

KINGSPORT BOARD OF ZONING APPEALS AGENDA
REGULAR MEETING: March 4, 2021
Council Room, City Hall

CALL TO ORDER – 12:00 P.M. NOON

INTRODUCTION / MEETING PROCEDURES

A determination by the Board that meeting electronically and limiting the physical presence of the public at the meeting is necessary to protect public health, safety, and welfare, of all concerned in light of the Covid-19 virus.

PUBLIC HEARING:

Case: 21-701-00001 – Property located at 1102 Mill Street, Control Map 046G, Group C, Parcel 030.00 requests a special exception to Sec 114-182(c)4 to conduct a women’s ministry day center use on the property. The property is zoned R-1B, Residential District.

INTERESTED PARTIES:

Owner: Cedar View Methodist Church
1421 Old Gibson Mill Road
Kingsport, TN 37660
423.245.6341

Representative: Bobby Flowers

Case: 21-701-00002 – Property located at the intersection of Packing House Road and E. Stone Drive, Control Map 032, a Portion of Parcels 015.20 and 003.00 requests a periphery yard reduction of 20 feet along E. Stone Drive and 5 feet of reduction along Packing House Road to Sec 114-230(c); a 3 space parking requirement reduction to Sec 114-564(4)c; elimination of building perimeter plantings to Sec 114-600d(3)c; reduction of a minor portion of screening off Packing House Road that screens the loading dock area to Sec 114-230(k); a reduction of parking lot internal tree areas of 1,654 square feet to Sec 114-600(3)a; elimination of the pedestrian way requirement and associated landscaping to Sec 114-230(h); and elimination of the outdoor display area landscape islands to Sec 114-230(j). The property is zoned B-4P, Planned Business District.

INTERESTED PARTIES:

Owner: Gregory Glass
208 Lynn Garden Drive
Kingsport, TN 37660
276.393.9550

Representative: David Howicz

* **BUSINESS:** *

Conduct officer elections with nominations made from the floor. Terms for both Chairman and Vice Chairman are for one year.

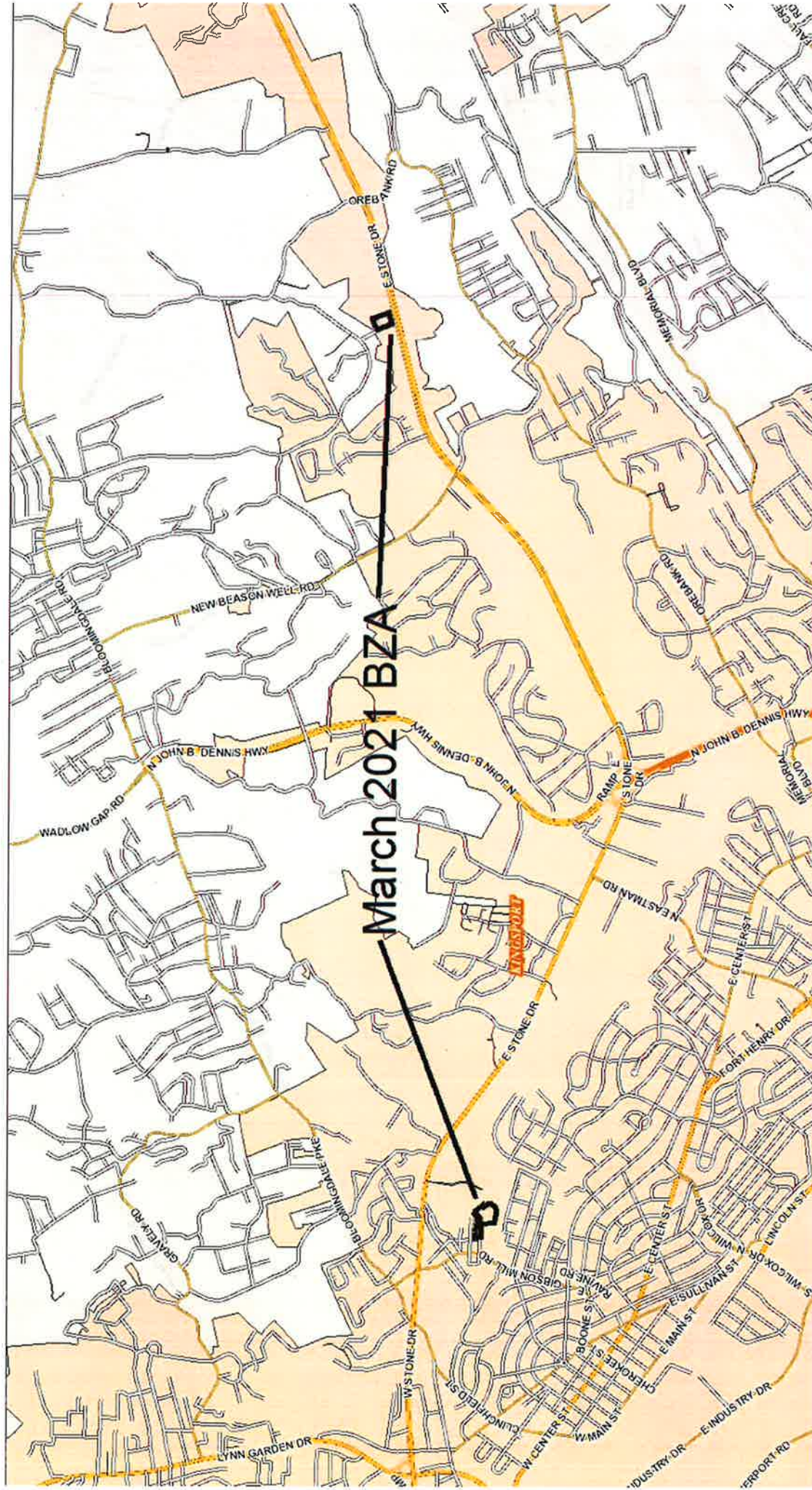
Approval of the January 7, 2021 regular meeting minutes.

Stating for public record, the next application deadline is March 15, 2021 at noon, and meeting date (Thursday, April 1, 2021).

ADJUDICATION OF CASES:

ADJOURNMENT:

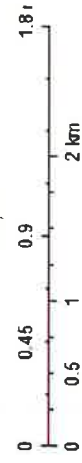
ArcGIS Web Map



9/2021, 11:37:44 AM

- Streets**
 - Expressway
 - Interstate
 - Minor Arterial
 - Major Arterial
 - Private Street
 - Local Street
 - Collector Street
- Roads**
 - Ramp
- Municipal Boundary**
 - Kingsport
- County Boundary**
 - Mt Carmel
 - Church Hill
 - Johnson City

1:36,112



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swire, OpenStreetMap contributors, and the GIS User Community

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, March 4, 2021 will be conducted beginning at NOON in the Kingsport City Hall Council Room, 225 W. Center Street, Kingsport, Tennessee.

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

Case: 21-701-00001 – Property located at 1102 Mill Street, Control Map 046G, Group C, Parcel 030.00 requests a special exception to Sec 114-182(c)4 to conduct a women's ministry day center use on the property. The property is zoned R-1B, Residential District.

Case: 21-701-00002 – Property located at the intersection of Packing House Road and E. Stone Drive, Control Map 032, a Portion of Parcels 015.20 and 003.00 requests a periphery yard reduction of 20 feet along E. Stone Drive and 5 feet of reduction along Packing House Road to Sec 114-230(c); a 3 space parking requirement reduction to Sec 114-564(4)c; elimination of building perimeter plantings to Sec 114-600d(3)c; reduction of a minor portion of screening off Packing House Road that screens the loading dock area to Sec 114-230(k); a reduction of parking lot internal tree areas of 1,654 square feet to Sec 114-600(3)a; elimination of the pedestrian way requirement and associated landscaping to Sec 114-230(h); and elimination of the outdoor display area landscape islands to Sec 114-230(j). 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.

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: 2/22/2021



TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: February 19, 2021

RE: 1102 Mill Street

The Board is asked to consider the following request:

Case: 21-701-00001 – Property located at 1102 Mill Street, Control Map 046G, Group C, Parcel 030.00 requests a special exception to Sec 114-182(c)4 to conduct a women's ministry day center use on the property. The property is zoned R-1B, Residential District.

This case will need to be considered in the context of Tennessee's Preservation of Religious Freedom Act.

ArcGIS Web Map



9/2021, 11:27:45 AM

1.2 257



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), OpenStreetMap contributors, and the GIS User Community

Web AppBuilder for Arc

ArcGIS Web Map



9/20/2021, 11:26:54 AM

- Kpt 911 Address
- shington County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels
- Railroad_ROW

- River
- Street_ROW
- Sullivan County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels

- Railroad_ROW
- River
- Street_ROW
- Hawkins County Parcels
- Lake_Pond
- Parcel_Conflict

- Parcels
- Railroad_ROW
- River
- Street_ROW
- LocalStreets
- MajorRoads

- Sullivan_2019_Gen3.sld
- Red: Band_1
- Green: Band_2
- Blue: Band_3

1:2,257



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeBCoast, IGN, Kartasat NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), OpenStreetMap contributors, and the GIS User Community

APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

| | | | |
|---|--|------------------|-----------------|
| Last Name Cedar View Independent Methodist Church | First | M.I. | Date 2/10/21 |
| Street Address 1421 Old Gibson Mill Road | | Apartment/Unit # | |
| City Kingsport | State Tennessee | ZIP 37660 | |
| Phone 423-245- 6341 | E-mail Address timothystricklandw@gmail.com | | |

PROPERTY INFORMATION:

| | | | | |
|---|---|------------------|----------------|------|
| Tax Map Information | Tax map: O46G | Group: C | Parcel: 030.00 | Lot: |
| Street Address 1002 Mill Street | | Apartment/Unit # | | |
| Current Zone R-1C | Proposed Zone NO CHANGE | | | |
| Current Use Church Fellowship Hall and Overnight visitor quarters | Proposed Use WOMEN'S MINISTRY DAY CENTER | | | |

REPRESENTATIVE INFORMATION:

| | | | |
|---|-------------------------------------|------------------|-----------------|
| Last Name FLOWERS | First BOBBY | M.I. L | Date 2/10/21 |
| Street Address 1195 SUMMERVILLE ROAD | | Apartment/Unit # | |
| City KINGSFORT | State TN | ZIP 37663 | |
| Phone 423- 480-9265 | E-mail Address bobbyf@wkpttv.com | | |

REQUESTED ACTION:

SPECIAL EXCEPTION FOR A WOMEN'S MINISTRY DAY CENTER

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: Timothy W. Strickland Date: 2/11/21

Signed before me on this 11th day of February, 2021
a notary public for the State of Tennessee

County of Sullivan

Notary Kathy Bellamy

My Commission Expires 2-28-22



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:

Supplement to APPLICATION-Board of Zoning Appeals

Terry A Graybeal

921 Broad St., Kingsport, TN

1. What is the use, activities, hours of operation, numbers of anticipated customers and daily vehicles?

The proposed use of the property on Mill Street in Kingsport under the special exception requested, will be a Ministry Center for woman and children; that will include faith-based educational, life-skills programs, and classes: i.e. cooking with God's word; a domestic cooking class that includes scripture and meditation, nutrition classes provided by the UT Extension Center, gardening education, various devotions, Bible study classes, as well as church services, vacation Bible school for Kingsport students, and so much more. The property and the buildings thereon will be owned and operated by the Oasis of Kingsport Women's Ministry, a 501©3 organization.

The buildings on the property will be used for various uses. The large, one level, building will be used as a laundry facility and handicap shower space. Woman will do laundry here for a suggested offering of 0.25cents, which is therefore donated monthly to other ministries and organizations around our region as well as Worldwide missions. This facility also includes a kitchen for light snacks and special events. This space will become home to our six washers and seven dryers, rolling storage cabinets, and shower amenities; and will include a check-in area and seating for client's. We have considered using part of this space as a craft or sewing area for those who participate in our crafting circles.

The large two-story building will house upstairs offices for Christian counseling etc., intern offices, board room and the Executive Director's/Pastor office. This space will also house a lockable space for sensitive and confidential materials and a space for volunteers to check in and store clothing and personal items, such as purses, coats, etc. This level already contains two bathrooms for staff and volunteers. The upstairs will be for ministry offices only, client's will not be permitted unless counseling with a parishioner.

The lower-level of this building will be used as a Church/Vacation Bible School space, various classrooms, nursery-play area, which will include nursing space for nursing mothers and a changing table. The kitchen will work well for cooking classes feeding our board of directors on meeting nights. The foyer area of this building will be partially used as an admin area and a small class or meeting area. The current owners are leaving the piano in place in the large room for us to hold worship services etc.

2. Are there accessible safe streets for anticipated traffic and adequate parking facilities on site?

Yes, the property itself includes a large, adequate parking area adjacent to back of the facility, a lockable fence, and property security cameras; these areas we plan to keep for the same. Our congregates will park in the back parking area and will not be permitted to park on the street, to prevent street clutter and be out of the way from surrounding residents. Through traffic currently is low. We anticipate that

our presence will not cause street traffic to increase greatly. A lot of our women ride the bus or walk to the facility. The property was previously used as ministry property where large church functions were held. On a regular day, the Oasis will close our ministry doors @3pm and by this time many of our congregates have left. This misses a lot of school and work traffic on the adjacent Gibson Mill road.

3. Does the use and additions if any, fit with the neighborhood architecture aesthetics?

As is, the property is move in ready for us and does not require us to build any structures at all. However, there is a lot of space on the back of the property for us to put a covered picnic area, and or kids play area. These additions are well out of the way of sight from the road and will not disturb our surrounding neighbors.

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

The proposed use of this property should not create excessive noise, traffic, or anything else of disruption. There is no for-seen reason, with parking behind property, that we should face parking, traffic issues, or add any more noise or dust to this area than already generated.

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

As stated above the property already has fencing, a lockable gate that will keep out motor vehicles, and working security cameras. We intend to fence in the property with privacy fencing all around.

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

There is no undesirable effect on the area. The property at the Mill Street property lends our ministry a quiet and safe surrounding. We have and continue to serve women who live in or in-proximity to this residential area, as it lends itself to the 70% of our low-economic demographic. we feel that the area would benefit from our presence in the surrounding area. We wish to set ourselves apart as a women's ministry in our community and lend a helping hand to the single mother's, disabled seniors, and other women needing our help and assistance. We want to make a positive impact on the residents nearby. We will pose no threat to their welfare and will recruit more staff and volunteers to make sure the safety and well-being of all are maintained.



PROPOSED LAUNDRY FACILITY

©2017 G. J. Smith





Proposed Property Fence

Privacy Fence

From: Oasis of Kingsport [mailto:oasiskpt@gmail.com]
Sent: Monday, February 01, 2021 11:29 AM
To: Weems, Ken
Subject: Information about The Oasis Womens Ministry

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

The Oasis of Kingsport is a women's ministry founded and located in the Tri-Cities / Kingsport, Tennessee area. Its founder, the late Kermit Addington was a man with a heart to serve those less fortunate and to share the message of the gospel. The Oasis opened its doors in June of 2014 and since its opening has served over 2,000 women in its small space. Kermit Addington passed away in November of 2016 leaving behind a legacy of ministry all over the Kingsport area. We are very blessed and fortunate to have had such an incredible man as our founder.

Today (when unaffected by the pandemic) the Oasis facility houses a hub of different ministries and programs as well as partnering with over 100 other organizations around the Tri-City area to serve women. The Oasis has evolved in recent years to include ministry based classes, daily devotions, Bible studies, support groups, and counseling programs. Through resource counseling women work with a minister to develop an SSP or Self Sufficiency Plan which helps set goals, refer women to other helping organizations, job/education recourses, houses resources, etc. The Oasis also issues homeless reference letters to help verify legitimate homelessness to other helping organizations and to share information that will help better serve homeless clients, which encompass about 10% of the women we currently serve. The Oasis requires references that can verify hardship and homeless status to better legitimize the letter. Clients also sign a confidentiality form and their privacy is treated with the utmost respect unless given permission to share information between helping organizations. Clients otherwise referred to as guests, can also take advantage of both general and recovery counseling, if needed. All women must provide a copy of their [picture id and fill out a new client form with contact information for themselves as well as an emergency contact. Some guests have come with special needs such as the blind, etc. special attention and services will be provided for them.

Guests also may attend special services throughout the year where they take part in worship and ministry. They also receive mentorship and join with other guests to share stories and devotions. The Oasis facility is equipped with homelike amenities and provides a warm inviting environment for women. We do make-events, health and wellness events etc. The Oasis has a full shower facility where all toiletries, robes, and towels are provided. When running at full capacity many women use this when getting ready for work etc. even when they have running water at home. This allows them to do their clothing and get ready for work at the same time. Many women attend programs and classes while doing laundry as well. The Oasis has a full laundry facility where guests can launder two loads per day for only \$0.25 per load, with all detergent, fabric softener, and stain removers provided. The Oasis does not pocket the laundry money as income but rather sends it monthly to other churches and organizations doing good work in the community.

The Oasis also reaches out beyond its walls to connect with women at different public events and outreaches and its executive director, myself speaks in churches and Sunday school groups to reach women beyond Oasis walls. In addition, we have added an online Bible study on

Wednesday to compensate for our COVID 19 restrictions.

The executive director / Pastor - also set on the board of other religious organizations to link arms with others making a difference. The Oasis is fully funded by monetary donations from churches, individuals, and businesses' who believe in the work it is doing to build the Kingdom of God. There are many churches that partner, sending volunteers, donations of goods, as well as monetary gifts monthly. Ministry partnerships are the bulk of our financial support. There are many lucrative churches and businesses' in the Tri-City area that can vouch for our reputation in the community. The Oasis is not a food pantry, a clothing closet, or a homeless ministry. Our demographic is women of all ages and walks of life. We also serve children at our facility. We do vacation Bible school every Kingsport City School break. We function as a church, a Sunday School, a Christian counseling center etc. When open at full capacity, we are a fully functioning ministry. As the minister at Oasis, I am the only paid employee. The governing body of our ministry is our board and they are volunteers. The rest of the ministry functions through and by volunteers from ministries in our community. We have no desire to blend in but want to distinguish ourselves as a set-apart ministry in our community. Distinguishable from other organizations that focus primarily on homeless ministry.

Before the COVID pandemic, our Oasis family continued to grow daily with new volunteers, guests, and partners. Many client's lives are changed by the powerful, life-changing love of Jesus Christ and some even return to minister to other guests and volunteers. We cannot wait to see what God will do in the future of this ministry and the lives of the women it serves. At the Oasis we share the agape love of God, we speak the truth of the word of the Bible, uncompromised, and we serve one another with the passion and conviction of the early church. We pray daily with broken people, we laugh a lot, and we witness true miracles as God provides what sometimes seems impossible. We are believing God for a year of awakening, a year of plenteous harvest, and souls won to the glory of God.

We are without question a ministry and as for that, we stand unashamed of the Gospel of Jesus Christ and hope to continue to minister to women all over the Tri-Cities and even more, as we grow our online ministry as well. Currently, our facility doesn't lend space, little parking, no place for kids to play, and the unsafe road to cross with parking across the street on railroad-owned property. Plus the fact that where we are doesn't; always feel safe and lends itself to unwanted visitors etc.; at times. Moving is at the point of necessity for us. We do not own our own property and we are at the mercy of everyone else at this point. We can provide documents if needed that show our tax-exempt status etc. if that would be helpful. Please let me know what you need and I will be sure to get it to you. Also, our website is down and under construction, but we have a Facebook that has a lot of info, pictures, etc.

The space on Mill lends much-needed space for offices, classrooms, and an outside building for laundry space. The property is gated with parking in the back and no-one will be congregating on the street or sidewalk in the front. This is a win for ourselves and our city leaders as their concern mounts due to certain homeless ministries causing issues in our immediate area. It's already in a space where foot traffic is. people often walk from the cloud down Gibson Mill plus its close proximity to the Greenbelt. Some of the ladies who have lived in the area around it in mobile homes and houses have attended Oasis.\

Here is a breakdown based on current stats from 2019

100% Women (no men allowed on-premises unless clergy or law enforcement)

10% homeless

70% Low income (ie.a lot of single moms, single elderly women on a fixed income, etc.)

20% Middle Class etc. (ie. retirees who want to attend the knitting circle or the Bible studies etc.)

Classes and programs are all faith-based except outside visitors who bring health info such as the health dept.

even our cooking class includes a devotion and always has - It's called Cooking with God's word.

Please let us know what else is needed. If I would be permitted to talk to the zoning board I would love to.

Thank you so much for your consideration

Have a Blessed Day,

Shantell Boyle

Executive Director
Oasis of Kingsport
1009 E. Sullivan Street
Kingsport, TN 37660
423-392-1137



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: February 19, 2021

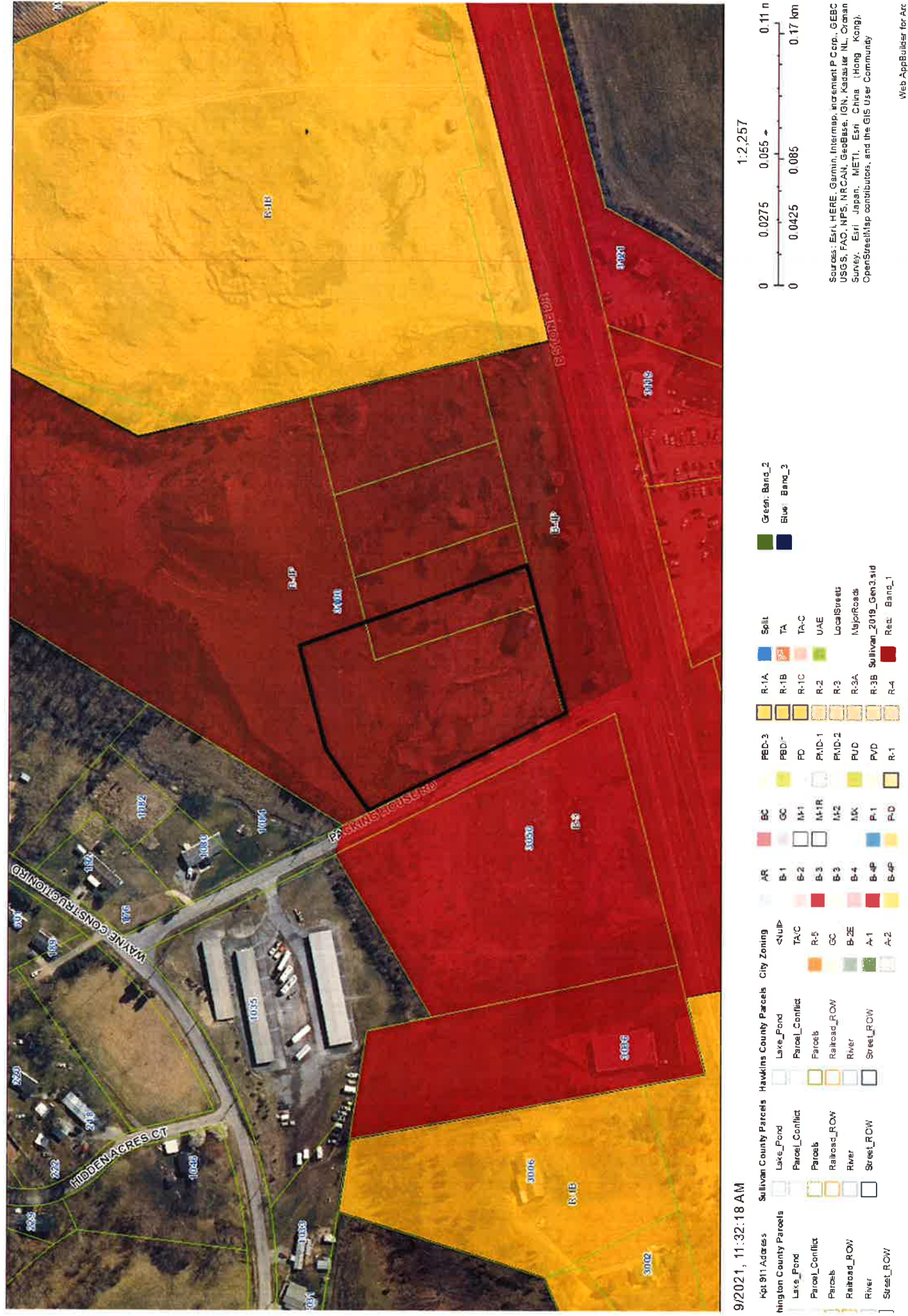
RE: Corner of Packing House Road and E. Stone Drive (A Portion of Parcels 15.2 and 3)

The Board is asked to consider the following request:

Case: 21-701-00002 – Property located at the intersection of Packing House Road and E. Stone Drive, Control Map 032, a Portion of Parcels 015.20 and 003.00 requests a periphery yard reduction of 20 feet along E. Stone Drive and 5 feet of reduction along Packing House Road to Sec 114-230(c); a 3 space parking requirement reduction to Sec 114-564(4)c; elimination of building perimeter plantings to Sec 114-600d(3)c; reduction of a minor portion of screening off Packing House Road that screens the loading dock area to Sec 114-230(k); a reduction of parking lot internal tree areas of 1,654 square feet to Sec 114-600(3)a; elimination of the pedestrian way requirement and associated landscaping to Sec 114-230(h); and elimination of the outdoor display area landscape islands to Sec 114-230(j). The property is zoned B-4P, Planned Business District.

The above list of variances involve construction of a new Tractor Supply Store. A main concern of Tractor Supply is navigation of their property by trucks that are pulling trailers.

ArcGIS Web Map



ArcGIS Web Map



9/2021, 11:36:22 AM

- Kpt 911 Address
- shington County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels
- Railroad_ROW

- River
- Street_ROW
- Sullivan County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels
- Railroad_ROW

- Parcels
- Railroad_ROW
- River
- Street_ROW
- Hawkins County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels

- Sullivan_2019_Gen3.sld
- Red: Band_1
- Green: Band_2
- Blue: Band_3



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swire, OpenStreetMap contributors, and the GIS User Community

APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

| | | | |
|--|--|-------------------|-----------------|
| Last Name: <u>GLASS</u> | First: <u>GREGORY</u> | M.I. <u>O.</u> | Date: 2/15/2021 |
| Street Address: <u>208 Lynn Garden Dr.</u> | Apartment/Unit #: | | |
| City: <u>KINGSPORT</u> | State: <u>TS</u> | ZIP: <u>37660</u> | |
| Phone: <u>276-393-9550</u> | E mail Address: <u>greg.glass@glassmachineryco.com</u> | | |

PROPERTY INFORMATION:

| | | | | |
|---------------------|---|---|---------|--|
| Tax Map Information | Tax map: | Group: | Parcel: | Lot: A portion of 032 015.20 & A portion 032P C 003.00 |
| Street Address | NE Corner Packing House Rd & E. Stone Drive | | | Apartment/Unit # |
| Current Zone | B4P | Proposed Zone: B4P | | |
| Current Use | Vacant | Proposed Use: Retail Store – Tractor Supply | | |

REPRESENTATIVE INFORMATION:

| | | | | |
|--------------------------|--|----------------|-------------------------------------|-----------|
| Last Name: <u>Howicz</u> | First: <u>David</u> | M.I. | Date | 2/15/2021 |
| Street Address | 8170 Corporate Park Drive Apartment/Unit # | | | |
| City | Cincinnati | State: OH | ZIP | 45242 |
| Phone | 630-464-9008 | E-mail Address | <u>dhowicz@stnlddevelopment.com</u> | |



REQUESTED ACTION:

Approval of Variances as identified on the Variance Worksheet.

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: [Signature] Date: 2/15/21

Signed before me on this 15 day of Feb., 2021

a notary public for the State of Tennessee

County of Sullivan

Notary Page M. Jeffers
My Commission Expires May 13, 2024

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: |

APPLICATION
Zoning Development Plan



APPLICANT INFORMATION:

| | | | | |
|----------------|----------------|------------------|------|-----------|
| Last Name: | First | M.I. | Date | 2/15/2021 |
| Street Address | | Apartment/Unit # | | |
| City | State | | ZIP | |
| Phone | E-mail Address | | | |

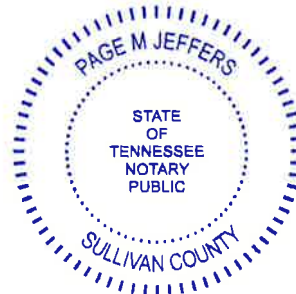
PROPERTY INFORMATION:

| | | | | | |
|---------------------|---|--------|---------|------------------|---|
| Tax Map Information | Tax map: | Group: | Parcel: | Lot: | A portion of 032 015.20 & A portion 032P C 003.00 |
| Street Address | NE Corner Packing House Road & E. Stone Drive | | | Apartment/Unit # | |

DISCLAIMER AND SIGNATURE

By signing below I state that I have read and understand the conditions of this application.

| | | | |
|--|--|------|---------|
| Signature | | Date | 2/15/21 |
| Signed before me on this <u>15</u> day of <u>Feb.</u> , 20 <u>21</u> | | | |
| a notary public for the State of <u>Tennessee</u> | | | |
| County of <u>Sullivan</u> | | | |
| Notary <u>Page M. Jeffers</u> | | | |
| My Commission Expires <u>May 23, 2024</u> | | | |



CITY PLANNING OFFICE

| | |
|--|--------------|
| Received Date: | Received By: |
| Application Fee Paid: | |
| Planning Commission Meeting Date | |
| Board of Mayor and Alderman Meeting Date | |
| 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.

Variance 1 – Periphery Yard Setback – Reduce to 10' along E. Stone Drive and 25' along Packing House Road: Along E. Stone Drive, the ROW is exceptionally wide. A reduction to 10' in front of the adjacent development has already been approved. We request that our periphery yard be reduced to the same amount.

Variance 2 – Parking Requirement – Based on “Business Supply” the parking ratio will be 1 space/300 SF. This would calculate to be 77 parking spaces for the entire 22,973 SF store. The proposed site plan has 69 total spaces and 5 additional spaces for bicycle parking. Tractor Supply is unique in that there is a significant amount of pavement that is utilized for other purposes. There are an additional 15 parking spaces that will be utilized for Permanent Trailer and Equipment Display that is not included in the above parking count, which could easily be repurposed for

parking. Additionally, there is a concrete side yard on the west side of the building that could easily be repurposed for parking if the building were to be repurposed for another use. This would supply at least another 20 parking spaces.

Variance 3 – Foundation Planting and Landscaping between sales areas: Tractor Supply has very specific requirements for the interaction between the store, the Fenced Outdoor Display Area and the Sidewalk Display area. Foundation plantings and landscape between the sales areas would prevent the orderly movement of product between the various portions of the site. We would request a variance to the landscaping presented on the submitted TSC Kingsport Landscaping Plan.

Variance 4 – Pylon Sign: The sign ordinance has a maximum of 100 SF for the pylon sign. We are requesting this be granted for 108 SF, which is the standard TSC sign area.

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

V1 – We believe that it makes planning sense to keep the periphery yard constants across E. Stone Dr. as it will allow for a consistent appearance.

V2 – The property has approximately 19' of fall from the SE corner of the lot to the NW corner. As such, a significant amount of the land is taken up by access roads and properly transitioning slopes. As discussed in the previous section, the parking will be more than sufficient for Tractor Supply's purpose and there are numerous portions of the property that could be converted into parking at a later date.

V3 – We believe that requiring the property to have foundation plantings and plantings between sales areas will significantly impede the orderly organization of sales products and will distract from sales. We do not want to see the view of sales products diminished.

V4 – The sign variance request is minor. The size requested is the standard prototype TSC sign. Allowing for the increased area will help to maintain a consistent corporate appearance.

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 applicant is the contract purchaser of the land and has previously not made any alterations to 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 property is located in an area of town that is primarily retail/ light industrial and will thus have a positive impact on public welfare by adding a high quality, national retail store to the area. The site has been designed in such a way that it will not significantly impact public safety. The project includes a deceleration lane on E. Stone Drive to promote orderly traffic flow and safety. The main entrance off E. Stone Drive will be a right-in, right-out driveway.

The site will be properly lit, and the fenced outside display area will be controlled with secure gates to minimize any theft of property. The building will be fully sprinklered to minimize any impact to public safety.

We believe the additional of Tractor Supply Company to the neighborhood will significantly improve and be compatible with the essential character of 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.

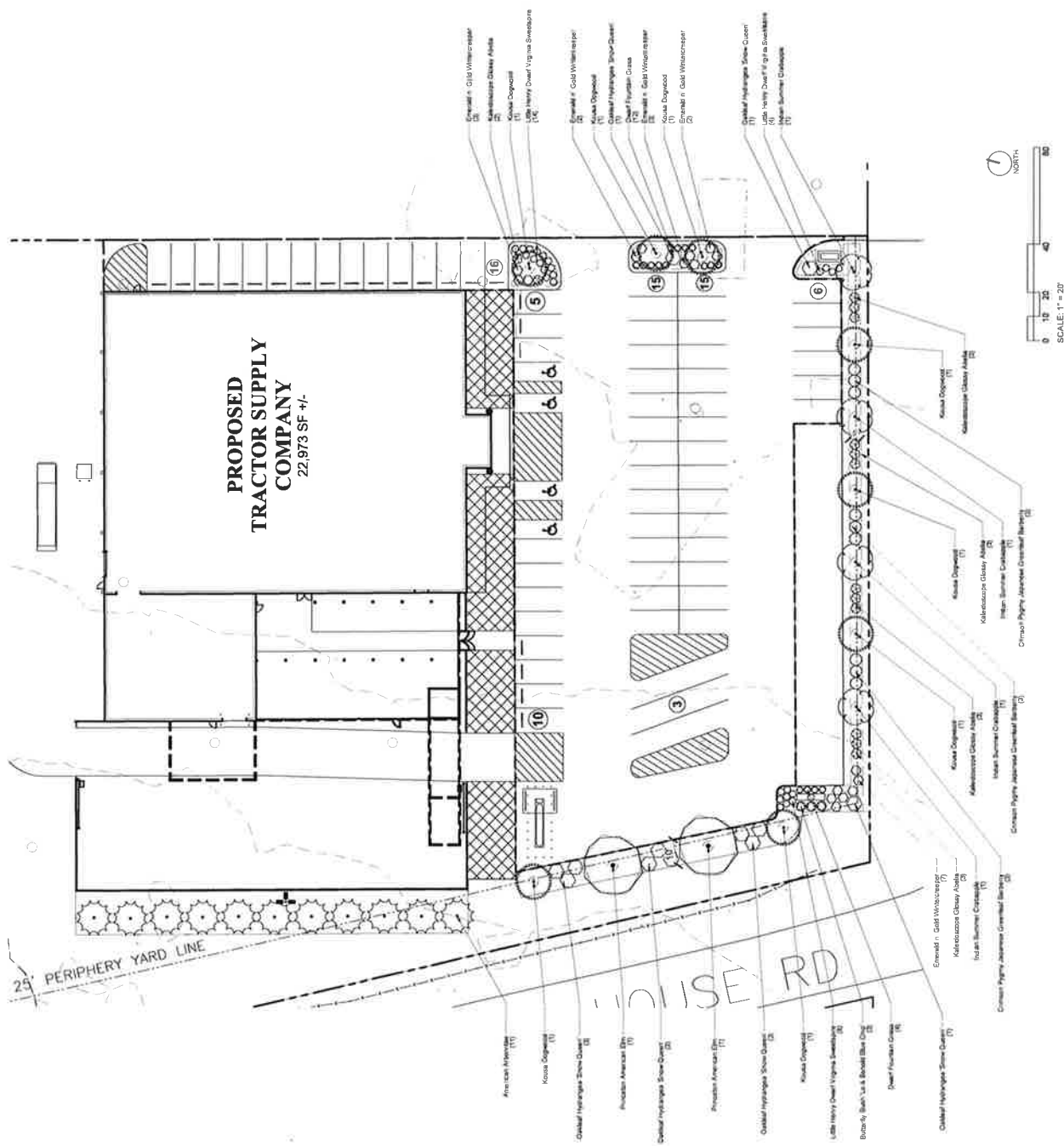
Hardship - There is no definition of a "hardship". Some guidelines, based on legal precedent, for applying the concept of unnecessary hardship are:

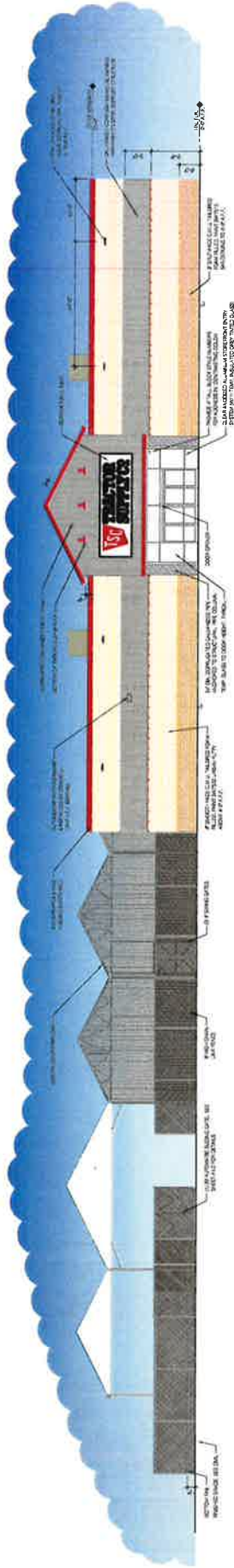
1. The premises of cannot be used in a manner permitted by the Zoning Ordinance unless the variance is granted.
2. A strict application of the terms of the Zoning Ordinance precludes its use for any purpose to which the land is reasonably

adopted.

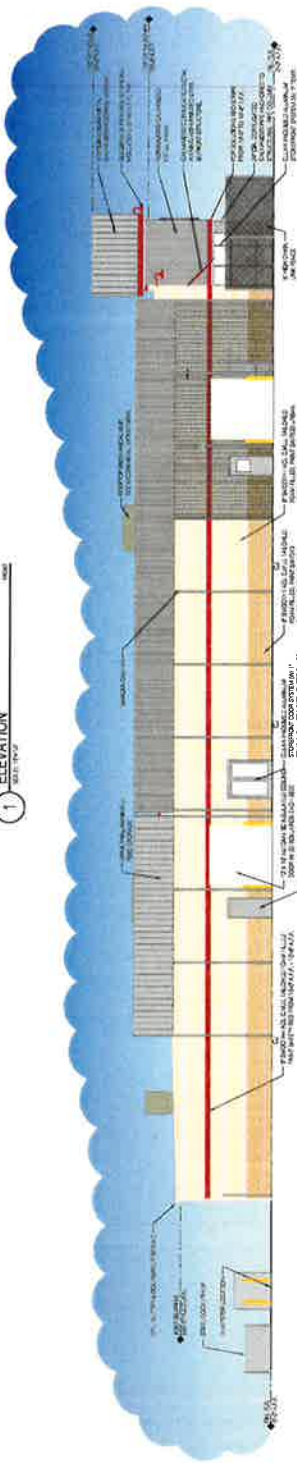
3. Inability to put the property to its most profitable use DOES NOT constitute a “hardship”.

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.

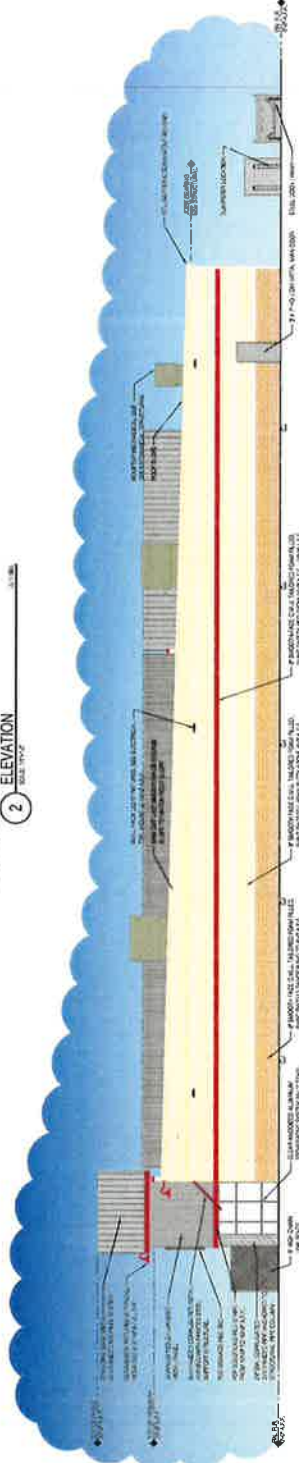




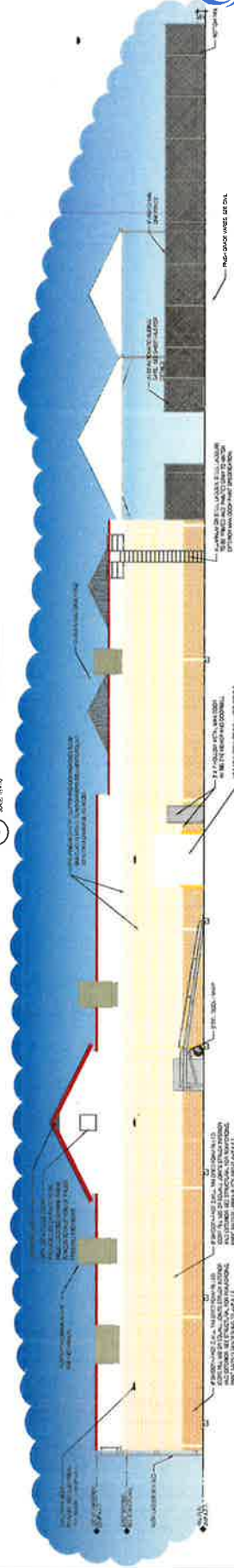
ELEVATION



ELEVATION



ELEVATION



ELEVATION

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

January 7, 2021, Regular Meeting

Noon
City Hall Council Room

Members Present:

Bill Sumner
Calvin Clifton
Joe White
Tracey Cleek
Jeff Little

Members Absent:

Staff Present:

Ken Weems, AICP
Alison Fields

Visitors:

April Herndon
James Herndon

Secretary Weems called the meeting to order.

Secretary Weems stated: "A determination by the Board that meeting electronically and limiting the physical presence of the public at the meeting is necessary to protect public health, safety, and welfare, of all concerned in light of the COVID-19 virus." The Board affirmed this statement by roll call affirmation, 5-0.

Secretary Weems explained the meeting procedures.

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

Public Hearing:

Case: 20-701-00023 – Property located at 516 Beechwood Drive, Control Map 0920, Group A, Parcel 007.00 requests a 13.68 foot rear yard variance to Sec 114-183(e)1(e) for the purpose of constructing a home addition. The property is zoned R-1B, Residential District.

Ms. April Herndon presented the case to the Board. Ms. Herndon stated that her family recently expanded from three to seven children, and that extra space in her home is needed. Ms. Herndon noted that her existing parcel is not large enough to accommodate the home she needs. Secretary Weems noted that he had not received any calls on the proposal.

Secretary Weems, seeing no one else wishing to speak, closed the public hearing.

Secretary Weems opened the business portion of the meeting. Mr. Little made a motion to approve the regular meeting minutes from the December 3, 2020 meeting. Mr. Clifton seconded the motion. The motion passed by roll call vote, 4-0. Next, the Board stated for public record that the next application deadline is January 15, 2021 at noon for the meeting date of February 4, 2021.

Adjudication of Cases:

**Case: 20-701-00023 – Property located at 516 Beechwood Drive, Control Map 092O,
Group A, Parcel 007.00**

MOTION: made by Mr. Little, seconded by Mr. Clifton, to grant the 13.68 foot rear yard variance.

VOTE: 4-0 by roll call vote to approve the request.

With no further business the meeting was adjourned at 1:20 p.m.

Respectfully Submitted,

Ken Weems, AICP
Planning Manager