



## BOARD OF ZONING APPEALS MEETING AGENDA

Thursday, February 05, 2026 at 12:00 PM  
City Hall, 415 Broad Street, Boardroom

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

### I. CALL TO ORDER - 12:00 P.M. NOON

### II. INTRODUCTION AND MEETING PROCEDURES

### III. PUBLIC HEARING

1. Case: BZA26-0005– The owner of property located at 1370 Dewey Avenue, Control Map 061L, Group F, Parcel 013.00 requests a 20.17-foot deviation from rear yard to Sec 114-133(1) for the purpose of locating an existing garage in the side yard. The property is zoned R-1B, Residential District.

***INTERESTED PARTIES:***

Owner:

Frank Brown

1208 Friends Station Road

New Market, TN 37820

Representative: Frank Brown

2. Case: BZA26-0011– The owner of property located at 1476 Cooks Valley Road, Control Map 062, Parcel 003.00 and 003.50 requests a 10-foot front yard setback variance from Section 114-183(e)(1)c for Lots 18–24 on the western side of the proposed Cooks Valley Subdivision and Lots 11–24 on the eastern side of the proposed Cooks Valley Subdivision. The property is zoned R-1B, Residential District.

***INTERESTED PARTIES:***

Owner:

Daniel Stacy

271 Old Cooks Valley Road

Kingsport, TN 37664

Representative: Randy Beckner

**IV. BUSINESS**

**1. Approval of the January 8, 2026 regular meeting minutes.**

Reschedule the March 2026 BZA meeting to the second Thursday, March 12, 2026, due to staff attendance at the TAPA Spring Conference on March 5–6.

Stating for public record, the next application deadline is February 15, 2026 at noon, and meeting date (Thursday, March 5, 2026).

**V. ADJUDICATION OF CASES**

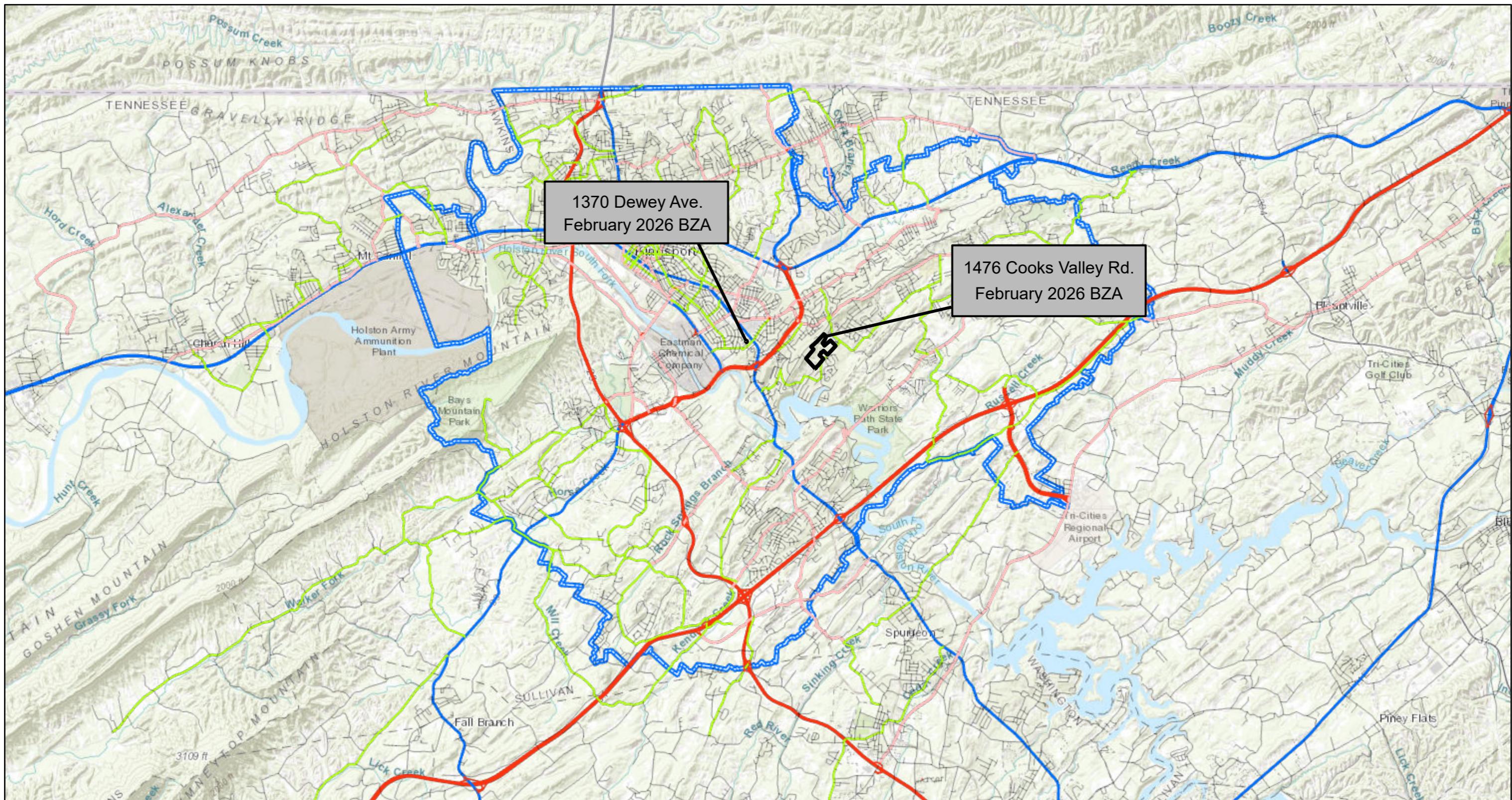
**VI. PUBLIC COMMENT**

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

**VII. ADJOURN**

# ArcGIS Web Map

Item III1.



1/29/2026, 8:45:10 AM

1:144,448

0 1.5 3 6 mi  
0 2.25 4.5 9 km

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

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

**REGULAR MEETING & PUBLIC HEARING**  
**Kingsport Board of Zoning Appeals**

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that an open and public meeting of the Kingsport Board of Zoning Appeals scheduled for Thursday, February 5, 2026 will be conducted beginning at NOON in the Kingsport City Hall, Montgomery-Watterson Boardroom, 415 Broad Street, 3rd floor, Kingsport, Tennessee.

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

**Case: BZA26-0005– The owner of property located at 1370 Dewey Avenue, Control Map 061L, Group F, Parcel 013.00** requests a 20.17-foot deviation from rear yard to Sec 114-133(1) for the purpose of locating an existing garage in the side yard. The property is zoned R-1B, Residential District.

**Case: BZA26-0009– The owner of property located at 1225 E. Stone Drive, Control Map 046L, Group A, Parcel 003.00** requests a 66.1-foot deviation from the rear-yard requirement of Sec. 114-133(1) to allow placement of a dumpster enclosure in the front yard, along with a 17.3-foot rear-yard variance and a 5-foot reduction to the required landscape buffer. These requests are to accommodate construction of a new Murphy Oil Fuel Center. The property is zoned B-3, Highway-Oriented Business District.

**Case: BZA26-0011– The owner of property located at 1476 Cooks Valley Road, Control Map 062, Parcel 03.00 and 03.50** requests a 10-foot front yard setback variance from Section 114-183(e)(1)c for Lots 18–24 on the western side of the proposed Cooks Valley Subdivision and Lots 11–24 on the eastern side of the proposed Cooks Valley Subdivision. The property is zoned R-1B, Residential District.

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

All City of Kingsport public meetings are conducted in accessible locations. If you require accommodations to participate in this meeting, these may be requested by calling (423) 229-9485 or by emailing [ADAContact@KingsportTN.gov](mailto:ADAContact@KingsportTN.gov) at least 72 hours in advance. Copies of any documents used are available in accessible formats upon request.

CITY OF KINGSPORT  
Angie Marshall, City Clerk  
PIT: 1/26/2026

# ArcGIS Web Map

Item III1.



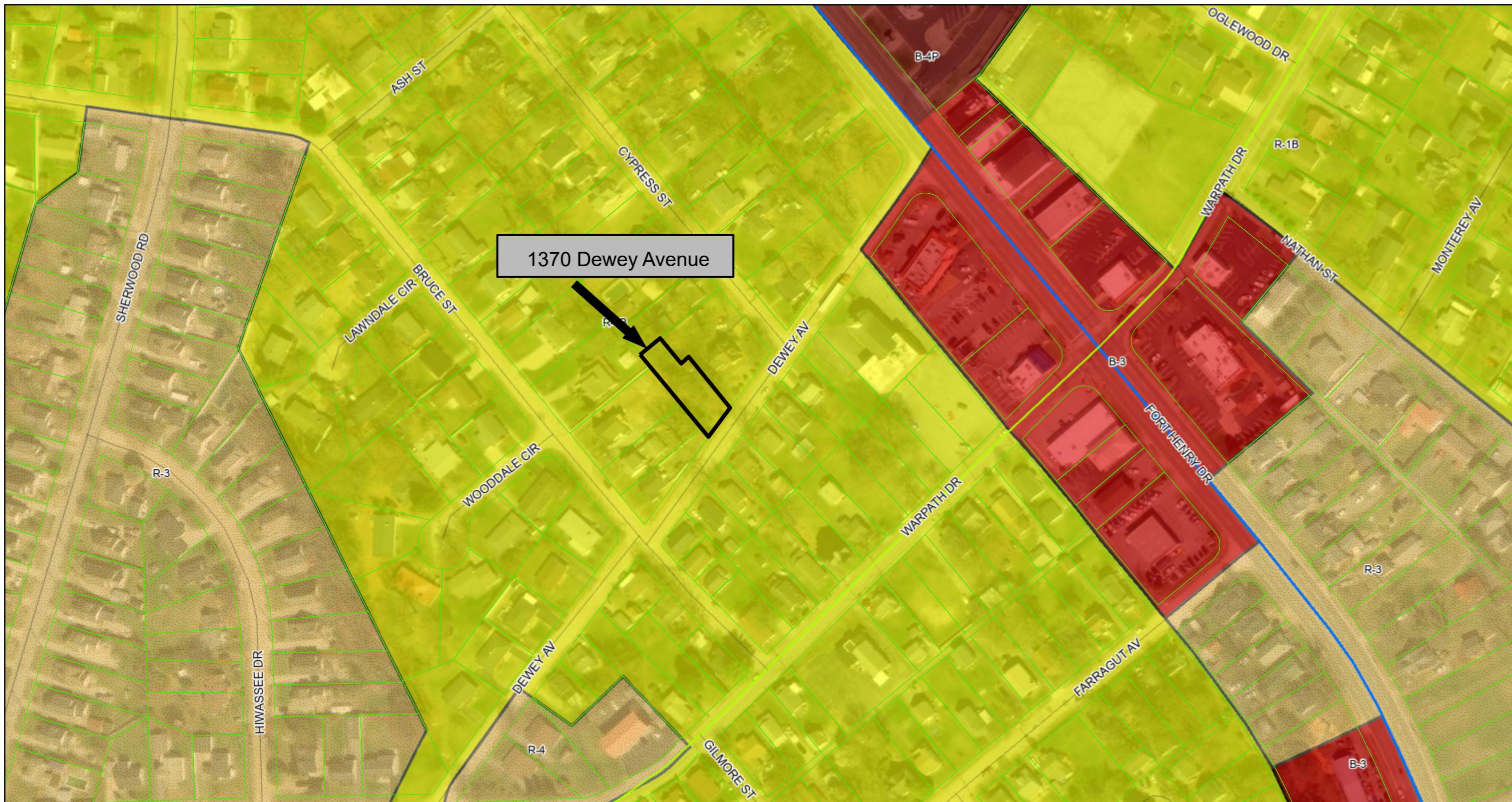
Sullivan County Parcels Jan 2023

- Urban Growth Boundary
- Local Street
- Parcels
- Streets
- Sewer Mains
- Major Arterial
- Water Lines
- Collector Street

Microsoft, Vantor

# ArcGIS Web Map

Item III1.





Item III1.

TO: KINGSPORT BOARD OF ZONING APPEALS  
FROM: Jessica McMurray, Development Coordinator  
DATE: January 12, 2026  
RE: 1370 Dewey Avenue

The Board is asked to consider the following request:

**Case: BZA26-0005– The owner of property located at 1370 Dewey Avenue, Control Map 061L, Group F, Parcel 013.00** requests a 20.17-foot deviation from rear yard to Sec 114-133(1) for the purpose of locating an existing garage in the side yard. The property is zoned R-1B, Residential District.

*The applicant proposes to construct an addition to the existing home. Upon completion of the addition, the existing garage on the parcel will be located within the side yard and will no longer comply with zoning requirements, which require accessory structures to be located in the rear yard.*

*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

**KINGSPORT**  
TENNESSEE

Item III1.

<b>APPLICANT INFORMATION:</b>		Date 01/07/24	
Last Name	BROWN	First	FRANK
Street Address	1208 Friends Station Rd.	M.I.	F
City	New Market	Apartment/Unit #	
Phone	865-964-5572	ZIP	37820
<b>PROPERTY INFORMATION:</b>		E-mail Address kempbrown@myyahoo.com	
Tax Map Information	Tax map: 061L Group: F Parcel: 13 Lot: 1		
Street Address	1370 Dewey Ave, Kingsport, TN	Apartment/Unit #	
Current Zone	R-1B	Proposed Zone	N/A
Current Use	Single Family Home	Proposed Use	Single Family Home
<b>REPRESENTATIVE INFORMATION:</b>			
Last Name	Same As Above		
Street Address	First	M.I.	Date
City			
Phone	State	ZIP	
<b>REQUESTED ACTION:</b>			
Departure from rear yard for existing garage - once the proposed addition is constructed.			

**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: Frank Brown

Date: 1-8-2026

Signed before me on this 8 day of January, 2024.

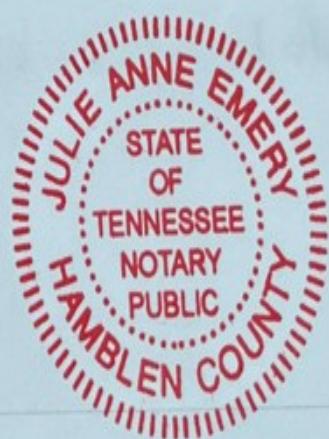
a notary public for the State of Tennessee

County of Hamblen

Notary Julie Anne Emery

4/26/27

My Commission Expires



## 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.

**Once the new addition is completed the existing garage will be located in the side yard.**

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

**We would not be able to complete our 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.

**No – garage was there when we purchased the property.**

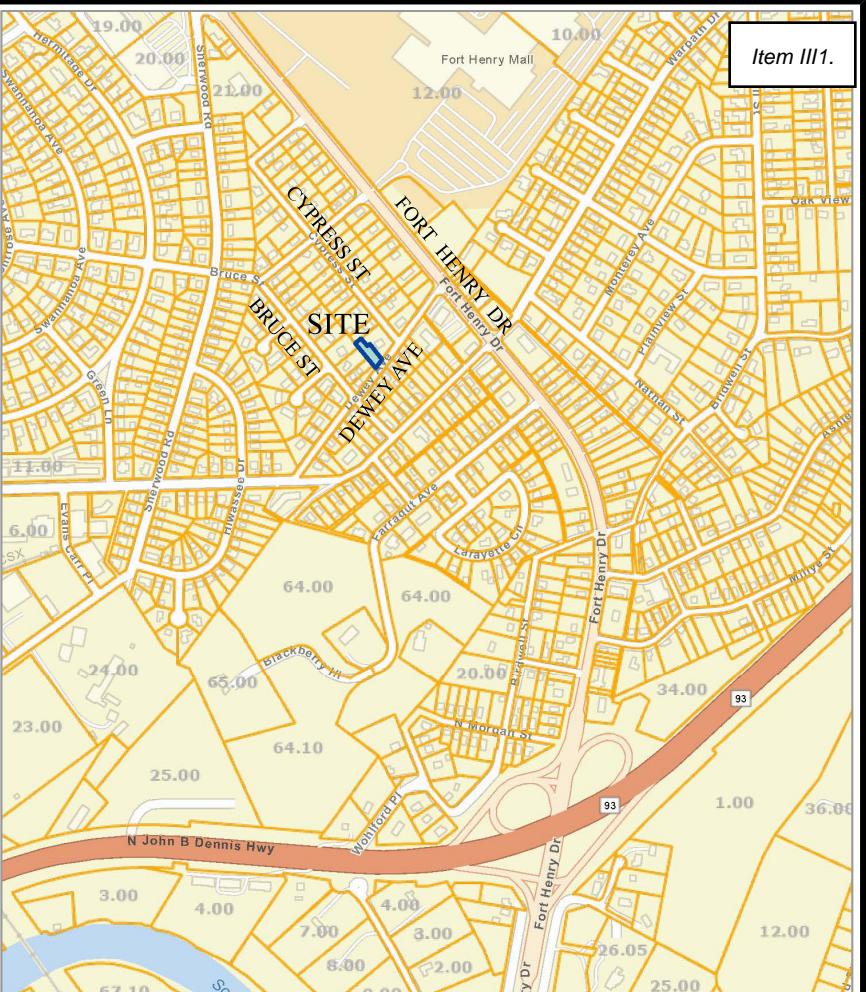
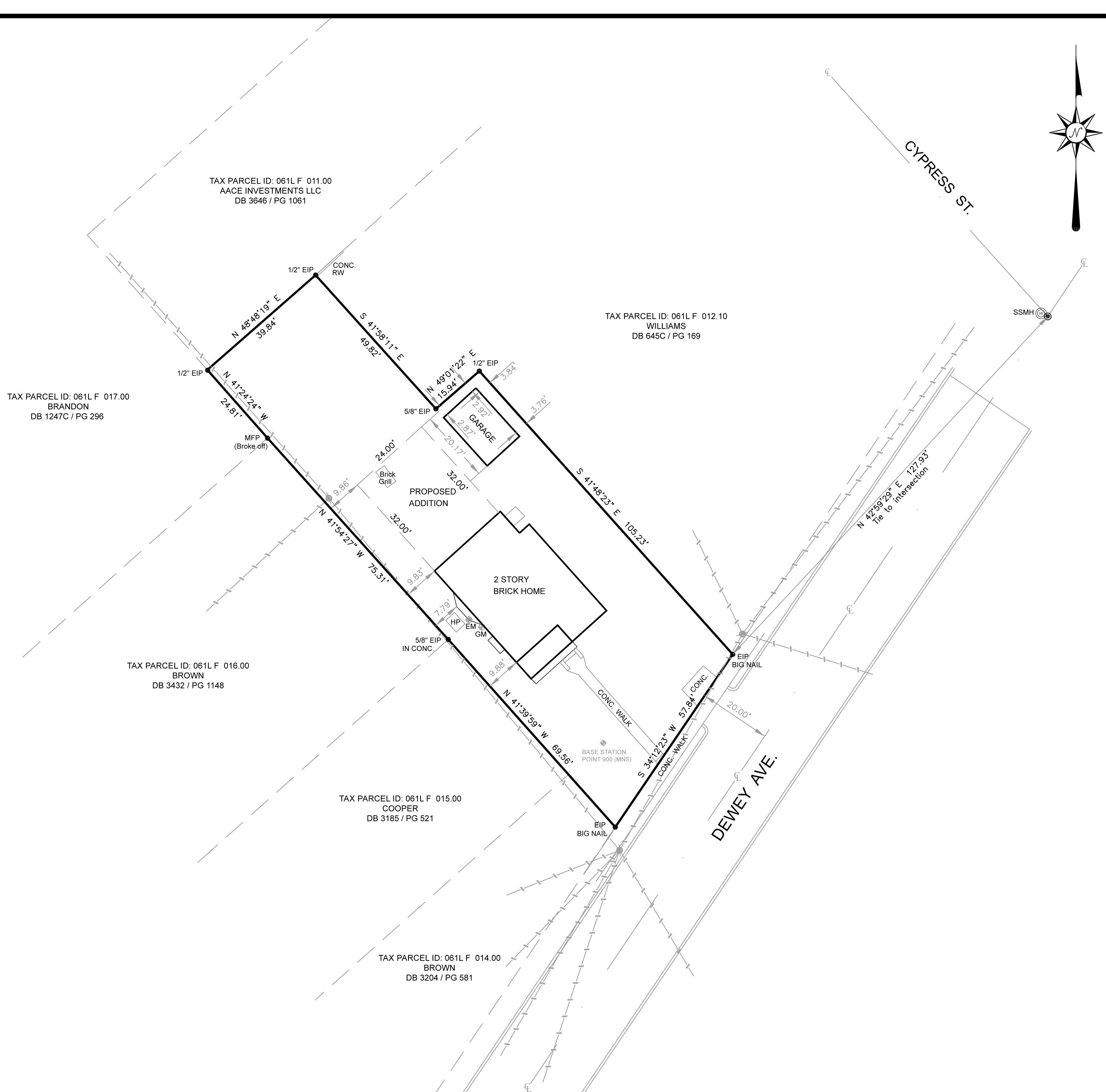
- d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

The new addition is a good thing for the neighborhood.

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.



## LOCATION MAP

PC : EXISTING IRON PIN CAP (found)  
P: EXISTING IRON PIN (found)  
PP: EXISTING IRON PIPE  
CCS: IRON PIN W/CAP SET  
P : POINT  
CL : CENTER LINE  
NS : MAG NAIL SET  
V : WATER VALVE  
M : WATER METER  
MP : CORRUGATED METAL PIPE  
SMH : SANITARY SEWER MANHOLE  
UP : UTILITY POLE  
VERHEAD UTILITY LINES: \_\_\_\_\_  
P : HEAT PUMP  
BUILDING SETBACKS: \_\_\_\_\_  
HAIN LINK FENCE: \_\_\_\_\_  
M : ELECTRIC METER  
M : GAS METER  
MP : CORRUGATED METAL PIPE  
SMH : SANITARY SEWER MANHOLE

ONING DESIGNATION: R-1B

**BUILDING SETBACKS:**  
Minimum Front: 30'  
Minimum Rear: 30'  
Minimum Side: 8'

OTE: All Building Setbacks shall conform to the applicable zoning requirements in effect at the time of construction.

A graphic scale diagram. At the top, the words "GRAPHIC SCALE" are written in a large, bold, black font. Below this, there is a horizontal line with tick marks. The first tick mark is labeled "0" to its left. The second tick mark is labeled "20" to its left. The third tick mark is labeled "40" to its left. The fourth tick mark is labeled "60" to its left. Below the line, there is a pattern of alternating black and white squares. The first four squares are black, representing the 0 to 20 foot range. The next four squares are white, representing the 20 to 40 foot range. The final four squares are black, representing the 40 to 60 foot range. At the bottom of the diagram, the text "1\" data-bbox="368 111 458 138" data-label="Text"> $1"$  data-bbox="368 148 458 175" data-label="Text"> $\equiv$  20' is written in a large, bold, black font.

## NOTES

- 1.) New iron pins, (1/2" rebar w/ ID Cap) were set at all property corners unless otherwise noted.
- 2.) This survey is subject to any easements that may affect the subject property, whether of record or implied.
- 3.) This survey was done without the benefit of a Title Report and may be subject to real estate rights and interests of others that might possibly be discovered by such a report from a Title Attorney.
- 4.) The location of the utilities and structures shown are from field observations taken during the course of this survey and are not necessarily all that may exist in the area, no effort was made to locate any uylities that may exist underground. Locations should be verified by the appropriate utility authority prior to any excavation or construction. Easements for all utilities are applicable.

This is to certify that this survey has been prepared in accordance with the Standards of Practice for Land Surveys in the State of Tennessee

That on the dates shown I made an accurate survey of the premises shown hereon using the latest recorded deed and other information furnished to me, that there are no easements, encroachments or projections evident other than those shown.

That I have examined the Federal Insurance Administration Flood Hazard Map and found the described is not located in a special flood hazard area.  
As per: FIRM, Map #470184 0045 D Effective Date: Sept. 29, 2006



ADVANCED SURVEYING AND MAPPING  
277 OLD WEAVER PIKE  
BLUFF CITY, TN 37618  
PHONE: (423) 234-2134

For boundary and topographical aspects of this survey RTK GPS positional data was observed on/between the dates of 08-09-25 utilizing a Carlson BRx7 dual frequency receiver.

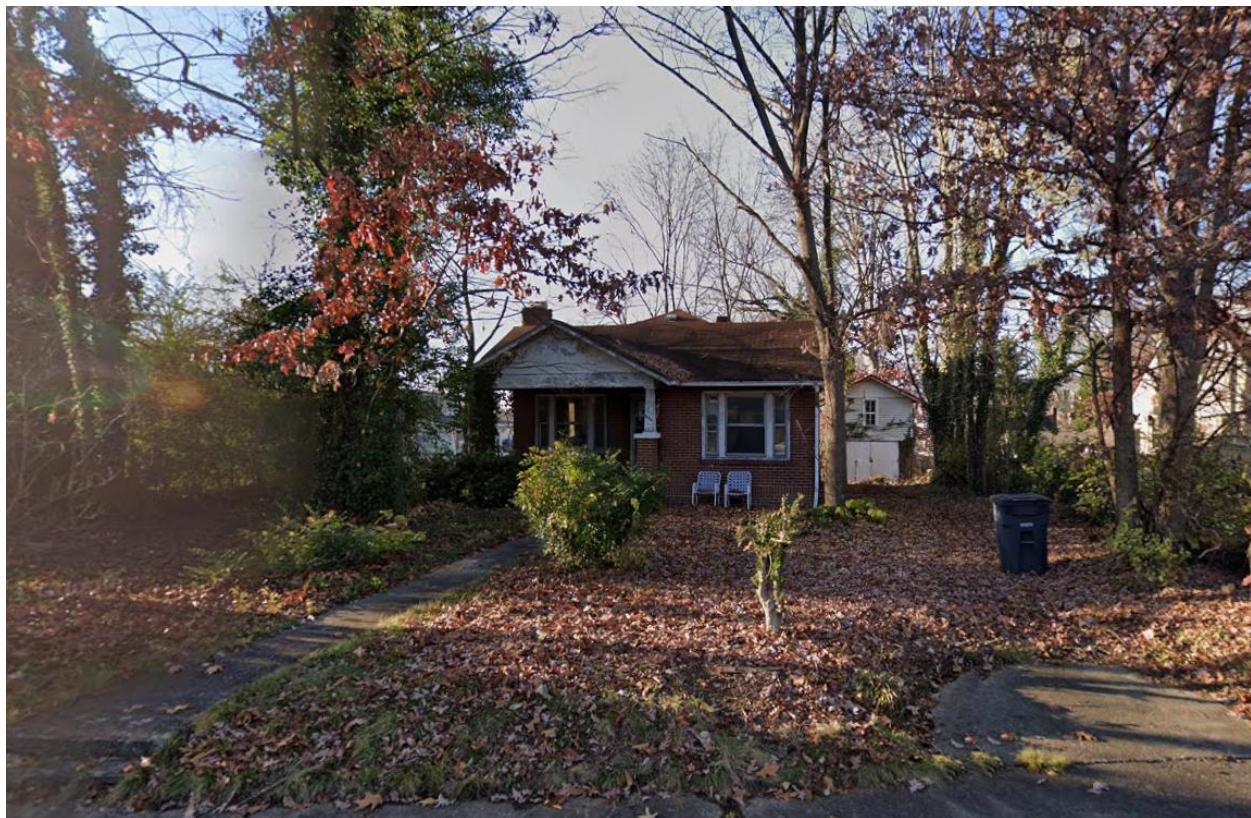
The grid coordinates of the Fixed Station shown, (control point #900) were derived using an NGS OPUS-RS SOLUTION REPORT referenced to NAD 83 (2011), (Epoch 2010), (Geoid 18). Duration of observations: 4hrs, 5min., Number of observations used: 7,957 / 9,859 : 81%, Fixed Ambiguities: 67

Positional accuracy of the GPS vectors does not exceed: H 0.05', V 0.05'. This is a category IV survey.

## RETRACEMENT BOUNDARY SURVEY

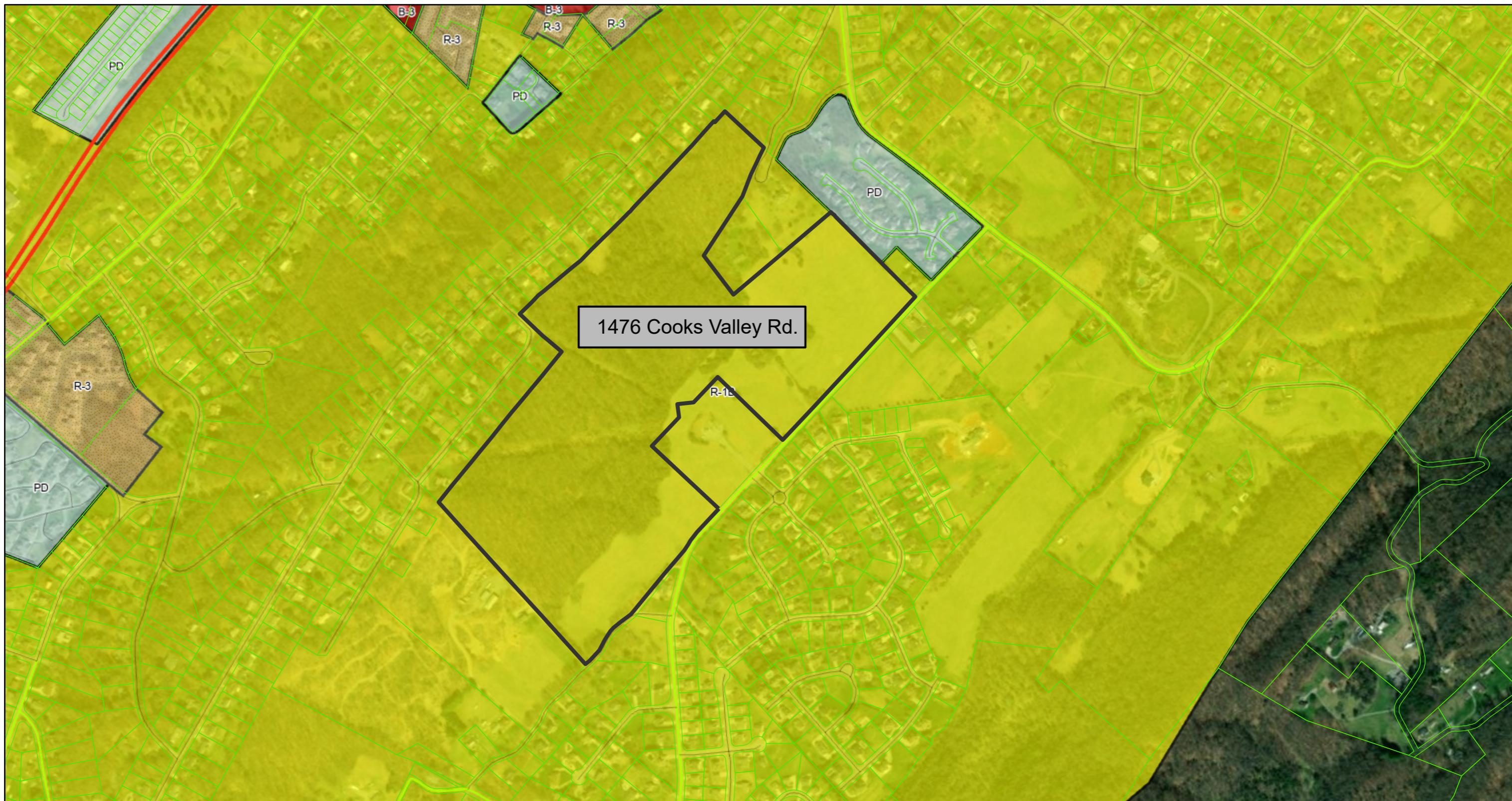
PROPERTY OF FRANK BROWN, ELIZABETH BROWN AND KEMP BROWN

DISTRICT 11th COUNTY OF SULLIVAN WITHIN THE CITY OF KINGSPORT  
TAX PARCEL ID 061L F 013.00 ADDRESS 1370 DEWEY AVE.  
LOT NO. Part of Lots 1, 2 and 3 BLOCK B SUBDIVISION WOODLAWN ADDITION  
PLAT BOOK 2 PAGE 195A MAP CAB.        SLIDE        DEED REFERENCES BK 3398 / PG 1731  
FIELDWORK 08/09/25 DRAWING 12/04/25 DRAWN BY BPM BEARING BASE TSPCS NAD 83  
TOTAL NEW LOTS 0 ACREAGE 0.191 AC / 8300.422 SQ. FT. ACRES OF NEW STREET 0  
OWNER Frank Brown, Elizabeth Brown and Kemp Brown MILES OF NEW STREET 0  
1208 Friends Station Rd. SCALE 1" = 20'  
New Market, TN 37820 DRAWING NO. 25-032-1



# ArcGIS Web Map

Item III2.



1/15/2026, 11:33:50 AM

1:9,028

Sullivan County Parcels Jan 2023

Parcels

PD Urban Growth Boundary

R-1B Streets

Collector Street

R-3

R-4

Local Street

Expressway

Private Street

Minor Arterial

Ramp

City Zoning

B-3

P-1

0 0.07 0.15 0.3 mi

0 0.13 0.25 0.5 km

Vantor



Item III2.

TO: KINGSPORT BOARD OF ZONING APPEALS  
FROM: Jessica McMurray, Development Coordinator  
DATE: January 20, 2026  
RE: 1476 Cooks Valley Road

The Board is asked to consider the following request:

**Case: BZA26-0011– The owner of property located at 1476 Cooks Valley Road, Control Map 062, Parcel 003.00 and 003.50** requests a 10-foot front yard setback variance from Section 114-183(e)(1)c for Lots 18–24 on the western side of the proposed Cooks Valley Subdivision and Lots 11–24 on the eastern side of the proposed Cooks Valley Subdivision. 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 <b>Stacy</b>	First <b>Daniel</b>	M.I. <b>C</b>	Date <b>1/15/26</b>
Street Address <b>271 Old Cooks Valley Road</b>		Apartment/Unit #	
City <b>Kingsport</b>		State <b>TN</b>	ZIP <b>37664</b>
Phone <b>423.817.8868</b>		E-mail Address <b>daniel.stacy@ymail.com</b>	

### PROPERTY INFORMATION:

Tax Map Information	Tax map: <b>062</b>	Group:	Parcel:	Lot:	Parcels <b>3.00 &amp; 3.50</b>
Street Address <b>1476 Cooks Valley Road</b>				Apartment/Unit #	
Current Zone <b>R1-B</b>		Proposed Zone <b>R1-B</b>			
Current Use <b>Vacant - Farmland</b>		Proposed Use <b>Residential Development</b>			

### REPRESENTATIVE INFORMATION:

Last Name <b>Beckner</b>	First <b>Randy</b>	M.I. <b>W</b>	Date <b>1/15/26</b>
Street Address <b>403 E. Market Street (offices of Mattern &amp; Craig)</b>		Apartment/Unit #	
City <b>Johnson City</b>		State <b>TN</b>	ZIP <b>37601</b>
Phone <b>423.292.2308</b>		E-mail Address <b>rwbeckner@matternandcraig.com</b>	

### REQUESTED ACTION:

The owner, Daniel Stacy, is seeking a variance for the setbacks due to the extremely steep topography in two areas of the property. The requested variance will allow the areas of the property to be developed and homes constructed that would not otherwise be possible.

The topography at these areas certainly constitutes a hardship and prevents these areas from development.

### 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:

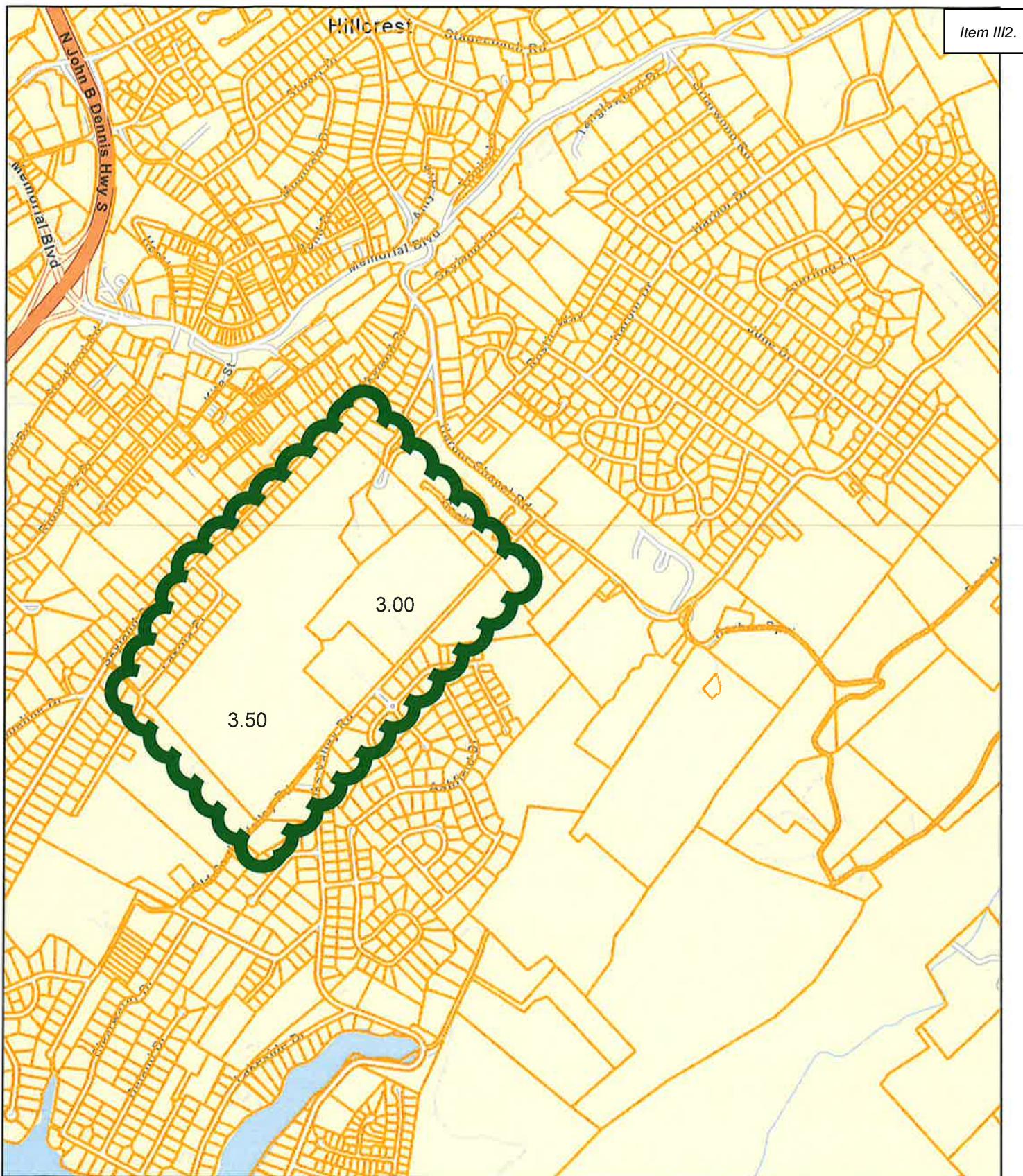
Date:

**1-12-26**

Signed before me on this 12 day of JANUARY, 2026  
 a notary public for the State of Tennessee  
 County of Washington.

Notary Patricia A. Shivers  
 My Commission Expires 3/21/2026

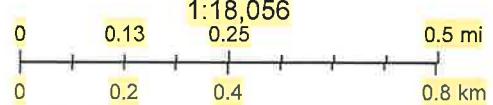




Date: January 13, 2026

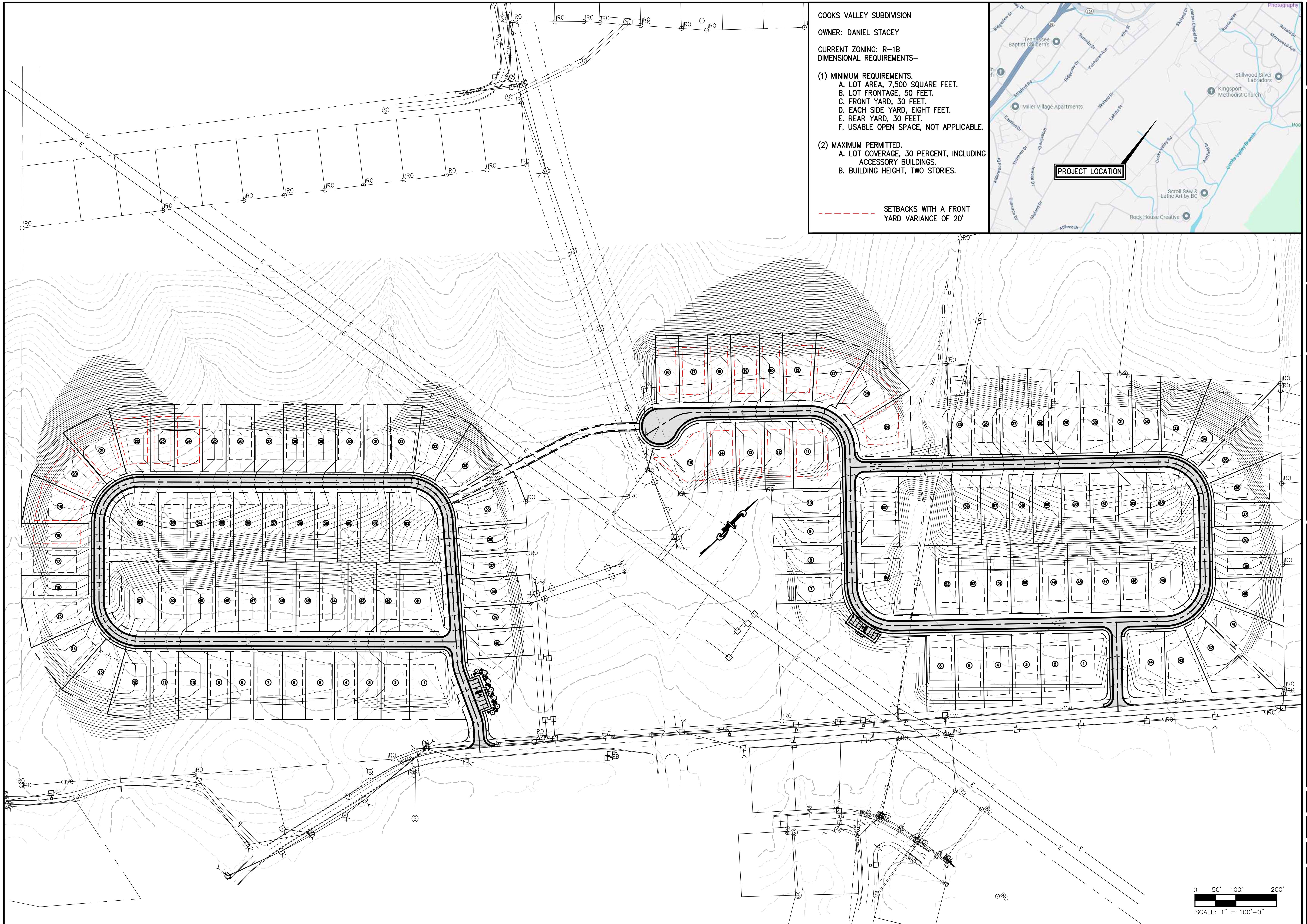
County: SULLIVAN  
Owner: STACY DANIEL C  
Address: COOKS VALLEY RD  
Parcel ID: 062 003.50 & 3.00

Calculated Acreage: 0



State of Tennessee, Comptroller of the Treasury, Division of Property Assessments (DPA), Esri Community Maps Contributors, Commonwealth of Kentucky, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.



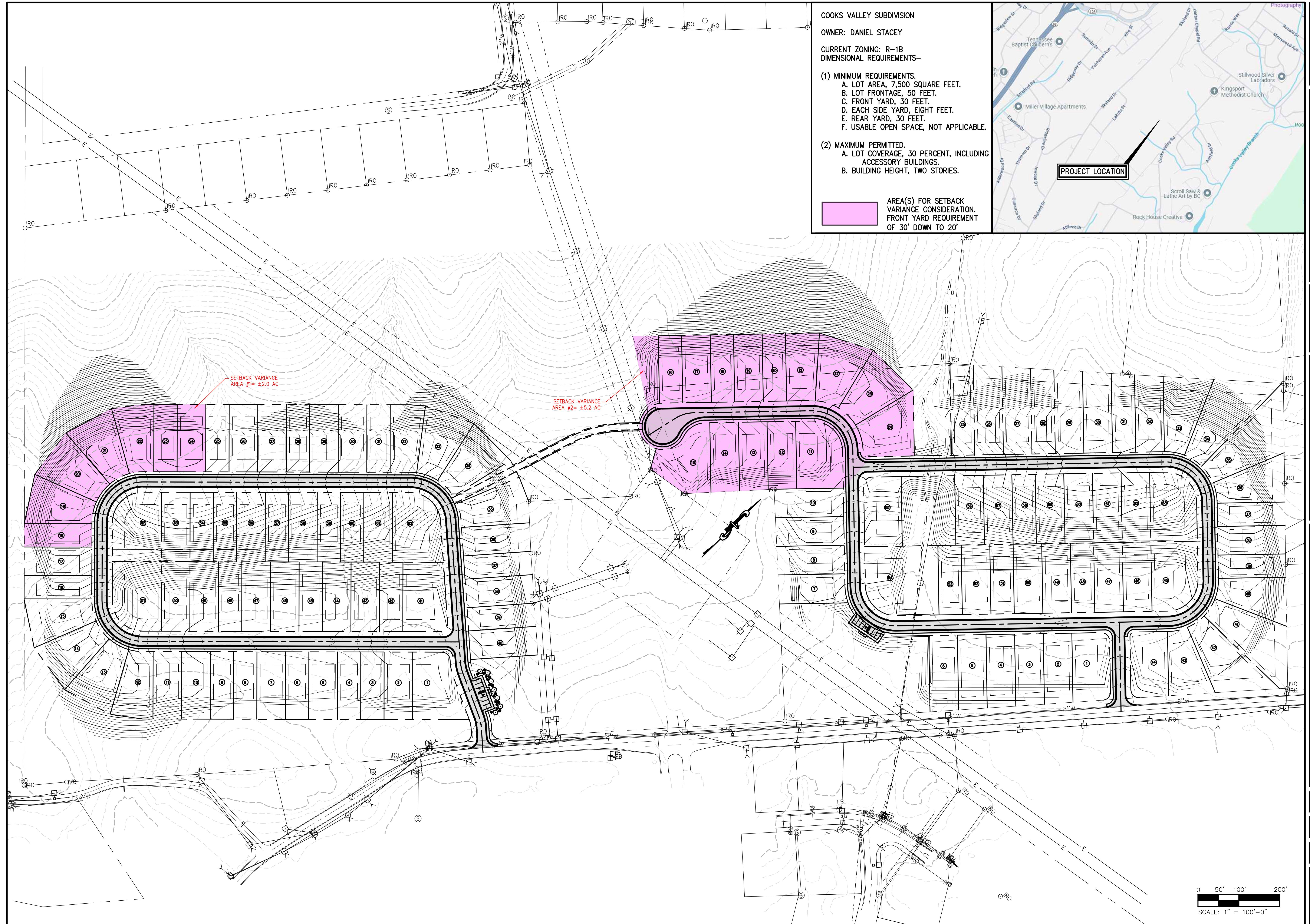
**Mattern & Craig**  
CONSULTING ENGINEERS • SURVEYORS  
429 CLAY STREET  
KINGSPORT, TENNESSEE 37660  
(423) 245-4970  
FAX (423) 245-5932

Issue Date: Drawn By: Designed By: Checked By: Date:

Date

Revisions

Item III/2.



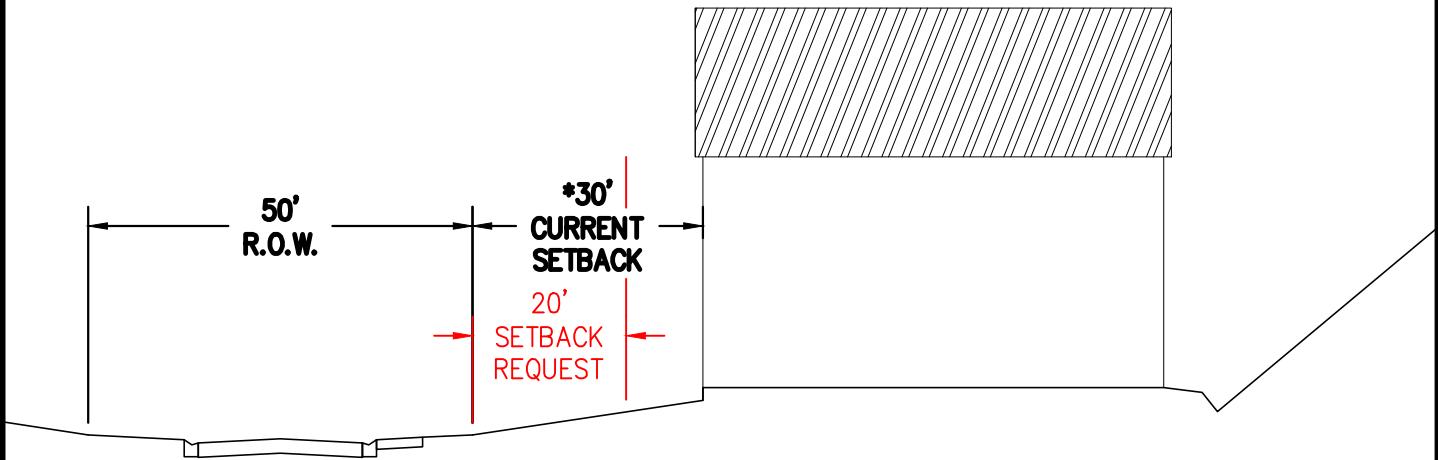
**Mattern & Craig**  
CONSULTING ENGINEERS • SURVEYORS  
429 CLAY STREET  
KINGSPORT, TENNESSEE 37660  
(423) 245-4970  
FAX (423) 245-5932

Issue Date: Drawn By: Designed By: Checked By: Date:

Revisions:

Date:

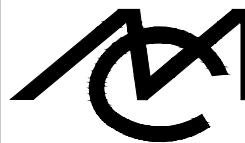
18



\* - REQUEST TO REDUCE  
FRONT SETBACK FROM 30'  
DOWN TO 20'

SETBACK VARIANCE SKETCH  
COOKS VALLEY SUBDIVISION  
1476 COOKS VALLEY RD  
KINGSPORT, TN 37664

COMM. NO. 4658A      SCALE: N/A



**Mattern & Craig**  
ENGINEERS•SURVEYORS

429 CLAY STREET  
KINGSPORT, TENNESSEE 37660  
(423) 245-4970  
FAX (423) 245-5931

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

### January 8, 2026 Regular Meeting

Noon  
Montgomery-Watterson Boardroom, City Hall

Members Present:

Calvin Clifton  
Bill Sumner  
Joe White  
Wes Combs  
Josh Taylor  
Hoyt Denton  
Lora Barnett

Members Absent:

Staff Present:  
Lori Pyatte  
Ken Weems  
Jessica McMurray

Visitors:  
Ricky Reed

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

Chairman Bill Sumner explained the meeting procedures.

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

**Public Hearing:**

**Case: BZA25-0297– The owner of property located at 479 Gravely Road, Control Map 030H, Group G, Parcel 031.00** requests a 48.5-foot deviation from rear yard to Sec 114-133(1) for the purpose of locating a carport in the side yard. In addition, the applicant requests a 5-foot separation variance to Sec 114-133(2) from the principal structure for the proposed carport. The property is zoned R-1B, Residential District.

Mr. Ricky Reed, representative for the applicant, presented the request to the Board. He explained that the church proposes to construct a new carport in the side yard and is seeking approval to deviate from the rear-yard location requirement. He noted that the carport would be located as close to the church building as possible, citing the need for a five-foot building separation variance, and that it would be used to shelter picnic tables and church vehicles.

The Board inquired why the carport could not be located in the rear yard. Mr. Reed explained that the rear of the property contains a steep bank, a retaining wall, and limited usable space due to the irregular shape of the lot, making rear-yard placement infeasible.

The Board also asked about the construction material of the carport, and Mr. Reed stated that it will be metal. Staff noted that this matter was discussed with the City Building Official, who indicated that the lack of building separation is acceptable due to the carport's metal construction.

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

**BUSINESS:**

Staff stated for record, the next application deadline is January 15, 2026 at noon, and meeting date Thursday, February 5, 2026 at noon.

The board reviewed the December 2, 2025 regular meeting minutes.

**MOTION:** made by Vice-Chairman Clifton, seconded by Mr. Joe White to approve the Kingsport Board of Zoning Appeals minutes for December 2, 2025.

**VOTE:** 7-0 to approve the minutes.

**Adjudication of Cases:**

**Case: BZA25-0297 – The owner of property located at 479 Gravely Road, Control Map 030H, Group G, Parcel 031.00** requests a 48.5-foot deviation from rear yard to Sec 114-133(1) for the purpose of locating a carport in the side yard. In addition, the applicant requests a 5-foot separation variance to Sec 114-133(2) from the principal structure for the proposed carport. The property is zoned R-1B, Residential District.

The Board noted that the primary hardship stems from the irregular lot shape and steep topography located in the rear yard of the property.

**MOTION:** Made by Mr. Wes Combs and seconded by Mr. Hoyt Denton to approve the request as presented.

**VOTE:** 7-0 to approve the request.

**Public Comment:**

With no further business the meeting was adjourned at 12:10pm.

Respectfully Submitted,

*Jessica McMurray*

Jessica McMurray  
Development Coordinator