

KINGSPORT BOARD OF ZONING APPEALS AGENDA
REGULAR MEETING: July 1, 2021
Board Room, City Hall
415 Broad Street, 3rd Floor

CALL TO ORDER – 12:00 P.M. NOON

INTRODUCTION / MEETING PROCEDURES

PUBLIC HEARING:

Case: 21-701-00007 – Property located at 227 Cox Hollow Road, Control Map 105J, Group C, Parcel 004.00 requests a 500 square foot variance to Sec 114-133(2) for the purpose of constructing a new 1,600 square foot detached garage. The property is zoned R-1B, Residential District.

INTERESTED PARTIES:

Owner: Peggy Daugherty
227 Cox Hollow Rd.
Kingsport, TN 37664
423.360.2949

Representative: Peggy Daugherty

Case: 21-701-00008 – Property located at 1200 Ervin Court, Control Map 046K, Group A, Parcel 014.00 requests a 3.4 foot rear yard variance to Sec 114-182e(1)c for the purpose of constructing a home addition. The property is zoned R-1A, Residential District.

INTERESTED PARTIES:

Owner: Jennifer and Johnny Gordon
1200 Ervin Ct.
Kingsport, TN 37664
423.247.6714

Representative: Jennifer and Johnny Gordon

Case: 21-701-00009 – Property located at 2732 Rock Springs Road, Control Map 119I, Group A, Parcel 006.00 requests an 18.5 foot departure from rear yard variance to Sec 114-133(1) for the purpose of constructing a swimming pool in the side yard. The property is zoned R-1B, Residential District.

INTERESTED PARTIES:

Owner: Alissa Blakley
2732 Rock Springs Rd.
Kingsport, TN 37664

423.361.5780

Representative: Justin Morgan

Case: 21-701-00010 – Property located at 2330 Fort Henry Drive, Control Map 062I, Group J, Parcels 001.00, 002.00, and 003.00 requests a 14 foot rear yard variance to Sec 114-195(f)1(e) for the purpose of rebuilding the existing store. The property is zoned B-3, Highway Oriented Business District.

INTERESTED PARTIES:

Owner: McDonald's USA
110 N. Carpenter St.
Chicago, IL 60607
772.486.4190

Representative: Kristin Lang

Case: 21-701-00011 – Property located at 2218 E. Center Street, Control Map 061D, Group G, Parcels 021.00 and 022.00 requests a 19 space automobile parking space reduction to Sec 114-564(4)q and a 14' reduction of the required planting strip boundary to Sec 114-600(d)4(a) for the purpose of constructing a new retail store. The property is zoned B-3, Highway Oriented Business District.

INTERESTED PARTIES:

Owner: Tracey Taylor
116 Shadow Wood Lane
Kingsport, TN 37663
423.483.6773

Representative: Don Faulk

BUSINESS:

Approval of the June 3, 2021 regular meeting minutes.

Stating for public record, the next application deadline is July 15, 2021 at noon, and meeting date (Thursday, August 5, 2021).

ADJUDICATION OF CASES:

ADJOURNMENT:

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, July 1, 2021 will be conducted beginning at NOON in the Kingsport City Hall Board Room, 415 Broad Street, 3rd Floor, Kingsport, Tennessee.

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

Case: 21-701-00007 – Property located at 227 Cox Hollow Road, Control Map 105J, Group C, Parcel 004.00 requests a 500 square foot variance to Sec 114-133(2) for the purpose of constructing a new 1,600 square foot detached garage. The property is zoned R-1B, Residential District.

Case: 21-701-00008 – Property located at 1200 Ervin Court, Control Map 046K, Group A, Parcel 014.00 requests a 3.4 foot rear yard variance to Sec 114-182e(1)c for the purpose of constructing a home addition. The property is zoned R-1A, Residential District.

Case: 21-701-00009 – Property located at 2732 Rock Springs Road, Control Map 119I, Group A, Parcel 006.00 requests an 18.5 foot departure from rear yard variance to Sec 114-133(1) for the purpose of constructing a swimming pool in the side yard. The property is zoned R-1B, Residential District.

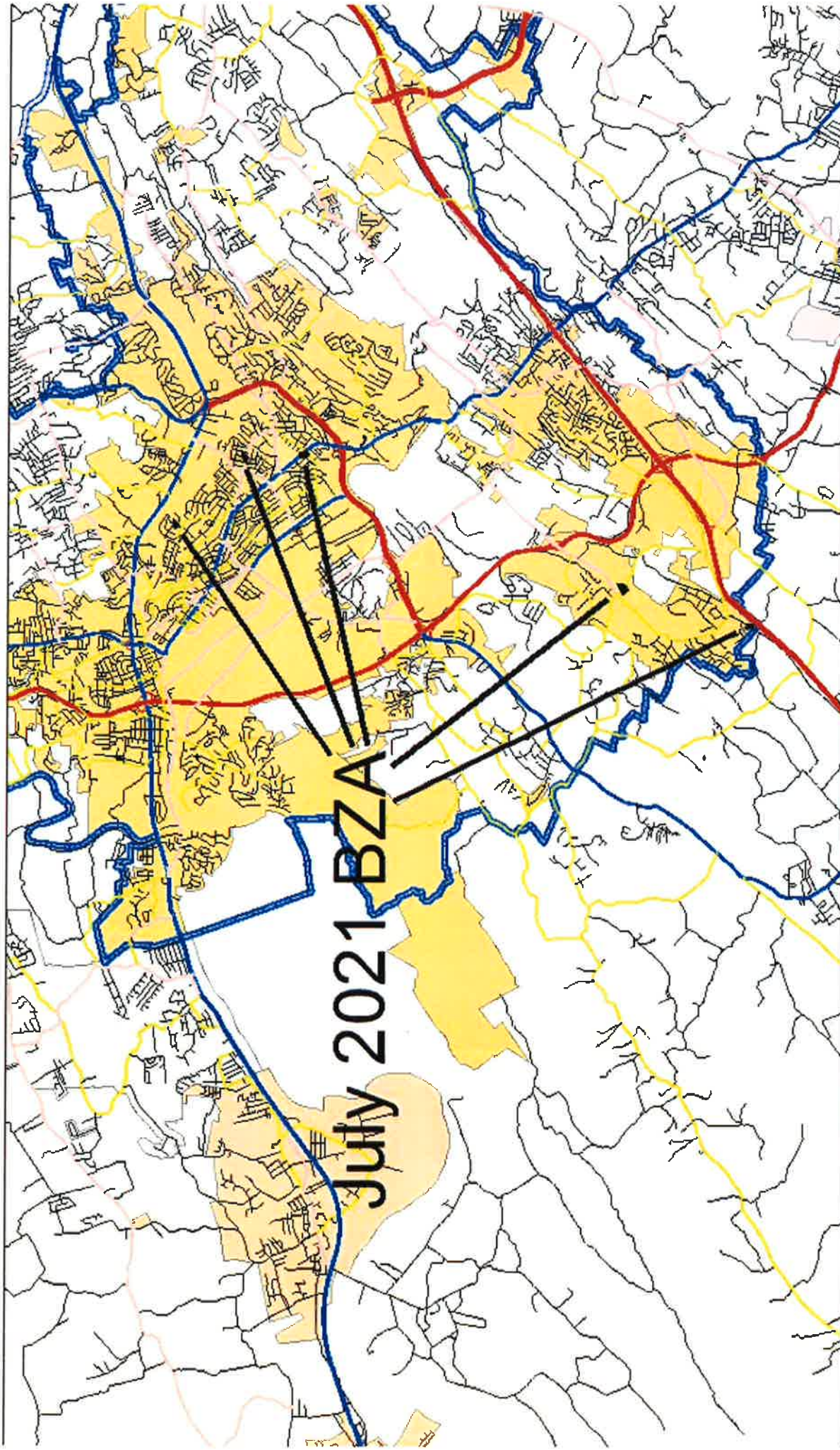
Case: 21-701-00010 – Property located at 2330 Fort Henry Drive, Control Map 062I, Group J, Parcels 001.00, 002.00, and 003.00 requests a 14 foot rear yard variance to Sec 114-195(f)1(e) for the purpose of rebuilding the existing store. The property is zoned B-3, Highway Oriented Business District.

Case: 21-701-00011 – Property located at 2218 E. Center Street, Control Map 061D, Group G, Parcels 021.00 and 022.00 requests a 19 space automobile parking space reduction to Sec 114-564(4)q and a 14' reduction of the required planting strip boundary to Sec 114-600(d)4(a) for the purpose of constructing a new retail store. The property is zoned B-3, Highway Oriented 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: 6/22/2021



5/17/2021, 11:08:19 AM

Streets

- Major Arterial
- Minor Arterial
- Collector Street
- Local Street
- Private Street
- Ramp

Urban Growth Boundary

1:144,448





TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: June 21, 2021

RE: 227 Cox Hollow Road

The Board is asked to consider the following request:

Case: 21-701-00007 – Property located at 227 Cox Hollow Road, Control Map 105J, Group C, Parcel 004.00 requests a 500 square foot variance to Sec 114-133(2) for the purpose of constructing a new 1,600 square foot detached garage. The property is zoned R-1B, Residential District.

Code reference:

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

Under this chapter, the following shall apply to the location and height of accessory buildings:

(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.

(2)*Location.* Except as provided in subsection (3) of this section, no accessory building shall be erected in any required front or side yard. Accessory residential structures shall be on the same lot as the principal residential structure. The floor area of accessory structures located upon any property zoned for residential use shall not exceed 30 percent of the floor area of the principal structure, or 1,100 square feet, whichever is greater.

ArcGIS Web Map



3/21/2021, 2:41:53 PM

• Kpt 911 Address

Washington 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

1:1,128

0 0.0075 0.015 0.03 0.06 km

0 0.015 0.03 0.06 mi

ArcGIS Web Map



3/21/2021, 2:41:08 PM

Kot 911 Address

Washington County Parcels

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

Street_ROW

Parcel_Conflict

Sullivan County Parcels

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

Street_ROW

1:1,128

0 0.0075 0.015 0.03 0.05 km

0 0.0075 0.015 0.03 0.05 km

APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name	DAUGHERTY	First	PEGGY	M.I.	M	Date	5-17-21
Street Address	227 COX HOLLOW ROAD			Apartment/Unit #			
City	KINGSPORT	State	TN	ZIP		37664	
Phone	423-360-2949			E-mail Address PEGGY DARTY @ YAHOO.COM			

PROPERTY INFORMATION:

Tax Map Information	Tax map: 1055	Group: C	Parcel: 004.00	Lot:	
Street Address	227 COX HOLLOW ROAD KINGSPORT, TN			Apartment/Unit #	
Current Zone	Proposed Zone				
Current Use	Proposed Use				

REPRESENTATIVE INFORMATION:

Last Name	DAUGHERTY	First	PEGGY	M.I.	M	Date	5-17-21
Street Address	227 COX HOLLOW ROAD			Apartment/Unit #			
City	KINGSPORT	State	TN	ZIP		37664	
Phone	423-360-2949			E-mail Address PEGGY DARTY @ YAHOO.COM			

REQUESTED ACTION:

BUILD 1600 SF GARAGE - DETACHED

500 SF VARIANCE TO ACCESSORY STRUCTURE SIZE

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: Peggy Daugherty

Date:

Signed before me on this 18th day of May, 2021.

a notary public for the State of Tennessee

County of Sullivan

Notary Page M Jeffers
My Commission Expires May 23, 2024



Variance Worksheet – Finding of Facts

Variances. Except as provided herein to hear and decide applications for variance from the terms of this chapter, because of exceptional narrowness, shallowness or shape of a specific piece of property which on June 16, 1981, was a lot of record or where, because of exceptional topographic conditions or other extraordinary or exceptional situation or condition of a piece of property, the strict application of this chapter would result in peculiar and exceptional practical difficulties to exception or undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purposes of this chapter. Before any variance is granted, the board must find all of the following, which shall be recorded, along with any imposed conditions or restrictions, in minutes and records and issued in written form to the applicant to constitute proof of the variance:

a. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

THE LAND IS APPROXIMATELY ONE ACRE AND IS 400 FT. DEEP. GARAGE LOCATION WOULD BE IN REAR OF PROPERTY WHICH IS AWAY FROM HOUSES BUT CLOSER TO A NEIGHBOR'S GARAGE WHICH IS LARGER THAN THE GARAGE WE PROPOSE.

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

WE NEED THE GARAGE FOR STORAGE OF OUR PERSONAL VEHICLES, AS WELL AS OUR LAWN EQUIPMENT. THIS WOULD ALLOW US TO KEEP NEIGHBORHOOD NEAT.

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.

WE HAVE FOLLOWED ALL THE GUIDELINES FOR OBTAINING PROPER PERMITS TO BUILD GARAGE.

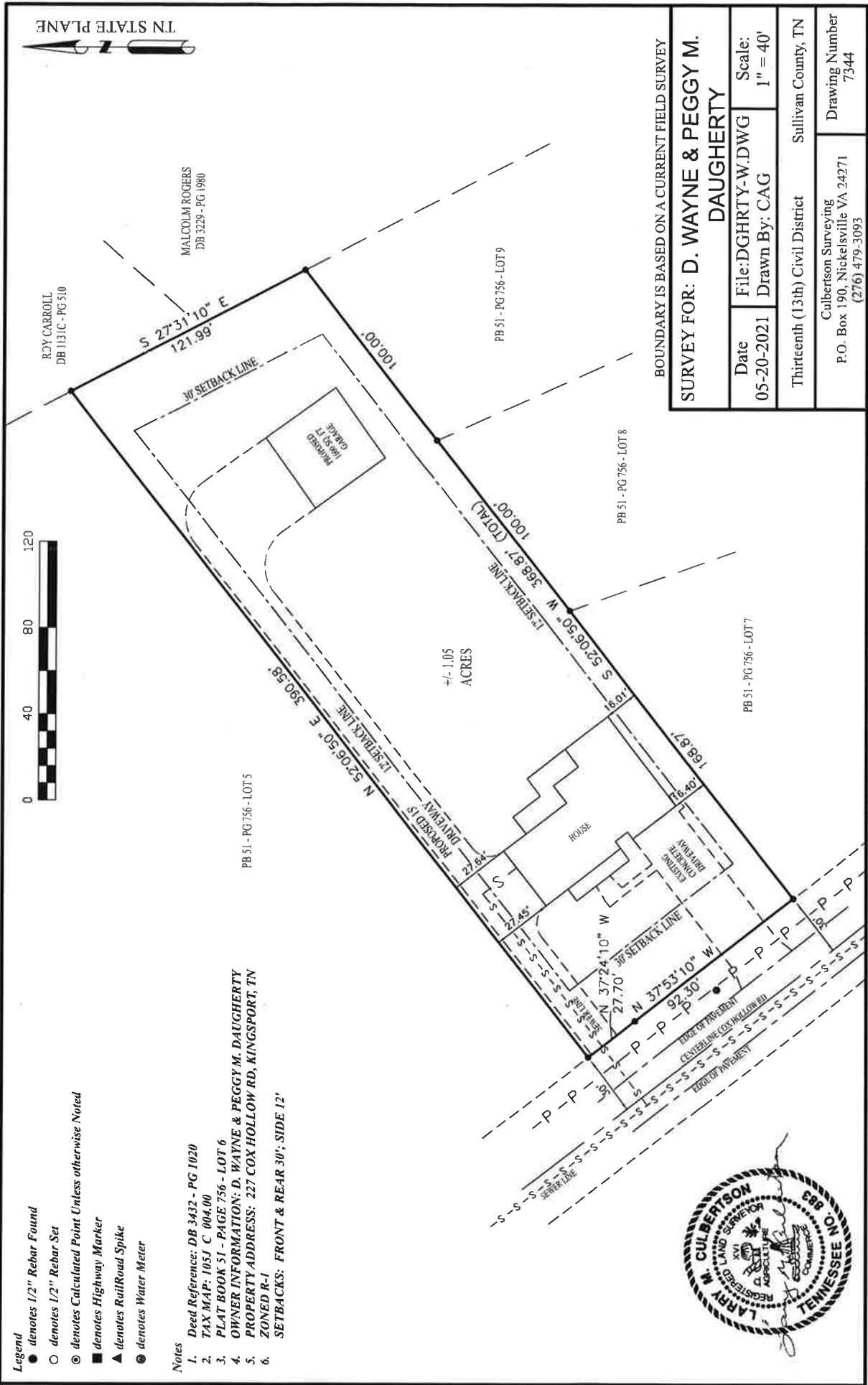
d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

THE PROPOSED GARAGE WOULD BE BUILT WITH SAME BRICK AS OUR HOUSE WITH A CONCRETE DRIVEWAY CONNECTING GARAGE TO MAIN STREET. WITH AN ENCLOSED GARAGE, OUR VEHICLES WOULD BE OUT OF SIGHT AND NEIGHBORHOOD BEAUTY WOULD BE 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.



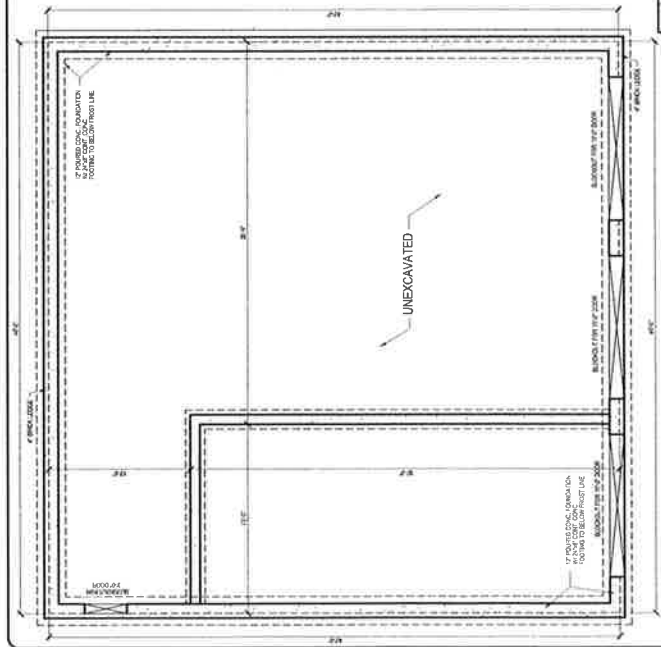
A1.0



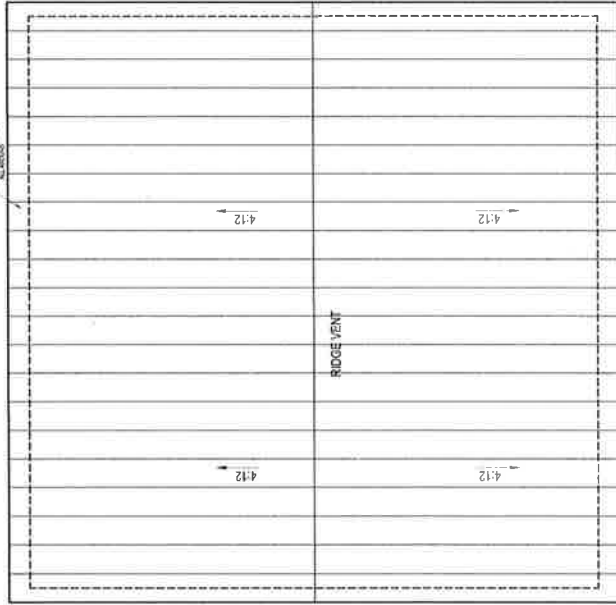
STANDARD INFORMATION				
ITEM NO.	ITEM	PRODUCT CODE	SIZE	QTY
A	CABAGE	10706	10" x 10" x 10"	1
B	POSSA	31000	10" x 10" x 10"	1
C	POSSA	31000	10" x 10" x 10"	1

GENERAL NOTES

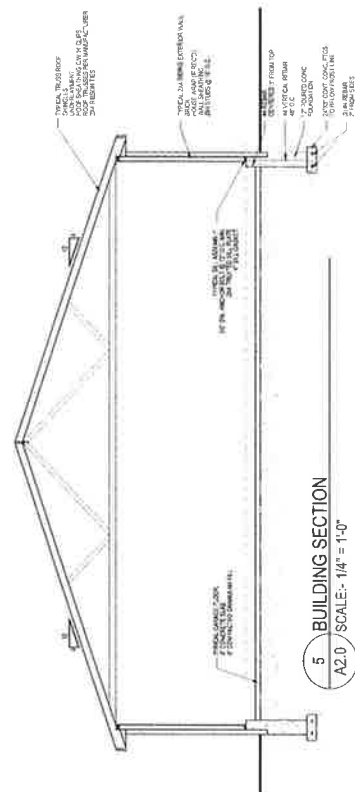
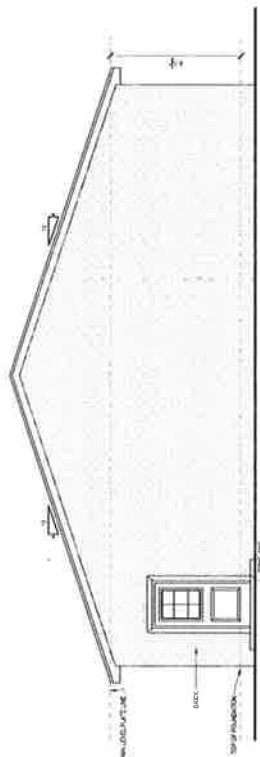
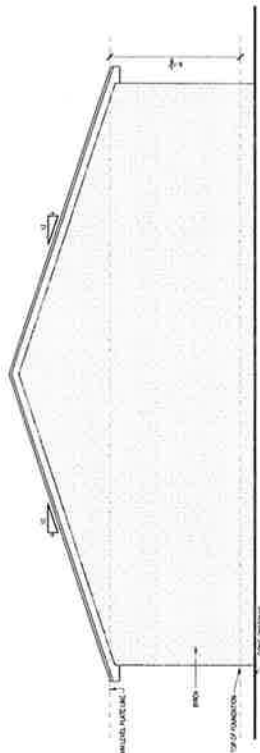
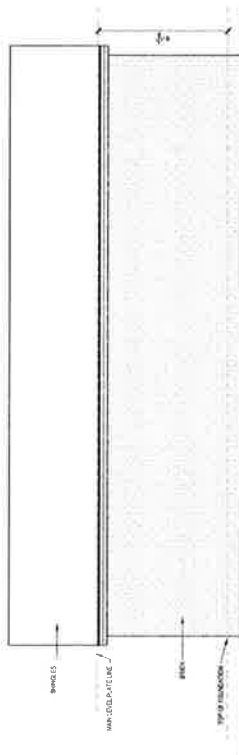
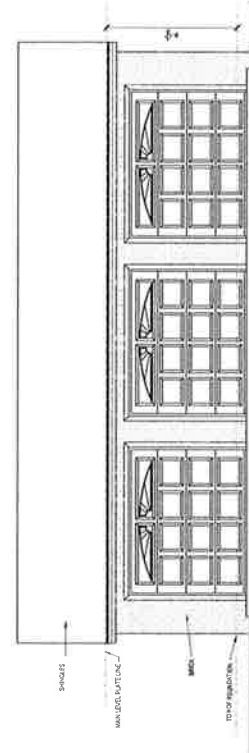
1. ALL MAIN LEVEL WELLS ARE 8-11' DEEP UNLESS NOTED OTHERWISE.
2. ALL ANGLED WALLS ARE 6" DEEP UNLESS NOTED OTHERWISE.
3. ALL EXTERIOR WALLS ARE 4" DEEP UNLESS NOTED OTHERWISE.
4. ALL INTERIOR WALLS ARE 6" DEEP UNLESS NOTED OTHERWISE.



1 FOUNDATION PLAN
A1.0 SCALE: 1/4" = 1'-0"



3 ROOF PLAN
A1.0 SCALE: 1/4" = 1'-0"



CUSTOM CHANGES

ORIGINAL DESIGN

White Man in a landscape and two boys: modification

CONCRETE

[illegible]

LIMITED LICENSE

to be used as a reference.

1. *Chlorophyll a* and *Chlorophyll b* were determined using a spectrophotometer (Shimadzu UV-1601) at 663 nm and 646 nm, respectively. The concentrations were calculated using the following equations:

and future study may include:

...and a

INTELS INC., has introduced a new line of 16 and 32-bit PC/XT clones. The 16-bit line includes the 1600 and 1600S, while the 32-bit line consists of the 3200 and 3200S. All models are equipped with 1 MB of random access memory (RAM) and a hard disk drive. The 1600 and 3200 are priced at \$1,999 and \$2,499, respectively. The 1600S and 3200S are priced at \$2,499 and \$2,999, respectively. All models are available in both desktop and portable configurations. For more information, contact Intel at (408) 767-3800.

© 2000 Blackwell Science Ltd *Journal of Internal Medicine* 247: 399–406



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: June 21, 2021

RE: 1200 Ervin Ct

The Board is asked to consider the following request:

Case: 21-701-00008 – Property located at 1200 Ervin Court, Control Map 046K, Group A, Parcel 014.00 requests a 3.4 foot rear yard variance to Sec 114-182e(1)c for the purpose of constructing a home addition. The property is zoned R-1A, Residential District.

Code reference:

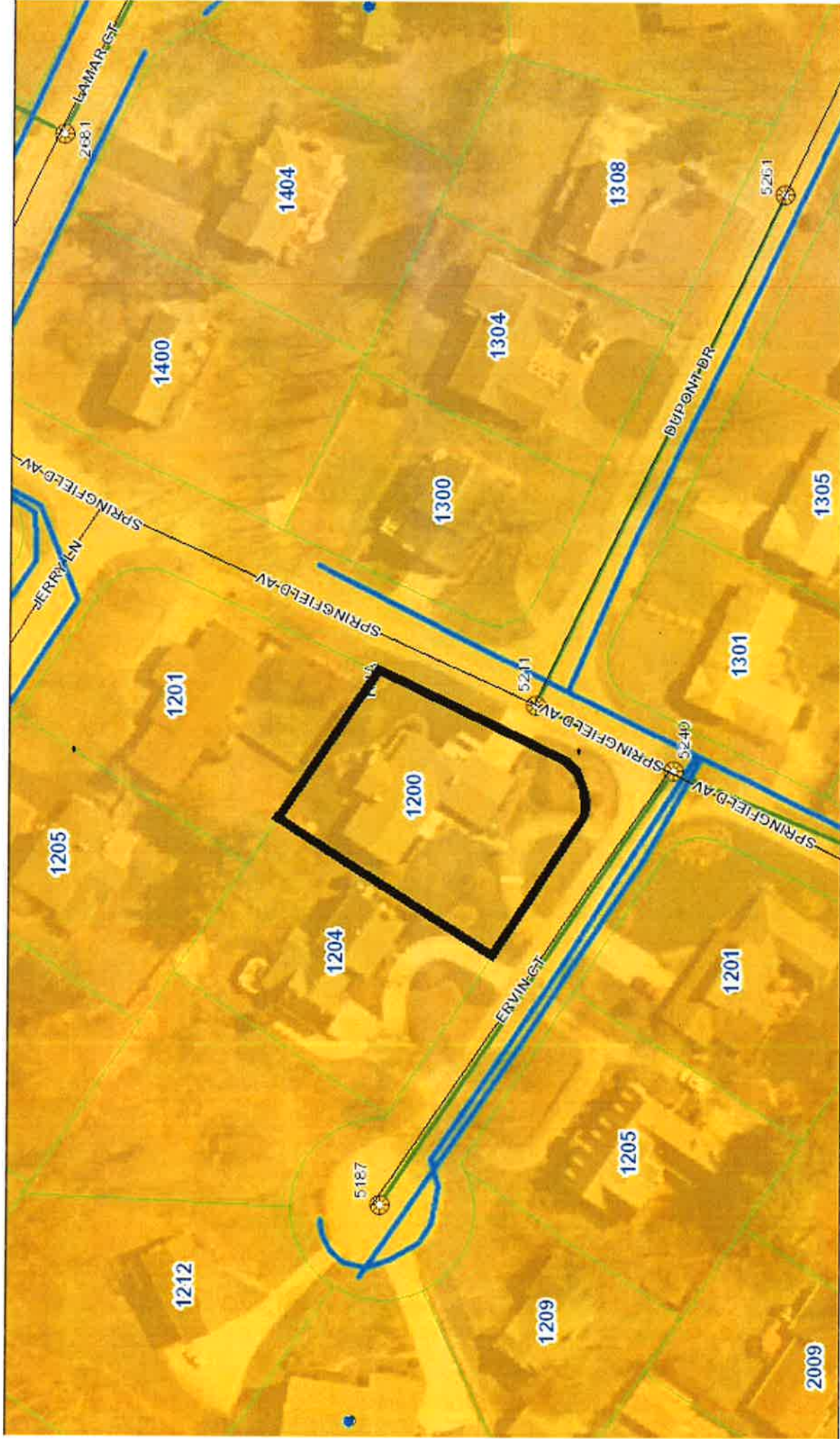
(e)

Dimensional requirements. The minimum and maximum dimensional requirements for the R-1A district are as follows:

(1) Minimum requirements.

- a. Lot area, 10,000 square feet.
- b. Lot frontage, 60 feet.
- c. Front yard, 40 feet.
- d. Each side yard:
 - 1. Ten feet for one or two stories;
 - 2. 15 feet for three stories;
 - 3. Plus 50 percent on the street side yard.
- e. Rear yard, 30 feet.
- f. Usable open space, not applicable.

ArcGIS Web Map



5/21/2021, 2:43:42 PM

Kpt 911 Address

Washington County Parcels

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

Street_ROW

Parcel_Conflict

Sullivan County Parcels

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

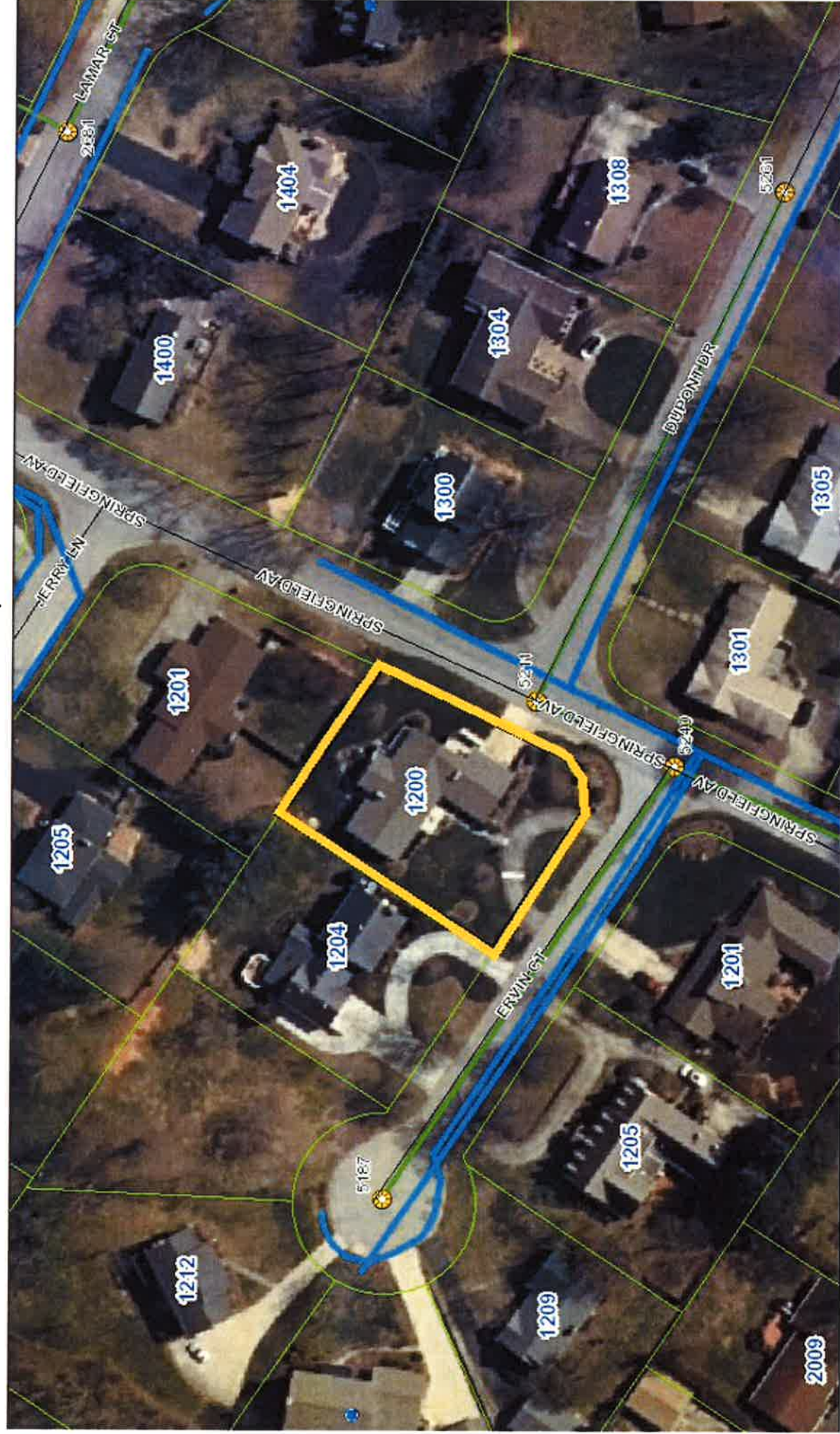
Street_ROW

1:1,128

0 0.0075 0.015 0.03 0.06 km

0 0.015 0.03 0.06 km

ArcGIS Web Map



3/21/2021, 2:45:00 PM

Kpt 911 Address

Washington County Parcels

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

Street_ROW

Parcel_Conflict

Sullivan County Parcels

Lake_Pond

Parcel_Conflict

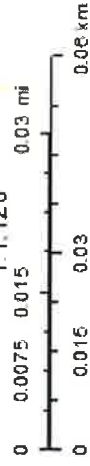
Parcels

Railroad_ROW

River

Street_ROW

1:1,128



APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name Gordon First Johnny M.I. C Date 05-24-21
Street Address 1200 Ervin Ct. Apartment/Unit #
City Kingsport State TN ZIP 37664
Phone 423-247-6714 E-mail Address j.gordon69@outlook.com

PROPERTY INFORMATION:

Tax Map Information Tax map: 44K Group: A Parcel: 14.0 Lot: 19 Blk 245
Street Address 1200 Ervin Ct. Apartment/Unit #
Current Zone Proposed Zone
Current Use Residential Proposed Use Residential

REPRESENTATIVE INFORMATION:

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

REQUESTED ACTION:

3.4 Foot rear yard variance for a home addition

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:

Signed before me on this 21st day of May, 2021
a notary public for the State of Tennessee
County of Sullivan

Notary

My Commission Expires

Page M. Jeffers
May 23, 2024



May 17, 2021

Johnny and Jennifer Gordon
1200 Ervin Court
Kingsport, TN 37664

Kingsport Regional Planning Commission
201 W Market Street
Kingsport, TN 37660

Ref.: Request for Variance, 1200 Ervin Court, Lot 19, BLK 245 Tellico Hills

Ladies/Gentlemen:

My wife and I are the owners of the property at 1200 Ervin Court. Recently we have retired and are staying home much of the time, especially with the recent pandemic. During the past year we like others have been unable to connect personally with our family so this reason we would like to build a screened-in porch.

As seen on the map there is currently a 7' wide deck on the backside of our home. We are requesting to extend the deck 7 more ft. making it a total of 14' wide and bringing the length to the existing deck that extends 8'1" from the middle of our home and put it under roof. The total dimensions would be 14x23.

We have discussed building this screened-in porch with our neighbors. The Wineman's who live behind us already have a privacy fence separating our properties so they had no problem with the addition. The fence will actually block the view of our proposed porch. The Skeen's who live in front of us (facing Ervin) and Mr. Cassell (who purchased the Wray's home) is to the left us did not have any objections either. Springfield Ave. runs to the right of our property.

Had we received any hesitation or opposition from any neighbor we would have dropped it and not brought it before the Planning Commission for approval. To our delight there was not any opposition, so we proceeded with the cost of the survey.

Therefore, we are requesting that you grant us a variance to build a screened-in porch on our property. Not only would this porch provide outdoor space for our family but it would also increase the value of our home which in return adds value to the neighborhood.

Many thanks for your kind consideration of our request.


Johnny Gordon

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.

Existing house sits further back from Ervin Crt. than the one next to it. The house location leaves very little space for expansion.

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

Without variance approval, full enjoyment of the backyard would be hampered.

- 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.

Disposition of house is the same today as it was when we purchased it.

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

Home addition will blend with the appearance of the existing home.

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.

Saxon & Associates

129 Otari Drive
Kingsport, TN 37664-5200
PHONE: (423) 245-9926
FAX: (423) 245-0931
dansaxon@chartertn.net

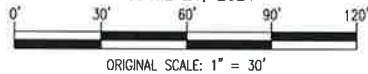
PLAT BOOK 8, PAGE 72



I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY. THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:10,000 AS SHOWN HEREON AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS SURVEY CONFORMS TO THE TENNESSEE STANDARD OF PRACTICE.



SURVEY FOR:
JOHNNY & JENNIFER GORDON
1200 ERVIN COURT
TAX MAP 46K/A/14.00
LOT 19, BLK 245
TELLICO HILLS
PLAT BOOK 8, PAGE 72
DEED BOOK 3038, PAGE 771
SURVEY BY: DANIEL I. SAXON, RLS
APRIL 21, 2021



- LEGEND:
- 1. = REBAR FOUND
 - 2. = CONIC MON FOUND
 - 3. = 1/2" REBAR SET W/CAP
 - 4. = AS NOTED
 - 5. = PRIVACY FENCE
 - 6. = PROPOSED ADDITION

GENERAL NOTES:

1. THIS SURVEY IS SUBJECT TO ANY AND ALL EASEMENTS, WRITTEN OR UNWRITTEN.
2. ADJOINING OWNERS AND DEED REFERENCES, AS SHOWN HEREON, ARE BASED UPON COUNTY TAX RECORDS AND ARE SUBJECT TO THE ACCURACY THEREOF.
3. UTILITIES AND UNDERGROUND FEATURES HAVE NOT BEEN LOCATED AS A PART OF THIS SURVEY AND NO CERTIFICATION IS MADE THEREOF.
4. THIS SURVEY HAS BEEN MADE WITHOUT THE BENEFIT OF A TITLE EXAMINATION AND IS SUBJECT TO ANY LEGAL DOCUMENTATION THAT MAY AFFECT PROPERTY SHOWN HEREON.
5. THIS SURVEY IS SUBJECT TO ANY ZONING REGULATIONS WHICH MAY BE IN EFFECT AS OF THE DATE HEREON.
6. NO WARRANTY IS EXPRESSED OR IMPLIED AS TO THE EXISTENCE OR NON-EXISTENCE OF BURIAL SITES, TOAD WASTE SITES, WETLANDS, CAVES OR SNRK HOLES ON THIS PROPERTY. HOWEVER IF ANY OF THESE DO EXIST THEIR PRESENCE COULD ADVERSELY AFFECT THE USE AND VALUE OF THIS PROPERTY.



| 14' | 23' 8" |
 14x23'8" -
 screen - vinyl siding - underpin like picture - exception -
 steps will not extend toward Springfield



TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: June 21, 2021

RE: 2732 Rock Springs Road

The Board is asked to consider the following request:

Case: 21-701-00009 – Property located at 2732 Rock Springs Road, Control Map 119I, Group A, Parcel 006.00 requests an 18.5 foot departure from rear yard variance to Sec 114-133(1) for the purpose of constructing a swimming pool in the side yard. The property is zoned R-1B, Residential District.

Code reference:

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

Under this chapter, the following shall apply to the location and height of accessory buildings:

(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.

ArcGIS Web Map



3/21/2021, 2:48:55 PM

Kpt 911 Address

Washington County Parcels

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

Street_ROW

Parcel_Conflict

Sullivan County Parcels

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

Street_ROW

1:1,128

0 0.0075 0.015 0.03 0.06 km

0 0.0075 0.015 0.03 0.06 km

ArcGIS Web Map



5/21/2021, 2:47:33 PM

Kpt 911 Address

Washington County Parcels

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

Street_ROW

Parcels

Sullivan County Parcels

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

Street_ROW

1:1,128

0.03 mi

0.0075

0.015

0.03

0.06 km

APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name	Blakley	First	Alissa	M.I.	N	Date	6/6/21
Street Address	2732 Rock Springs Rd			Apartment/Unit #			
City	Kingsport	State	TN	ZIP		37664	
Phone	423-361-5780		E-mail Address				nicoleblakley386@gmail.com

PROPERTY INFORMATION:

Tax Map Information	Tax map: 1191	Group: A	Parcel: 006.09	Lot: 5
Street Address	2732 Rock Springs Rd			Apartment/Unit #
Current Zone	Proposed Zone			
Current Use	Proposed Use			

REPRESENTATIVE INFORMATION:

Last Name	Morgan	First	Justin	M.I.	E	Date	
Street Address	2732 Rock Springs Rd			Apartment/Unit #			
City	Kingsport	State	TN	ZIP		37664	
Phone	423-817-8207		E-mail Address				justinmorgan256@gmail.com

REQUESTED ACTION:

Install a 14x28 inground Pool on the Side of house,
18.5 foot departure from rear yard Variance.

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: Alisa Blakley Date: 6/11/21

Signed before me on this 11 day of June, 2021,
a notary public for the State of Tennessee
County of Sullivan

Notary Jessica Dowell
My Commission Expires 8/29/2022



Variance Worksheet – Finding of Facts

Variances. Except as provided herein to hear and decide applications for variance from the terms of this chapter, because of exceptional narrowness, shallowness or shape of a specific piece of property which on June 16, 1981, was a lot of record or where, because of exceptional topographic conditions or other extraordinary or exceptional situation or condition of a piece of property, the strict application of this chapter would result in peculiar and exceptional practical difficulties to exception or undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purposes of this chapter. Before any variance is granted, the board must find all of the following, which shall be recorded, along with any imposed conditions or restrictions, in minutes and records and issued in written form to the applicant to constitute proof of the variance:

- a. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

The area in rear of home is limited due to slope + water drainage from the hill behind us when it rains.

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

It would not allow use of land and prevent the install of the 14x28 pool since it can't go in the back without major water issues + could flood with heavy rain. We would not be able to maximize use of our side yard

- 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 is the same as when it was purchased in 2012. The drainage of water when it rains comes from the land behind us and flows through our backyard. I have included pictures of slope and drainage.

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 Variance will in no way harm the Public Safety and welfare. Both neighbors on each side of us have no concerns with the Pool. We have a fence already installed also that has been installed since 2017.

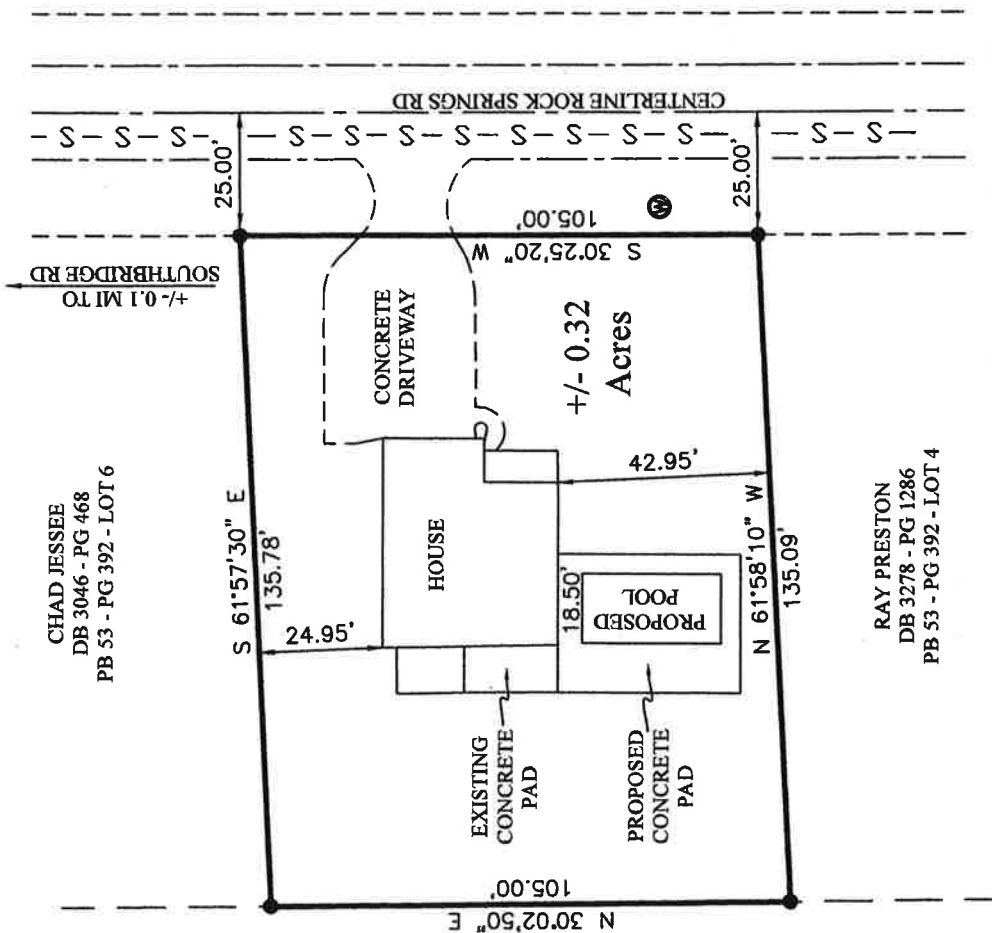
Further, a variance may be granted only if the Board finds that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and this chapter. Variances shall not be granted permitting an increase in floor area 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.



EDINBURGH HOMES LLC
DB 2801C - PG 284
PB 55 - PG 507 -
SHOWN AS OPEN SPACE



Legend

- denotes 1/2" Rebar Found
- denotes 1/2" Rebar Set
- ⊙ denotes Calculated Point Unless otherwise Noted
- denotes Highway Marker
- ▲ denotes Railroad Spike
- ⊗ denotes Water Meter
- S — denotes Sewer Line

Notes

1. Deed Reference: DB 3051 - PG 2468
2. TAX MAP: 1191 A 006.00
3. PLATBOOK 53 - PAGE 392 - LOT 5
4. 2732 ROCK SPRINGS RD
KINGSPORT, TN 37664

BOUNDARY IS BASED ON A CURRENT FIELD SURVEY

SURVEY FOR: ALISSA N. BLAKLEY & JUSTIN MORGAN			
Date	File:MRGN-JDWG	Scale:	1" = 30'
06-04-2021	Drawn By: CAG		
Fourteenth (14th) Civil District		Sullivan County, TN	
Culbertson Surveying		Drawing Number	
P.O. Box 190, Nickelsville VA 24271		7361	
(276) 479-3093			

POOL MATERIAL

CORNERSTONE CONSTRUCTION OF THE TRI-CITIES INC

Phone

423-416-0908

CUSTOMER

JUSTIN BLAKLEY

ADDRESS

2732 ROCK SPRINGS RD
KINGSPORT TN 37664

PHONE 423-817-8207

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	14 x 28 Latham metal wall vinyl liner pool		
1	Aqua Pro 250 Cartridge Filter		
1	Aqua Pro 1hp pump		
2	PAL Trio LED light		
1	Nirvana FC100 Heat Pump		
1	Solaxx 15k Salt Generator		
	616 square feet of 4000psi concrete decking		

THIS PROPOSAL INCLUDES THE CONDITIONS NOTED:

electrical from the home to the pool disconnect is not included and the removal of dirt from the property is not included

TAX RATE	0.00%
SALES TAX	\$0.00
OTHER	
TOTAL	\$0.00

Sign Below to Accept Quote:

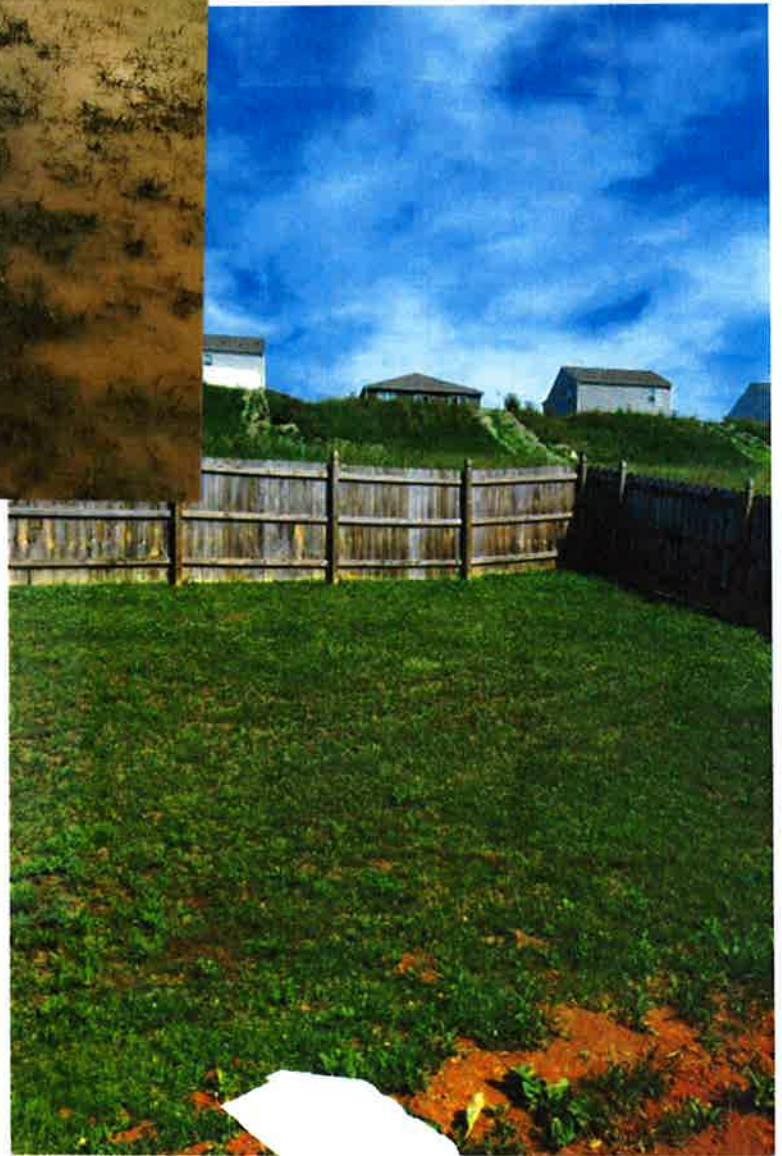
Authorized Rep

Date _____



Picture around
2013- water when
it rains and drains
from the land up
behind us.

since then I believe
the city has installed
a catch basin but
heavy rains are still
an issue in back.



picture of slope
and hill behind
house.



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: June 21, 2021

RE: 2330 Fort Henry Drive

The Board is asked to consider the following request:

Case: 21-701-00010 – Property located at 2330 Fort Henry Drive, Control Map 0621, Group J, Parcels 001.00, 002.00, and 003.00 requests a 14 foot rear yard variance to Sec 114-195(f)1(e) for the purpose of rebuilding the existing store. The property is zoned B-3, Highway Oriented Business District.

Code reference:

(f) *Design standards; dimensional requirements.*

(1) *Minimum requirements.*

a. Lot area, 10,000 square feet.

b. Lot frontage, 50 feet.

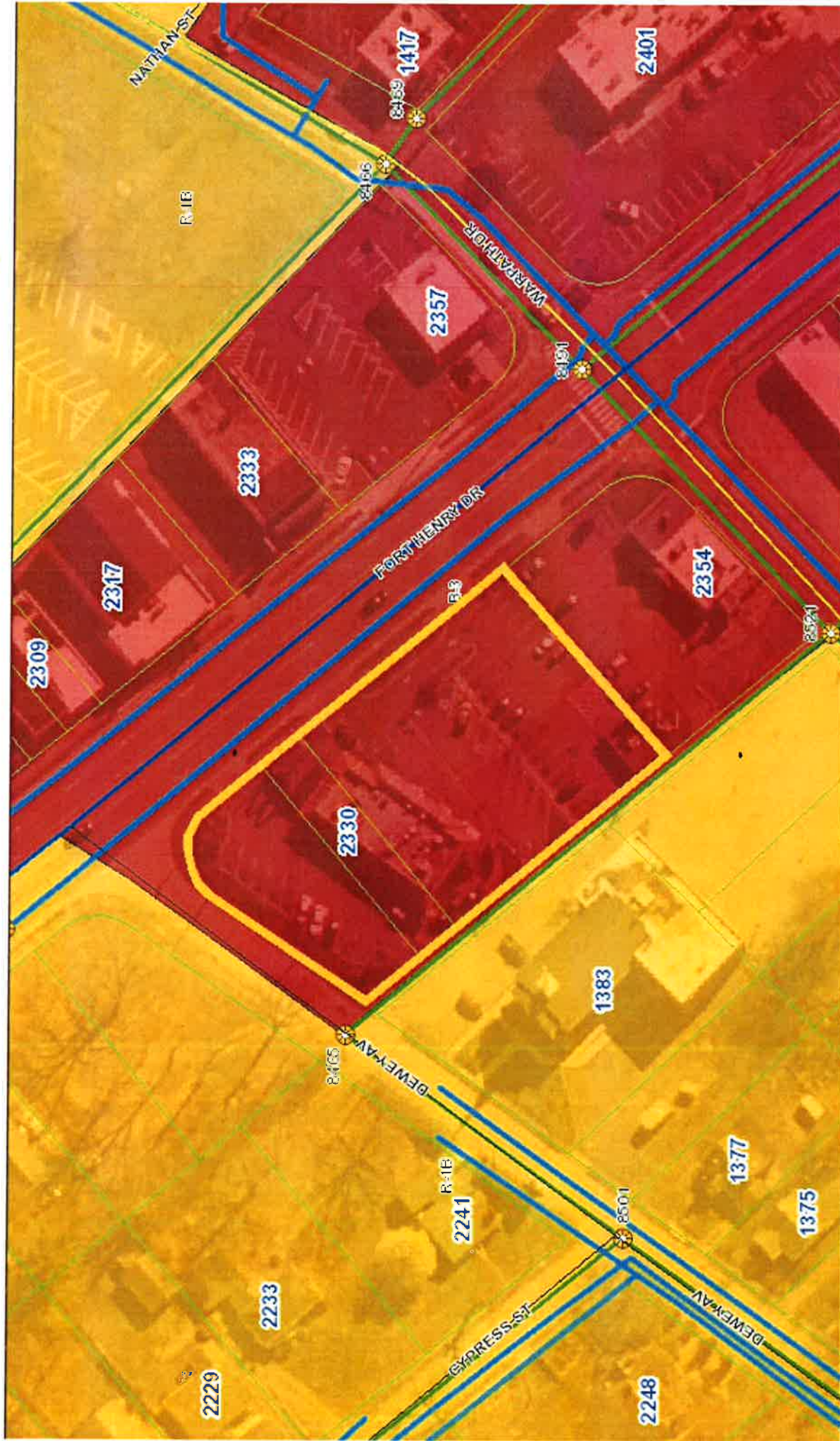
c. Front yard, 20 feet.

d. Each side yard, not applicable.

e. Rear yard, 30 feet.

f. Usable open space, not applicable.

ArcGIS Web Map



3/21/2021, 2:50:22 PM

- Kpt 911 Address

Washington County Parcels

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

Street_ROW

Parcel_Conflict

Sullivan County Parcels

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

Street_ROW

1:1,128

0 0.0075 0.015 0.03 0.06 mi

0 0.015 0.03 0.06 km

ArcGIS Web Map



3/21/2021, 2:51:15 PM

• Kpt 911 Address

Washington County Parcels

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

Street_ROW

Parcel_Conflict

Sullivan County Parcels

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

1:1,128

0 0.0075 0.015 0.03 0.06 km

0 0.0075 0.015 0.03 0.06 mi

APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name McDonald's USA,
LLC

First n/a

M.I. n/a

Date
05/26/2021

Street Address
110 N Carpenter Street

Apartment/Unit #n/a

City Chicago

State IL

ZIP 60607

Phone
772-486-4190

E-mail Address
tim.chess@us.mcd.com

PROPERTY INFORMATION:

Tax Map Information

Tax map: 0621

Group: J Parcel: 001.00, 002.00, 003.00

Lot:

Street Address
2330 Fort Henry Drive

Apartment/Unit #n/a

Current Zone B-3

Proposed Zone B-3

Current Use
Restaurant

Proposed Use
Restaurant

REPRESENTATIVE INFORMATION:

Last Name
Britt, Peters & Associates, Inc - Kristin Lang

First n/a

M.I. n/a

Date
5/26/2021

Street Address PO Box 336

Apartment/Unit #

City
Greenville

State SC

ZIP 29602

Phone
864-271-8869

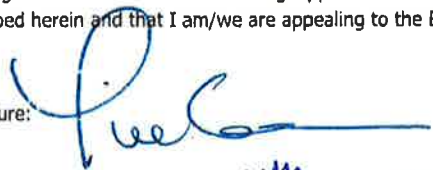
E-mail Address
klang@brittpeters.com

REQUESTED ACTION:

14' Relief from Rear Building Setback

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: JUNE 17th 2021

Signed before me on this 11th day of June, 2021

a notary public for the State of South Carolina

County of Greenville

Notary 

My Commission Expires 10.21.2029

Variance Worksheet – Finding of Facts

Variances. Except as provided herein to hear and decide applications for variance from the terms of this chapter, because of exceptional narrowness, shallowness or shape of a specific piece of property which on June 16, 1981, was a lot of record or where, because of exceptional topographic conditions or other extraordinary or exceptional situation or condition of a piece of property, the strict application of this chapter would result in peculiar and exceptional practical difficulties to exception or undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purposes of this chapter. Before any variance is granted, the board must find all of the following, which shall be recorded, along with any imposed conditions or restrictions, in minutes and records and issued in written form to the applicant to constitute proof of the variance:

- a. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

Lot depths average 143 feet with 20' front and 30' rear building setbacks. Lots are narrow bounded by Fort Henry Drive on the front and an alley at the rear.

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

A variance was granted for relief for the 30' landscape buffer at the rear. This request would allow the building to be positioned for double stacked entry into the drive through ordering stations. Drive through ordering has far surpassed in store dining since the McDonald's first opened and especially increased during the pandemic when dining rooms were closed.

- 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 McDonald's opened at this location on May 22, 1962. It was rebuilt and reopened on December 26, 1988. The current building is setback approximately 19' from the property line with the drive through lane located in the area between the building and the alley.

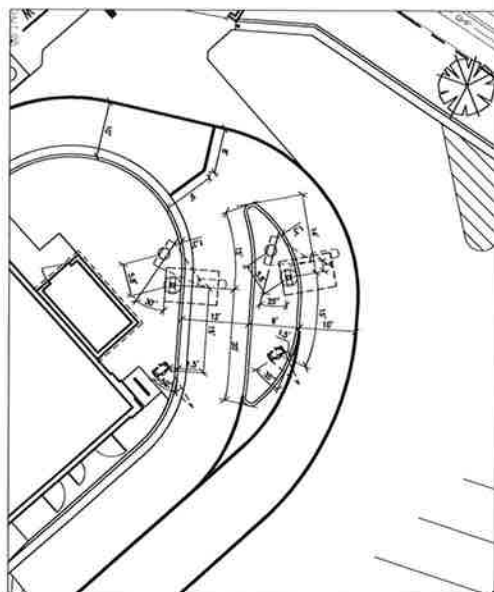
d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

The rebuild of this McDonald's presents a significant investment in both Kingsport and the neighborhood that it has occupied for 59 years. In that time, the majority of the customers have changed from in store dining to drive through and mobile app ordering as well as online food delivery services. The proposed layout will ensure on site locations for all of these uses as well as additional stacking of cars in the drive through ordering area. The proposed rebuild will close two of the three existing driveways onto Fort Henry Drive which will also increase public safety.

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.

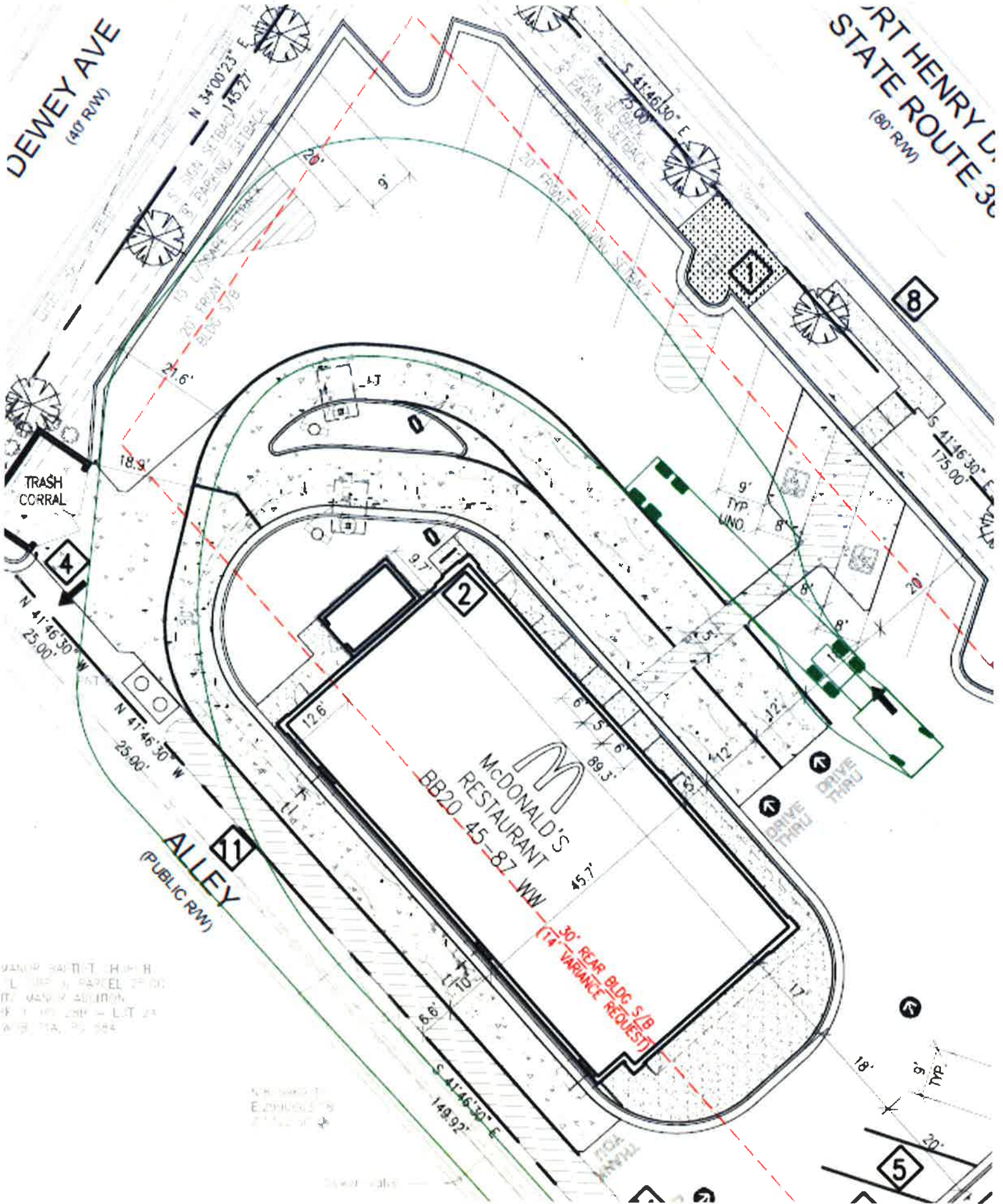


DRIVE-THRU DIMENSIONS
SCALE 1:10



DEWEY AVE
(40' RW)

RT HENRY L.
STATE ROUTE 30
(80' RW)



OWNER: BART T. HUBB
LOT 20, PARCEL 20,000
IT: 0.00000000
SF: 1.00000000
AC: 0.00000000

FOR INFO
E 20000000
0.00000000

Owner: Hubb



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: June 21, 2021

RE: 2218 E. Center Street

The Board is asked to consider the following request:

Case: 21-701-00011 – Property located at 2218 E. Center Street, Control Map 061D, Group G, Parcels 021.00 and 022.00 requests a 19 space automobile parking space reduction to Sec 114-564(4)q and a 14' reduction of the required planting strip boundary to Sec 114-600(d)4(a) for the purpose of constructing a new retail store. The property is zoned B-3, Highway Oriented Business District.

Code reference:

q.Retail sales establishment except furniture or carpet store: one space per 200 square feet of net floor area for the first 1,000 square feet, plus six spaces per each additional 1,000 square feet.

(4)

Property adjoining a residential or agricultural zone.

a.A planting strip boundary shall be placed between the property and a residential or agricultural zone or public parks or the greenbelt pathways. The planting strip shall have a minimum width equal to the abutting setback requirement of the more restrictive zone; in the absence of a setback requirement, the minimum width shall be 30 feet.

ArcGIS Web Map



5/21/2021, 2:53:57 PM

- Kpt 911 Address
- Washington County Parcels
- Lake_Pond

- Parcel_Conflict
- Parcels
- Railroad_ROW

- River
- Street_ROW

- Sullivan County Parcels
- Lake_Pond
- Parcel_Conflict

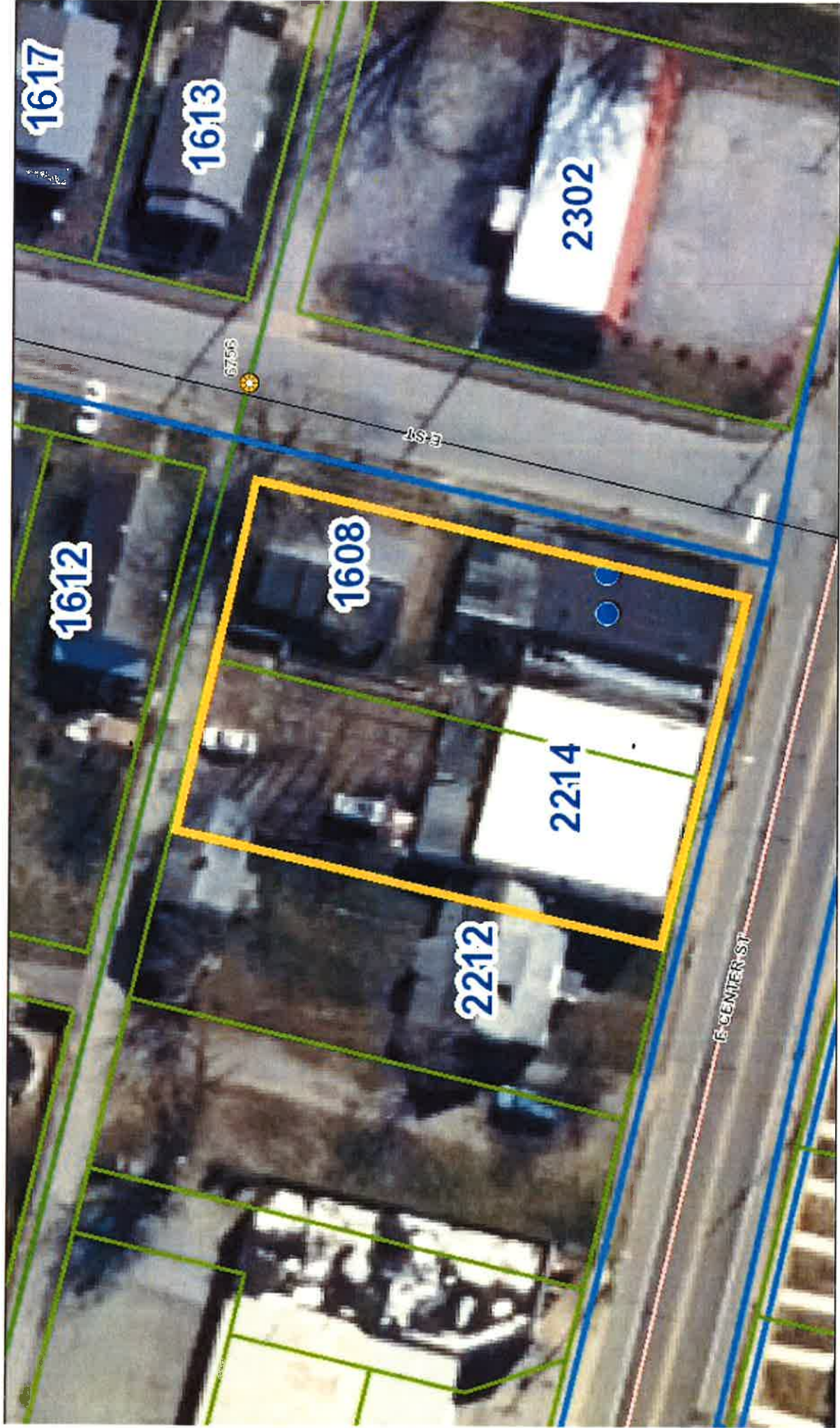
- Parcels
- Railroad_ROW
- River

- Street_ROW

1:564



ArcGIS Web Map



3/21/2021, 2:54:43 PM

- Kpt 911 Address
- Washington County Parcels
- ☐ Lake_Fond

- ☐ Parcel_Conflict
- ☐ Parcel
- ☐ Railroad_ROW

- ☐ River
- ☐ Street_ROW

- Sullivan County Parcels
- ☐ Lake_Fond
 - ☐ Parcel_Conflict

- ☐ Parcels
- ☐ Railroad_ROW
- ☐ River

- ☐ Street_ROW



APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name Taylor First Tracey M.I. K Date _____
Street Address 116 Shadow wood lane Apartment/Unit # _____
City Kingsport State TN ZIP 37663
Phone 423-483-6773 E-mail Address tkhoneycutt1@gmail.com

PROPERTY INFORMATION:

Tax Map Information _____ Tax map: _____ Group: _____ Parcel: _____ Lot: _____
Street Address 2218 East Center Street Apartment/Unit # -
Current Zone _____ Proposed Zone _____
Current Use VACANT Proposed Use Retail

REPRESENTATIVE INFORMATION:

Last Name FAULK First DON M.I. _____ Date _____
Street Address 5234 MEMORIAL BLVD Apartment/Unit # _____
City Kingsport State TN ZIP 37664
Phone (423) 360-5880 E-mail Address a1stel@charter.net

REQUESTED ACTION:

- 1) VARIANCE on front SET BACK to Align with existing buildings
- 2) VARIANCE on PARKING SPACES. 19 SPACE PARKING reduction
- 3) 14' ROAD BUFFER Strip Reduction.

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: 6-15-21

Signed before me on this 15th day of June, 2021

a notary public for the State of Tennessee

County of Sullivan

Notary Sandy J White

My Commission Expires 12-25-25



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.

DUE to SIZE of LOT, REDUCTIONS ARE requested
to meet lot SIZE

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

DUE to SIZE of 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 recently PURCHASED By current
OWNER

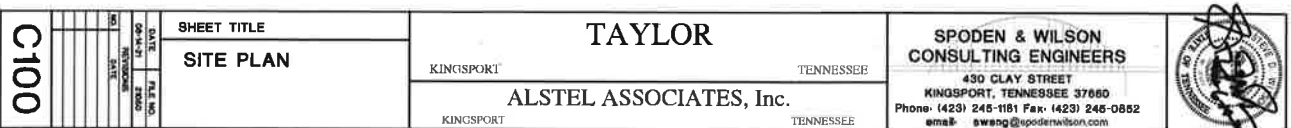
d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

FEEL New Building will ADD to surrounding AREA & Existing structures.

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:

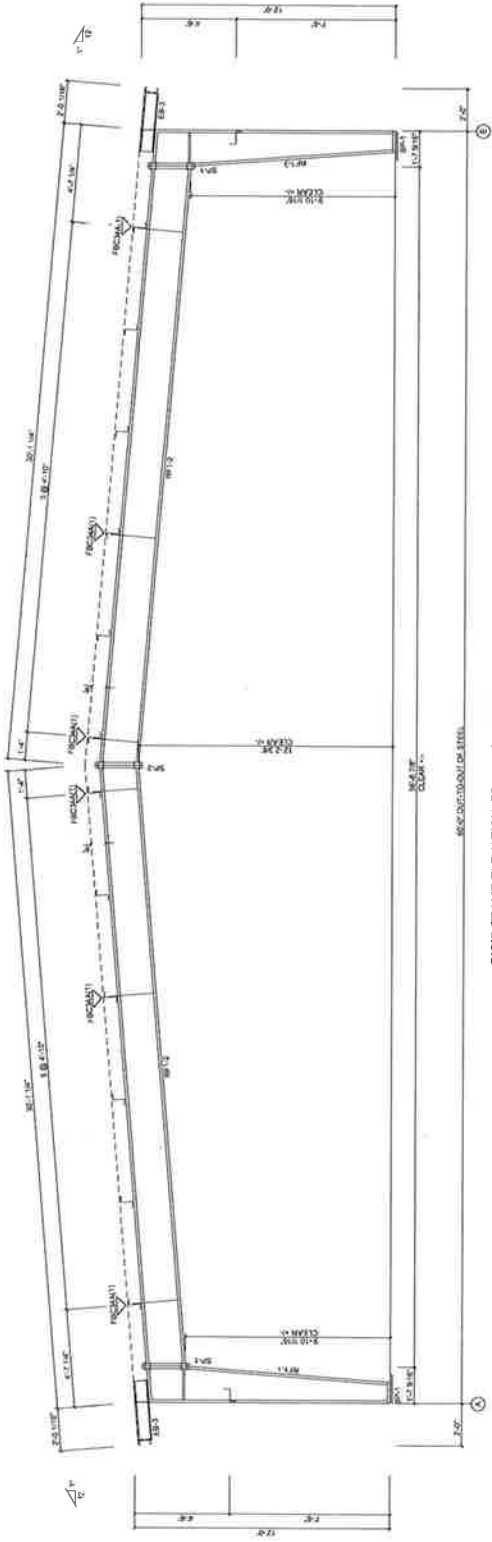
1. The premises of cannot be used in a manner permitted by the Zoning Ordinance unless the variance is granted.
2. A strict application of the terms of the Zoning Ordinance precludes its use for any purpose to which the land is reasonably adopted.
3. Inability to put the property to its most profitable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





KIRBY
BUILDING
SYSTEMS

PROJECT NO.	K2110306A	DESIGNER	TAYLOR
CLIENT	2218 E. CENTER ST. KINGSPORT, TN 37663	DATE	4/25/17
PROJECT NAME	AL STEEL ASSOCIATES	DATE	4/25/17
FOR PERMITS ONLY		DATE	4/25/17
NOT FOR CONSTRUCTION		DATE	4/25/17
CROSS SECTION, LINES 2-5		DATE	4/25/17

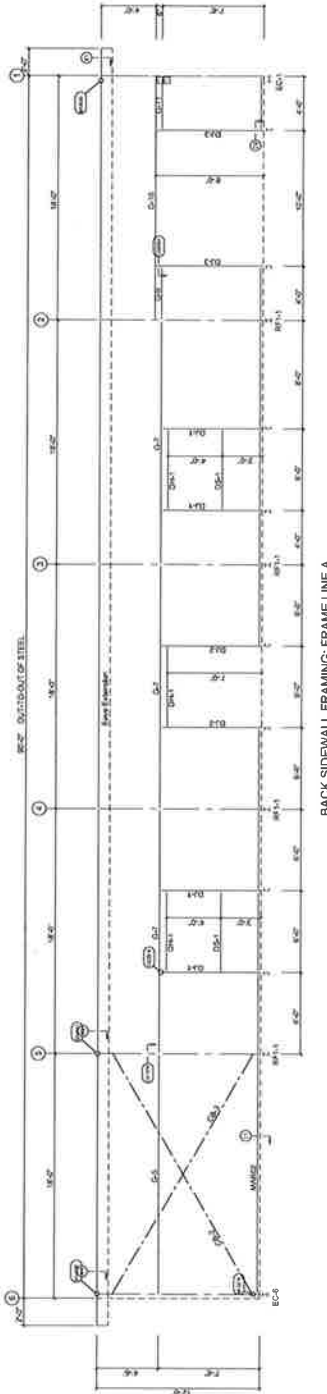
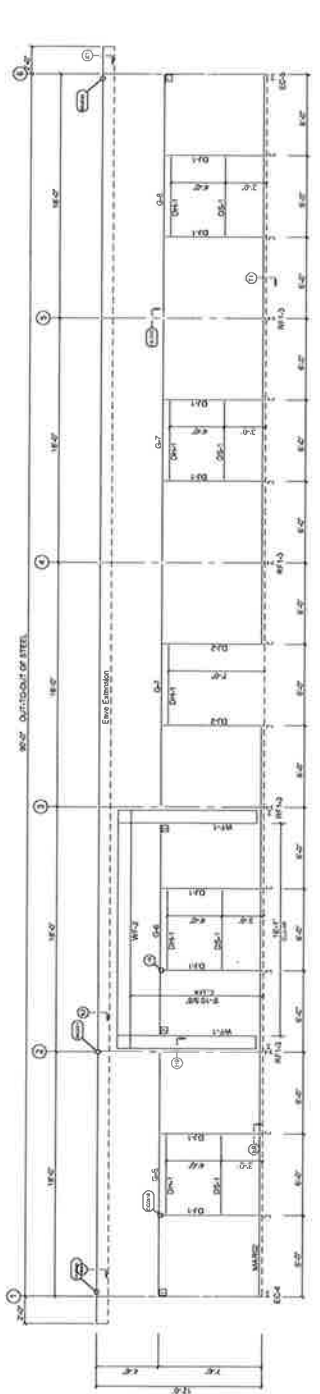


RIGID FRAME ELEVATION: FRAME LINE 2 3 4 5

FLANGE BRACES: (1) One Side; (2) Two Sides
A - L2525105



NO. 01	REVISION / REVISION	DATE
01	ISSUED FOR PERMITS	04/21/2024
PROJECT: 2210306A / TAYLOR		
LOCATION: 2218 E. CENTER ST. KINGSPORT, TN 37663		
DESIGNER: AL STEEL ASSOCIATES		
FOR PERMITS ONLY		
NOT FOR CONSTRUCTION		
SIDEWALL FRAMING		



MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

June 3, 2021, Regular Meeting

Noon
City Hall Council Room

Members Present:

Bill Sumner
Jeff Little
Joe White
Tracey Cleek

Members Absent:

Calvin Clifton

Staff Present:

Ken Weems, AICP
Alison Fields

Visitors:

Tim Scott
John Jewitt
Kelly McCoy

Chairman Sumner called the meeting to order.

Chairman Sumner 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: 21-701-00005 – Property located at 1775, 1779, and 1781 Fort Henry Drive, Control Map 061E, Group G, Parcels 013.00, 014.00, and 015.00 requests a 24 foot rear yard variance to Sec 114-195(f)1(e); a parking area perimeter landscaping strip width reduction of 7 feet to Sec 114-600(d)2; and a 25 foot reduction in the amount of road frontage required to qualify for an electronic message board to Sec 114-535(1) for the purpose of constructing a new urgent care clinic. The property is zoned B-3, Highway Oriented Business District.

Mr. Tim Scott presented the case to the Board. Mr. Scott spoke of how the property is encumbered by flood zone in the rear of the property. Mr. Scott addressed the tight conditions due to the narrow width of the property.

Chairman Sumner opened the public hearing. John Jewitt stated that he owns the property next door and site distance is a major issue for anyone developing the subject property.

Case: 21-701-00006 – Property located at 209 Pawnee Court, Control Map 078A, Group C, Parcel 051.00 requests a 30.5 foot departure from rear yard variance to Sec 114-133(1) for the purpose of locating a swimming pool in the side yard of the parcel. The property is zoned R-1B, Residential District.

Ms. Kelly McCoy presented the case to the Board. Ms. McCoy stated that she did not have the needed space in her rear yard to construct the desired pool. Ms. McCoy stated that the pool

would not be able to be seen from the street in section of her side yard where she desires to construct the pool.

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

Chairman Sumner opened the business portion of the meeting. A motion was made by Jeff Little, seconded by Tracey Cleek, to approve the minutes of the May 6, 2021 regular meeting. The motion was approved unanimously, 4-0. Mr. Weems stated for the record that the next application deadline is June 15, 2021 for the meeting date of July 1, 2021.

Adjudication of Cases:

Case: 21-701-00005 – Property located at 1775, 1779, and 1781 Fort Henry Drive, Control Map 061E, Group G, Parcels 013.00, 014.00, and 015.00

MOTION: made by Tracey Cleek, seconded by Joe White, to grant all requested variances. Additionally, the Board granted an additional variance to eliminate the tree planting requirement along Fort Henry Drive in the reduced planting strip. The Board directed the Secretary to provide the applicant with a list of plants that will grow no taller than 2'. The Board stated that the applicant may use these plants in the planting strip if desired, but they are not required.

VOTE: 4-0 to approve the request.

Case: 21-701-00006 – Property located at 209 Pawnee Court, Control Map 078A, Group C, Parcel 051.00

MOTION: made by Jeff Little, seconded by Joe White, to grant the requested 30.5 foot departure from rear yard variance necessary to construct a swimming pool in the side yard.

VOTE: 4-0 to approve the request.

With no further business the meeting was adjourned at 12:45 p.m.

Respectfully Submitted,

Ken Weems, AICP
Planning Manager