

KINGSPORT BOARD OF ZONING APPEALS AGENDA
REGULAR MEETING: December 5, 2019
Development Services Building – Bob Clear Conference Room

CALL TO ORDER – 12:00 P.M. NOON

INTRODUCTION / MEETING PROCEDURES

PUBLIC HEARING:

Case: 19-701-00030 – Property located at 2055 Granby Road, Control Map 029K, Group C Parcel 008.50, requests a 5 foot 10 inch height variance to 114-533(2)c and a 20 foot setback variance to 114-533(c)3 for the purpose of erecting a new freestanding sign. The property is zoned R-1B, Residential District.

INTERESTED PARTIES:

Owner: Jackie Flanary
432 Dogwood Street
Mount Carmel, TN 37645
423.292.2644

Representative: Jackie Flanary

Case: 19-701-00031 – Property located at 416 Oakmont Drive, Control Map 106B, Group G Parcel 001.00, requests a 285 square foot variance to maximum accessory structure size to Sec 114-133(2) for the purpose of locating a storage outbuilding in the rear yard of the property. The property is zoned R-1B, Residential District.

INTERESTED PARTIES:

Owner: Charles Large
416 Oakmont Drive
Kingsport, TN 37663
423.956.9463

Representative: Charles Large

Case: 19-701-00032 – Property located at 2709 Rock Springs Road, Control Map 119I, Group B, Parcel 001.20, requests a 15 foot periphery yard variance along the northwest and southwest parcel boundaries to Sec 114-230(c); a 30 foot periphery yard variance along the northeast side of the parcel to Sec 114-230(c); a 15 foot reduction to fence and/or evergreen screening portion of the planting strip boundary along the southwest and northeast parcel boundary to Sec 114-600(d)4; and a landscaping elimination variance along the northeast parcel boundary to Sec 114-600(d)4. The property is zoned B-4P, Planned Business District.

INTERESTED PARTIES:

Owner: Kingsport Sovereign Grace Church
905 Yadkin Street
Kingsport, TN 37664
423.723.8103

Representative: Henry Coffey

BUSINESS:

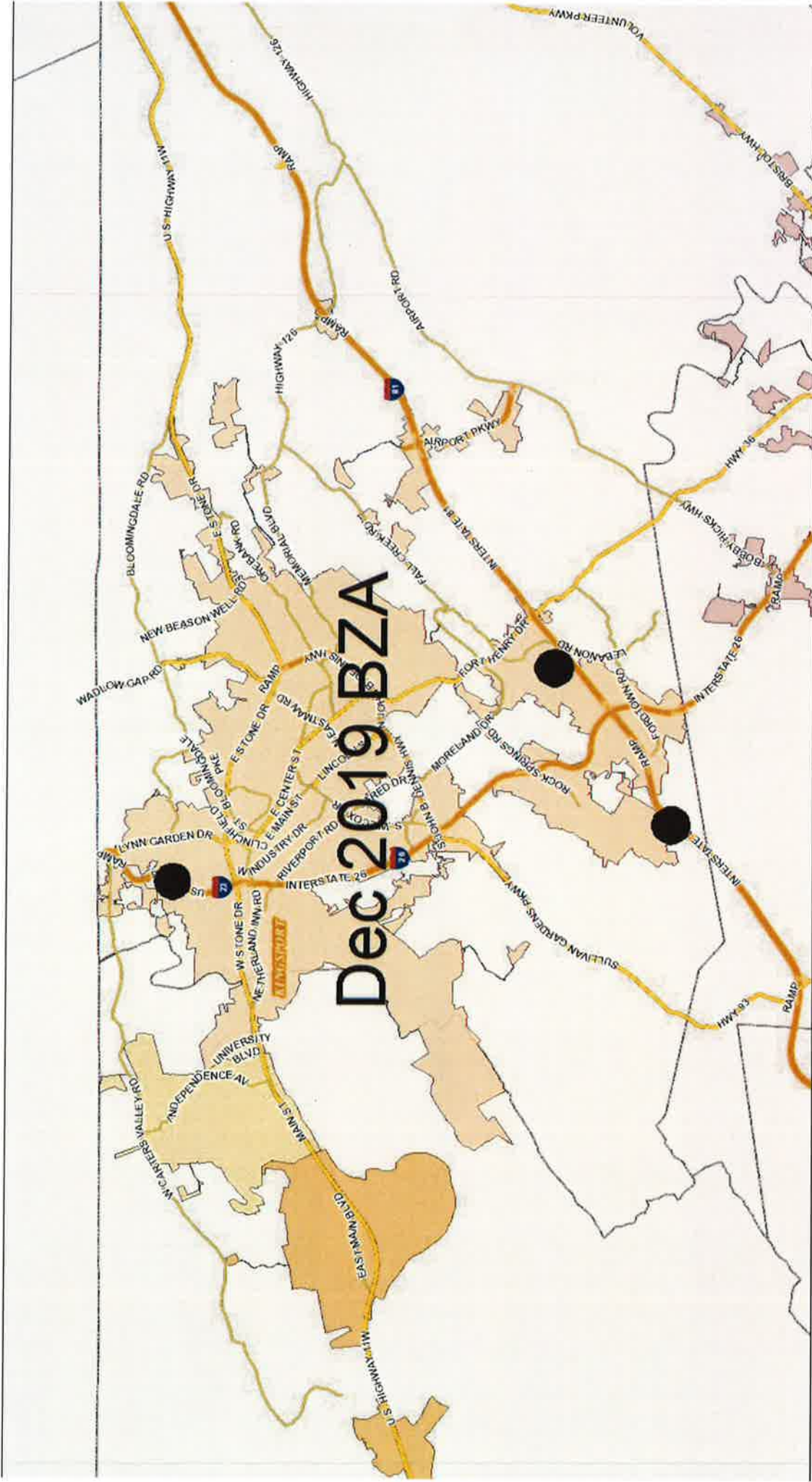
Approval of the November 7, 2019 driving tour and regular meeting minutes.

Stating for public record, the next application deadline is December 16, 2019 at noon, and meeting date (Thursday, January 2, 2020).

ADJUDICATION OF CASES:

ADJOURNMENT:

ArcGIS Web Map



19/2019, 9:32:06 AM

1:144,448



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, December 5, 2019 will be conducted beginning at NOON in the Bob Clear Conference Room, on the first floor of the Development Services Building, 201 West Market Street, Kingsport, Tennessee.

A tour of the properties up for consideration will be conducted starting at 10:30a.m. prior to the meeting.

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

Case: 19-701-00030 – Property located at 2055 Granby Road, Control Map 029K, Group C Parcel 008.50, requests a 5 foot 10 inch height variance to 114-533(2)c and a 20 foot setback variance to 114-533(c)3 for the purpose of erecting a new freestanding sign. The property is zoned R-1B, Residential District.

Case: 19-701-00031 – Property located at 416 Oakmont Drive, Control Map 106B, Group G Parcel 001.00, requests a 285 square foot variance to maximum accessory structure size to Sec 114-133(2) for the purpose of locating a storage outbuilding in the rear yard of the property. The property is zoned R-1B, Residential District.

Case: 19-701-00032 – Property located at 2709 Rock Springs Road, Control Map 119I, Group B, Parcel 001.20, requests a 15 foot periphery yard variance along the northwest and southwest parcel boundaries to Sec 114-230(c); a 30 foot periphery yard variance along the northeast side of the parcel to Sec 114-230(c); a 15 foot reduction to fence and/or evergreen screening portion of the planting strip boundary along the southwest and northeast parcel boundary to Sec 114-600(d)4; and a landscaping elimination variance along the northeast parcel boundary to Sec 114-600(d)4. The property is zoned B-4P, Planned Business 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.

City of Kingsport, Tennessee
Sidney Cox, City Recorder
P1T: 11/25/19



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: November 20, 2019

RE: 2055 Granby Road

The Board is asked to consider the following request:

Case: 19-701-00030 – Property located at 2055 Granby Road, Control Map 029K, Group C Parcel 008.50, requests a 5 foot 10 inch height variance to 114-533(2)c and a 20 foot setback variance to 114-533(c)3 for the purpose of erecting a new freestanding sign. The property is zoned R-1B, Residential District.

ArcGIS Web Map



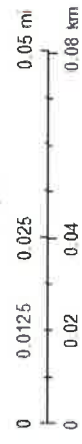
19/2019, 11:14:13 AM

Kpt 911 Address

Sullivan County Parcels

Hawkins County Parcels

1:1 128



ArcGIS Web Map



19/2019, 11:16:04 AM

	Kpt 911 Address		Sullivan County Parcels		Hawkins County Parcels		Zoning		<Null>		TAC
	R-5		B-1		B-4P		MX		PMD-1		R-1B
	GC		B-2		BC		P-1		PMD-2		R-1C
	B-2E		B-3		GC		P-D		PUD		R-2
	A-1		B-3		M-1		PBD-3		PVD		R-3
	A-2		B-4		M-1R		PBD/r		R-1		R-3A
	AR		B-4P		M-2		PD		R-1A		R-3B
											R-4
											Split
											TA
											TA-C
											UAE

APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name	FLANARY	First	JACKIE	M.I.	D	Date	10/22/19
Street Address	432 DOGWOOD ST.			Apartment/Unit #			
City	Mount Carmel	State	TN	ZIP	37645		
Phone	423-292-2644	E-mail Address Flanary1@yahoo.com					

PROPERTY INFORMATION:

Tax Map Information	Tax map:	Group:	Parcel:	Lot:			
Street Address	2055 Granby Rd.			Apartment/Unit #			
Current Zone				Proposed Zone			
Current Use				Proposed Use			

REPRESENTATIVE INFORMATION:


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

REQUESTED ACTION:

To change the variance of New Church sign and to put sign on property line
5'10" Height variance & 20' set back variance for New Free standing Church sign

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: 10/22/19
 Signed before me on this 5th day of November 2019
 a notary public for the State of Tennessee
 County of Sullivan
 Notary Alison Katie Fields
 My Commission Expires 5/31/22



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.

From the Road to spot for sign slopes down, so sign would be hard to see because of Guard rail. Putting the sign 20' from property line would put the sign in the ~~middle~~ entry way of Park Lot.

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

It would make it hard to get into the parking lot

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.

Property was figured this way when we purchased it from Victory ~~Church~~. Baptist

11
✓

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 spot for the sign is a place that is not around any house and would be well maintained

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.

8'



Tabernacle Of Praise

Service Times: Sunday School 10:00 Worship 11:00
Wednesdays 7:00
Be forever changed

4'

8'34"

4'34"



ArcGIS Web Map

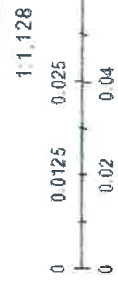


5/2019, 3:45:55 PM

Kpt 911 Address

Sullivan County Parcels

Hawkins County Parcels





**Application for Sign Permit
Building Department**

201 W Market Street
Kingsport, TN 37660
Tel: 423-229-9393 Fax: 423-224-2680

BUSINESS NAME: Tabernacle of Praise

BUSINESS ADDRESS: 2055 Granby Rd.

SIGN CONTRACTOR: _____ PHONE: _____

FREE-STANDING

Size: 4 X 8 = 32 SqFt Height: 8'34" Illuminated: _____

Sign Material: Plastic Metal Vinyl Other: _____

UL# _____

WALL

Size: _____ X _____ = _____ SqFt Height: _____ Illuminated: _____

Sign Material: Plastic Metal Vinyl Other: _____

Size: _____ X _____ = _____ SqFt Height: _____ Illuminated: _____

Sign Material: Plastic Metal Vinyl Other: _____

Size: _____ X _____ = _____ SqFt Height: _____ Illuminated: _____

Sign Material: Plastic Metal Vinyl Other: _____

UL# _____

BEFORE SIGN PERMIT CAN BE APPROVED YOU MUST SUBMIT:

**FREESTANDING: SITE PLAN SHOWING PROPOSED LOCATION; FOOTING DETAIL;
EXISTING SIGNAGE**

**WALL: DRAWING OF PROPOSED SIGN DESIGN; LOCATION ON STRUCTURE; EXISTING
SIGNAGE**


SIGNATURE

10/22/19
DATE



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: November 20, 2019

RE: 416 Oakmont Drive

The Board is asked to consider the following request:

Case: 19-701-00031 – Property located at 416 Oakmont Drive, Control Map 106B, Group G Parcel 001.00, requests a 285 square foot variance to maximum accessory structure size to Sec 114-133(2) for the purpose of locating a storage outbuilding in the rear yard of the property. The property is zoned R-1B, Residential District.

The current owner purchased the property earlier this year. Existing at the time of purchase is an accessory dwelling unit in the rear yard of the property. The new owner desires to add a storage outbuilding as requested in the application for a total of 1,385 sq ft of accessory structure for the parcel.

ArcGIS Web Map



19/2019, 11:35:55 AM

Kpt 911 Address

Sullivan County Parcels

Hawkins County Parcels

1:1,128



APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name LARGE First CHARLES M.I. C. Date 10/30/19
Street Address 416 OAKMONT DR Apartment/Unit #
City KINGSPOORT State TN ZIP 37663
Phone 423-956-9463 E-mail Address clargesams@gmail.com

PROPERTY INFORMATION:

Tax Map Information Tax map: 106B Group: 6 Parcel: 1 Lot: 1
Street Address 416 Oakmont Dr. Apartment/Unit #
Current Zone R-1B Proposed Zone NO CHANGE
Current Use single family Proposed Use SAME

REPRESENTATIVE INFORMATION:

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

REQUESTED ACTION:

Request variance for outbuilding for storage of yard equipment and tools and general storage. The existing structure considered detached is an occupied dwelling used by family. We moved here to be able to help our elderly parents with day to day chores. The only storage is the garage and it is overflowing with our family memories

DISCLAIMER AND SIGNATURE

285 sq ft variance to my accessory structure allotment

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.

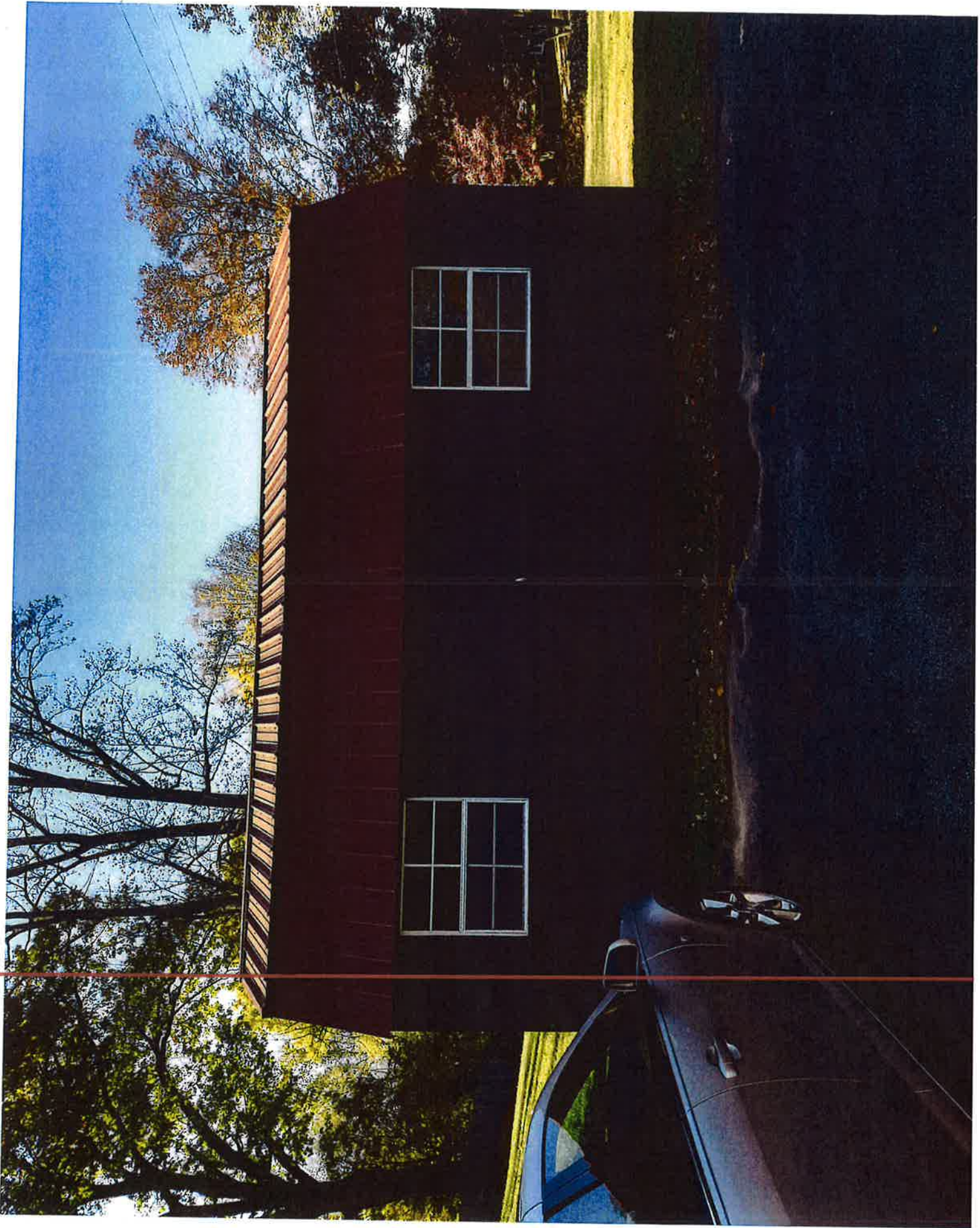
Signature: Chad C Large

Date: 11/12/19

Signed before me on this 12th day of November 19
a notary public for the State of Tennessee
County of Sullivan

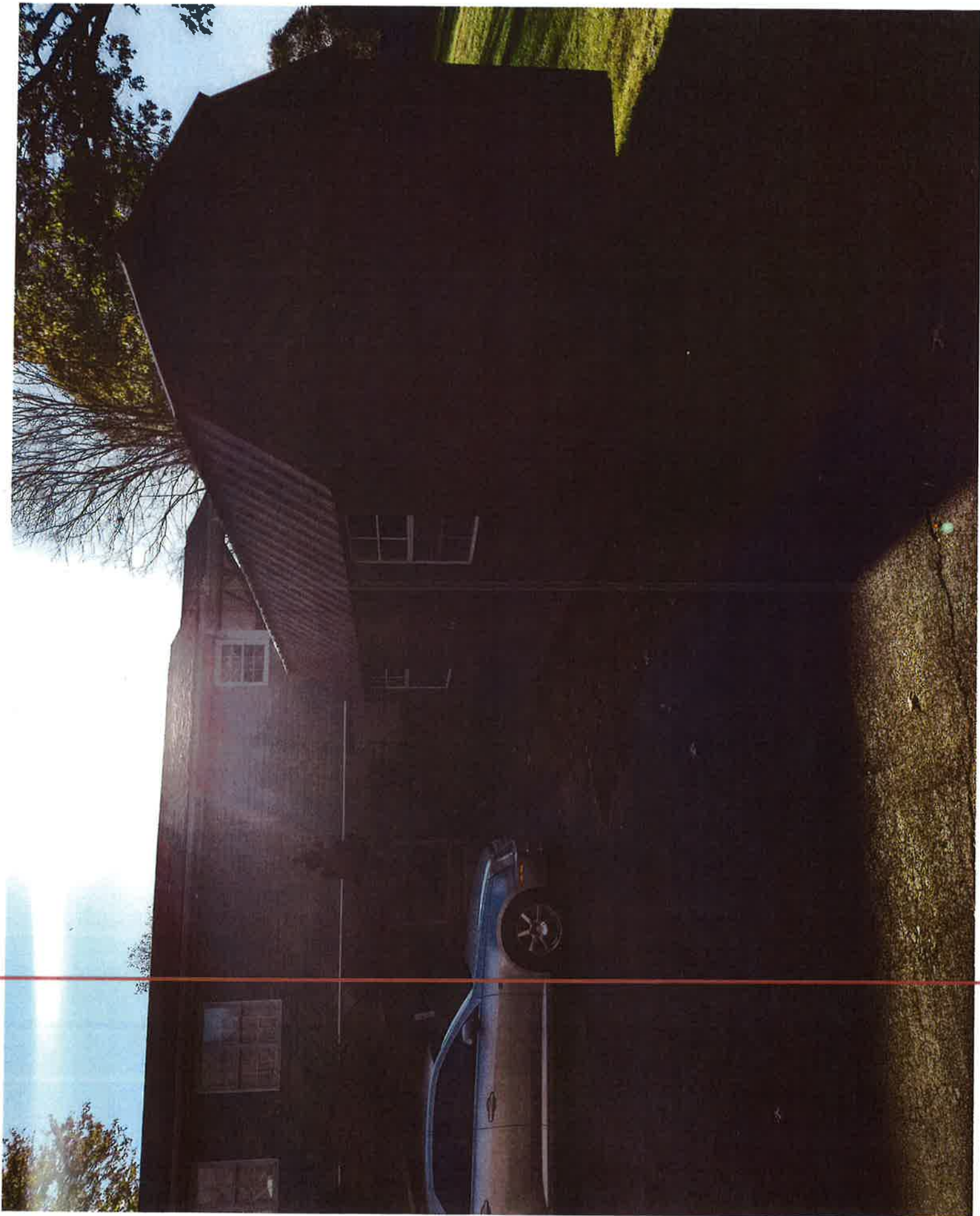
Notary Alison Katie Fields
My Commission Expires 5-31-2021













TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: November 20, 2019

RE: 2709 Rock Springs Road

The Board is asked to consider the following request:

Case: 19-701-00032 – Property located at 2709 Rock Springs Road, Control Map 119I, Group B, Parcel 001.20, requests a 15 foot periphery yard variance along the northwest and southwest parcel boundaries to Sec 114-230(c); a 30 foot periphery yard variance along the northeast side of the parcel to Sec 114-230(c); a 15 foot reduction to fence and/or evergreen screening portion of the planting strip boundary along the southwest and northeast parcel boundary to Sec 114-600(d)4; and a landscaping elimination variance along the northeast parcel boundary to Sec 114-600(d)4. The property is zoned B-4P, Planned Business District.

A church has purchased this property and plans to finish construction on the existing structure. The existing structure, which has been only partially constructed, was originally planned to be a cabinet showroom.

ArcGIS Web Map



19/2019, 11:32:57 AM

- Kpt.911 Address
- Sullivan County Parcels
- Hawkins County Parcels

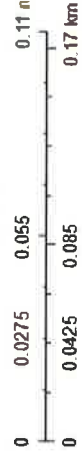
ArcGIS Web Map



19/2019, 11:31:51 AM

- Kpt.911 Address
- Sullivan County Parcels
- Hawkins County Parcels
- Zoning
- <Null>
- TAC
- R-5
- GC
- B-2E
- A-1
- A-2
- AR
- B-1
- B-2
- B-3
- B-3
- B-4
- B-4P
- B-4P
- BC
- GC
- M-1
- M-1R
- M-2
- MX
- P-1
- P-D
- PBD-3
- PBD/*
- PD
- B-1B
- R-1B
- R-1C
- R-2
- R-3
- R-3A
- R-3B
- PMD-1
- PMD-2
- PUD
- PVD
- R-1
- R-1A
- R-4
- R-1B
- R-1C
- R-2
- R-3
- R-3A
- R-3B
- Split
- TA
- TA-C
- UAE

1:2,257



APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name Kingsport Sovereign Grace Church First _____ M.I. _____ Date 11/06/19
 Street Address 905 Yaddin St. Apartment/Unit # _____
 City Kingsport State TN ZIP 37660
 Phone 423-723-8103 E-mail Address luke.coffeyrealtor@gmail.com

PROPERTY INFORMATION:

Tax Map Information Tax map: _____ Group: _____ Parcel: _____ Lot: _____
 Street Address 2709 Rock Springs Rd., Kingsport, TN 37664 Apartment/Unit # _____
 Current Zone B4-P Proposed Zone B4-P
 Current Use Business (Unfinished Building) Proposed Use Church

REPRESENTATIVE INFORMATION:

Last Name Coffey First Henry M.I. L Date 11/06/19
 Street Address 2304 Norwich Place Apartment/Unit # _____
 City Kingsport State TN ZIP 37660
 Phone 423-444-2441 E-mail Address luke.coffeyrealtor@gmail.com

REQUESTED ACTION:

- Reduction of Periphery yard requirement from 30' to 15' along Rock Springs frontage and Southwest Property line.
- Reduction of Periphery yard requirement from 30' to 0' along Northeast property line due to power line easement.
- Eliminate fence and/or evergreen screening requirement along the southwest side of the property line.
- Eliminate landscaping requirement along the northeast property line due to the power easement. (See Easement deed)

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.

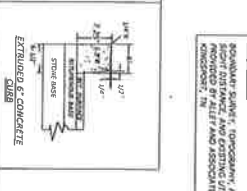
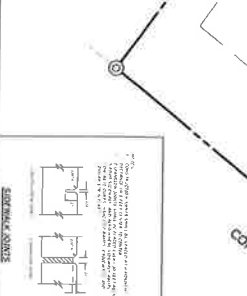
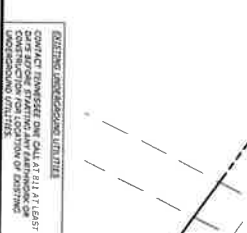
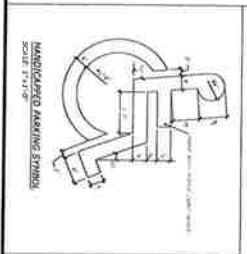
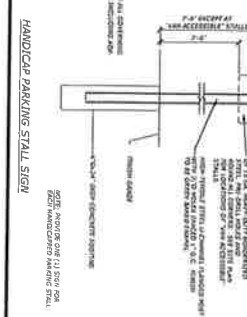
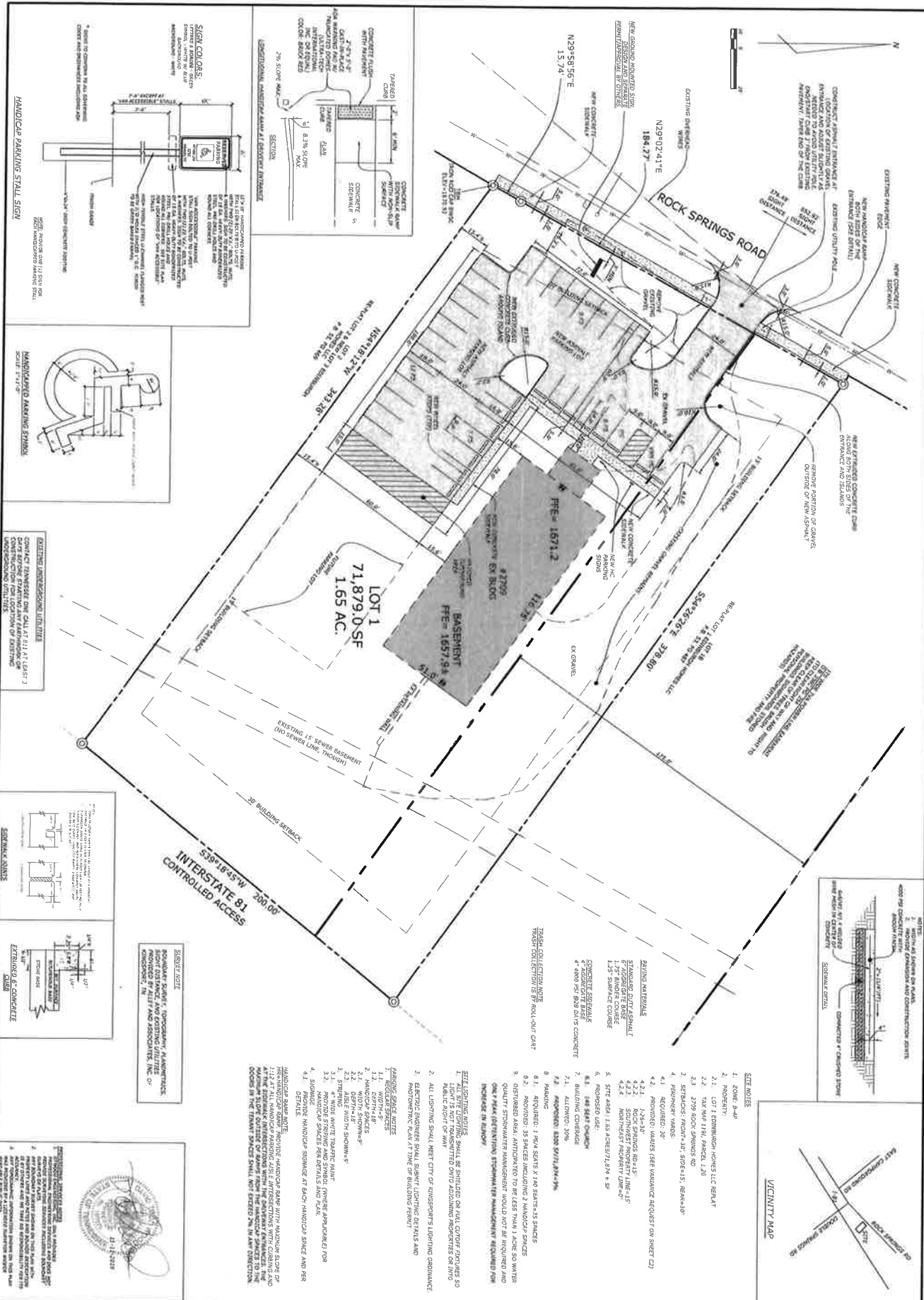
Signature: [Handwritten Signature]

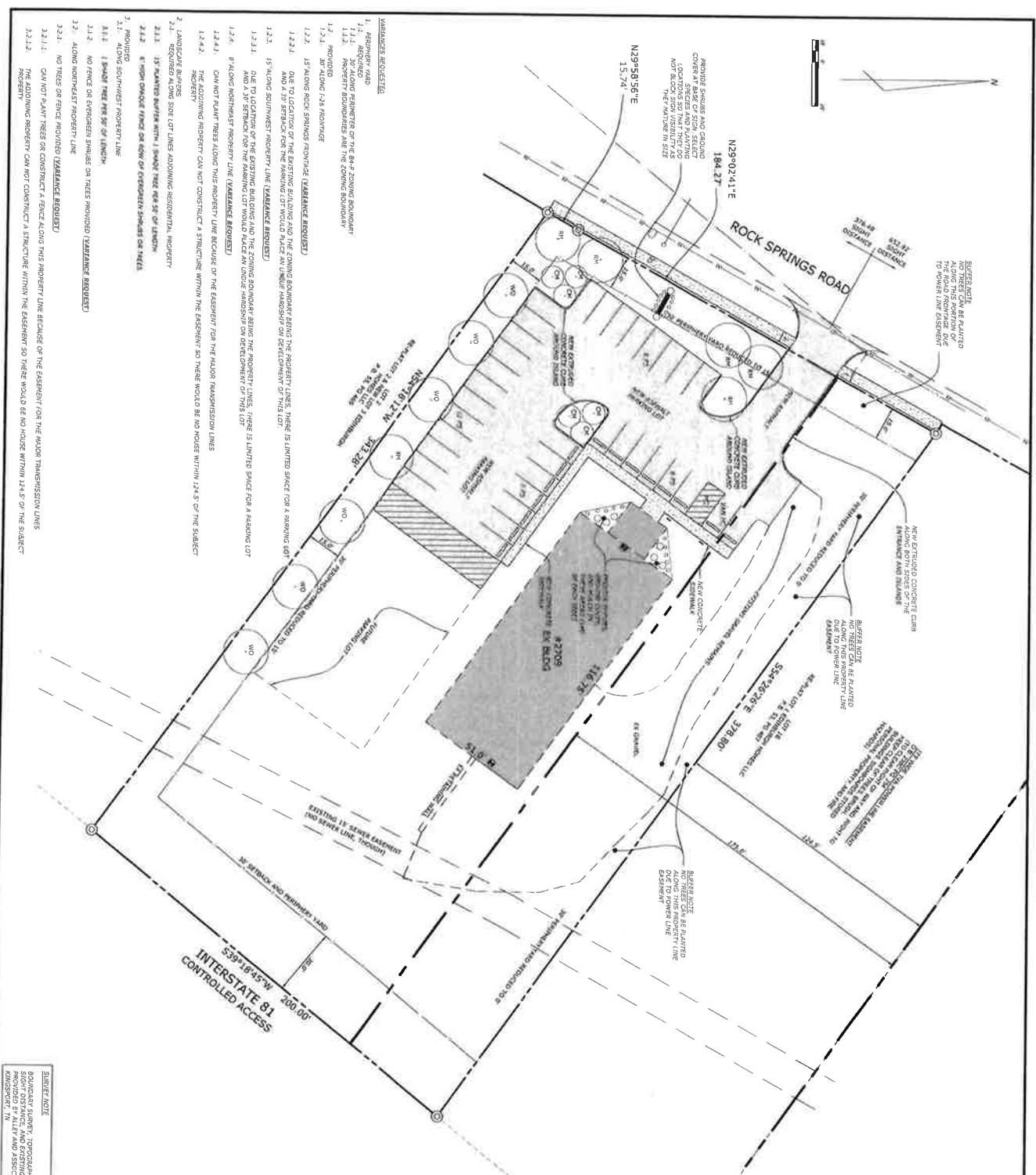
Date: 11/6/19

Signed before me on this 6th day of Nov., 2019
 a notary public for the State of Tennessee
 County of Sullivan

Notary Shirley B. Warren
 My Commission Expires 10-24-23







VARIANCES REQUESTED

1. RESURVEY AND
- 1.1. REPAIR/REPLACE EXISTING CURB AND GUTTER
- 1.2. PROPERTY BOUNDARIES ARE THE ZONING BOUNDARY
- 1.2.1. 30' ALONG 124' FRONTAGE
- 1.2.2. 15' ALONG ROCK SPRINGS FRONTAGE (VARIANCE REQUIRED)
- 1.2.3. DUE TO LOCATION OF THE EXISTING BUILDING AND THE ZONING BOUNDARY BEING THE PROPERTY LINES, THERE IS LIMITED SPACE FOR A PARKING LOT AND A SETBACK FOR THE PARKING LOT WOULD PLACE AN UNDESIRABLE HARDSHIP ON DEVELOPMENT OF THIS LOT.
- 1.2.3.1. 15' ALONG SOUTHWEST PROPERTY LINE (VARIANCE REQUIRED)
- 1.2.3.2. DUE TO LOCATION OF THE EXISTING BUILDING AND THE ZONING BOUNDARY BEING THE PROPERTY LINES, THERE IS LIMITED SPACE FOR A PARKING LOT AND A SETBACK FOR THE PARKING LOT WOULD PLACE AN UNDESIRABLE HARDSHIP ON DEVELOPMENT OF THIS LOT.
- 1.2.4. 0' ALONG NORTHWEST PROPERTY LINE (VARIANCE REQUIRED)
- 1.2.4.1. CAN NOT PLANT TREES ALONG THIS PROPERTY LINE BECAUSE OF THE EXISTING FOR THE MAJOR TRANSMISSION LINES
- 1.2.4.2. PROPERTY
2. LANDSCAPE BUFFERS
- 2.1. REQUIRED ALONG SIDE LOT LINES ADJOINING RESIDENTIAL PROPERTY
- 2.1.1. 15' PLANTED BUFFER WITH 1 SHADE TREE PER 50' OF LENGTH
- 2.1.2. 5' HIGH OAK OR FENCE OR ROW OF CONSPICUOUS SHRUBS OR TREES
3. PROVIDED
- 3.1. 1. ALONG SOUTHWEST PROPERTY LINE
- 3.1.1. 1 SHADE TREE PER 50' OF LENGTH
- 3.1.2. NO FENCE OR SHRUBS REQUIRED AS TREES PROVIDED (VARIANCE REQUIRED)
- 3.2. 1. ALONG NORTHWEST PROPERTY LINE
- 3.2.1. NO TREES OR FENCE PROVIDED (VARIANCE REQUIRED)
- 3.2.1.1. CAN NOT PLANT TREES OR CONSTRUCT A FENCE ALONG THIS PROPERTY LINE BECAUSE OF THE EXISTING FOR THE MAJOR TRANSMISSION LINES
- 3.2.1.2. THE ADDING PROPERTY CAN NOT CONSTRUCT A STRUCTURE WITHIN THE BUFFER SO THERE WOULD BE NO HOUSE WITHIN 124.5' OF THE SUBJECT PROPERTY

LANDSCAPE CALCULATIONS

1. ROCK SPRINGS NO FRONTAGE LANDSCAPING
- 1.1. REQUIRED: 1 TREE/50' X 200' X 4'
2. PARKING LOT TREES: 450' X 110' X 20'
- 2.1. COVER SPACE REQUIRED: 39,711.07 SQ-668 SF
- 2.2. COVER SPACE PROVIDED: 1100 SF
- 2.3. TREES PROVIDED: 1 TREE PER 50' X 20' X 4' = 22 TREES
- 2.4. BUILDING FOOTPRINT LANDSCAPING PROVIDED: 200 SF
- 2.5. BUILDING FOOTPRINT LANDSCAPING REQUIRED: 200 SF
3. BUFFERS
- 3.1. SOUTHWEST SIDE PROVIDED: 1 TREE/50' X 143' X 2'
- 3.1.1. SOUTHWEST SIDE: CAN NOT PLANT TREES OR CONSTRUCT A FENCE ALONG THIS PROPERTY LINE DUE TO POWER LINE BUFFER
- 3.2. NORTHWEST SIDE: CAN NOT PLANT TREES OR CONSTRUCT A FENCE ALONG THIS PROPERTY LINE DUE TO POWER LINE BUFFER

PLANT LIST

QUANTITY	NET MAKE	SIZE
6	RED MAJALE	1 1/2" CAL.
6	OR	1 1/2" CAL.
6	SHRUBS	2 1/4" X 1 1/2" CORNADO, OR 3 CAL. MIN
10	OR	OR
10	OR	OR
10	OR	OR

NOTES:

1. THIS SCHEDULE IS A GUIDE ONLY. CONTRACTOR SHALL VERIFY PLANT QUANTITIES BASED ON THE PLAN AND NOT RELY SOLELY ON THIS SCHEDULE.
2. IN PLACE OF RED MAJALE AND WILLOW DANE, OTHER DECIDUOUS SHRUB TREES MAY BE USED IF ON THE CITY OF KINGSPORT APPROVED TREE LIST.
3. OTHER TREES SHALL BE SPECIFIED AND GOOD HAZARD SUCH AS WILLOW DANE SHOULD BE SPECIFIED TO BE CROWNED TO SHOW AND TREES IN LINE OF CURB INTERLIES, OTHER DECIDUOUS TREES MAY BE USED AS RED MAJALE OR WILLOW DANE OR SUBSTITUTES AS LONG AS THEY MEET THE CITY OF KINGSPORT TREE LIST.
4. CONTRACTOR SHALL VERIFY PLANT QUANTITIES BASED ON THE PLAN AND NOT RELY SOLELY ON THIS SCHEDULE.

GENERAL NOTES:

1. CONTRACTOR SHALL VERIFY PLANT QUANTITIES BASED ON THE PLAN AND NOT RELY SOLELY ON THIS SCHEDULE.
2. CONTRACTOR SHALL VERIFY PLANT QUANTITIES BASED ON THE PLAN AND NOT RELY SOLELY ON THIS SCHEDULE.
3. CONTRACTOR SHALL VERIFY PLANT QUANTITIES BASED ON THE PLAN AND NOT RELY SOLELY ON THIS SCHEDULE.
4. CONTRACTOR SHALL VERIFY PLANT QUANTITIES BASED ON THE PLAN AND NOT RELY SOLELY ON THIS SCHEDULE.

EXISTING UNDERGROUND UTILITIES

CONTACT UTILITY SERVICE ONE CALL AT 811 AT LEAST 7 DAYS BEFORE ANY EXCAVATION OR CONSTRUCTION OF ANY KIND TO IDENTIFY AND MARK ALL EXISTING UNDERGROUND UTILITIES.

CONTRACTOR SHALL VERIFY PLANT QUANTITIES BASED ON THE PLAN AND NOT RELY SOLELY ON THIS SCHEDULE.

GENERAL NOTES:

1. CONTRACTOR SHALL VERIFY PLANT QUANTITIES BASED ON THE PLAN AND NOT RELY SOLELY ON THIS SCHEDULE.
2. CONTRACTOR SHALL VERIFY PLANT QUANTITIES BASED ON THE PLAN AND NOT RELY SOLELY ON THIS SCHEDULE.
3. CONTRACTOR SHALL VERIFY PLANT QUANTITIES BASED ON THE PLAN AND NOT RELY SOLELY ON THIS SCHEDULE.
4. CONTRACTOR SHALL VERIFY PLANT QUANTITIES BASED ON THE PLAN AND NOT RELY SOLELY ON THIS SCHEDULE.

0238C
0254

hd
no

BOOK 238C PAGE 254
GRANT OF TRANSMISSION LINE EASEMENT
TRACT NO. PHBS-149

FOR AND IN CONSIDERATION of the sum of FORTY-FIVE THOUSAND AND NO/100-----
-----Dollars (\$ 45,000.00),
cash in hand paid, receipt whereof is hereby acknowledged, we, the undersigned,

JAMES C. HITE and JUANITA GIBSON

have this day bargained and sold, and by these presents do hereby grant, bargain, sell, transfer, and convey unto the United States of America a permanent easement and right of way for the following purposes, namely: the perpetual right to enter at any time and from time to time and to erect, maintain, repair, rebuild, operate, and patrol one line(s) of transmission line structures with sufficient wires and cables for electric power circuits and all necessary appurtenances; to clear said right of way and keep it clear of all trees, brush, buildings, signboards, stored personal property, and fire hazards; to destroy or otherwise dispose of such trees and brush; to prevent the drilling or sinking of wells within the right of way; and to remove, destroy, or otherwise dispose of any trees located beyond the limits of the right of way which in falling would come within 10 feet of any transmission line structure or conductor; all over, upon, across, and under the following described land, to wit:

A strip of land for a right of way located in the Fourteenth Civil District of Sullivan County, State of Tennessee, as shown on a map prepared by the Tennessee Valley Authority and entitled "Phipps Bend-Sullivan Transmission Line," said strip being 175 feet wide, lying 87.5 feet on each side of the center line of a transmission line location, the center line being more particularly described as follows:

Beginning at a point where the center line crosses a fence line, which is the west line of the land of James Cleve Hite et al and the east line of the land of Leonard Chase et ux, at survey station 1108 + 37 on the center line of the location, said point being S. 27 deg. 05' W., 45.0 feet from a corner of the lands of James Cleve Hite et al, Leonard Chase et ux, and Donald Cox et ux (at the intersection of the west and northeast lines of the land of James Cleve Hite et al), the strip being bounded on the northwest end by the west and northeast lines of the land of James Cleve Hite et al; thence S. 35 deg. 26' E., 1122.2 feet to survey station 1119 + 59.2; thence S. 51 deg. 21' E., 904.8 feet to a point where the center line crosses a fence line and the northwest line of the right of way of Interstate Highway 81, which is the southeast line of the land of James Cleve Hite et al and the northwest line of the land of the State of Tennessee, at survey station 1128 + 64, said point being 110 feet, as measured along the highway right of way line in a southwesterly direction, from a corner of the lands of James Cleve Hite et al and the State of Tennessee, the strip terminating at the northwest line of the right of way of Interstate Highway 81.

The above described strip of land is a continuous right of way through the said property between the above named boundary lines and includes the center line for a net distance of 2027 feet.

Prepared by *James T. Doolal*, Attorney, TVA, Chattanooga, TN 37401
TVA 9575-1 (LA-10-79)
500 KV
BH

0238C
0255

BOOK **238C** PAGE **255**

The previous and last conveyance of this property is Will of record in Will Book 17, page 253, in the office of the County Court Clerk of Sullivan County, Tennessee.

TO HAVE AND TO HOLD the said easement and right of way to the United States of America and its assigns forever.

We covenant with the said United States of America that we are lawfully seized and possessed of said real estate, have a good and lawful right to convey the easement rights hereinabove described, that said property is free of all encumbrances, and that we will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

We agree that the payment of the purchase price above stated is accepted by us as full compensation for all damage caused by the exercise of any of the rights above described; EXCEPT that the United States of America shall remain liable for any damage to growing crops and any direct physical damage caused to the property of the undersigned by its construction forces or by the construction forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said line.

We, for ourselves, our heirs, personal representatives, successors, and assigns, covenant with the United States of America that no buildings, signboards, or fire hazards will be erected or maintained within the limits of the right of way, that the right of way will not be used for the storage of personal property, and that no well will be drilled or sunk within ~~feet of the center line of~~ the right of way, and agree that this shall be a real covenant which shall attach to and run with the land affected by the easement rights and shall be binding upon everyone who may hereafter come into ownership of said land, whether by purchase, devise, descent, or succession.

Wherever the context hereof requires, the plural number as used herein shall be read as singular.

IN WITNESS WHEREOF, we have hereunto subscribed our names this 31st day of January, 1980.

x James C. Hite
JAMES C. HITE
x Juanita Gibson
JUANITA GIBSON

0238C
0256

Tract No. PHBS-149

STATE OF SOUTH CAROLINA , COUNTY OF PICKENS

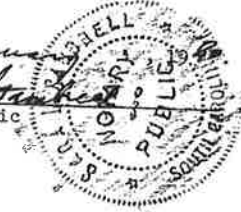
Before me personally appeared JAMES C. HITE

BOOK 238C PAGE 256

to be the person described in and who executed the foregoing instrument, and acknowledged that he executed and delivered the same as his free act and deed on the day and year therein mentioned.

WITNESS my hand and seal of office this 31st day of

January
Sara W. Gresham
Notary Public



My commission expires: Sept. 26, 1987

STATE OF TENNESSEE , COUNTY OF SULLIVAN

Before me personally appeared JUANITA GIBSON

to be the person described in and who executed the foregoing instrument, and acknowledged that she executed and delivered the same as her free act and deed on the day and year therein mentioned.

WITNESS my hand and seal of office this 10 day of

February
June B. Ladner
Notary Public



My commission expires: March 16, 1982

STATE OF , COUNTY OF

Before me appeared , to me personally known, who, being by me duly sworn, did say that he is the of a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed, and delivered in behalf of said corporation, by authority of its Board of Directors, and he, as such officer, acknowledged said instrument to be the free act and deed of said corporation on the day and year therein mentioned.

WITNESS my hand and seal of office this day of , 19 .

My commission expires: Notary Public

Sullivan County, Tenn. Register of Deeds: Received for record on the 6 day of March 19 80 at 3:30 P.M. Noted in Note Book 57 Page 81

Mary Duncan
Register

24
50

BOOK 238C PAGE 254
GRANT OF TRANSMISSION LINE EASEMENT
TRACT NO. FBBS-149

FOR AND IN CONSIDERATION of the sum of FORTY-FIVE THOUSAND AND NO/100-----
-----Dollars (\$ 45,000.00),
cash in hand paid, receipt whereof is hereby acknowledged, we, the undersigned,

JAMES C. HITE and JUANITA GIBSON

have this day bargained and sold, and by these presents do hereby grant, bargain, sell, transfer, and convey unto the United States of America a permanent easement and right of way for the following purposes, namely: the perpetual right to enter at any time and from time to time and to erect, maintain, repair, rebuild, operate, and patrol one line(s) of transmission line structures with sufficient wires and cables for electric power circuits and all necessary appurtenances; to clear said right of way and keep it clear of all trees, brush, buildings, signboards, stored personal property, and fire hazards; to destroy or otherwise dispose of such trees and brush; to prevent the drilling or sinking of wells within the right of way; and to remove, destroy, or otherwise dispose of any trees located beyond the limits of the right of way which in falling would come within 10 feet of any transmission line structure or conductor; all over, upon, across, and under the following described land, to wit:

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Prepared by James F. Doolal, Attorney, TVA, Chattanooga, TN 37401
TVA 9575-1 (LA-10-79)
500 KV
BH

0238C
0255

BOOK 238C PAGE 255

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We agree that the payment of the purchase price above stated is accepted by us as full compensation for all damage caused by the exercise of any of the rights above described; EXCEPT that the United States of America shall remain liable for any damage to growing crops and any direct physical damage caused to the property of the undersigned by its construction forces or by the construction forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said lines.

We, for ourselves, our heirs, personal representatives, successors, and assigns, covenant with the United States of America that no buildings, signboards, or fire hazards will be erected or maintained within the limits of the right of way, that the right of way will not be used for the storage of personal property, and that no well will be drilled or sunk within ~~the limits of the right of way~~ of the right of way, and agree that this shall be a real covenant which shall attach to and run with the land affected by the easement rights and shall be binding upon everyone who may hereafter come into ownership of said land, whether by purchase, devise, descent, or succession.

Wherever the context hereof requires, the plural number as used herein shall be read as singular.

IN WITNESS WHEREOF, we have hereunto subscribed our names this 31st day of January, 1980.

X James C. Hite
JAMES C. HITE

X Juanita Gibson
JUANITA GIBSON

0238C
0256

Tract No. PHBS-149

STATE OF SOUTH CAROLINA , COUNTY OF PICKENS

Before me personally appeared JAMES C. HITE

BOOK 238C PAGE 256

to be the person described in and who executed the foregoing instrument, and to me known acknowledged that he executed and delivered the same as his free act and deed on the day and year therein mentioned.

WITNESS my hand and seal of office this 31st day of

January
Sara W. Lambert
Notary Public



My commission expires: Sept. 26, 1987

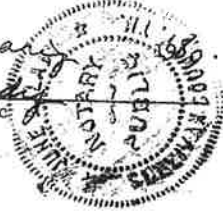
STATE OF TENNESSEE , COUNTY OF SULLIVAN

Before me personally appeared JUANITA GIBSON

to be the person described in and who executed the foregoing instrument, and to me known acknowledged that she executed and delivered the same as her free act and deed on the day and year therein mentioned.

WITNESS my hand and seal of office this 10 day of

February
June B. Ladd
Notary Public



My commission expires: March 16, 1982

STATE OF _____ , COUNTY OF _____

Before me appeared _____, to me personally known, who, being by me duly sworn, did say that he is the _____ of a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed, and delivered in behalf of said corporation, by authority of its Board of Directors, and he, as such officer, acknowledged said instrument to be the free act and deed of said corporation on the day and year therein mentioned.

WITNESS my hand and seal of office this _____ day of _____, 19 _____

Notary Public

My commission expires:

Sullivan County, Tenn. Register of Deeds: Received for record on the 6 day of March 19 80 at 3:30 P.M. Noted in Note Book 57 Page 81

Mary Duncan
Register

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

November 7, 2019

10:30 a.m.

Members Present:

Bill Sumner
Joe White

Members Absent:

Ashok Gala
Calvin Clifton
Jeff Little

Staff Present:

Ken Weems, AICP

At 10:30 a.m., the BZA departed the Development Services Building, 201 W. Market St. to conduct a driving tour of property located at Orchard Place, 4009 Rick Slaughter Court, 235 E Center Street, and Tidewater Court . No official action was taken.

The driving tour concluded at 11:40 a.m.

Respectfully Submitted,

Ken Weems, AICP
Planning Manager

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

November 7, 2019, Regular Meeting

Noon

Bob Clear Conference Room, 1st floor of the Development Services Building

Members Present:

Bill Sumner
Joe White
Ashok Gala

Members Absent:

Calvin Clifton
Jeff Little

Staff Present:

Ken Weems, AICP
Page Jeffers

Visitors:

James Holmes
Randy Holland
Sallie Hickam
Vincent Hickam
David Shivell
Steve Clark
Brenda Clark

Chairman Sumner called the meeting to order.

Chairman Sumner explained the meeting procedures.

Ms. Page Jeffers conducted the swearing in ceremony for those wishing to speak during the regular meeting. James Holmes, Randy Holland, Sallie Hickam, Vincent Hickam, David Shivell, and Steve Clark were sworn in.

Public Hearing:

Case: 19-701-00025 – Property located at Orchard Place, Control Map 046N, Group B Parcel 022.00, requests a 26.8 foot front yard variance and a 27 foot rear yard variance to Sec 114-182(e)1(c,e) for the purpose of constructing a new single family home. The property is zoned R-1A, Residential District.

Mr. Vincent Hickam presented the case to the Board. Mr. Hickam stated that the size of home he wants to build, consistent with the size of surrounding homes, will not fit inside the established setbacks for the zone the property is in. Mr. Hickam noted that the lot in question is smaller than the surrounding lots and encumbered by an existing cul-de-sac along Orchard Place.

Chairman Sumner, seeing no one else wishing to speak, closed the public hearing.

Case: 19-701-00026 – Property located at 716 Chippendale Road, Control Map 60B, Parcel 011.00, requests a 4 foot side yard variance to Sec 114-182(e)1(d)1 for the purpose of attaching a carport to the side of the existing home. The property is zoned R-1A, Residential District.

Staff notified the Board that the applicant pulled the item from the agenda due to no longer needing a variance.

Case: 19-701-00027 – Property located at 4009 Rick Slaughter Court, Control Map 090O, Group F, Parcel 018.00, requests a 10 foot rear yard variance to Sec 114-183(e)1(e) for the purpose of adding a garage onto the rear of the existing home. The property is zoned R-1B, Residential District.

Mr. Steve Clark presented the case to the Board. Mr. Clark stated that the rear of this property drops off at a steep angle and that he is left with limited suitable ground for the proposed garage addition onto the rear of the home.

Chairman Sumner, seeing no one else wishing to speak, closed the public hearing.

Case: 19-701-00028 – Property located at 235 East Center Street, Control Map 046P, Group C, Parcels 018.00, 019.00, and 020.00 requests a 129 square foot variance to Sec. 114-194(g)2 and a 1.75 square foot variance to Sec 114-528(1)b for the purpose of providing new wall signage. The property is zoned B-2, Central Business District.

Mr. Randy Holland, with Snyder Signs, presented the case to the Board. Mr. Holland stated that the bank on the property is rebranding itself and desires to swap the existing signage with the same amount of signage for the new brand. Mr. Holland spoke to the use of the building located on a corner lot, which also has a drive-thru service with signage on the rear of the structure.

Chairman Sumner, seeing no one else wishing to speak, closed the public hearing.

Case: 19-701-00029 – Property located on Tidewater Court, Control Map 076, Parcel 020.00, requests approval from the Board of Zoning Appeals to reestablish a non-conforming use of a temporary laydown yard. The property is zoned B-4P, Planned Business District and A-1, Agricultural District.

Mr. James Holmes presented the case to the Board. Mr. Holmes stated that the property had been used as a laydown yard in the past and that the owner desired the same use for the property for a limited amount of time.

Chairman Sumner, seeing no one else wishing to speak, closed the public hearing.

Next, Chairman Sumner called for approval of the October 3, 2019 driving tour and regular meeting minutes. On a motion by Ashok Gala, seconded by Joe White, the October 3, 2019 driving tour and regular meeting minutes were approved, 3-0. Next, Mr. Weems stated for the record that the next application deadline is November 15, 2019 at noon for the December 5, 2019 regular meeting. The Chairman asked staff to set a date for the annual holiday lunch.

Adjudication of Cases:

Case: 19-701-00025 – Property located at Orchard Place, Control Map 046N, Group B Parcel 022.00

The Board acknowledged that the lot in question was certainly smaller than all others fronting this block along Orchard Place. Chairman Sumner stated that the proposal upholds the integrity of the neighborhood with the proposed design.

MOTION: made by Mr. Gala, seconded by Mr. White, to grant the 26.8 foot front yard variance and a 27 foot rear yard variance to Sec 114-182(e)1(c,e) for the purpose of constructing a new single family home in accordance with the submitted design.

VOTE: 3-0 to approve the request.

Case: 19-701-00027 – Property located at 4009 Rick Slaughter Court, Control Map 090O, Group F, Parcel 018.00

Chairman Sumner stated that the property has a clear hardship based upon the steep drop off of the rear yard and irregular lot shape.

MOTION: made by Mr. White, seconded by Mr. Gala, to grant the requested 10 foot rear yard variance to Sec 114-183(e)1(e) for the purpose of adding a garage onto the rear of the existing home.

VOTE: 3-0 to approve the request.

Case: 19-701-00028 – Property located at 235 East Center Street, Control Map 046P, Group C, Parcels 018.00

The Board acknowledged the size of the building as appropriate in regard to the amount of signage requested.

MOTION: made by Mr. White, seconded by Mr. Gala, to grant the 129 square foot variance to Sec. 114-194(g)2 and a 1.75 square foot variance to Sec 114-528(1)b for the purpose of providing new wall and directional signage.

VOTE: 3-0 to approve the request.

Case: 19-701-00029 – Property located on Tidewater Court, Control Map 076, Parcel 020.00

The Board acknowledged the former use as a legal one based upon the interpretation of the Building Official at the time.

MOTION: made by Mr. White, seconded by Mr. Gala, to grant the reestablishment of a non-conforming use of a temporary laydown yard in accordance with the submitted site plan from Dec 1, 2019 until September 1, 2021 as requested.

VOTE: 3-0 to approve the request.

With no further business the meeting was adjourned at 12:35 p.m.

Respectfully Submitted,

Ken Weems, AICP
Planning Manager