



BOARD OF ZONING APPEALS MEETING AGENDA

Thursday, September 05, 2024 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: BZA24-0152– The owner of property located at 354 Shadowtown Road, Control Map 064, Parcel 0138.00 requests special exception to Sec 114-195(c)41 for the purpose of storing vehicles in the existing parking lot and storing construction material outdoors in a designated area. The property is zoned B-3, Highway Oriented Business District.

INTERESTED PARTIES:

Owner:

David Bernstein

10800 Biscayne Blvd.

Miami, FL 33161

917-992-5292

Representative: Marcy Walker

2. Case: BZA24-0154 – The owner of property located at 1843 Topsail Court, Control Map 077F, Group A, Parcel 032.52 requests a 38 foot deviation from rear yard to Sec 114-133(1) for the purpose of constructing a detached two-car garage in the side yard. The property is zoned PD, Planned Development District.

INTERESTED PARTIES:

Owner:

Timothy Lewis

1843 Topsail Ct.

Kingsport, TN 37664

336-604-8797

Representative: John Hoffman

- 3. Case: BZA24-0159 – The owner of property located at TBD E. Aesque Street, Control Map 030A, Group A, Parcel 032.00** requests a 5 foot front yard variance to Sec 114-183(e)(1)c and an 8 foot 6 inch rear yard variance to Sec 114-183(e)(1)e for the purpose of constructing a new single family modular home. The property is zoned R-1B, Residential District.

INTERESTED PARTIES:

Owner:

Jianhui Zhou

2016 Buckingham Ct.

Kingsport, TN 37660

423-408-0367

Representative: Jianhui Zhou

- 4. Case: BZA24-0169 – The owner of property located at 1392 E. Center Street, Control Map 046N, Group K, Parcel 019.00** requests approval from the Board of Zoning Appeals to Sec. 114-8(4) to re-establish a non-conforming use of a duplex on the property. The property is zoned P-1, Professional Offices District.

INTERESTED PARTIES:

Owner:

David Machado

1245 Watauga St.

Kingsport, TN 37660

530-295-7778

Representative: David Machado

- 5. Case: BZA24-0171 – The owner of property located at 1621 Newbern Road, Control Map 061E, Group A, Parcel 006.00** requests a 6 foot side yard variance to Sec 114-185(e)(1)d for the purpose of constructing a new wooden carport for an existing home. The property is zoned R-1B, Residential District.

INTERESTED PARTIES:

Owner:

Maryann Burell

1621 Newbern Rd.

Kingsport, TN 37664

423-967-2839

Representative: Mark Freeman

- 6. Case: BZA24-0172** The applicant requests a zoning interpretation of Sec 114-194(d)3 the B-2, Central Business District and Sec 114-203(d)3 the B-2E, Central Business Edge District. The purpose of this request is to seek an interpretation of an animal boarding facility as a prohibited use in the B-2 and B-2E zones.

INTERESTED PARTIES:

Applicant:

April Carder

2525 Essex Dr.

Kingsport, TN 37660

832-689-2679

Representative: April Carder

- 7. Case: BZA24-0187– The owner of property located at 1720 Park Meadow Place, Control Map 076, Parcel 006.91** request is a special exception to Sec 114-382(1) for the purpose of constructing a new childcare facility. The property is zoned BC, Business Conference Center District.

INTERESTED PARTIES:

Owner:

Wellmont Health System / Ballad Health

1905 American Way

Kingsport, TN 37660

Representative: Lynn Tully

IV. BUSINESS

1. Approval of the August 1, 2024 regular meeting minutes.

Stating for public record, the next application deadline is September 16, 2024 at noon, and meeting date (Thursday, October 3, 2024).

V. ADJUDICATION OF CASES

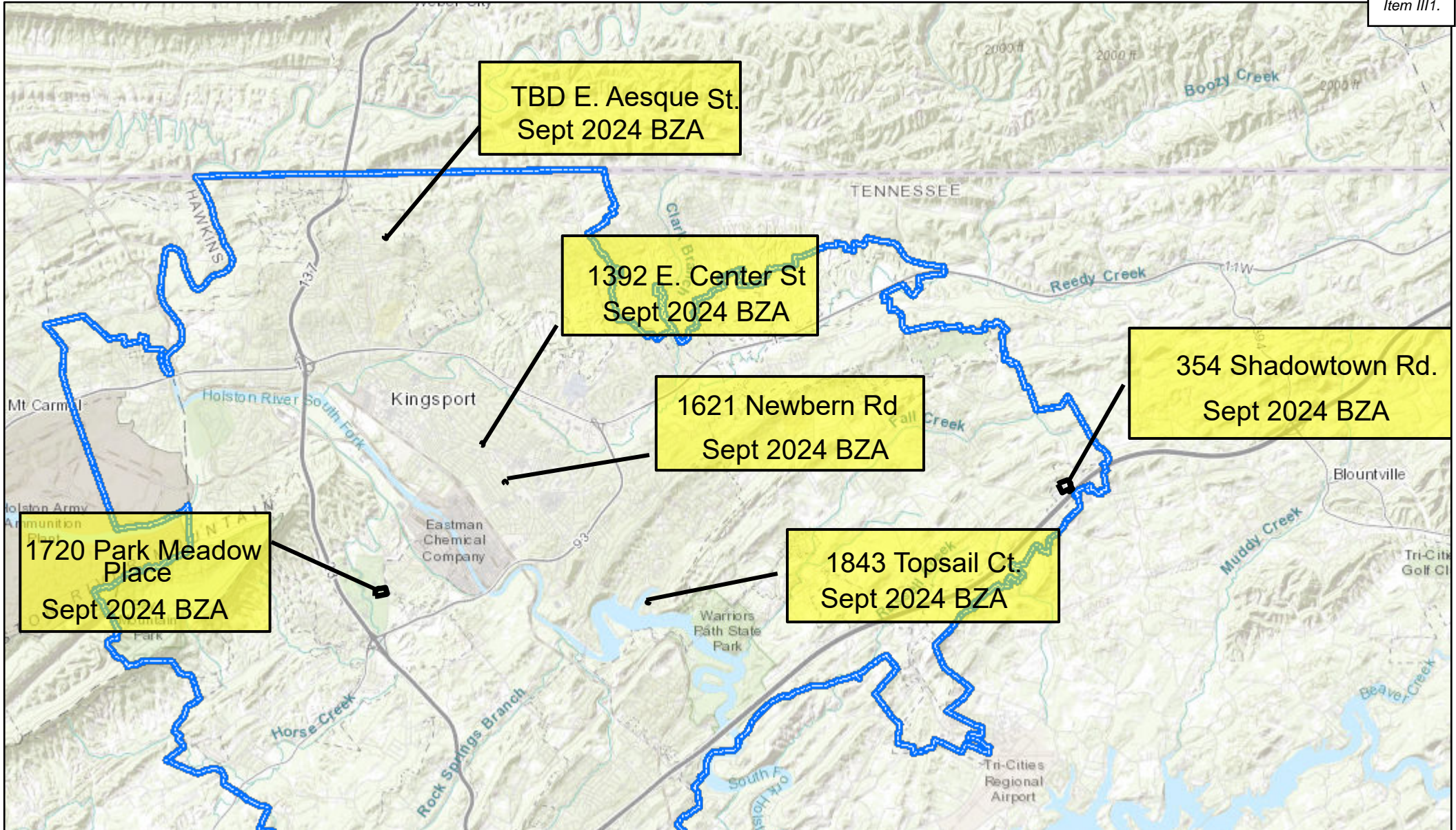
VI. PUBLIC COMMENT

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

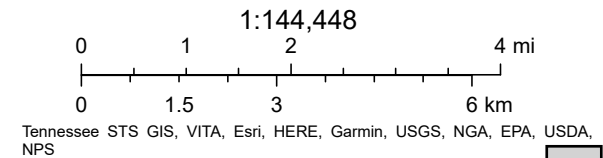
ArcGIS Web Map

Item III.1.



8/29/2024, 10:42:08 AM

 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, September 5, 2024 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: BZA24-0152– The owner of property located at 354 Shadowtown Road, Control Map 064, Parcel 0138.00 requests special exception to Sec 114-195(c)41 for the purpose of storing vehicles in the existing parking lot and storing construction material outdoors in a designated area. The property is zoned B-3, Highway Oriented Business District.

Case: BZA24-0154 – The owner of property located at 1843 Topsail Court, Control Map 077F, Group A, Parcel 032.52 requests a 38 foot deviation from rear yard to Sec 114-133(1) for the purpose of constructing a detached two-car garage in the side yard. The property is zoned PD, Planned Development District.

Case: BZA24-0159 – The owner of property located at TBD E. Aesque Street, Control Map 030A, Group A, Parcel 032.00 requests a 5 foot front yard variance to Sec 114-183(e)(1)c and an 8 foot 6 inch rear yard variance to Sec 114-183(e)(1)e for the purpose of constructing a new single family modular home. The property is zoned R-1B, Residential District.

Case: BZA24-0169 – The owner of property located at 1392 E. Center Street, Control Map 046N, Group K, Parcel 019.00 requests approval from the Board of Zoning Appeals to Sec. 114-8(4) to re-establish a non-conforming use of a duplex on the property. The property is zoned P-1, Professional Offices District.

Case: BZA24-0171 – The owner of property located at 1621 Newbern Road, Control Map 061E, Group A, Parcel 006.00 requests a 6 foot side yard variance to Sec 114-185(e)(1)d for the purpose of constructing a new wooden carport for an existing home. The property is zoned R-1B, Residential District.

Case: BZA24-0172 The applicant requests a zoning interpretation of Sec 114-194(d)3 the B-2, Central Business District and Sec 114-203(d)3 the B-2E, Central Business Edge District. The purpose of this request is to seek an interpretation of an animal boarding facility as a prohibited use in the B-2 and B-2E zones.

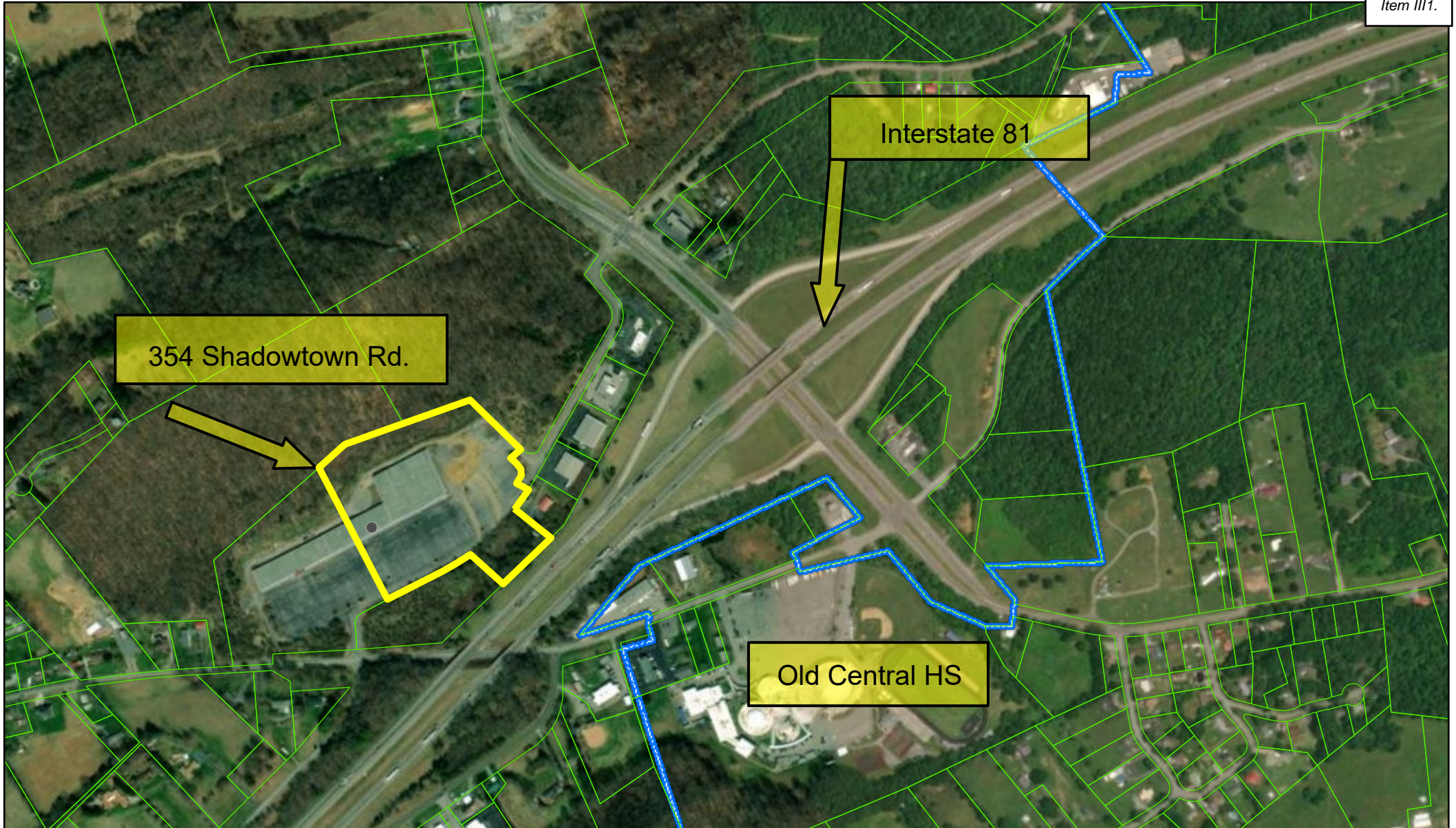
All interested persons are invited to attend this Public Hearing. Additional information concerning this case may be obtained by contacting City of Kingsport Planning Division staff, telephone (423) 229-9485.

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: 8/26/2024

ArcGIS Web Map

Item III.1.

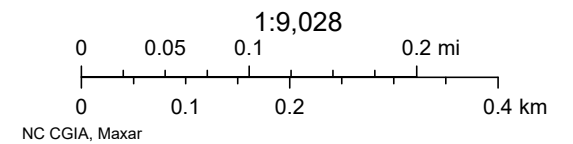


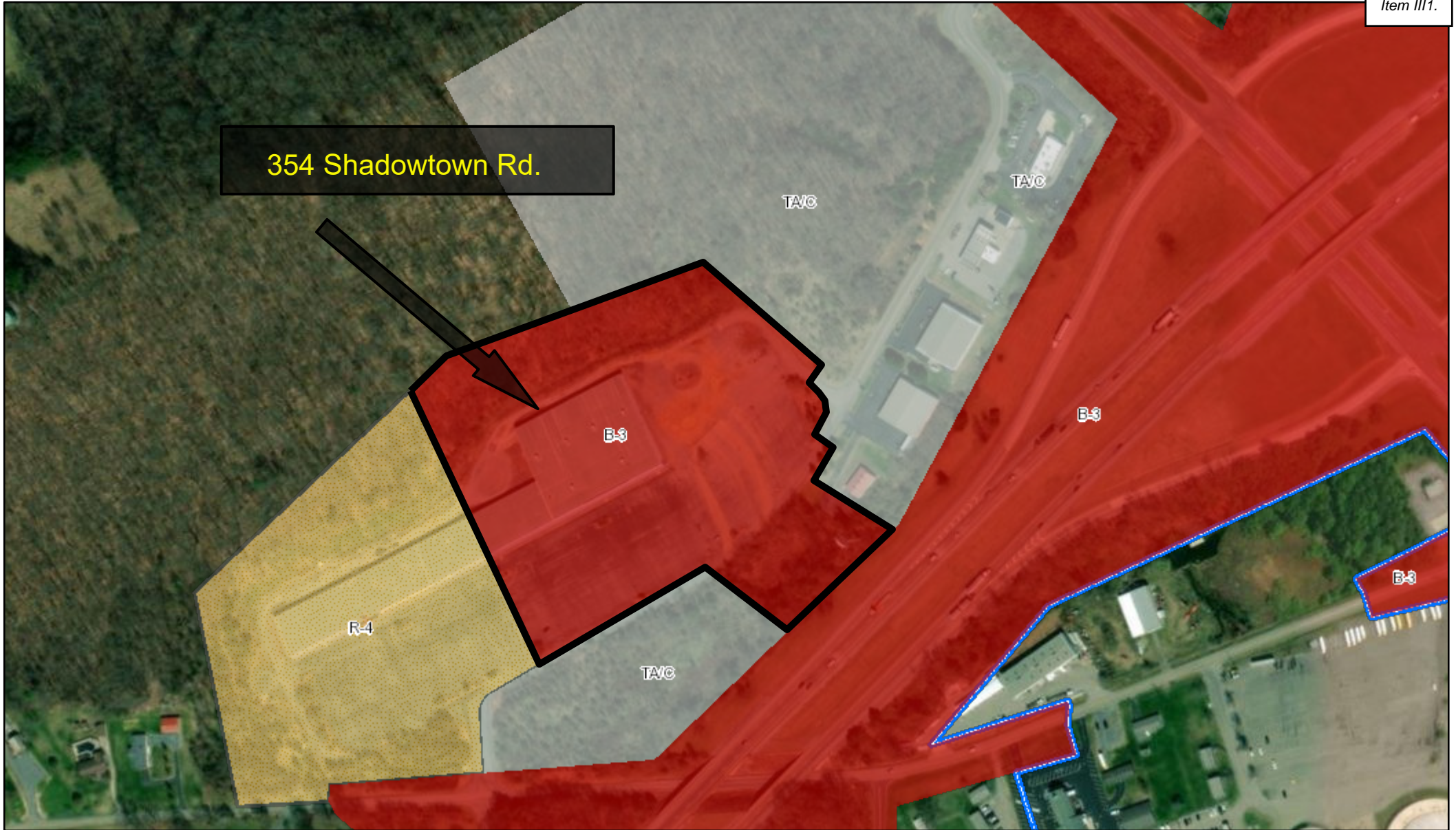
8/16/2024, 2:46:50 PM

Sullivan County Parcels Jan 2023

 Parcels

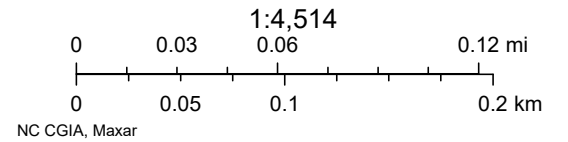
 Urban Growth Boundary





7/29/2024, 8:56:09 AM

City Zoning	A-1	B-3	M-1	PBD-3	PVD	R-3	TA-C
<Null>	A-2	B-4	M-1R	PBD/*	R-1	R-3A	UAE
TAC	AR	B-4P	M-2	PD	R-1A	R-3B	Urban Growth Boundary
R-5	B-1	B-4P	MX	PMD-1	R-1B	R-4	
GC	B-2	BC	P-1	PMD-2	R-1C	Split	
B-2E	B-3	GC	P-D	PUD	R-2	TA	





TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: August 7, 2024

RE: 354 Shadowtown Road

The Board is asked to consider the following request:

Case: BZA24-0152– The owner of property located at 354 Shadowtown Road, Control Map 064, Parcel 0138.00 requests special exception to Sec 114-195(c)41 for the purpose of storing vehicles in the existing parking lot and storing construction material outdoors in a designated area. The property is zoned B-3, Highway Oriented Business District.

Code reference:

Sec. 114-195. - B-3, Highway Oriented Business District

(c)Special exceptions. Special exceptions are permitted only with approval of board of zoning appeals and are as follows:

- (1)Automobile storage; automobile impoundment yards.*
- (2)Lumberyards.*

APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name	Bernstein	First	David	M.I.	L.	Date	7/16/24
Street Address	40 Lerkspur Kingsport: 10500 Biscayne Blvd			Apartment/Unit #	Ste 300		
City	Miami	State	FL	ZIP	33161		
Phone	917-992-5292		E-mail Address	david.bernstein@lerkspurprop.com			

PROPERTY INFORMATION:

Tax Map Information	Tax map: 064	Group:	Parcel: B38	Lot:	1		
Street Address	354 Sheddawn Town Rd			Apartment/Unit #			
Current Zone	B-3		Proposed Zone	B-3			
Current Use	Indoor storage		Proposed Use	Indoor storage with 2 ancillary/special uses			

REPRESENTATIVE INFORMATION:

Last Name	Walker	First	Murphy	M.I.		Date	
Street Address	Hunter Smi M S Driv, 1212 N. Eastman Rd			Apartment/Unit #			
City	Kingsport,	State	TN	ZIP	37664		
Phone	423-378-8818		E-mail Address	mwalker@hsalaw.com			

REQUESTED ACTION:

- 1) Request special exception under 114-195 (a)(1) to allow for vehicle parking storage on existing parking lot
- 2) Request Permitted use of construction materials be stored outside in limited area

DISCLAIMER AND SIGNATURE See site plan

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: 7/16/24

Signed before me on this 16 day of July, 2024
a notary public for the State of Florida
County of Miami-Dade

Notary Cindy Rios
My Commission Expires 7/25/25



Larkspur Kingsport, LLC
354 Shadowtown Rd. Blountville, TN 37617

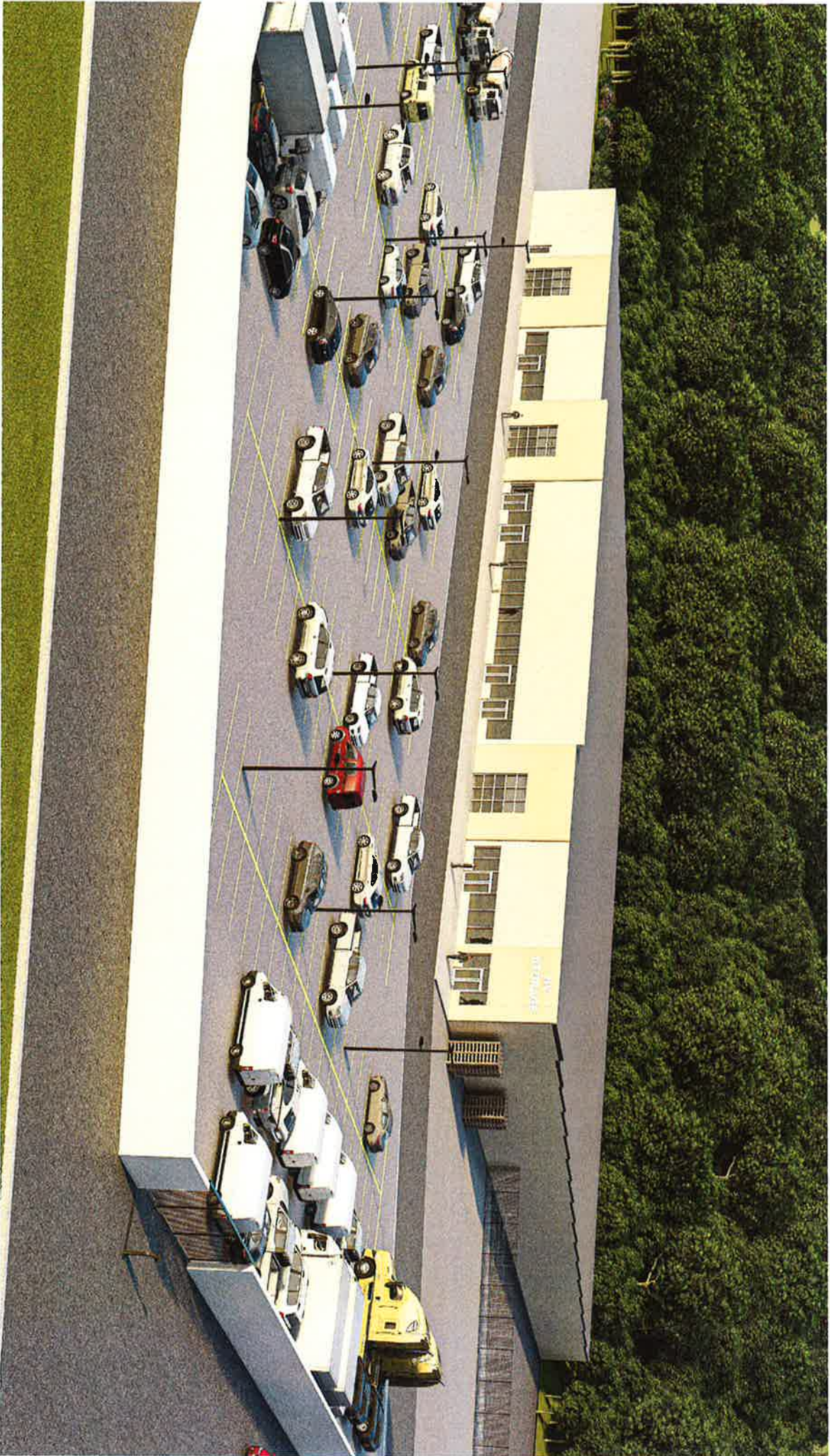
Before



After



Item III.1.
Engineering 1 – Special Exception Application
Larkspur Kingsport, LLC



Item III.1.
Part 2 – Special Exception Application
Larkspur Kingsport, LLC



Planning 3 – Special Exception Application
Larkspur Kingsport, LLC



Engineering 4 – Special Exception Application
Larkspur Kingsport, LLC



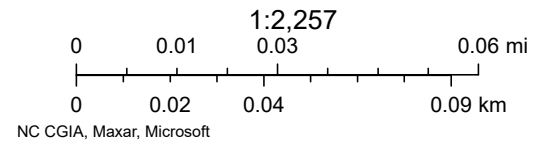


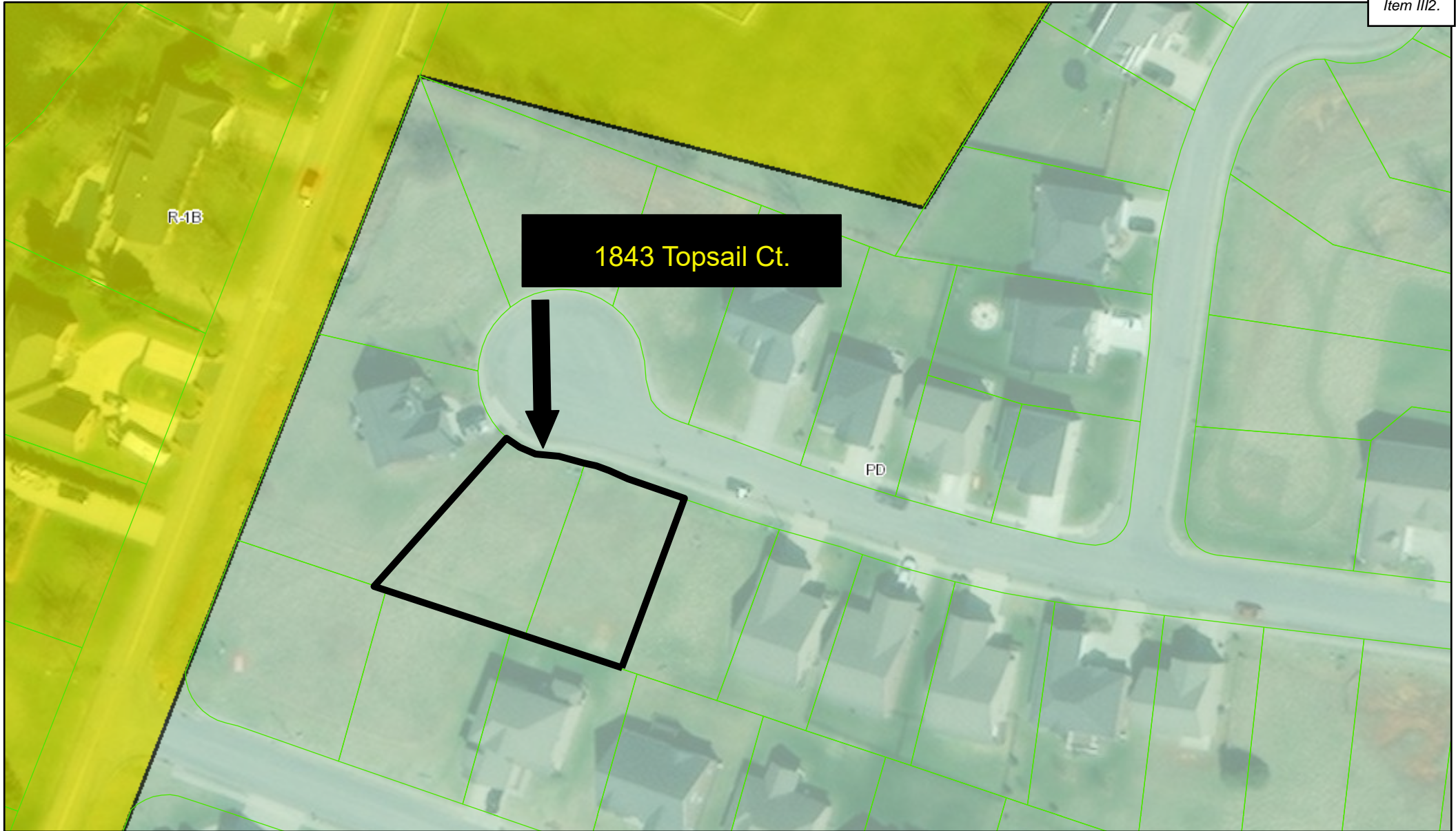
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Sullivan County Parcels Jan 2023

 Parcels

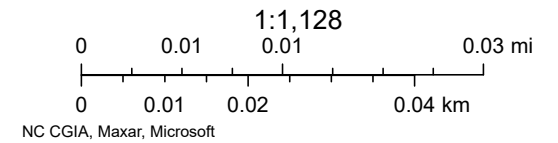
 Urban Growth Boundary





8/16/2024, 3:04:46 PM

Sullivan County Parcels Jan 2023	GC	B-2	BC	P-1	PMD-2	R-1C	Split
Parcels	B-2E	B-3	GC	P-D	PUD	R-2	TA
City Zoning	A-1	B-3	M-1	PBD-3	PVD	R-3	TA-C
<Null>	A-2	B-4	M-1R	PBD/*	R-1	R-3A	UAE
TA/C	AR	B-4P	M-2	PD	R-1A	R-3B	Urban Growth Boundary
R-5	B-1	B-4P	MX	PMD-1	R-1B	R-4	





TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: August 7, 2024

RE: 1843 Topsail Court

The Board is asked to consider the following request:

Case: BZA24-0154 – The owner of property located at 1843 Topsail Court, Control Map 077F, Group A, Parcel 032.52 requests a 38 foot deviation from rear yard to Sec 114-133(1) for the purpose of constructing a detached two-car garage in the side yard. The property is zoned PD, Planned Development District.

Code reference:

Sec. 114-133. - Accessory building location and height.

(1) Yards. No accessory building shall be erected in any required court or yard other than a rear yard with exceptions as provided in subsection (3) of this section.

APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name Lewis First Timothy M.I. W Date 7/13/2024
 Street Address 1843 Topsail Ct Apartment/Unit #
 City Kingsport State TN ZIP 37664
 Phone 336-604-8797 E-mail Address tlewis2302@icloud.com

PROPERTY INFORMATION:

Tax Map Information Tax map: Group: Parcel: Lot:
 Street Address 1843 Topsail Ct Apartment/Unit #
 Current Zone Proposed Zone
 Current Use Proposed Use

REPRESENTATIVE INFORMATION:

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

REQUESTED ACTION:

38' Departure from rear yard for purpose of locating detached garage in sideyard.

DISCLAIMER AND SIGNATURE

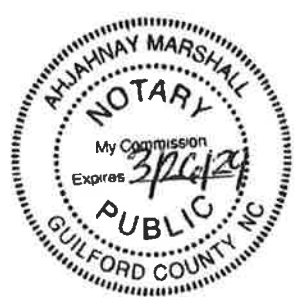
By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Board of Zoning Appeals will review my application. I further state that I am/we are the sole and legal owner(s) of the property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

Signature: [Handwritten Signature]

Date: 7-13-24

Signed before me on this 13 day of July, 2024
 a Notary Public for the State of NC
 County of Guilford

Alyahway Marshall
 My Commission Expires 3/26/2029



Board of Zoning Appeals Criteria and Application Requirements

The BZA utilizes the following Criteria in their decision:

Variations. 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. Properties within the cul-de-sac of the Anchor Pointe neighborhood are smaller than other lots. The average distance from the side and back of the property is approximately 15 feet.
- b. The manner in which the strict application of this chapter would deprive the applicant of reasonable use of the land. The Property Owners purchased the adjoining lot for the sole purpose of constructing additional garage space.
- c. The unique conditions and circumstances are not the result of actions of the applicant subsequent to the adoption or amendment of this chapter. Due to the underground utility placement to the right of the primary structure, placement of an additional parking space was not possible.
- 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 garage will be 720 square feet (24'x30"). Primary structure is 2,500 square feet. Building materials to match primary structure and building height not to exceed primary structure roofline. Verbal acceptance of garage construction was provided by adjoining property owners.

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. Variations 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

RESIDENTIAL PLOT PLAN

NOTES:

PROPERTY CORNERS MONUMENTED AS SHOWN ON RECORDED PLAT.

THE INFORMATION SHOWN HEREON WAS PROVIDED TO THE SURVEYOR DIRECTLY FROM THE CLIENT OR TAKEN FROM INFORMATION CONTAINED IN THE PUBLIC RECORD. NO FIELD WORK HAS BEEN PERFORMED.

THIS DOCUMENT DOES NOT REPRESENT THE SURVEYOR'S OPINION AS TO THE LOCATION OF ANY PROPERTY BOUNDARY.

THIS PROPERTY WAS DETERMINED TO BE IN FEMA FLOOD ZONE "X" BY MAP SCALING ONLY USING FEMA FIRM MAP 47163C0065D EFFECTIVE DATE 09/29/2006. NO TOPOGRAPHIC SURVEY WAS PERFORMED

I HEREBY CERTIFY THAT THE PROPOSED HOUSE LOCATIONS COINCIDES WITH THE APPROVED DEVELOPMENT PLAN

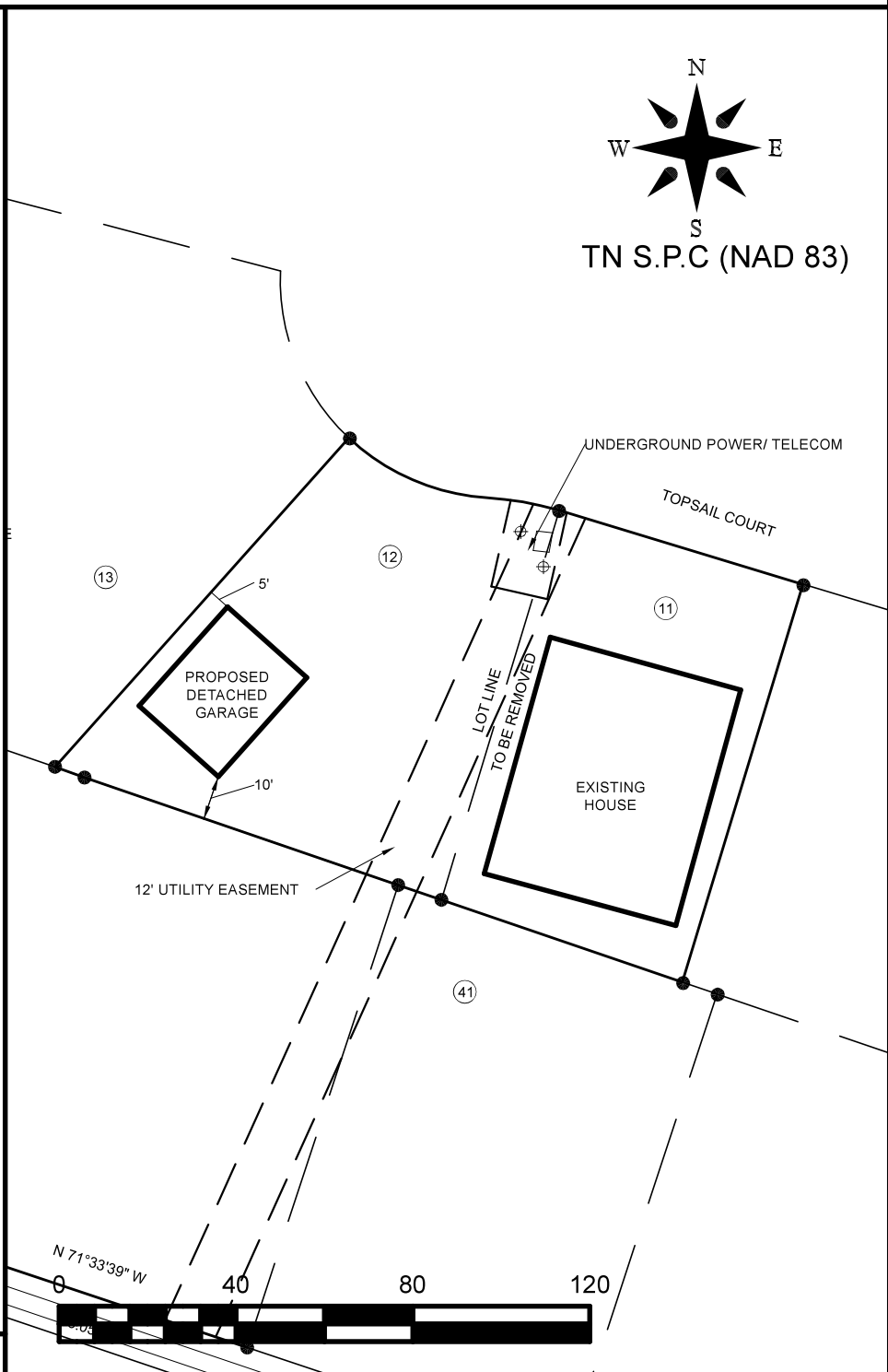
SCALE: 1"=40'

RECORDING INFORMATION:
DEED BOOK 3594, PAGE 1366
PLAT BOOK 56, PAGE 179

7TH CIVIL DIST. SULLIVAN CO.

ZONING CLASS: PD

COPYRIGHT



PROPOSED GARAGE
PLACEMENT
LOT 12
THE LANDINGS AT ANCHOR
POINTE

1847 TOPSAIL COURT

JOSHUA K BECKETT, PLS
TN REGISTRATION # 3227
758 WHISPERING RD
GREENEVILLE, TN 37743
(423) 278-6493
jbeckett@beckettsurveys.com



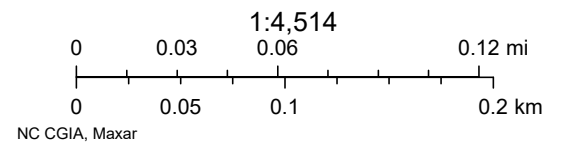


8/22/2024, 9:36:19 AM

Sullivan County Parcels Jan 2023

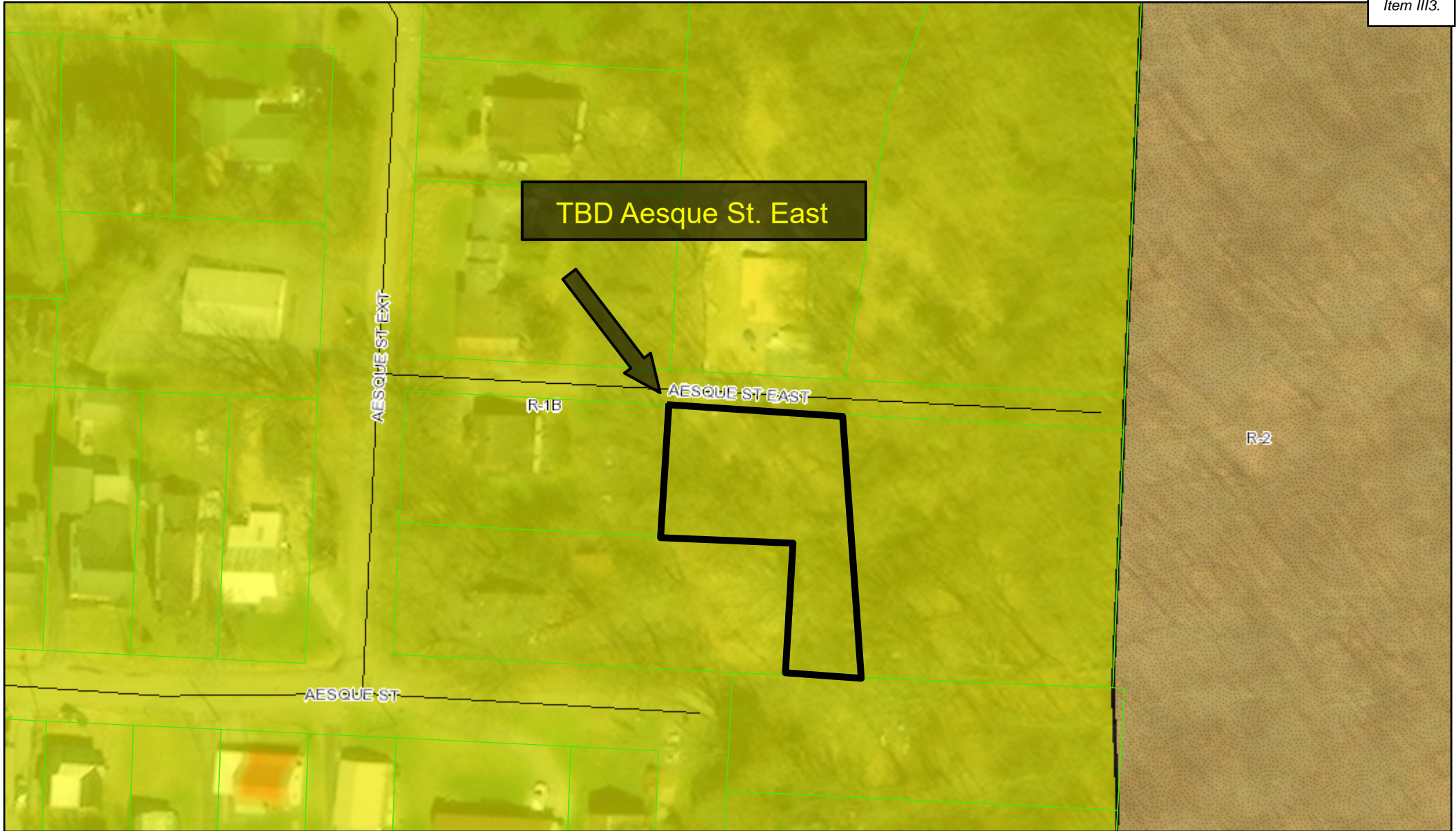
 Parcels

 Urban Growth Boundary



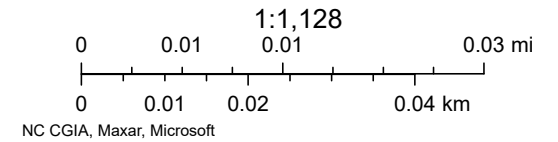
ArcGIS Web Map

Item III.3.



7/29/2024, 8:49:29 AM

Sullivan County Parcels Jan 2023	Collector Street	R-5	B-2	GC	PBD-3	R-1	R-3B
Parcels	Local Street	GC	B-3	M-1	PBD/*	R-1A	R-4
Streets	Private Street	B-2E	B-3	M-1R	PD	R-1B	Split
Interstate	Ramp	A-1	B-4	M-2	PMD-1	R-1C	TA
Expressway	City Zoning	A-2	B-4P	MX	PMD-2	R-2	TA-C
Major Arterial	<Null>	AR	B-4P	P-1	PUD	R-3	UAE
Minor Arterial	TAVC	B-1	BC	P-D	PVD	R-3A	Urban Growth Boundary



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: July 18, 2024

RE: TBD E. Aesque Street

The Board is asked to consider the following request:

Case: BZA24-0159 – The owner of property located at TBD E. Aesque Street, Control Map 030A, Group A, Parcel 032.00 requests a 5 foot front yard variance to Sec 114-183(e)(1)c and an 8 foot 6 inch rear yard variance to Sec 114-183(e)(1)e for the purpose of constructing a new single family modular home. 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.*

APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name Zhou First Jianhui M.I. _____ Date 7/25/2024
 Street Address 2016 Buckingham Ct. Apartment/Unit # _____
 City Kingsport State TN ZIP 37660
 Phone 423-408-0367 E-mail Address Zhou2209@hotmail.com

PROPERTY INFORMATION:

Tax Map Information Tax map: 030A Group: A Parcel: 032.00 Lot: _____
 Street Address Aesgu. St. East Apartment/Unit # _____
 Current Zone R-1B Proposed Zone R-1B
 Current Use vacant Proposed Use single-family home

REPRESENTATIVE INFORMATION:

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

REQUESTED ACTION:

Variance on the front and rear setbacks

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: [Handwritten Signature]

Date: 7/26/2024

Signed before me on this 26th day of July, 2024
 a notary public for the State of Tennessee
 County of Sullivan

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



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 property was a lot on record before June 16, 1981. The lot has enough front line and square footage, however, majority of lot only has a depth of 73', if reserve 30' front and rare setback, any home can't be built.

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

Because of the narrowness of the lot, the strict application of this chapter would make the lot useless as for the purpose of building a residential home.

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 lot was divided this way in the beginning many years ago.

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 lot is located in a deadend street: Aesque St. E.
 only six lots on the two side of street with part of the road is not
 paved gravel Road. Only two lots has buildings and were occupied.
 one exist home to Aesque St. E. is probably less than 15 ft.

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.

FLOOD NOTE:

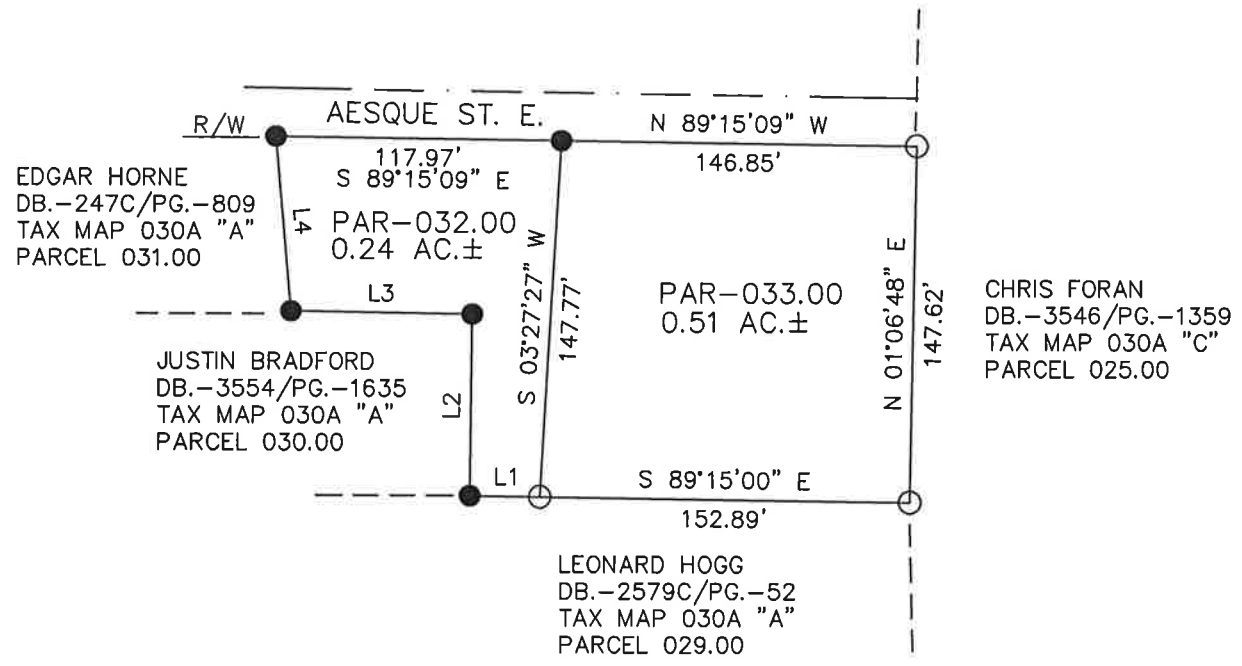
By graphic plotting only, this property is in Zone(s) "X" of the Flood Insurance Rate Map, Community Panel No. 47163C0035D, which bears an effective date of 09-29-2006 and is not in a Special Flood Hazard Area.



LINE	BEARING	DISTANCE
L1	N 89°15'00" W	28.80'
L2	N 00°46'51" E	75.01'
L3	N 89°06'25" W	74.97'
L4	N 04°58'51" W	72.77'

LEGEND

- IRON PIN OLD
- IRON PIN NEW



PROPERTY REFERENCE:

JIANHUI ZHOU PB.-5/PG.-142D DB.-3605/PG.-1734 TAX MAP 030A "A" PARCEL 032.00

JIANHUI ZHOU PB.-5/PG.-142D DB.-3605/PG.-1734 TAX MAP 030A "A" PARCEL 033.00



**BOUNDARY SURVEY FOR
PARCEL 032.00 & 033.00
SULLIVAN COUNTY TN**

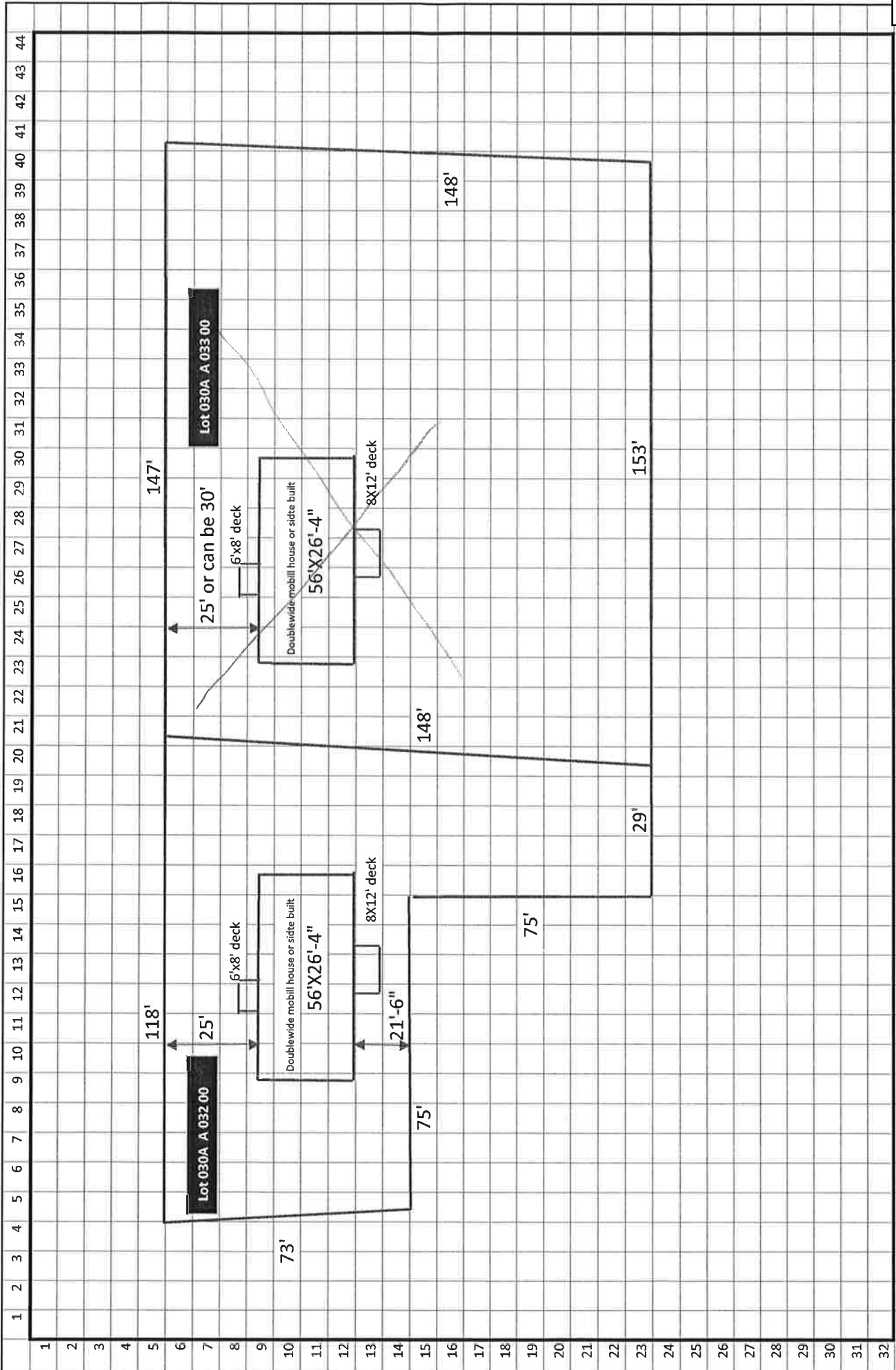
12TH CIVIL DISTRICT SULLIVAN COUNTY TN.

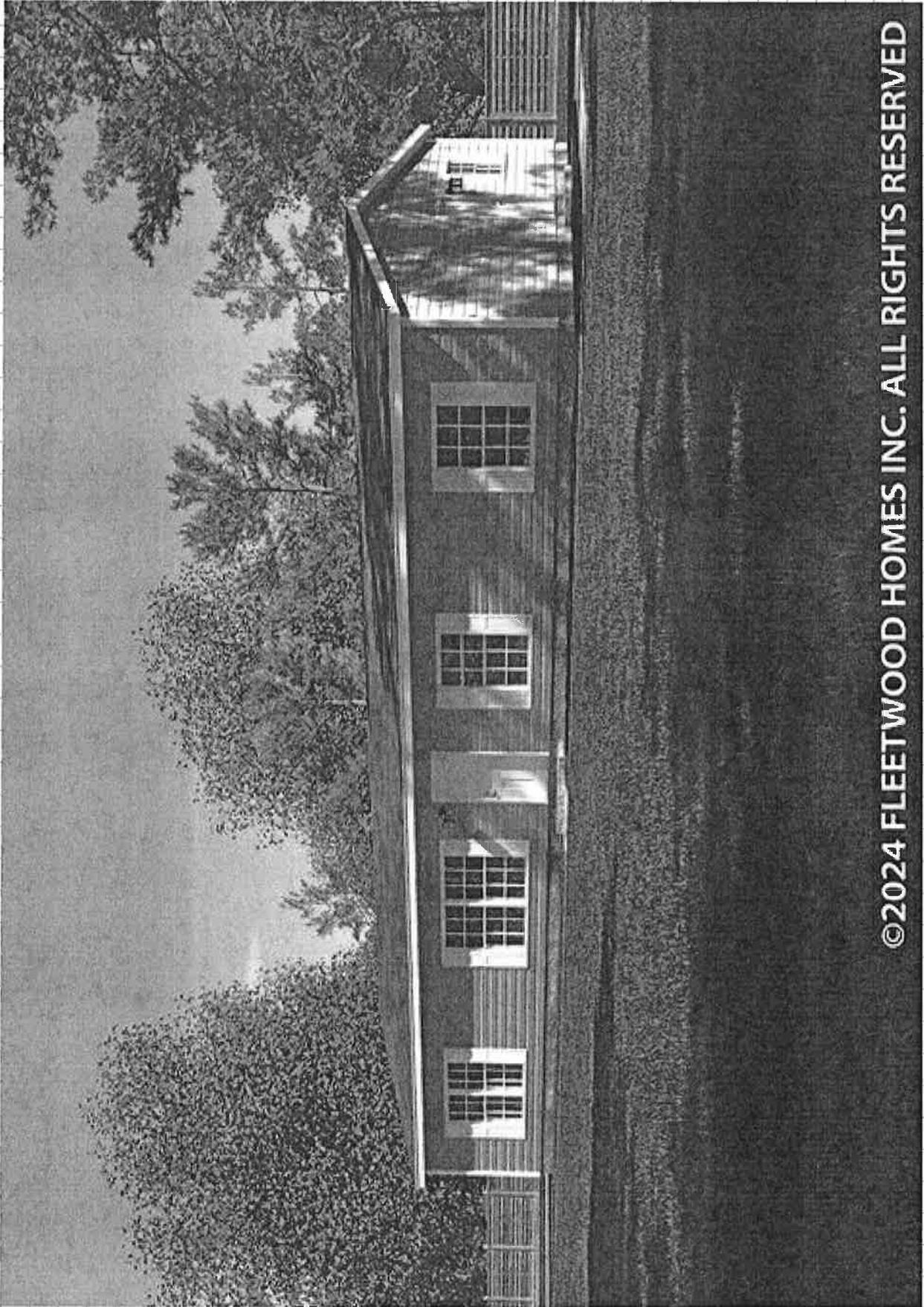
TPSI TN. PROFESSIONAL SURVEYING INC.
405 N BOONE STREET
JOHNSON CITY TN, 37604 423-915-1136

SCALE: 1"=80'	DATE: 06-28-2021
PROJECT: 24154	DRAWN BY: SCT

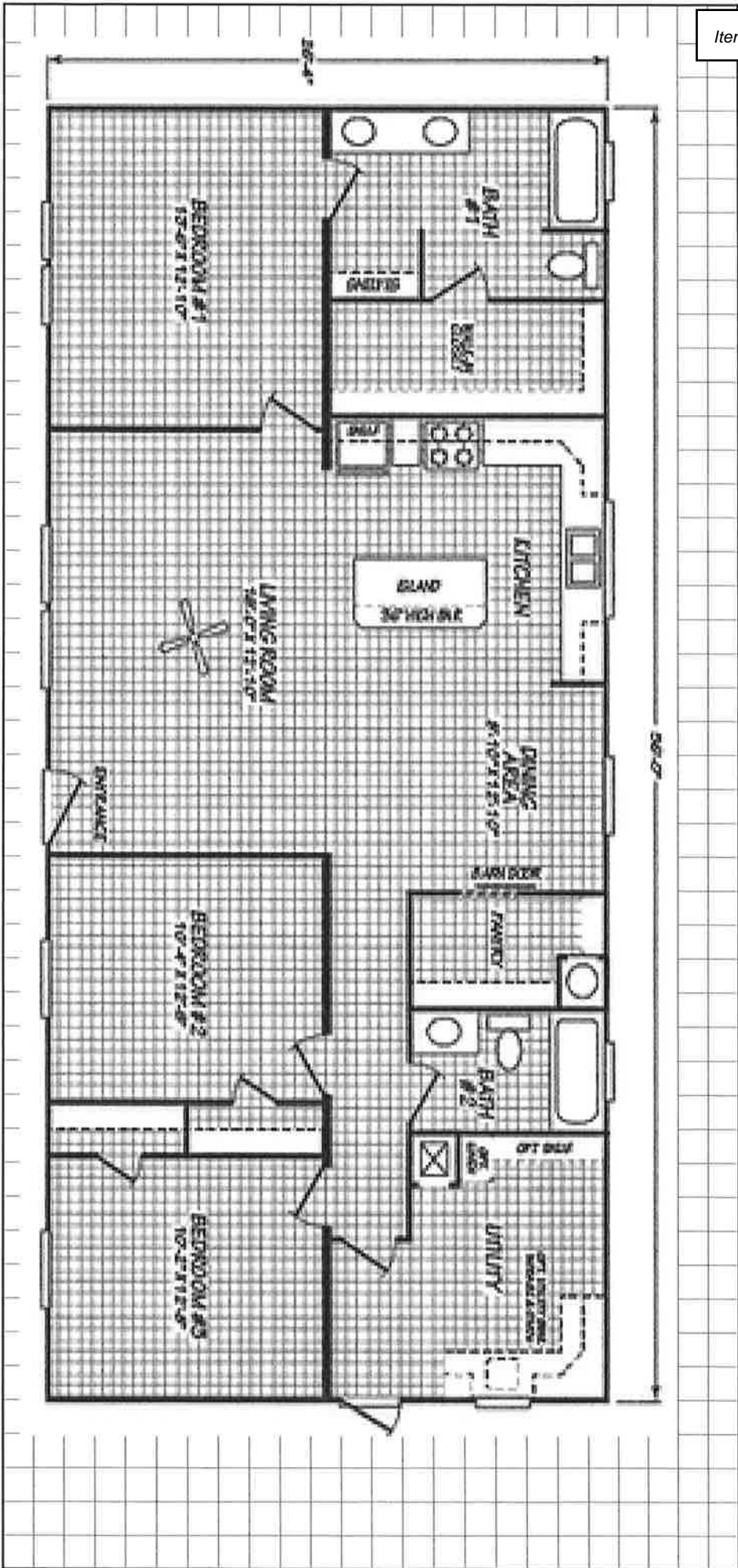
I HEREBY CERTIFY THAT THIS IS A CATEGORY II SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:7500 AS SHOWN HEREON.

THIS SURVEY SUBJECT TO ANY AND ALL EASEMENTS, COVENANTS, OR RESTRICTIONS EITHER WRITTEN OR UNWRITTEN.





©2024 FLEETWOOD HOMES INC. ALL RIGHTS RESERVED



ArcGIS Web Map

Item III.4.

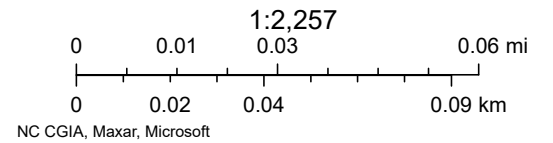


8/14/2024, 9:17:51 AM

Sullivan County Parcels Jan 2023

 Parcels

 Urban Growth Boundary



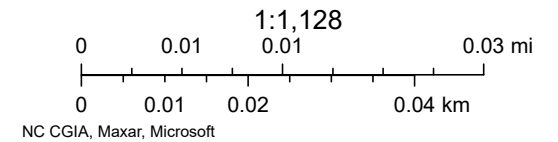
ArcGIS Web Map

Item III.4.



8/14/2024, 9:14:39 AM

Sullivan County Parcels Jan 2023	GC	B-2	BC	P-1	PMD-2	R-1C	Split
Parcels	B-2E	B-3	GC	P-D	PUD	R-2	TA
City Zoning	A-1	B-3	M-1	PBD-3	PVD	R-3	TA-C
<Null>	A-2	B-4	M-1R	PBD/*	R-1	R-3A	UAE
TA/C	AR	B-4P	M-2	PD	R-1A	R-3B	Urban Growth Boundary
R-5	B-1	B-4P	MX	PMD-1	R-1B	R-4	





TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: August 12, 2024

RE: 1392 E. Center Street

The Board is asked to consider the following request:

Case: BZA24-0169 – The owner of property located at 1392 E. Center Street, Control Map 046N, Group K, Parcel 019.00 requests approval from the Board of Zoning Appeals to Sec. 114-8(4) to re-establish a non-conforming use of a duplex on the property. The property is zoned P-1, Professional Offices District.

Code reference:

Sec. 114-8. - Nonconforming uses

(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.

APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name MACHADO First DAVID M.I. J Date 8-7-24
 Street Address 1245 Watauga Street Apartment/Unit #
 City Kingsport State TN ZIP 37660
 Phone 530 295-7778 E-mail Address machado david @ sbcglobal.net

PROPERTY INFORMATION:

Tax Map Information Tax map: 046N Group: K Parcel: 019.00: 37
 Street Address 1392 E Center Street Apartment/Unit #
 Current Zone P Proposed Zone
 Current Use Chiropractor Office 1st Floor Proposed Use Duplex - Residential
Apartment 2nd Floor

REPRESENTATIVE INFORMATION:

Last Name Same as Applicant First M.I. Date
 Street Address Apartment/Unit #
 City State ZIP
 Phone E-mail Address

REQUESTED ACTION:

Reestablish the Non Conforming Use of a Duplex on the property.

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: [Handwritten Signature]

Date: 8/9/24

Signed before me on this 9 day of August, 2024

a notary public for the State of Tennessee

County of Sullivan

Notary Melina Burr

My Commission Expires 4-2-28



July 30, 2024


Bill Gillenwater

1392 E Center Street
Kingsport, TN 37660

To whom it may concern:

The above mentioned property was a duplex with a Residential zoning when I purchased it on October 4, 1984. I approached the City of Kingsport for a zoning change to Commercial which was granted. Should you require additional information, I can be reached at 423-477-1379.

Sincerely,



Bill Gillenwater

M E M O R A N D U M

October 23, 1984

TO: PROPERTY OWNERS NEAR OR ADJACENT TO REZONING REQUEST

FROM: Alan Webb, Planner *AW*

SUBJECT: WITHDRAWAL OF A REZONING REQUEST NEAR YOUR PROPERTY

Recently you received a memorandum from this department concerning a proposed rezoning request from R-1B, Single Family Residential, to P-1, Professional Office District, the property located at the intersection of East Center Street and Lamont Street. I would like to inform you that this request ~~was withdrawn October 18, 1984~~, before being presented to the Kingsport Regional Planning Commission. Subsequently, no action was taken on this matter. If, in the future, the request is resubmitted for consideration you will again receive a notification from this department. If you have any questions concerning this matter please contact the Planning Department at 245-5131, extension 201.

bsk

M E M O R A N D U M

November 8, 1984

MAILED OUT
11-9-84

TO: PROPERTY OWNERS NEAR OR ADJACENT TO REZONING REQUEST

FROM: Alan Webb, Planner I *AW*

SUBJECT: NOTICE OF A PUBLIC MEETING

This is to advise the property located at the intersection of East Center Street and Lamont Street is requested for rezoning from R-1B, Single Family Residential, to P-1, Professional Office District. This request was withdrawn from the agenda of the October 18, 1984 meeting of the Planning Commission, however, the petitioner is now requesting it be placed on the agenda for the November 15, 1984 meeting to be held in the Council Room in City Hall at 7:30 p.m. The purpose of this meeting is to discuss the merits of the rezoning and its impact on adjoining property. All persons interested in this matter are invited to attend.

If you have any questions about the rezoning contact the Planning Department at 245-5131, extension 201.

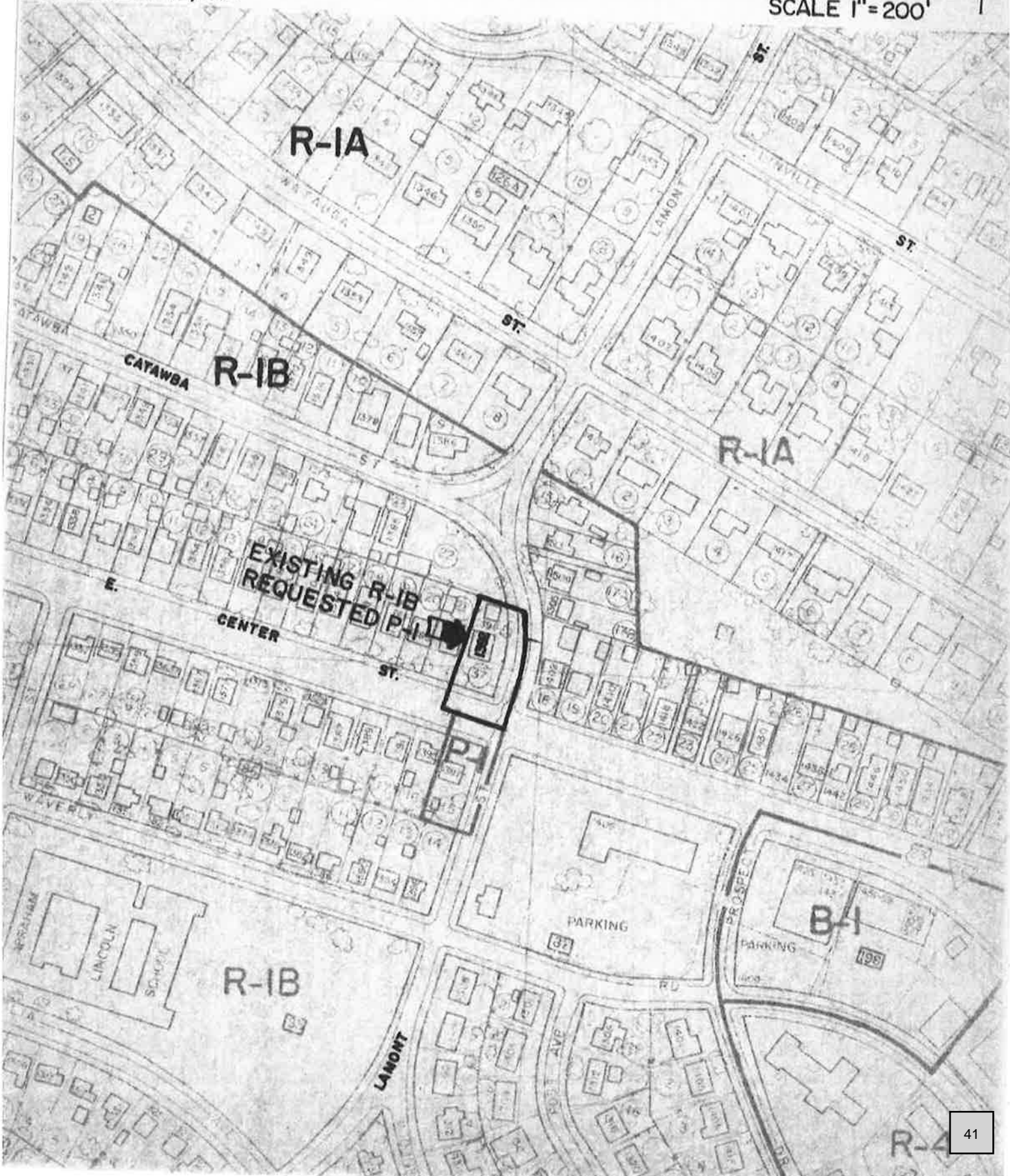
bsk

REZONING REQUEST

PRESENTED TO THE KINGSPORT REGIONAL PLANNING COMMISSION

NOVEMBER 15, 1984

SCALE 1"=200'



STAFF REZONING REPORT

TO: Kingsport Regional Planning Commission

Date: Nov. 12, 1984
Prepared by: Alan Webb,
Planner I

CASE NO.: 84-15

Applicant: Dr. Bill H. Gillenwater, Owner
Requested Action: Rezoning from R-1B, Single Family Residential to P-1,
Professional Office District

Purpose: To establish chiropractic office.

Location: At the intersection of Lamont Street and East Center St.

Size: The lot is 150 ft. in depth and has 69.46 ft. frontage on
East Center Street.

Existing Land Use: Vacant structure formerly used as a duplex.

Surrounding Land Use
and Zoning:North: Single Family Residential, R-1B
South: One lot Professional Office
directly across Center Street,
and Single Family Residential,
R-1B, adjacent to this lot.
East: Single Family Residential, R-1B
West: Single Family Residential, R-1B

Master Plan: Area is designated low density residential.

Public Utilities: Utilities are adequate to serve developments.

Transportation: The Transportation Department analysis is the proposed
use is low in traffic generation and would not seriously
impact the existing traffic situation.Parking: Eight spaces provided. Required is three spaces per
practitioner, plus one space for each employee.Physical Characteristics: The structure has been vacant for some time and
is in deteriorated condition.Options: (1) Recommend the rezoning to the Board of Mayor and Aldermen.
(2) Deny the rezoning.
(3) Postpone action until more information is presented.Recommendation: The staff recommends the Planning Commission choose the
first option.Rationale: (1) The property is currently vacant and in deteriorated
condition which has a negative impact on the adjoining

M E M O R A N D U M

October 12, 1984

TO: KINGSFORT REGIONAL PLANNING COMMISSION

FROM: Alan Webb, Planner L *AW*

SUBJECT: REZONING 1392 E. CENTER STREET

INTRODUCTION

Consider rezoning from R-1B, Single Family Residential to P-1, Professional Office District, one lot located at 1392 East Center Street. This petition was filed by Dr. Bill Gillenwater.

PRESENTATION OF SUBJECT

The Planning Commission is requested to rezone from R-1B to P-1, one lot located at the intersection of Lamont Street and East Center Street. There is one vacant structure located on the lot, and this structure appears to have been used as a duplex residence. In the opinion of the staff it is in deteriorated condition with regard to building codes. The map of the area indicates a second structure formerly existed on the lot, and the street numbering system indicates its previous use was for single family residence. This structure, however, has been previously removed. The adjacent land use is single family residential with the exception of a garage apartment located on the lot immediately behind the vacant structure. The structures in the general vicinity of the rezoning fronting on Catawba Street appear to be mostly occupied and are well maintained. However, the appearance of many structures fronting Center Street could justify this area being classified as transitional. Directly across East Center Street is a single lot P-1 zone containing one well-maintained structure.

The proposed use of the site is for a chiropractic office and the petitioner indicated on the rezoning petition the property will be restored in the same manner as the Hawkins Moody Building located across Center Street. Should it so desire, the Planning Commission has the authority to request a site plan for this property specifying such aspects as landscaping and screening of the lot from adjoining residences.

OPTIONS

The Planning Commission has the following options with regard to the rezoning:

1. Approve the request as submitted.

2. Deny the rezoning request.
3. Postpone action until further information is presented.

RECOMMENDATION

The staff would like to advise the Commission that the rezoning of one lot for a particular use could be constructed as spot zoning, however, the recommendation is to choose option. 1 based on the following national.

1. The property has remained vacant for some time which may tend to act as a catalyst encouraging a transitional atmosphere in the neighborhood. Whereas based on the precedent set by Hawkins Moody development of the property for a professional office could enhance the area preventing further deterioration.
2. The evaluation of the Traffic Department is the proposed use of the site is low in traffic generation, and access is to be on Lamont and not Center Street. On this basis, the rezoning should not severely impact the existing traffic situation.
3. In planning theory the utilization of a P-1 zone at the intersection of a major artery and a local street in a residential area is a valid example of the concept of buffer areas.

bsk

REZONING REQUEST

PRESENTED TO THE KINGSPORT REGIONAL PLANNING COMMISSION
OCTOBER 18, 1984

SCALE 1" = 200'



R-1A

CATAWBA

R-1B

EXISTING R-1B
REQUESTED P-1

E.

CENTER

ST.




LAMONT

M E M O R A N D U M

November 28, 1984

TO: William R. Cook, City Manager

FROM: Jimmy Walker, Director of Planning 

SUBJECT: REZONING OF ONE LOT AT INTERSECTION OF LAMONT STREET AND
EAST CENTER STREET

INTRODUCITON

Consider the recommendation of the Planning Commission to rezone one lot located in the northwest quadrant of Lamont Street and East Center Street from R-1B, Single Family Residential, to P-1, Professional Office District.

PRESENTATION OF SUBJECT

On November 15th, the Kingsport Planning Commission considered a request by Dr. Bill H. Gillenwater to rezone one lot located at the intersection of Lamont Street and Center Street to establish a chiropractor's office at this location. The Commission was of the opinion that rezoning was in order since it would allow the structure to be repaired and put to a productive use within the community.

After notifying all adjoining property owners, there were no objections voiced to the rezoning. Attached is the staff report to the Planning Commission that explains the request in detail.

OPTIONS

It appears that the Board of Mayor and Aldermen has the following options with regard to this request.

1. Accept the recommendation of the Planning Commission and set a date for a public hearing which could be held at the first meeting in January, 1985.
2. Deny the request of the Commission.
3. Postpone action pending further investigation.

RECOMMENDATION

The staff suggests that the Board of Mayor and Aldermen accept the recommendation of the Planning Commission and set a date for a public hearing on the rezoning.

bsk

cc: Dennis Ward

STAFF REZONING REPORT

TO: Kingsport Regional Planning Commission

Date: Nov. 12, 1984

CASE NO.: 84-15

Applicant: Dr. Bill H. Gillenwater, Owner
 Requested Action: Rezoning from R-1B, Single Family Residential to P-1, Professional Office District

Purpose: To establish chiropractic office.

Location: At the intersection of Lamont Street and East Center St.

Size: The lot is 150 ft. in depth and has 69.46 ft. frontage on East Center Street.

Existing Land Use: Vacant structure formerly used as a duplex.

Surrounding Land Use
 and Zoning:

North: Single Family Residential, R-1B
 South: One lot Professional Office
 directly across Center Street,
 and Single Family Residential,
 R-1B, adjacent to this lot.
 East: Single Family Residential, R-1B
 West: Single Family Residential, R-1B

Master Plan: Area is designated low density residential.

Public Utilities: Utilities are adequate to serve developments.

Transportation: The Transportation Department analysis is the proposed use is low in traffic generation and would not seriously impact the existing traffic situation.

Parking: Eight spaces provided. Required is three spaces per practitioner, plus one space for each employee.

Physical Characteristics: The structure has been vacant for some time and is in deteriorated condition.

Options: (1) Recommend the rezoning to the Board of Mayor and Aldermen.
 (2) Deny the rezoning.
 (3) Postpone action until more information is presented.

Recommendation: The staff recommends the Planning Commission choose the first option.

Rationale: (1) The property is currently vacant and in deteriorated condition which has a negative impact on the adjoining

residential property. If rezoned, the structure would be renovated in a manner that would enhance the area.

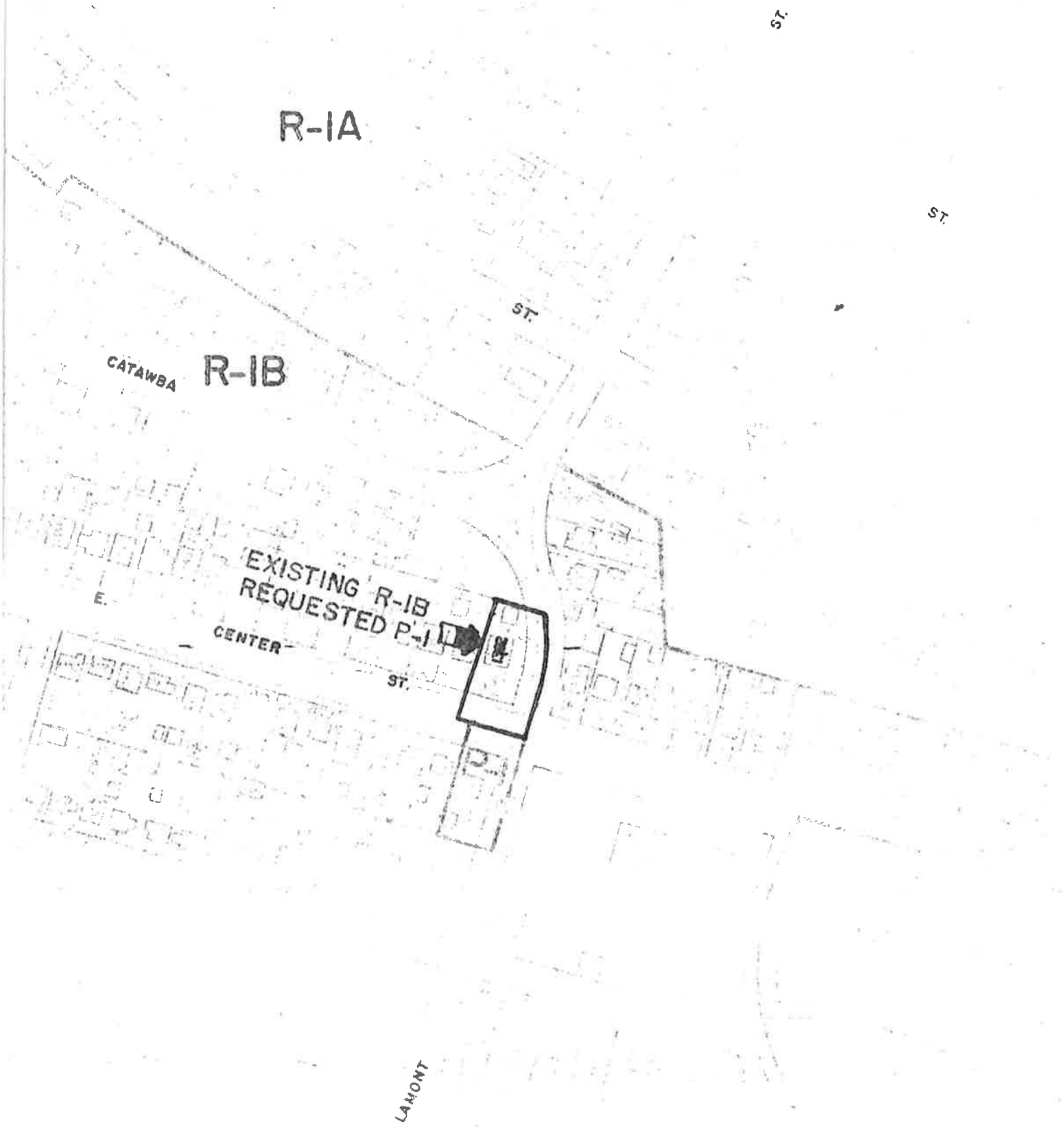
- (2) The evaluation of the Traffic Department is the proposed use would be low in traffic generation and with access being on Lamont, not Center Street, the impact to the existing situation should not present any major problems.
- (3) In planning theory, utilization of a P-1 zone at the intersection of a major artery and local street in a residential area is a valid buffer concept.

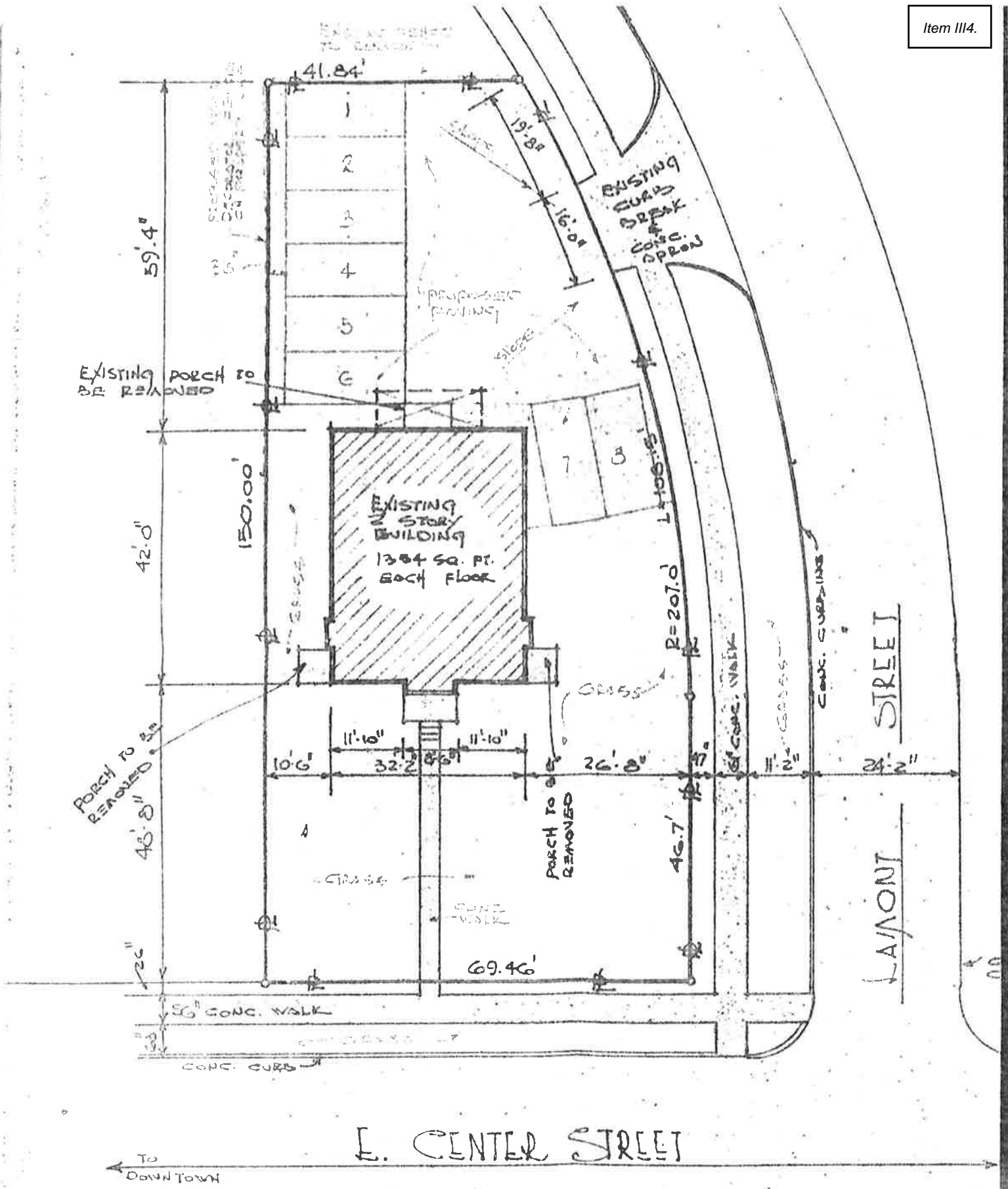
REZONING REQUEST

PRESENTED TO THE KINGSFORT REGIONAL PLANNING COMMISSION

NOVEMBER 15, 1984

SCALE 1"=200'





CITY OF KINGSPORT, TENNESSEE
BOARD OF MAYOR AND ALDERMEN
ACTION FORM

Item 12-6-110 Recommendation of Planning Commission to rezone property at Lamont & Center

Date of Board Meeting December 6, 1984 Date Prepared November 29, 1984

Presentation

At their meeting on November 15, the Planning Commission considered a request by Dr. Bill H. Gillenwater to rezone one lot located at the intersection of Lamont Street and East Center Street from R-1B Single Family Residential to P-1 Professional Office District, in order to establish a chiropractor's office at this location. The Commission was of the opinion that rezoning was in order since it would allow the structure to be repaired and put to a productive use within the community.

All property owners were notified of the proposed rezoning, and there were no objections voiced to it.

Action Requested

Accept the recommendation of the Planning Commission and set a Public Hearing on the matter, to be held at the regular meeting on January 2, 1985.

William L. Cook

City Manager

Follow-up Directions

The Board accepted the recommendation of the Planning Commission and set a Public Hearing for the regular meeting on January 2, 1985.

Date <u>12-6-84</u>							
(X) Approved	Spencer	Yes	No	Other	Routing:	Com. Rel.	
() Denied	Watterson	___	___	___	Pub. Wks. ___	City Atty. <u>JM</u>	
() 1st Reading	Douglas	___	___	___	Planning <u>JHW</u>	Personnel	___
() 2nd Reading	Everett	___	___	___	City Rec. ___	Engineering	___
() 3rd Reading	Hubbard	___	___	___	Purchas. ___	Building	___
() Deferred to	Todd	___	___	___	Com. Svc. ___	Police	___
() Referred to	Williams	___	___	___	Transpor. ___	Fire	___
					Assistant <u>DWW</u>	Safety	___
					CD	Recreation	___
					Leis. Svc. ___	Other	___



CITY OF KINGSPORT
TENNESSEE

225 WEST CENTER STREET
KINGSFORT, TENNESSEE 37660
PHONE (615) 245-5131

February 28, 1985

Mr. Bill H. Gillenwater
215 Wrenwood Court
Kingsport, TN 37660

Dear Mr. Gillenwater:

This is to inform you that the Kingsport Board of Mayor and Aldermen passed on third and final reading an Ordinance to rezone the property located at Center Street and Lamont Street intersection from R-1B, Single Family Residential, to P-1, Professional Office District. This rezoning will become effective with publication of the Legal Notice in the Kingsport Times-News.

If you have any questions concerning this rezoning, or if I can be of any further assistance in this matter, please contact the Planning Department at 245-5131, extension 201.

Sincerely,

Alan Webb
Planner I

AW/kss

BLOCK & LOT NO.	OWNER	ADDRESS	LAND USE	ACCESSED VALUATION	TAXES RECEIVABLE
	MAP 46 N "K"				
P-15	HOMER R. FINE	1317 E. CENTER ST.	KPT	TENN.	37660
P-16	STEVEN E. KRAMER	1373 CATAWBA ST.	"	"	"
P-17	DALE D. & PATRICIA BUCKLES	1385 CATAWBA ST.	"	"	"
P-18	"	"	"	"	"
P-19	BEULAH M. PIPPIN				
	% MARIE S. PARKS	Box 3866	"	"	37664
P-20	LYNN W. TURNER	705 YADKIN ST.	"	"	37660
P-21	ROBERT PIKOUSKY	1386 E. CENTER ST.	"	"	37664
P-22	CECIL MORELOCK	1382 "	"	"	37664
P-23	GERRY MILLER	1378 "	"	"	"
P-24	MYRTLE SLATER	4707 COUNTRY CLUB VIEW	BAYTOWN	TX	77521
P-25	MAGGIE A. KING	1370 E. CENTER ST.	KPT	TENN.	37664
	MAP 46 N "M"				
P-25	GLENDA BALL	121 E. RAUING	KPT	TENN	37663
P-26	DEE HORTON	1410 E. CENTER ST.	"	"	"
P-27	DAVID T. CREECH	1013 E. SOLLIVAN ST.	"	"	"
P-28	GEORGE W. CAPP	Box 1 Box 289	FALL BEACH	"	37656
P-29	CHARLES E. WILLET	1624 CRESCENT DR.	KPT	"	37664
P-30	HOWARD BALLARD SR.	1509 LAMONT ST.	"	"	"
P-31	ELEANOR PECKTAL	5028 MEMORIAL BLVD	"	"	"

Item III4.



CITY OF KINGSPORT
TENNESSEE

225 WEST CENTER STREET
KINGSPORT, TENNESSEE 37660
PHONE (615) 245-5131

November 29, 1984

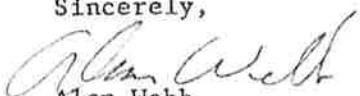
Dr. Bill Gillenwater
213 Wrenwood Court
Kingsport, TN 37663

Dear Dr. Gillenwater:

This is to advise that due to a time conflict with several members of the Board the next regular meeting of the Kingsport Board of Mayor and Aldermen has been postponed until Thursday, December 6, 1984. This meeting will be held at 7:00 p.m. in the large court room at City Hall, and at this time the Board is scheduled to consider establishing the date for a Public Hearing on the rezoning of your property. It is suggested that either you or your representative be present at this meeting to answer questions the Board members may have and observe any action the Board may take regarding the rezoning.

I hope rescheduling the meeting to Thursday from the regular Tuesday night meeting does not present any inconvenience. If you have any questions concerning this matter please contact the Planning Department at 245-5131, extension 201.

Sincerely,


Alan Webb
Planner I

AW:bsk

ZONING APPLICATION FORM

Date Sept 12, 8, 1984 Case No. _____

Date Received _____ (FOR STAFF USE)

Gentlemen:

I hereby petition the City of Kingsport, to amend the Zoning Ordinance of the City of Kingsport as hereinafter shown:

Street Address 1392 E Center St Lot No. 19 Block No. 13
(Attach a map showing accurate boundary survey and acreage of property to be rezoned).

Acreage of Property 46.9 Less than 1 acre Required Fee \$ 25⁰⁰

Present Zoning R1-B Requested Zoning P-1

Proposed use of land Professional Office - Chiropractic

Why Petitioner feels change is justified It is our sincere desire to relocate our office to this location. We feel that we could greatly enhance Center St. by restoring this property to its original beauty as Mr Hawkins + Mr Moody have done across the street.

239-7455 (for more space, attach sheet)

Name, address and phone number of owner(s) of property or agent of the owner

Dr. Bill + Martha Gillenwater 215 Wrenwood Ct Kingsport, TN 37663

I/we certify that the above information is true and correct, and give my/our permission to the City of Kingsport to erect appropriate signs on the subject property notifying all interested citizens of the time and place for discussion and action on the petition for rezoning. (See Article XII, Section 2 of the Zoning Ordinance.

Bill H. Gillenwater Martha Gillenwater
SIGNATURE OF OWNER(S)

NOTICE OF INFORMATION ON FILING AND SCHEDULE OF PAYMENT

- (1) An application for an amendment to the Zoning Ordinance and Map shall be filed in the office of the City Planner, City Hall, prior to the first of the month in which the amendment is to be considered.
- (2) The amendment shall be accompanied by a payment, payable to the Treasurer of the City of Kingsport to defray part of the administrative cost of processing the rezoning application. The amount of payment shall be as set out in the following schedule:

ACREAGE	AMOUNT OF PAYMENT
Under 1.0 acre	\$ 25.00
1.0 acre or more but less than 2.0 acres	\$ 50.00
2.0 acre or more but less than 3.0 acres	\$ 75.00
3.0 acre or more but less than 10.0 acres	\$ 100.00
10.0 acre or more but less than 25.0 acres	\$ 125.00
25.0 acres or more	\$ 150.00

- (3) The Planning Commission will give public notice of the proposed revision or amendment by erecting an appropriate sign on the property which would be affected by the proposed change and send a notice of the time and place for a public discussion of the proposed change to owners fronting or abutting the property in question.



GIL HODGES
SULLIVAN COUNTY OFFICE OF PROPERTY ASSESSMENTS

P. O. BOX 587
BLOUNTVILLE, TN 37617

PHONE ALL NUMBERS
323-5120
323-5701
323-7882

May 13, 1987


ASSESSMENT CHANGE NOTICE

Your assessment on property you own on/at 1392 E. Center St
has been changed for 1987, because One fireplace has been
removed and the classification changed from residential to
commercial

Your total assessment for 1987 (including land and all improve-
ments) will be \$ 19,920.

The amount of taxes on this property will be determined by
the tax rate set by your County Commissioners.

If you wish to appeal your assessment to the Sullivan County
Board of Equalization, please call 323-5701 for an appointment.



Gil Hodges
Property Assessor

GH/mf

Mr. Bill H. Gillenwater
215 Wrenwood Ct
Kingsport, TN 37664

20204 City of Memphis Property

1392 E CENTER ST
 PIPPIN BEULAH M
 & MARIE S PARKS
 BOX 3266
 KINGSPORT TN 37664

FAIRACRES ADD BK 1PG 998LK 1LOT 37

REAL ESTATE APPRAISAL CARD
 SULLIVAN CO TENNESSEE

11 040N K 04
 PARCEL IDENTIF
 DATE RAN 08/26/83

Item IIIA.

Rel' B 2/13/84

FOUNDATION CONTINUOUS FOOTING
 FLOR SYSTEM WOOD W / SUB FLR HF1.00
 EXT WALL COMMON BRICK PWF1.00
 STRUCT FRAME NONE
 ROOF FRAMING GABLE / HIP
 ROOF COV-DEC COMPOSITION SHINGLE
 CAB-MILLWORK BELOW AVERAGE
 FLOOR FINISH HARDWOOD / PARQUE
 INTER FINISH PLASTERED DIRECT PF1.00
 PAINT-DECOR BELOW AVERAGE
 HTG/AIR COND HEATING W / DUCTS
 PLUMBING NU. OF FIXTURES 34
 BATH TILE NONE
 ELECTRICAL BELOW AVERAGE
 QUAL FACTOR AVERAGE 30

OLD 64766 x 258 16675
 NEW 45200 x 258 11360

APPROXIMATE VALUE RECAP
 IMPR 61969
 LAND 4680
 TOTAL 66649

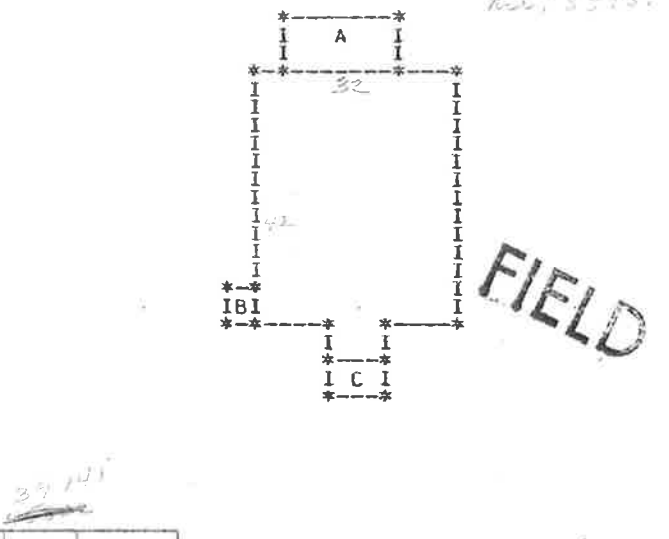
UNITS/CARD 52.00
 UNITS/PARCEL 52.00

TOTAL UNITS	SHAPE	SIZE	ADJ. UNITS	BASE RATE	ADJ. BASE RATE	IMPR TYPE	REPL COST
107	100	94	101	30.65	30.96	01	30 55

AREA DESIG	% OF RATE	ADJ. NO	AREA RATE	NO OF SQ FEET	REPL COS NEW
BASE	100	30.96	30.96	1360	42106
USF	90	30.96	27.86	1344	37444
UPF	30	30.96	9.29	188	1747
BMU	20	30.96	6.19	320	1981

AGE	DEPRECIATION	REPL COST NEW	DEPR. REPL COST
28	28	0	0
TOTAL AREAS		508	2704

DESCRIPTION OF EX FEAT-SPEC BLDG	SIZE (SQ FT)	UNIT PRICE	UNITS	REPL COST	DEPR VALUE
1 FRPL BA	14	21000	230	100	4700
2 PATIO	12x16	180	19230	300	1000



BUILDING DIMENSIONS
 CASE-7*25*36*6*12*2*
 8*2*12*42
 A-UPF-7*18
 B-UPF-3*6
 C-UPF-4*8*
 ST2
 USF-32*42*32*42*
 ST0
 BMU-32*10*32*10

FIELD CARD
 4500
 1700
 15280

TOTAL CALCULATED EX FEAT-SPEC BLDG VALUE	LAND VALUE	TOTAL VALUE
2009	61969	40792

GENERAL PARCEL DATA	GENERAL CARD DATA
NO OF STORES 2	10 14 81 1 IN
LAND STRUCK 02 03 83 1 2 0 0 0	11
TOTAL CALCULATED IMPROVEMENT VALUE 2009	61969
TOTAL VALUE 40792	

TOTAL	CALCULATED	LAND	VALUE	LAND VALUE	TOTAL VALUE
				4680	4680

ArcGIS Web Map

Item III.5.

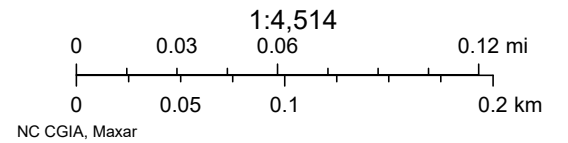


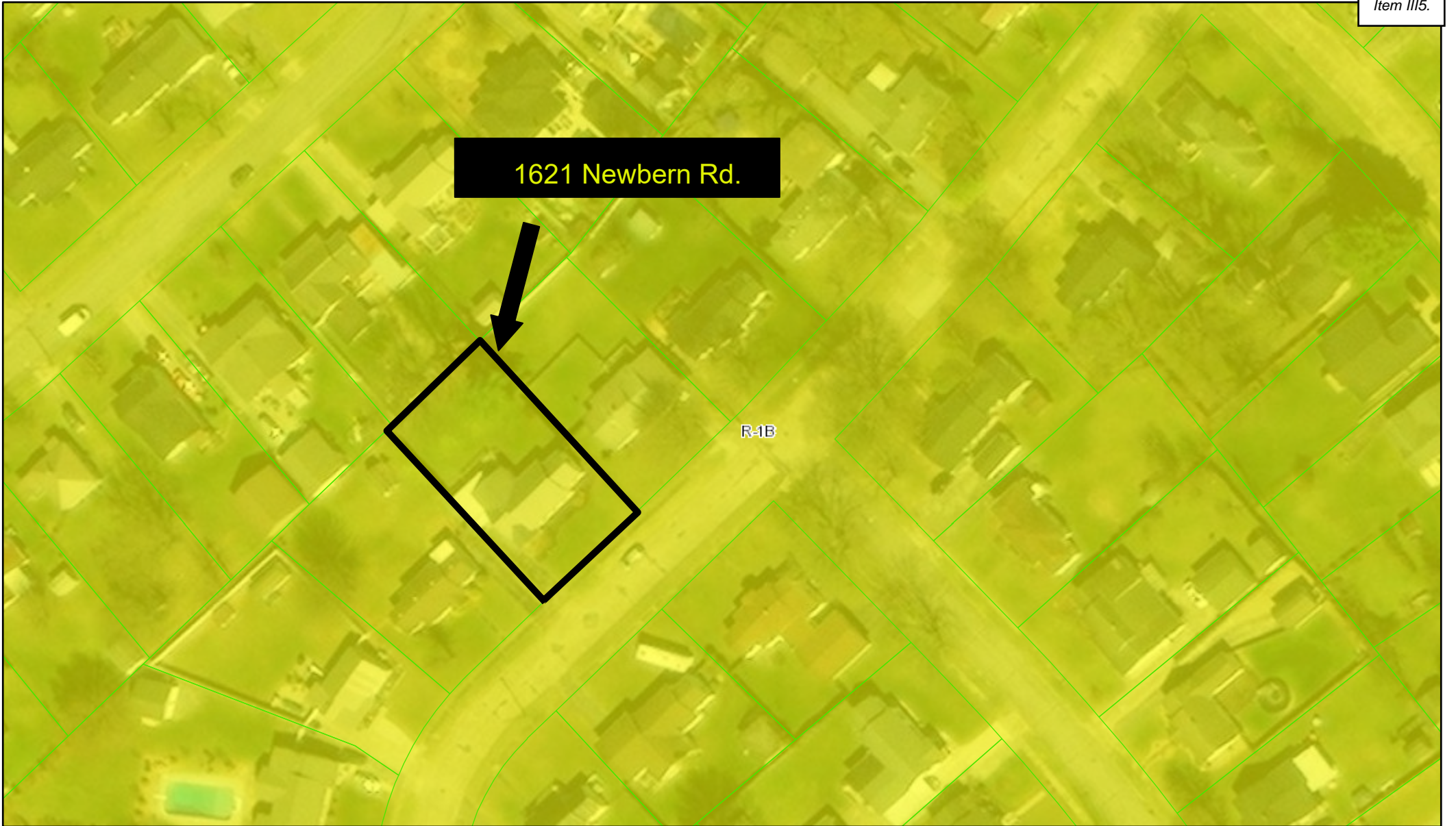
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Sullivan County Parcels Jan 2023

 Parcels

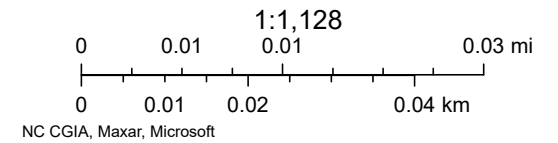
 Urban Growth Boundary





8/16/2024, 2:50:21 PM

Sullivan County Parcels Jan 2023	GC	B-2	BC	P-1	PMD-2	R-1C	Split
Parcels	B-2E	B-3	GC	P-D	PUD	R-2	TA
City Zoning	A-1	B-3	M-1	PBD-3	PVD	R-3	TA-C
<Null>	A-2	B-4	M-1R	PBD/*	R-1	R-3A	UAE
TA/C	AR	B-4P	M-2	PD	R-1A	R-3B	Urban Growth Boundary
R-5	B-1	B-4P	MX	PMD-1	R-1B	R-4	





TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: July 18, 2024

RE: 1621 Newbern Road

The Board is asked to consider the following request:

Case: BZA24-0171 – The owner of property located at 1621 Newbern Road, Control Map 061E, Group A, Parcel 006.00 requests a 6 foot side yard variance to Sec 114-183(e)(1)d for the purpose of constructing a new wooden carport for an existing home. 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.*

APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

Burell	Seale, Maryann	M.I.	Date	8/13/2024
Street Address 1621 Newbern Rd		Apartment/Unit #		
City	Kingsport	Tn	ZIP3 7664	
Phone	423-967-2839	E-mail Address		

PROPERTY INFORMATION:

Tax Map Information Tax map: 061E Group: A Parcel: 006.0 Lot:18

Street Address	1621 Newbern Rd Kingsport TN 37664	Apartment/Unit #
Current Zone	Proposed Zone	
Current Use	Proposed Use	

REPRESENTATIVE INFORMATION:

Last Name	Freeman	First	Mark	M.I.	Date	08/13/24
Street Address 1381 Skelton Bluff Rd		Apartment/Unit #				
City	Kingsport	Tn	ZIP	37660		
Phone	423 646 1000	Mark@mfa-arch.com				

REQUESTED ACTION:

There is an aluminum awning to be removed that serves as a car parking cover and the request is to have a 6'-0" variance so that a new wooden carport can be constructed in the same approximate location to integrate with the house better.

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: *D. Burell* Date: *8/13/24*
Maryann Seale Date: *8/13/24*

Signed before me on this *13th* day of *August*, 20*24*
 a notary public for the State of *Tennessee*
 County of *Sullivan*
 Notary *Kelsey Webster*



My Commission Expires May 2nd, 2021

CITY PLANNING OFFICE

Received Date:	Received By:
Application Fee Paid:	
Board of Zoning Appeals Meeting Date:	
Section of Applicable Code:	
Building/Zoning Administrator Signature:	Date:
Completed Site Plans Received:	
Previous requests or file numbers:	
Signature of City Planner:	Date:

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 older neighborhoods have narrow lots that with the existing structures, cannot accommodate covered parking conditions or garages. This residence has currently an aluminum pan awning in place. The residence is going through a significant upgrade on the exterior as well as an addition of a great room. The desire is to replace the aluminum awning with a more esthetically appropriate structure that will upgrade the neighborhood.

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

The strict application deprives the owners of the ability to enjoy a structure to protect their cars and provide a covered access from drive to interior.

- 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 applicants did not have any ability to affect the original structure on the property in a manner to provide the desired addition of the Carport to the existing structure and the addition to be built. The addition meets all requirements. Only the Carport aspect is an issue.

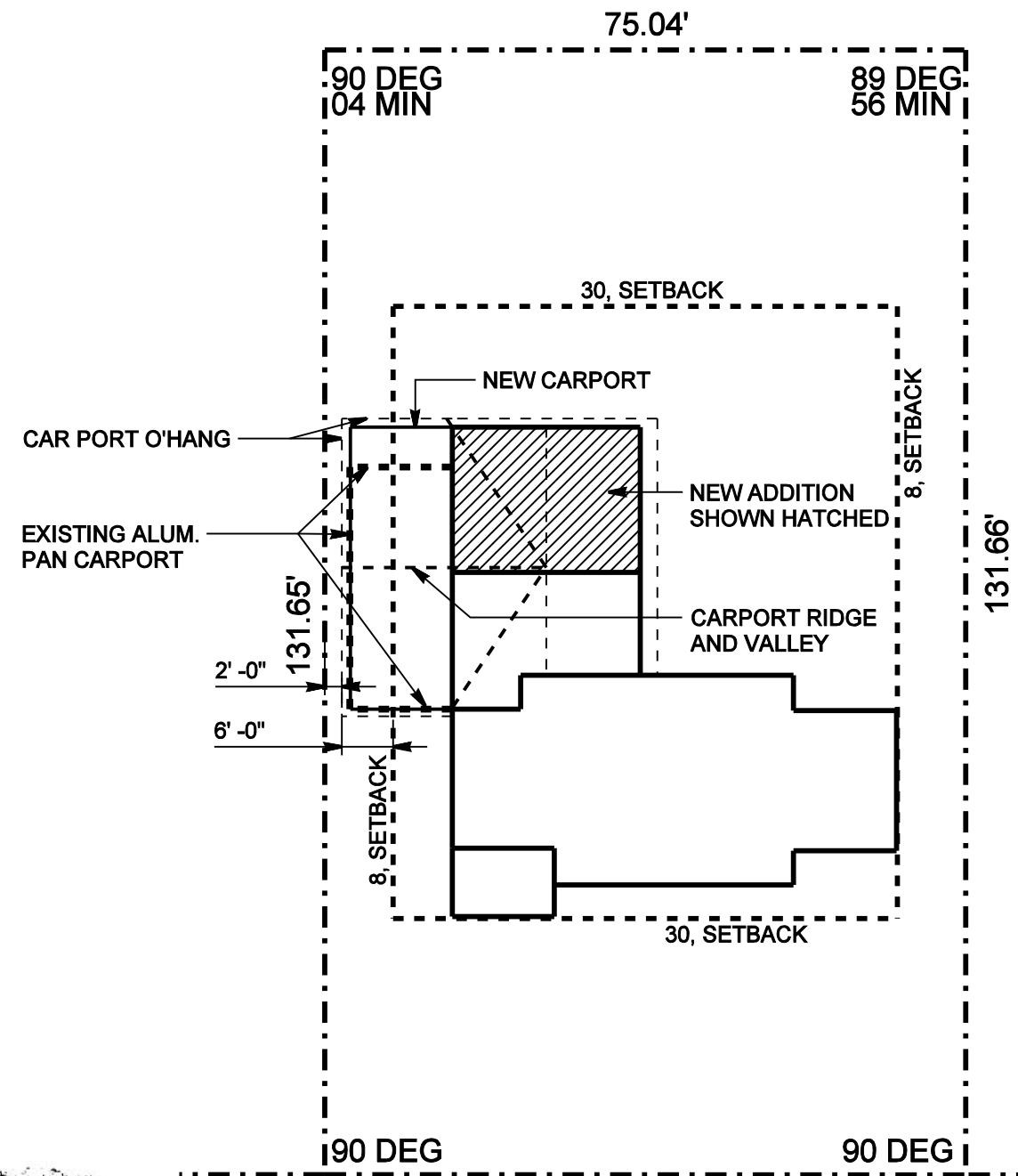
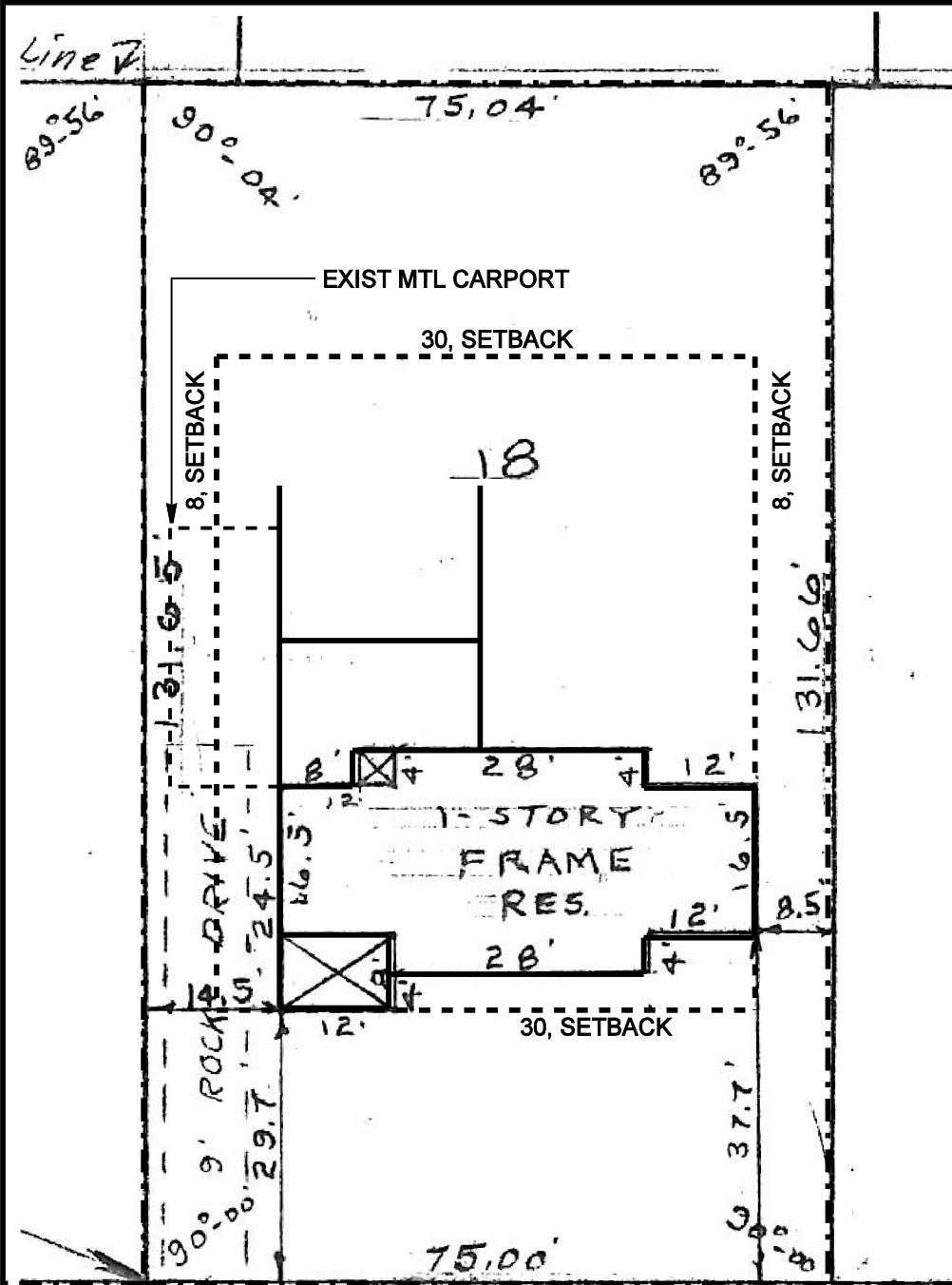
- d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

The addition will enhance the neighborhood and allow for a more pleasing appearance while providing essential functionality for the occupants.

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.



Survey of
 Lot 18 Block "H"
 Greenfields Addition
 Kingsport, Tenn.
 NEWBERN ROAD
 Scale "1"=30'
 March 24, 1960
 KING ENGINEERING COMPANY



NEWBERN ROAD
 SURVEY OF
 LOT 18 BLOCK H
 GREENFIELDS ADDITION
 KINGSFORT, TENNESSEE
 1621 NEWBERN RD.

Item III.5.

ARCHITECTURE-PLANNING-INTERIOR DESIGN
 TOTAL PROJECT MANAGEMENT
 Mark Freeman Architecture PLLC
 P. O. Box 6 - Kingsport - Tennessee - 37662
 1381 Skellon Bluff Road - Kingsport - Tennessee - 37660
 Ph. 423.646.1000 - mfreeman2004@hotmail.com - mfa-arch.com

PROJECT:
**BRUELL RESIDENCE
 ADDITION**
 1621 NEWBERN RD.
 KINGSFORT, TENNESSEE

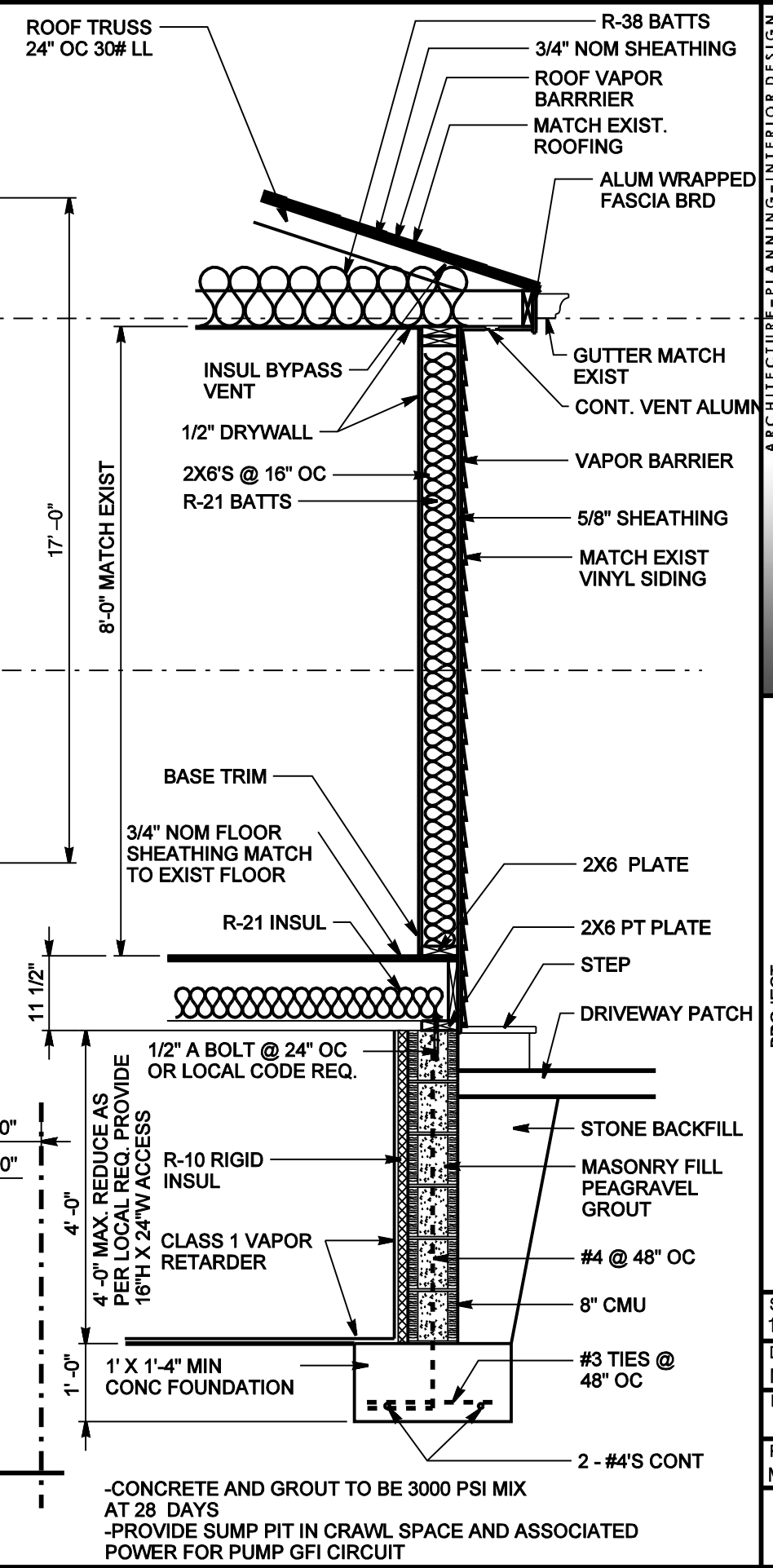
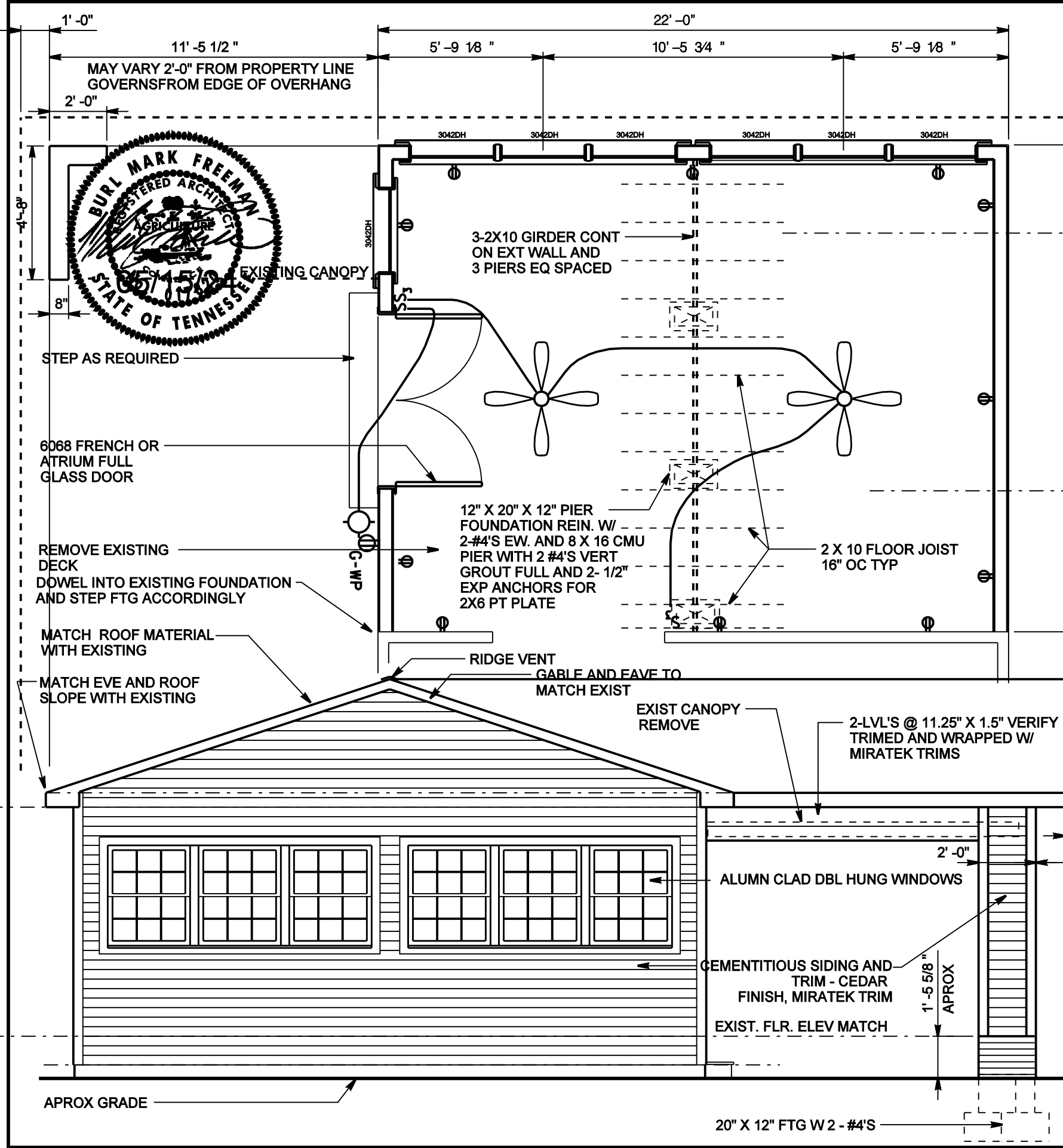
SCALE:
 1" = 20'-0"

DR. BY:
 M FREEMAN

DATE:
 05/08/24

PROJECT NO.:
 MFA24-05-101

SHEET NO.:
C-1.0



ARCHITECTURE-PLANNING-INTERIOR DESIGN
TOTAL PROJECT MANAGEMENT

Mark Freeman Architecture PLLC

P.O. Box 6 - Kingsport - Tennessee - 37662
1381 Skellon Bluff Road - Kingsport - Tennessee - 37660
Ph. 423.646.1000 - mfreeman2004@hotmail.com - mfa-arch.co

PROJECT:
**BRUELL RESIDENCE
ADDITION**

1621 NEWBERN RD.
KINGSPORT, TENNESSEE

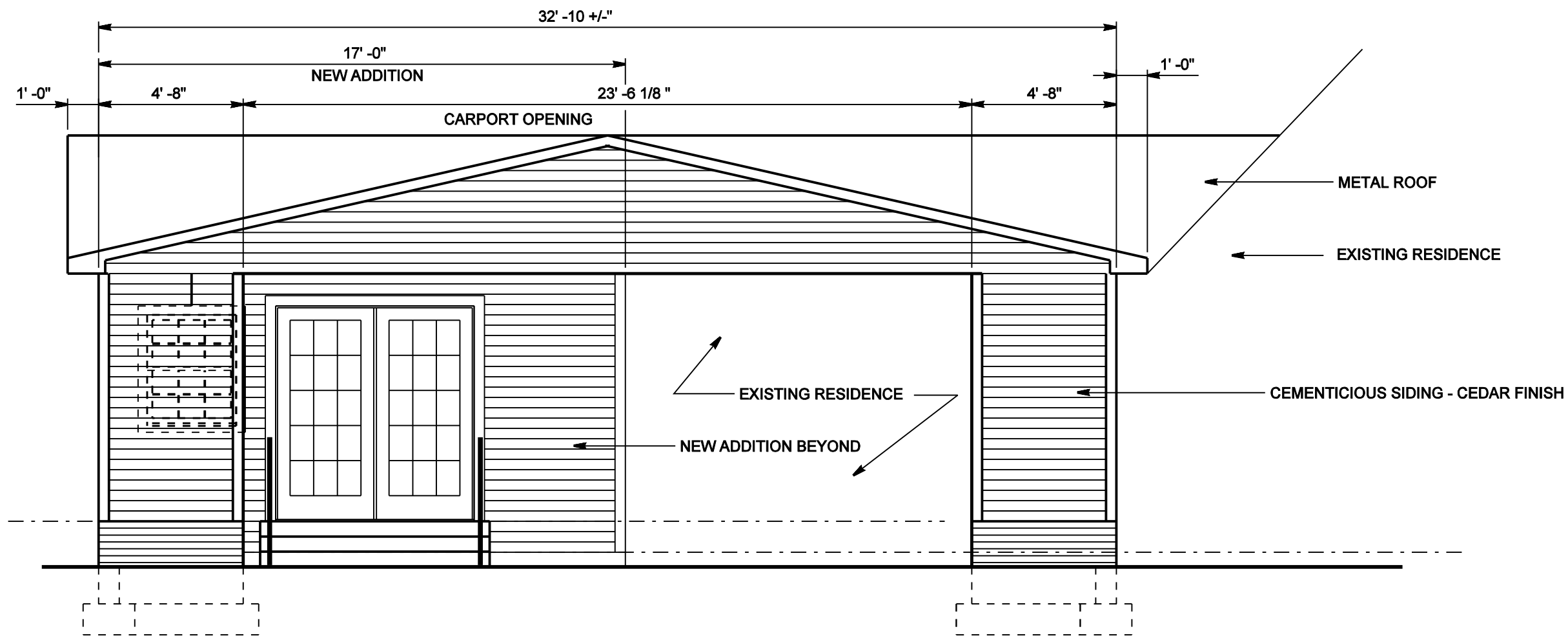
SCALE:
1/4" = 1'-0"

DR. BY:
M FREEMAN

DATE:
05/08/24

PROJECT NO.:
MFA24-05-101

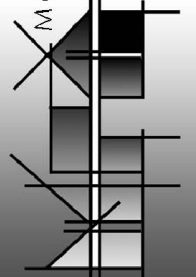
SHEET NO.:
A-1.0



ELEVATION ADJACENT TO SETBACK

Item III.5.

ARCHITECTURE-PLANNING-INTERIOR DESIGN
TOTAL PROJECT MANAGEMENT



Mark Freeman Architecture PLLC

P. O. Box 6 - Kingsport - Tennessee - 37662
1381 Skelton Bluff Road - Kingsport - Tennessee - 37660
Ph. 423.646.1000 - mfreeman2004@hotmail.com - mfc-arch.co

PROJECT:

**BRUELL RESIDENCE
ADDITION**

KINGSPORT, TENNESSEE

1621 NEWBORN RD.

SCALE:
1/4" = 1'-0"

DR. BY:
M FREEMAN

DATE:
08/14/24

PROJECT NO.:
MFA24-05-101

SHEET NO.:

A-1.1



TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: August 22, 2024

RE: B-2, Central Business District & B-2E, Central Business Edge District

The Board is asked to consider the following request:

Case: BZA24-0172 The applicant requests a zoning interpretation of Sec 114-194(d)3 the B-2, Central Business District and Sec 114-203(d)3 the B-2E, Central Business Edge District. The purpose of this request is to seek an interpretation of an animal boarding facility as a prohibited use in the B-2 and B-2E zones.

Code reference:

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

(d) *Prohibited uses.* Uses prohibited in the B-2 district are as follows:

- (1) Land intensive uses, as opposed to people intensive uses, such as industry and manufacturing.
- (2) Truck terminals and freight yards.
- (3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, **animal hospitals and boarding facilities**, stockyards and flour mills, and ministorage facilities.
- (4) Single-family detached dwellings.

Sec. 114-203. - B-2E, Central Business Edge District.

(d) *Prohibited uses.* Uses prohibited in the B-2E district are as follows:

- (1) Land intensive uses, as opposed to people intensive uses, such as industry and manufacturing.
- (2) Truck terminals and freight yards.
- (3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, **animal hospitals and boarding facilities**, stockyards and flour mills.
- (4) Single-family detached dwellings.

The applicant, Ms. April Carder, has requested a zoning interpretation/administrative review concerning prohibited uses within the B-2 and B-2E zoning districts. Ms. Carder is proposing to open a cat café in downtown Kingsport, however Sec 114-194(d)3 and Sec 114-203(d)3 states boarding facilities are prohibited. The applicant has stated in her application the entirety of the business will be contained within the building and will not involve "outdoor and

land intensive recreation" because the cats will remain inside the business. No other types of animals will be involved in the business in any way, and the cats involved in the business will not be allowed to go outdoors. Ms. Carder states they will ensure that the building and surrounding premises remain clean and free of cat odors and any other potential disturbance. Ms. Carder has stated the facility and cat boarding will open to the public.

In reviewing the matter, staff agree that the cat boarding aspect of the proposal will not be an outdoor use. A potentially defensible decision to allow the use may be to declare that the cat boarding itself is not a land intensive recreation as compared to boarding for other animal types.

APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:							
Last Name	Carder	First	April	M.I.	S	Date	8/14/2024
Street Address	2525 Essex Drive			Apartment/Unit #			
City	Kingsport	State	TN	ZIP	37660		
Phone	832-689-2679	E-mail Address				aprilscarder@gmail.com	

PROPERTY INFORMATION:						
<i>Tax Map Information</i>	Tax map:	Group:	Parcel:	Lot:		
Street Address	Downtown Kingsport			Apartment/Unit #		
Current Zone	B-2 / B-2E		Proposed Zone B-2 / B-2E			
Current Use	N/A		Proposed Use Cat café, cat grooming, and cat boarding			

REPRESENTATIVE INFORMATION:							
Last Name	Carder	First	April	M.I.	S	Date	8/14/2024
Street Address	2525 Essex Drive			Apartment/Unit #			
City	Kingsport	State	TN	ZIP	37660		
Phone	832-689-2679	E-mail Address				aprilscarder@gmail.com	

REQUESTED ACTION:

Before making a significant financial commitment to purchase or lease a property, we would like an administrative review to interpret the following Kingsport ordinances so that we can be assured that our proposed business can operate Downtown:

Sec. 114-194(d)(3). - B-2, Central Business District.

(d) Prohibited uses. Uses prohibited in the B-2 district are as follows . . .

(3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills, and ministorage facilities.

and

Sec. 114-203(d)(3). - B-2E, Central Business Edge District.

Prohibited uses. Uses prohibited in the B-2E district are as follows . . .

(3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills.

We would like to open a cat café business in Downtown Kingsport that also offers cat grooming and cat boarding services. The entirety of the business will be contained within the building and will not involve "outdoor and land intensive recreation" because the cats will remain inside the business. No other types of animals will be involved in the business in any way, and the cats involved in the business will not be allowed to go outdoors. We will do everything in our power to ensure that the building and surrounding premises remain clean and free of cat odors and any other potential disturbance. With this application, we are submitting a detailed description of the project and welcome an opportunity to address any questions or concerns that the Board may have about our proposal and request for interpretation. We thank you all in advance for your time and consideration.

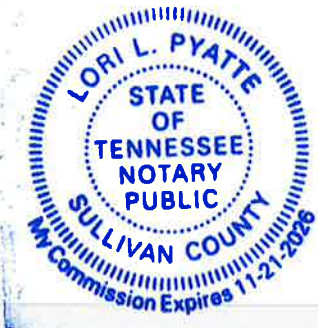
DISCLAIMER AND SIGNATURE

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 will be 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: [Handwritten Signature] Date: 8/15/24

Signed before me on this 15th day of August, 2024,
a notary public for the State of Tennessee
County of Sullivan

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



CITY PLANNING OFFICE

Received Date: _____ Received By: _____

Application Fee Paid: _____

Board of Zoning Appeals Meeting Date: _____

Section of Applicable Code: _____

Building/Zoning Administrator Signature: _____ Date: _____

Completed Site Plans Received: _____

Previous requests or file numbers: _____

Signature of City Planner: _____ Date: _____



BOOPS & BEANS CAT CAFE

Project Details for Zoning Interpretation Request

Charles and April Carder, Owners
submitted August 15, 2024

Summary

Boops & Beans will be a cat cafe and lounge, which will also offer cat grooming and cat boarding services. The lounge will act as a foster home for cats from shelter and rescue partners while they wait to be adopted. They will roam free in the customized lounge (separated from the retail/café¹ area), allowing humans to experience life with cats. The business will also provide grooming services for cats only. No other animals will be groomed in the building. And the business will provide cat boarding services. No cats involved in any part of the business will be allowed outdoors at any time.

We very much want to be part of the revitalization effort in Downtown Kingsport. But before making a significant financial commitment to purchase or lease a property here, we are seeking an administrative review to interpret the following Kingsport ordinances so that we can be assured that our proposed business can operate Downtown:

Sec. 114-194(d)(3). - B-2, Central Business District.

(d) Prohibited uses. Uses prohibited in the B-2 district are as follows . . .

(3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills, and ministorage facilities.

and

Sec. 114-203(d)(3). - B-2E, Central Business Edge District.

Prohibited uses. Uses prohibited in the B-2E district are as follows . . .

(3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills.

The entirety of our proposed business will be contained within the building and will not involve “outdoor and land intensive recreation” because the cats will remain inside. No other types of animals will be involved in the business, and the cats will not be allowed outdoors. We will do everything possible to ensure the building and its surrounding premises remain clean and free of cat odors and any other potential disturbance.

¹ The word “cafe” is something of a misnomer. To comply with Tennessee health department requirements, the café will only serve pre-packaged foods and drinks, along with a self-serve Keurig-type hot beverage station. We are keeping the word “cafe” in the name because that is how these sorts of businesses are colloquially known.

Project Details

Below are photos of existing cat cafe businesses meant to illustrate the general appearance and concept for the café and lounge areas.



Cat Cafe Maui (Kahului, HI)



Catfeine Cat Café (Murfreesboro, TN)



Caffeine Cat Café (Murfreesboro, TN)



Caffeine Cat Café (Murfreesboro, TN)



Naughty Cat Cafe (Chattanooga, TN)



Naughty Cat Cafe (Chattanooga, TN)



Cat & Craft (Vista, CA)



Cat & Craft (Vista, CA)



Cats at Play Cat Café (Asheville, NC)



The Catcade – Cat Cafe & Rescue (Chicago, IL)



Crumbs & Whiskers Cat Café (Los Angeles, CA)

In the retail/café area, customers will be able to select a beverage and pre-packaged snack, buy cat-themed merchandise and creations from local artists. Customers can watch kitties through windows to the lounge area, where they pay a fee to enter and unwind, concentrate, or just have fun surrounded by cute furry faces.

The lounge will include arcade and video games, books and board games, plus quiet spaces for those looking to simply relax or work in the company of kitties. Customers will help the kitties become more socialized and help potential adopters to visualize how a cat might live in their home. The lounge allows the kitties to be themselves while potential adopters get to see their true personalities, which is almost impossible in a shelter environment.

Boops & Beans will also offer special events and classes, education on responsible pet ownership, as well as cat grooming and cat boarding services. Cat grooming and boarding will be key additions as there are few options for those services in Kingsport outside of veterinary offices. We plan to offer these services at reasonable prices to fill this currently unmet need in our community.



Sample Cat Boarding Suite Design



Sample Cat Boarding Suite Design



Sample Cat Boarding Suite Design

Boops & Beans will serve as a therapeutic, fun space for people of all ages—children (supervised by parents), adults, teenagers, and the elderly. We will partner with community organizations, small businesses, and other groups who can benefit from what we offer—such as homeschool families looking for enriching activities for their children outside of their homes.

Cat cafes are still a relatively new concept in a new industry, but they are steadily gaining popularity. At this time, the closest similar businesses are located well over an hour from Kingsport (Knoxville, TN [Scruffy’s Cafe] and Asheville, NC [Cats at Play Cafe]). So, we will offer a service that cannot be found locally and will provide Kingsport with a unique place for Tri-Cities locals and tourists to hang out. Because there are no local competitors, Boops & Beans will lend exclusivity to Downtown Kingsport and attract visitors from the entire Tri-Cities area.

Mission Statement

Our mission (“purr”-pose) is to save cats by providing a clean, healthy, and safe space for humans to meet and interact with them. We will support and bring joy to our community by hosting fun feline-themed events and education about animal shelters and rescues, spay/neuter, and cat health and well-being.

Conclusion

We anticipate no undesirable effect upon Downtown’s physical or environmental conditions nor any adverse impacts on the health, safety and welfare of the surrounding area. Rather, we believe that bringing this unique business to Kingsport will increase the value and utility of the space we ultimately choose and will be a destination for both tourists and locals.


We hope to realize our dream in Downtown Kingsport. We know we will be a valuable asset to our community, and we thank you for your consideration.

ArcGIS Web Map


Item III.7.

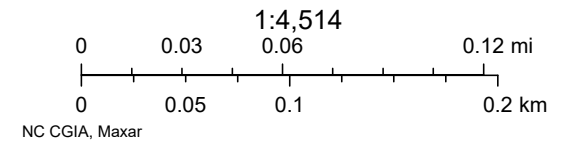


8/27/2024, 9:45:19 AM

Sullivan County Parcels Jan 2023  Urban Growth Boundary

 Parcels

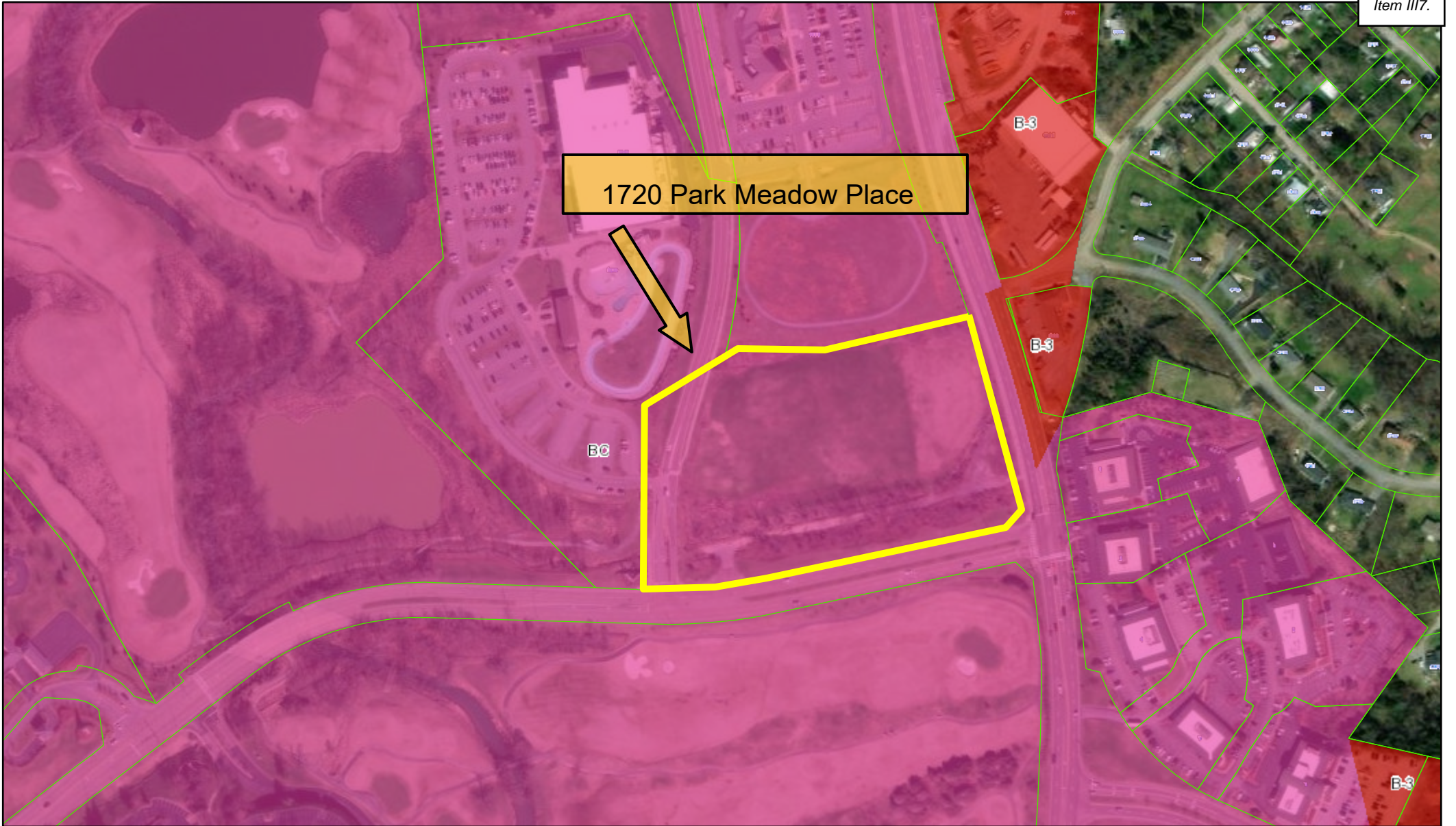
 Kpt 911 Address



ArcGIS Web Map

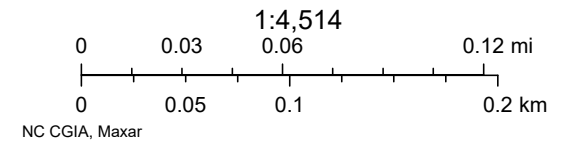
Item III.7.

1720 Park Meadow Place



8/27/2024, 9:42:14 AM

Sullivan County Parcels Jan 2023	GC	B-2	BC	P-1	PMD-2	R-1C	Split
Parcels	B-2E	B-3	GC	P-D	PUD	R-2	TA
City Zoning	A-1	B-3	M-1	PBD-3	PVD	R-3	TA-C
<Null>	A-2	B-4	M-1R	PBD/*	R-1	R-3A	UAE
T/A/C	AR	B-4P	M-2	PD	R-1A	R-3B	Urban Growth Boundary
R-5	B-1	B-4P	MX	PMD-1	R-1B	R-4	Kpt 911 Address





TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: August 27, 2024

RE: 1720 Park Meadow Place

The Board is asked to consider the following request:

Case: BZA24-0187– The owner of property located at 1720 Park Meadow Place, Control Map 076, Parcel 006.91 request is a special exception to Sec 114-382(1) for the purpose of constructing a new childcare facility. The property is zoned BC, Business Conference Center District.

Code reference:

Sec. 114-382. - BC, Business Conference Center District

Certain uses may be permitted in the Business Conference Center District upon the granting of a special exception by the board of zoning appeals:

- (1) Elderly and child day care, nursery schools and kindergartens, elderly day care.*
- (2) Helistops and pay parking lots, when not objectionable due to noise, odor, dust, smoke, vibration or other reasons.*
- (3) Recreational facilities, health clubs, golf courses, golf driving ranges, stadiums and civic fairs.*
- (4) Telecommunication facilities such as cell towers.*
- (5) Outside storage yards; storage yards for vehicles exceeding a gross vehicle weight rating of 15,000 pounds and construction equipment are prohibited.*
- (6) Hospital and health care centers.*
- (7) Parking structures.*

APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name: Wellmont Health System / Ballard Health	First	M.I.	Date: 8/26/24
Street Address: 1905 American Way		Apartment/Unit #	
City: Kingsport	State: TN	ZIP: 37660	
Phone:	E-mail Address: Alan.Levine@balladhealth.org		

PROPERTY INFORMATION:

Tax Map Information	Tax map: 076	Group:	Parcel: 006.91	Lot:
Street Address: 1720 Park Meadow Place, Kingsport, TN 37660			Apartment/Unit #	
Current Zone: BC - Gateway District		Proposed Zone: BC with a special exception granted by Kingsport Board of Zoning Appeals		
Current Use: Former Driving Range, currently vacant		Proposed Use: New Early Learning Childcare Center		

REPRESENTATIVE INFORMATION:

Last Name: Tully	First: Lynn	M.I.	Date: 8/26/24
Street Address: 1840 Meadowview Parkway		Apartment/Unit #	
City: Kingsport	State: TN	ZIP: 37660	
Phone: 770-561-3971	E-mail Address: lynn.tully@tn.gov		


REQUESTED ACTION:

Lynn Tully is an officer of the Greater Kingsport Family YMCA Board of Directors. Together with staff and the Childcare Center Task Force, the Y is seeking approval of this property to have a special allowance in zoning to construct an Early Learning Childcare Center. This property is in process of being deeded over to the GKFY from Ballard Health.

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: August 29, 2024

Signed before me on this 29 day of August, 2024, a _____
 notary public for the State of Tennessee
 County of Washington
 Notary 
 My Commission Expires 3-1-27



Kingsport Board of Zoning Appeals

Request for Special Exception

Submitted By the Greater Kingsport YMCA

Questions for consideration in allowing a Childcare in the Business Conference Zone:

- 1. What is the use, activities, hours of operation, number of anticipated customers and daily vehicles?**
 - a. The request is for an early childcare and preschool facility. This would include children from infant to Pre-K (4-5 y/o) ages. The teaching and childcare would be conducted primarily inside a building to be built specifically for that purpose and to meet the state standards for Department of Human Services. Two age-appropriate outdoor playgrounds will be included in the construction. The facility is expected to serve 124 children at max capacity for Phase 1 and we are currently planning to build to that standard. We do have plans that would allow an expansion to include 180 children in facility, however that expansion would depend on future funding. Hours of operation are anticipated to be from 6am-6pm depending on market need for childcare. Vehicle trips to the facility are estimated from 100-180 vehicles daily including employees, with the large majority of visits to be queueing in drop-off/pick-up lines without a need to park on the premises.

- 2. Are there accessible safe streets for anticipated traffic and adequate parking facilities onsite?**
 - a. The site is surrounded on 3 sides by public streets, including Wilcox Drive, MeadowView Parkway and Park Meadow Place. Access to the site will be via a shared driveway and access easement from Park Meadow Place. The shared driveway will give access to the remainder property owned by Ballard at the intersection of Wilcox Drive and MeadowView Parkway. Ballard will retain an existing curbcut along MeadowView Parkway for alternate/primary access. Ballard does not have any immediate plans to develop that site. Onsite parking is to be routed within the site specifically to mitigate any issues with drop-off & pick-up and queueing is only expected during early morning hours and evening shifts. Onsite Parking is designed to provide adequate spaces to meet the current zoning requirements.

- 3. Does the use and additions if any, fit with the neighborhood architecture and aesthetics?**
 - a. The current conceptual design is in concert with the existing YMCA facility and will meet all Gateway Design Requirements upon final permitting. The YMCA understands the need to maintain the aesthetic appearance of the Gateway District and will work to include all necessary elements to support the property's desirability within the neighborhood of commercial buildings.

- 4. Will the use generate excessive noise, traffic, dust, etc.?**

- a. The use will have some playground noise levels at varying times throughout the day, but no more than a typical elementary school and much less than most schools in the area based on their capacity. The proximity to the existing YMCA and Aquatic Center is optimal for the proposed facility and would create much less noise, traffic or dust than is currently experienced in the area.

5. Is there proper fencing and screening to shield the proposed use from the existing neighborhood?

- a. As the area surrounding the property consists of primarily commercial entities and an existing large recreational facility there appears to be no screening for the childcare necessary at this time. Fencing will be required for all playgrounds and other areas in accordance with DHS standards.

6. Are there any undesirable effects upon the neighborhood's physical or environmental conditions or any adverse impacts on the health, safety and welfare of the surrounding area?

- a. There are no anticipated adverse impacts of this use on the health, safety and welfare of the surrounding area.

PROPERTY DESCRIPTION OF A 3.000 ACRES LOT

Located in the 13th Civil District of Sullivan County, Tennessee and being more particularly described as follows:

BEGINNING at an iron rod found on the eastern right-of-way for Park Meadow Place, (Plat Book P56- Page 540), said iron rod being a southwestern corner to Eastman Credit Union (Deed Book 3294-Page 2173).

Thence, leaving the eastern right-of-way for Park Meadow Place and continuing with Eastman Credit Union, the following three courses.

- (1) North 56 degrees 34 minutes 44 seconds East – 74.13 feet to an iron rod found.
- (2) North 88 degrees 32 minutes 49 seconds East – 199.98 feet to an iron rod found.
- (3) North 75 degrees 16 minutes 05 seconds East – 155.35 feet to an iron rod set.

Thence, leaving Eastman Credit Union and continuing through Wellmont Health System (Deed Book 2879C-Page 84), the following three courses.

- (1) South 04 degrees 41 minutes 41 seconds West – 349.36 feet to an iron rod set.
- (2) North 89 degrees 12 minutes 32 seconds West – 417.29 feet to an iron rod set.
- (3) Around a curve to the right, (Chord, North 40 degrees 48 minutes 20 seconds West – 37.39 feet, Radius, 25.00 feet, Delta Angle, 96 degrees 48 minutes 23 seconds, Arc Length, 42.24 feet) to an iron rod set in the eastern right-of-way for Park Meadow Place.

Thence, leaving Wellmont Health System and continuing with the eastern right-of-way for Park Meadow Place, the following two courses.

- (1) Around a curve to the right, (Chord, North 11 degrees 27 minutes 42 seconds East – 63.35 feet, Radius, 470.00 feet, Delta Angle, 07 degrees 43 minutes 41 seconds, Arc Length, 63.39 feet) to an iron rod set.
- (2) North 15 degrees 19 minutes 33 seconds East – 172.78 feet to the BEGINNING.

Containing 130,680 Sq.Ft. (3.000 Acres) more or less.



DESCRIPTION OF A 40 FEET WIDE INGRESS/EGRESS EASEMENT

Located in the 13th Civil District of Sullivan County, Tennessee and being more particularly described as follows:

BEGINNING at a mag nail found at the intersection of the northern right-of-way for Meadowview Parkway and the eastern right-of-way for Park Meadow Place, said mag nail being a southwestern corner to Wellmont Health System (Deed Book 2879C-Page 84).

Thence, with the eastern right-of-way for Park Meadow Place, North 03 degrees 47 minutes 40 seconds West – 183.48 feet to an iron rod set, the true point of BEGINNING.

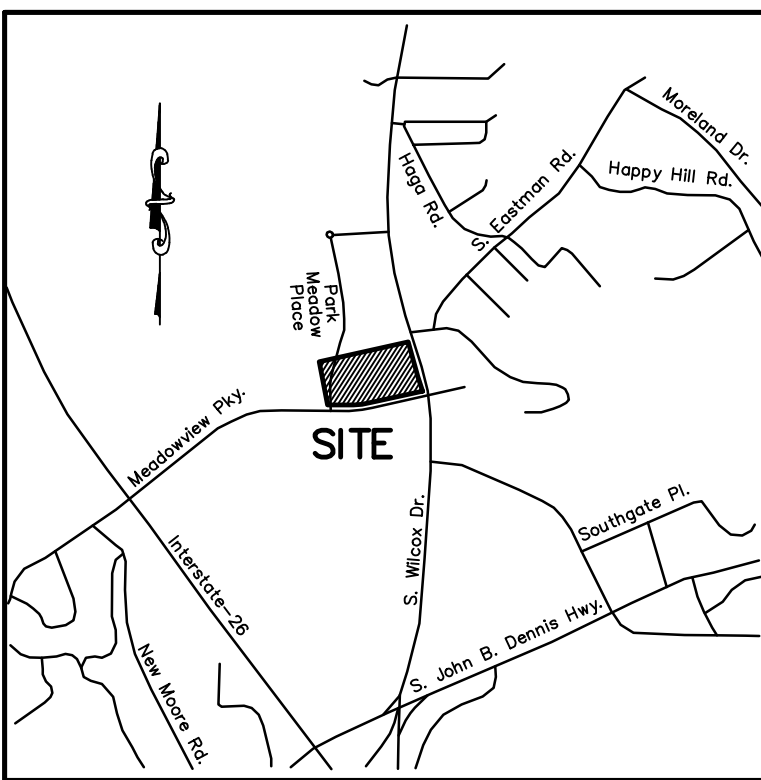
Thence, with the eastern right-of-way for Park Meadow Place, the following three courses.

- (1) North 03 degrees 47 minutes 40 seconds West – 17.76 feet to an iron rod set.
- (2) South 86 degrees 12 minutes 20 seconds West – 22.28 feet to an iron rod set.
- (3) Around a curve to the right, (Chord, North 02 degrees 46 minutes 15 seconds East – 79.09 feet, Radius, 470.00 feet, Delta Angle, 09 degrees 39 minutes 11 seconds, Arc Length, 79.19 feet) to an iron rod set.

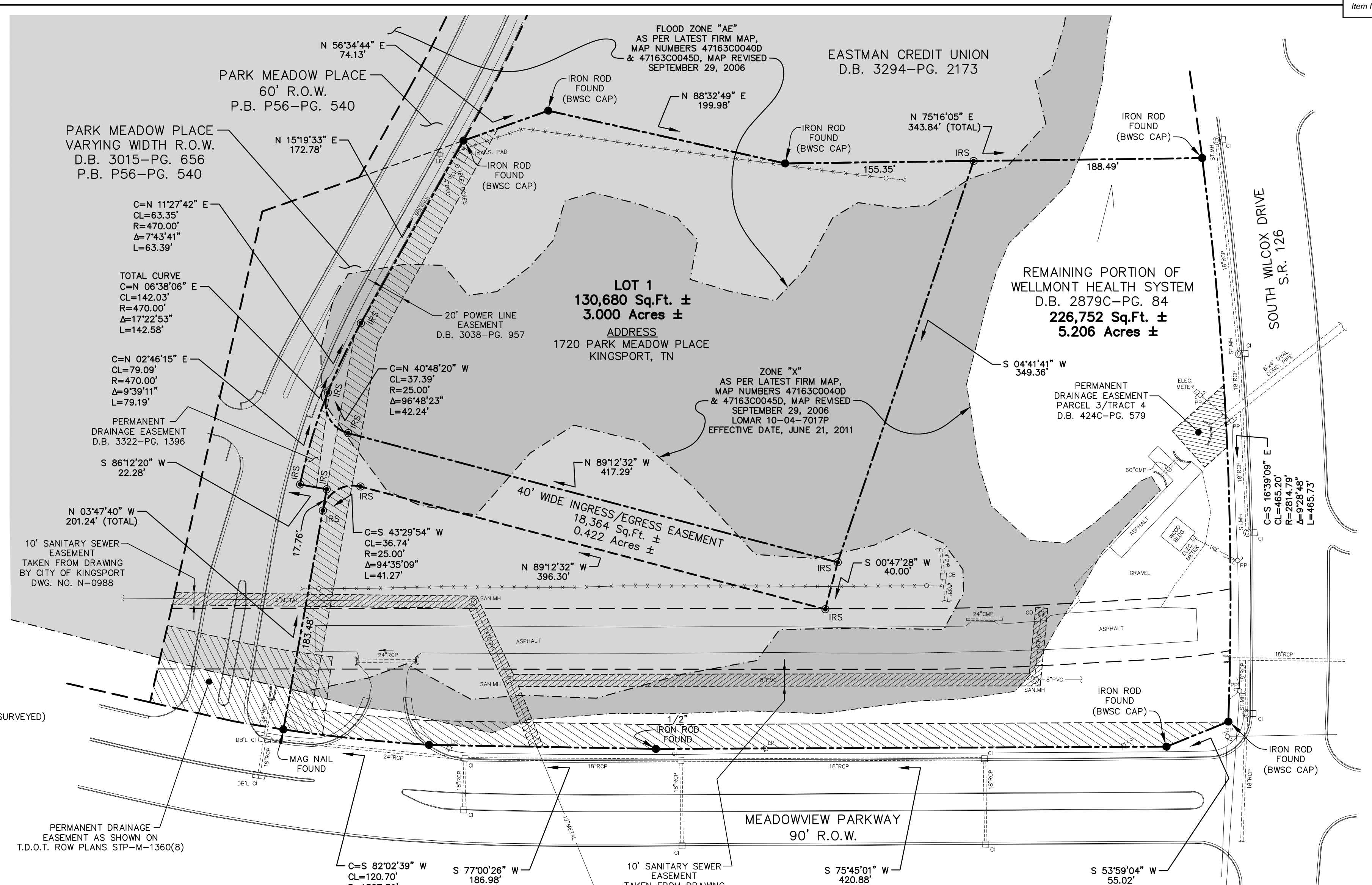
Thence, leaving the eastern right-of-way for Park Meadow Place and continuing through Wellmont Health System, the following five courses.

- (1) Around a curve to the left, (Chord, South 40 degrees 48 minutes 20 seconds East – 37.39 feet, Radius, 25.00 feet, Delta Angle, 96 degrees 48 minutes 23 seconds, Arc Length, 42.24 feet) to an iron rod set.
- (2) South 89 degrees 12 minutes 32 seconds East – 417.29 feet to an iron rod set.
- (3) South 00 degrees 47 minutes 28 seconds West – 40.00 feet to an iron rod set.
- (4) North 89 degrees 12 minutes 32 seconds West – 396.30 feet to an iron rod set.
- (5) Around a curve to the left, (Chord, South 43 degrees 29 minutes 54 seconds West – 36.74 feet, Radius, 25.00 feet, Delta Angle, 94 degrees 35 minutes 09 seconds, Arc Length, 41.27 feet) to the true point of BEGINNING.

Containing 18,364 Sq.Ft. (0.422 Acres) more or less.



VICINITY MAP
N.T.S.



LINE LEGEND

- IRS ● - IRON ROD SET (TH&P CAP)
- - PROPERTY LINE (SURVEYED)
- - - - - PROPERTY ADJOINING LINES (NOT SURVEYED)

CERTIFICATION OF THE APPROVAL OF WATER SYSTEMS

I HEREBY CERTIFY THAT THE WATER SUPPLY SYSTEM OR SYSTEMS INSTALLED, OR PROPOSED FOR INSTALLATION, FULLY MEET THE REQUIREMENTS OF THE KINGSPORT WATER UTILITY SYSTEM AND IS HEREBY APPROVED AS SHOWN.

CERTIFICATION OF THE APPROVAL OF SEWERAGE SYSTEMS

I HEREBY CERTIFY THAT THE SEWAGE DISPOSAL UTILITY SYSTEM OR SYSTEMS INSTALLED, OR PROPOSED FOR INSTALLATION, FULLY MEET THE REQUIREMENTS OF THE TENNESSEE DEPARTMENT OF ENVIRONMENTAL AND CONSERVATION, DIVISION OF WATER RESOURCES, OR THE LOCAL MUNICIPAL SEWER DEPARTMENT, AND HEREBY APPROVED AS SHOWN.



I hereby certify that this is a category I survey and the ratio of precision of the unadjusted survey is 1: 10,000 as shown hereon. And this survey was done in compliance with current Tennessee Minimum Standards of Practice.

NOTES :

- 1.- THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
- 2.- ALL IRON RODS SET WITH PLASTIC TH&P CAPS.
- 3.- THIS SURVEY SUBJECT TO ALL EASEMENTS, RESERVATIONS, RESTRICTIVE COVENANTS AND OR SERVITUDES EITHER WRITTEN OR UNWRITTEN.
- 4.- BUILDING SETBACKS SHALL CONFORM TO LOCAL ZONING REGULATIONS FOR FUTURE BUILDINGS OR THE RESTRICTIVE COVENANTS, WHICHEVER IS MORE RESTRICTIVE.
- 5.- DEED REFERENCES : D.B. 2879C-PG. 84.
- 6.- TAX REFERENCE : MAP 076, PARCEL 006.91
- 7.- CURRENT ZONING : BC (Business Conference Center District)

FLOOD NOTE :

The subject property lies in special flood hazard area, Zone "AE" & Zone "X" as per the latest FIRM Map, Map numbers 47163C0040D & 47163C0045D, Maps revised September 29, 2006. Zone "X" is defined as 0.2% annual chance flood hazard, areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile.



Tysinger, Hampton & Partners, Inc.
Civil Engineering · Surveying · Environmental Consulting
7 WORTH CIRCLE
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Phone: (423) 282-2687 · Fax: (423) 854-4563
Email: thp@tysinger-engineering.com
WWW.TYSINGER-ENGINEERING.COM
CAD FILE : 2423200s-Plat.dwg

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNERS(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT 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, TENNESSEE REGIONAL PLANNING COMMISSION AND THAT THE MONUMENTS HAVE BEEN PLACED AS SHOWN HEREON, TO THE SPECIFICATIONS OF THE SUBDIVISION REGULATIONS.

Jeffrey M. Rader 5/22/24
TENNESSEE REGISTERED LAND SURVEYOR DATE

CERTIFICATION OF THE APPROVAL OF STREETS

I HEREBY CERTIFY: (CIRCLE ONE)
(1) THAT STREETS HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO THE SPECIFICATIONS OR,
(2) ADEQUATE RIGHTS-OF-WAY DEDICATION UPON AND EXISTING PUBLIC ROAD SHALL SERVE THESE LOTS AS PROPOSED.

CITY ENGINEER _____ DATE _____

CERTIFICATION OF THE APPROVAL FOR 911-ADDRESSING ASSIGNMENT

I HEREBY CERTIFY THAT THE ADDRESSES, AS NOTED ON THE FINAL PLAT, ARE APPROVED AS ASSIGNED.

CITY GIS DIVISION DIRECTOR OF 911 ADDRESSING OR HIS/HER AUTHORIZED REPRESENTATIVE _____ DATE _____

CERTIFICATE OF APPROVAL FOR RECORDING

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR KINGSPORT, TENNESSEE, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE KINGSPORT, TENNESSEE PLANNING COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE SULLIVAN COUNTY REGISTER, IF REQUIRED, A SURETY BOND IN THE AMOUNT OF \$ _____ HAS BEEN POSTED WITH THE KINGSPORT REGIONAL PLANNING COMMISSION TO ASSURE COMPLETION OF THE REQUIRED IMPROVEMENTS IN CASE OF DEFAULT.

DATE _____
SECRETARY OF THE KINGSPORT MUNICIPAL REGIONAL PLANNING COMMISSION

SUBDIVISION OF THE
WELLMONT HEALTH SYSTEM PROPERTY

KINGSPORT REGIONAL PLANNING COMMISSION	
TOTAL ACRES <u>8.206 Ac.±</u>	TOTAL LOTS <u>2</u>
ACRES NEW ROAD <u>0</u>	MILES NEW ROAD <u>0</u>
OWNER <u>WELLMONT HEALTH SYSTEM</u>	CIVIL DISTRICT <u>13th</u>
SURVEYOR <u>JEFFREY MARTIN RADER</u>	CLOSURE ERROR <u>1/10,000</u>
SCALE 1" = <u>60'</u>	



New Facility for:



130 Regional Park Dr.
Kingsport, TN 37660
Phn (423) 349-7760
Fax (423) 349-7413
www.grcinc.com

THIS DRAWING AS PREPARED BY CainRashWest Architects SHALL BE USED FOR THE SPECIFIC IDENTIFIED PROJECT ONLY. THIS DRAWING IS THE PROPERTY OF CainRashWest Architects AND SHALL BE RETURNED PER THEIR REQUEST

no.	date	rev.	description

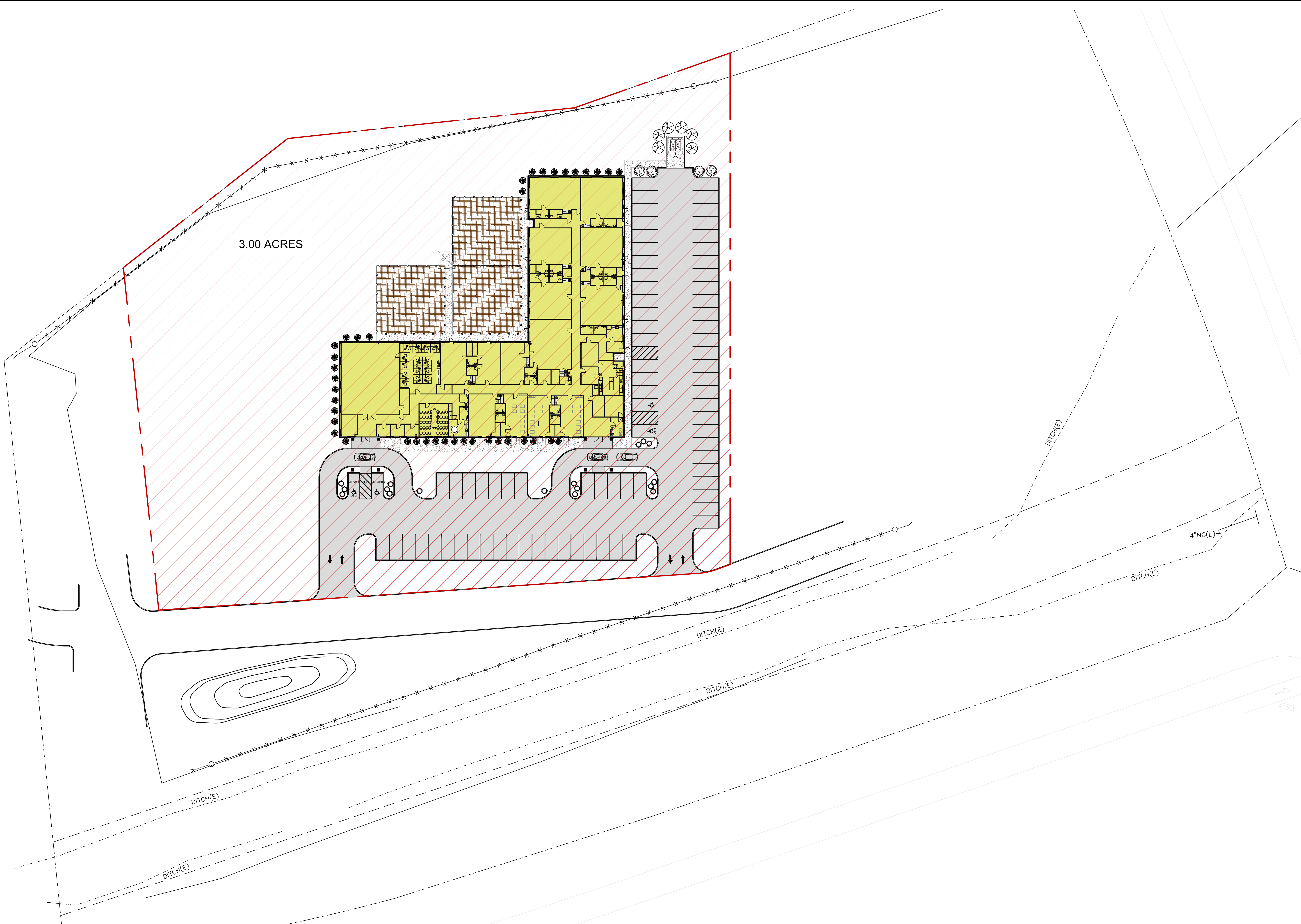
PROGRESS PRINT
8/16/2023
NOT FOR CONSTRUCTION

issued	8/16/23
checked	WEST
drawn	KDP
project no.	202223

SITE PLAN

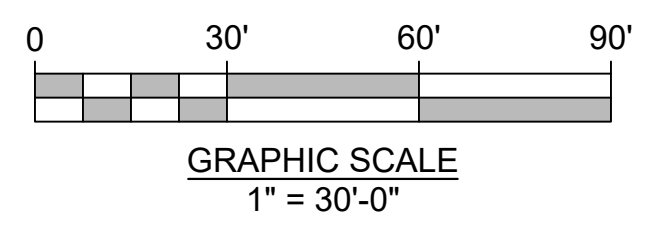
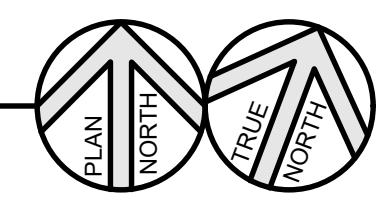
C-11

printed: 8/16/2023 4:43:02 PM file: C-11-SITEPLAN-SURVEY-202223-081623.DWG



3.00 ACRES

SITE PLAN
SCALE: 1" = 30'-0"



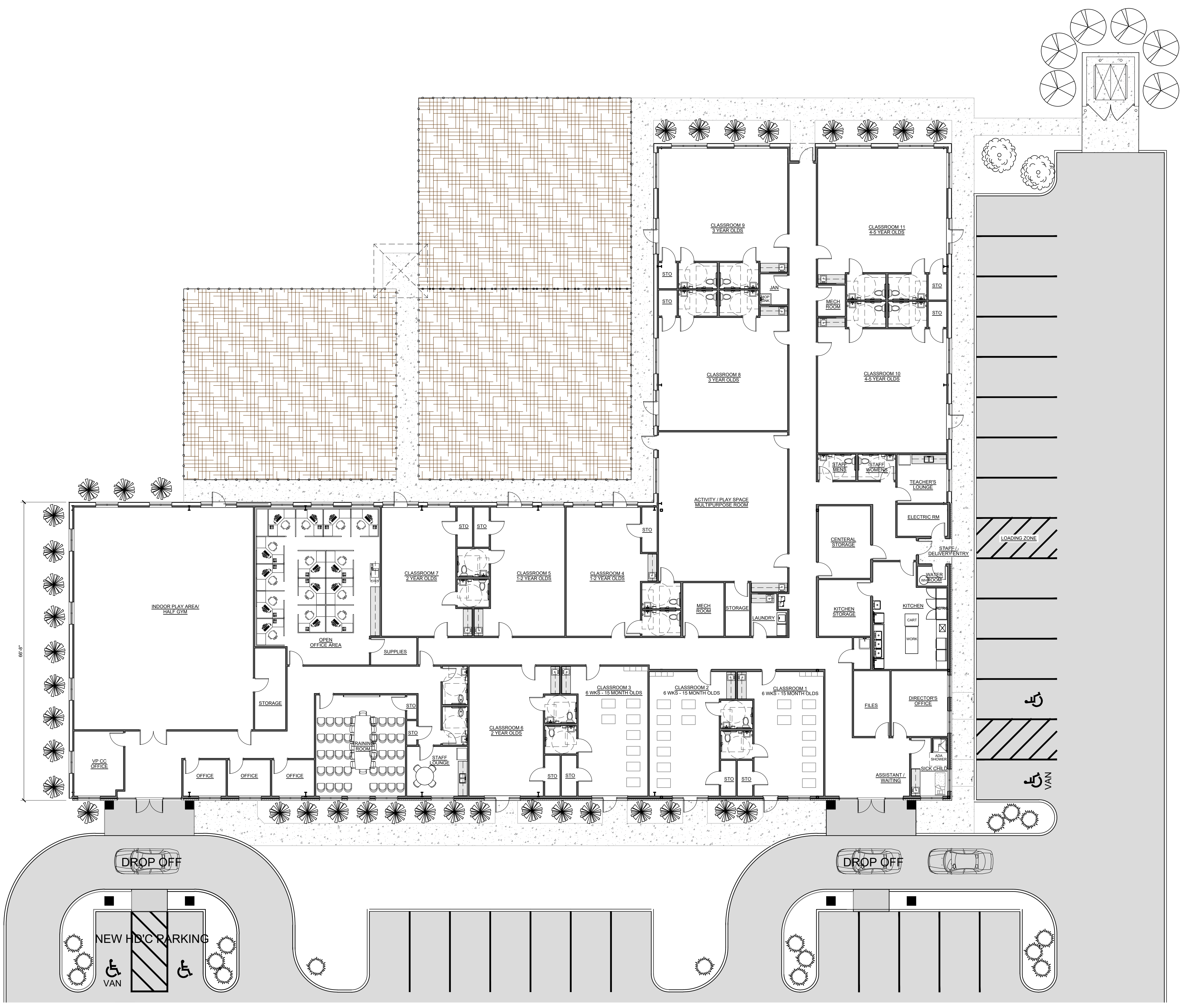
no.	date	rev.	description

PROGRESS PRINT
8/22/2022
NOT FOR CONSTRUCTION

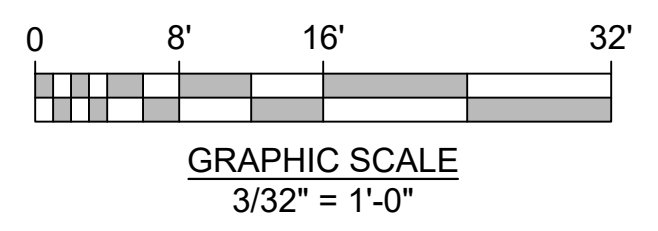
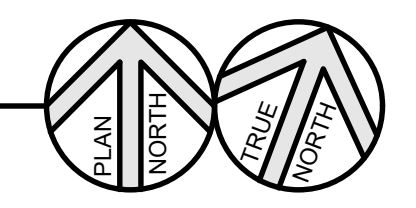
issued	8/22/22
checked	WEST
drawn	KDP
project no.	202223

FLOOR PLAN - MAIN LEVEL

A-11



FLOOR PLAN - MAIN LEVEL
SCALE: 3/32" = 1'-0"



MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

August 1, 2024, Regular Meeting

Noon

Montgomery-Watterson Boardroom, City Hall

Members Present:

Bill Sumner
Calvin Clifton
Joe White
Wes Combs
Tracey Cleek

Members Absent:

Staff Present:

Lori Pyatte
Ken Weems
Jessica McMurray
Jessica Harmon

Visitors:

Holly Trick
Paul McRoy
Scott Wortmann

Chairman Bill Sumner called the meeting to order at 12:03pm.

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: BZA24-0141 – The owner of property located at 3971 Skyland Drive, Control Map 0620, Group D, Parcel 016.00 requests a 307 square foot variance to Sec. 114-133(2) to exceed the maximum square footage allowance for an accessory structure. The purpose of the request is to install a new metal carport to cover a recreational vehicle. The property is zoned R-1B, Residential District.

Mr. McRoy introduced himself and presented the case to the board. Mr. McRoy stated he recently purchased a recreational vehicle that he currently stores uncovered and parked on the side of his home. He explained the purpose of his request is to construct an unenclosed metal carport in the rear of his home to store the RV. Staff noted no phone calls were received. Chairman Sumner clarified the RV is currently parked on the side of the home and would be relocated to the rear. Mr. McRoy confirmed. Vice Chairman Clifton inquired as to whether the structure would be on concrete footers. Mr. McRoy explained he is looking at different ways to anchor due to the slope and nearby sewer drains and cleanouts. Chairman Sumner clarified with staff that detached, unenclosed carports were considered accessory structures and require permitting. Staff confirmed that yes, carports are considered accessory structures per code. Mr. Combs confirmed the request is an accessory structure square footage variance. Staff confirmed. Mr. McRoy went on to say he is at his limit for accessory structure square footage per code.

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

Case: BZA24-0144 – The owner of property located at 209 W. Wanola Avenue, Control Map 0461, Group C, Parcel 008.00 requests a 2.6 foot side yard (Western) variance to Sec 114-185(e)(1)d for the purpose of constructing a new addition to an existing home. The property is zoned R-2, Two-Family Residential District.

Ms. Holly Trick introduced herself as the representative for the homeowner and presented the case to the board. Ms. Trick stated the homeowner would like to build a small extension in the rear of her home to include a small den, laundry area, and bathroom. Ms. Trick explained that when the existing structure is extended back, it increases the side yard encroachment. Mr. Combs questioned if a variance was in place before. Staff clarified the home is approximately 100 years old and the existing footprint encroaches on the side yard approximately three feet, which was grandfathered when the zoning district was put in place. Staff went on to say the current zoning is R-2 and requires a 10-foot side yard. Staff directed to the board the site plan submitted, pointing out the current setback is 7.7 feet, legal and non-confirming. Staff stated the new addition will encroach into the side yard approximately 2.6 feet, and that is the purpose of the request. Staff noted no phone calls had been received. Staff stated this home is located within a historic district and will have to be before the Historic Zoning Commission. Chairman Sumner noted the hardship is the irregular lot shape and historical designation.

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

Case: BZA24-0146 – The owner of property located at 2626 East Stone Drive, Control Map 0471, Group A, Parcel 018.00 requests approval to Sec 114-533(8)a to permit one additional freestanding sign. The purpose of the request is to install a new multi-panel freestanding sign. The property is zoned B-3, Highway-Oriented Business District.

Mr. Scott Wortmann introduced himself as the owner’s representative for Dry Creek Properties and presented the case to the board. Mr. Wortmann stated the purpose of the request is to install one additional freestanding sign at the location shown on the diagram submitted. Mr. Wortmann explained the owner would like to prop up the western end of the Pavilion Shopping Center by drawing attention to stores on the western end. Mr. Wortmann went on to say the eastern side of the property is doing well with Ashley’s and Academy Sports moving in. Mr. Wortmann continued on saying the western end is struggling and owners are trying to incentivize tenants to move in. He continued on saying the addition of a smaller pylon sign would allow more visibility to highlight those stores. Staff drew the board’s attention to previous meeting minutes in the packet and stated a variance is already in place, allowing six additional outpost signs limited to 40 square feet and no higher than eight feet tall. Staff explained the only variance being requested is the second freestanding sign, and that code does not address size requirements for additional signage. Staff agreed the cited need for hardship is a reasonable request due to the size of the parcel. Mr. Combs questioned the location of the parcel. Mr. Wortmann explained the sign would go in the grassy area between the T-Mobile building and the exit to Stone Drive. Chairman Sumner inquired as if the traffic department had approved the location. Staff stated traffic did not review the request based off the distance from Stone Drive. Staff stated they will share the proposal with the traffic department for review to make sure. Staff noted no phone calls were received.

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

BUSINESS:

Chairman Sumner stated the minutes should reference his questioning of Ms. Rhonda Morris confirming that she did know the people signing the petition and that she had validated all the signatures on the petition, to which Ms. Morris confirmed.

Staff commented there will be BZA training available in November, and more information as to dates and times will be provided.

MOTION: made by Vice Chairman Clifton, seconded by Mr. Combs, to approve the Kingsport Board of Zoning Appeals minutes for July 1, 2024.

VOTE: 5-0 to approve the minutes with noted corrections.

Adjudication of Cases:

Case: BZA24-0141 – The owner of property located at 3971 Skyland Drive, Control Map 0620, Group D, Parcel 016.00 requests a 307 square foot variance to Sec. 114-133(2) to exceed the maximum square footage allowance for an accessory structure. The purpose of the request is to install a new metal carport to cover a recreational vehicle. The property is zoned R-1B, Residential District.

Chairman Sumner asked if there was any additional discussion. There was none.

MOTION: made by Mr. Combs, seconded by Ms. Tracey Cleek, to approve the 307 square foot accessory structure allowance as requested.

VOTE: 5-0 to approve the request.

Case: BZA24-0144 – The owner of property located at 209 W. Wanola Avenue, Control Map 0461, Group C, Parcel 008.00 requests a 2.6 foot side yard (Western) variance to Sec 114-185(e)(1)d for the purpose of constructing a new addition to an existing home. The property is zoned R-2, Two-Family Residential District.

The board noted the hardship is the irregular lot shape and historical designation.

MOTION: made by Mr. Combs, seconded by Vice Chairman Clifton, to approve the 2.6 foot side yard (Western) variance as requested.

VOTE: 5-0 to approve the request.

Case: BZA24-0146 – The owner of property located at 2626 East Stone Drive, Control Map 0471, Group A, Parcel 018.00 requests approval to Sec 114-533(8)a to permit one additional freestanding sign. The purpose of the request is to install a new multi-panel freestanding sign. The property is zoned B-3, Highway-Oriented Business District.

The board noted the hardship is the irregular lot shape and parcel size. Vice Chairman Clifton stated he will abstain from voting.

MOTION: made by Mr. Combs, seconded by Mr. White, to approve one additional freestanding sign as designed and contingent upon traffic review.

VOTE: 4-0-1 to approve the request as designed and contingent upon a traffic review.

With no further business the meeting was adjourned at 12:27pm.

Respectfully Submitted,

Jessica McMurray

Jessica McMurray
Development Coordinator