car dealerships. They noted that while golf carts are classified as vehicles, they are not legally considered cars. The board also pointed out that a golf cart sales center is not a land-intensive use like a traditional car dealership.

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 March 17, 2024 at noon, and meeting date Thursday, April 3, 2025 at noon.

MOTION: made by Mr. Wes Combs, seconded by Vice Chairman Calvin Clifton, to approve the Kingsport Board of Zoning Appeals minutes for March 6, 2025.

VOTE: 4-0 to approve the minutes.

Adjudication of Cases:

Case: BZA25-0051– The owner of property located at 2016 Netherland Inn Road, Control Map 045K, Group C, Parcel 030.00 requests a 41-foot maximum front yard variance to Sec. 114-189(5). The variance is to accommodate the construction of a new eight-unit townhome development. The property is zoned PVD, Planned Village District.

The board agreed it would be illogical to require the proposed townhome units to be moved closer to the road.

Chairman Sumner asked if there were any further comments or discussion. There were none.

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

VOTE: 4-0 to approve the request.

Case: BZA25-0054– The owner of property located at 354 Shadowtown Road, Control Map 064, Parcel 0138.00 requests reinstatement of a nonconforming use for a free-standing sign pursuant to Sec. 114-8(1). The property is zoned B-3, Highway Oriented Business District.

The board expressed their appreciation for the improvements at the site and agreed that the new signage is a significant upgrade from what currently exists.

Chairman Sumner asked if there were any further comments or discussion. There were none.

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

VOTE: 4-0 to approve the request.

Case BZA25-0055 – The owner of property located at 1432 Brightridge Drive, Control Map 046K, Group H, Parcel 024.00 requests a 2-foot building separation variance from Sec. 114-133(2). The variance is sought to allow placement of an accessory structure behind an existing accessory structure. The property is zoned R-1A, Residential District.

The board clarified that the 5-foot separation is considered a fire separation, which staff confirmed.

Chairman Sumner asked if there were any further comments or discussion. There were none.

MOTION: Made by Mr. Wes Combs and seconded by Mr. Joe White to approve the request as presented with installation of fire-rated sheetrock.

VOTE: 4-0 to approve the request.

Case: BZA25-0058 - The owner of property located at 401 Commerce Street, Control Map 046I, Group E, Parcel 033.00 requests a zoning interpretation of Sections 114-194(a)(1) and 114-194(d)(3) for the B-2 Central Business District. Specifically, the applicant seeks clarification on whether golf cart sales are considered an approved principle use within the B-2 zone.

The board agreed that the size of the business is appropriate and that it is well-suited for a downtown location. They also confirmed that they do not consider a golf cart to be an automobile and noted that such a business would not require the same level of resources as a traditional car dealership.

Chairman Sumner asked if there were any further comments or discussion. There were none.

MOTION: Made by Vice Chairman Calvin Clifton and seconded by Mr. Wes Combs to recognize golf cart sales as an approved principle use in the B-2 zone.

VOTE: 4-0 to approve the request.

Chairman Sumner asked for any further public comments, there were none.

With no further business the meeting was adjourned at 12:22pm.

Respectfully Submitted,

Jessica McMurray

Jessica McMurray
Development Coordinator