

KINGSPORT BOARD OF ZONING APPEALS AGENDA
REGULAR MEETING: August 4, 2022
Boardroom, City Hall
415 Broad Street, 3rd Floor

CALL TO ORDER – 12:00 P.M. NOON

INTRODUCTION / MEETING PROCEDURES

PUBLIC HEARING:

Case: 22-0170 – Property located at 3058 Fort Henry Drive, Control Map 77H, Group C, Parcel 001.00

requests a special exception for an institution for human care (dental office) to Sec 114-227. The property is zoned B-4P, Planned Business District.

INTERESTED PARTIES:

Owner: Andrew Hagan
5335 Chestnut Hills Dr.
Kingsport, TN 37664
423.579-2281

Representative: Sophia Davidson

Case: 22-0171 – Property located at 727 N Eastman Road, Control Map 61K, Group A, Parcel 001.00

requests approval from the Board of Zoning Appeals to conduct non-residential parking in a residential zone to Sec 114-563(4). The property is zoned R-1B, Residential District.

INTERESTED PARTIES:

Owner: Richard Ripley
1100 Industry Drive
Kingsport, TN 37660
423.349-7760

Representative: Lana Luttrell

Case: 22-0172 – Property located at 122 Shady View Road, Control Map 091A, Group C, Parcel 009.00

requests a 10 foot front yard variance to Sec 114-183(e)1(c) and a 13.79 foot rear yard variance to Sec 114-183(e)1(e) for the purpose of locating a new house on the property. The property is zoned R-1B, Residential District.

INTERESTED PARTIES:

Owner: Sandra Hardin

336 Bullis Rd
Kingsport, TN 37663
423.817.3194

Representative: Sandra Hardin

Case: 22-0173 – Property located at 101 Old Castle Road, Control Map 22L, Group D, Parcel 033.00

requests a 133 foot departure from rear yard variance to Sec 114-133(1) for the purpose of building a carport in the front yard. The property is zoned R-1A, Residential District.

INTERESTED PARTIES:

Owner: Jerry Salyer
101 Old Castle Rd
Kingsport, TN 37664
423.245.6044

Representative: Jerry Salyer

Case: 22-0174 – Property located at 2000 Harrell Road, Control Map 046F, Group A, Parcel 006.10

requests an automobile parking space reduction of 52 spaces to Sec 114-564(4)q. The property is zoned B-3, Highway Oriented Business District.

INTERESTED PARTIES:

Owner: George Yelder
2455 Paces Ferry Rd SE
Atlanta, GA 30339
678.231.1688

Representative: Jordan Corbitt

BUSINESS:

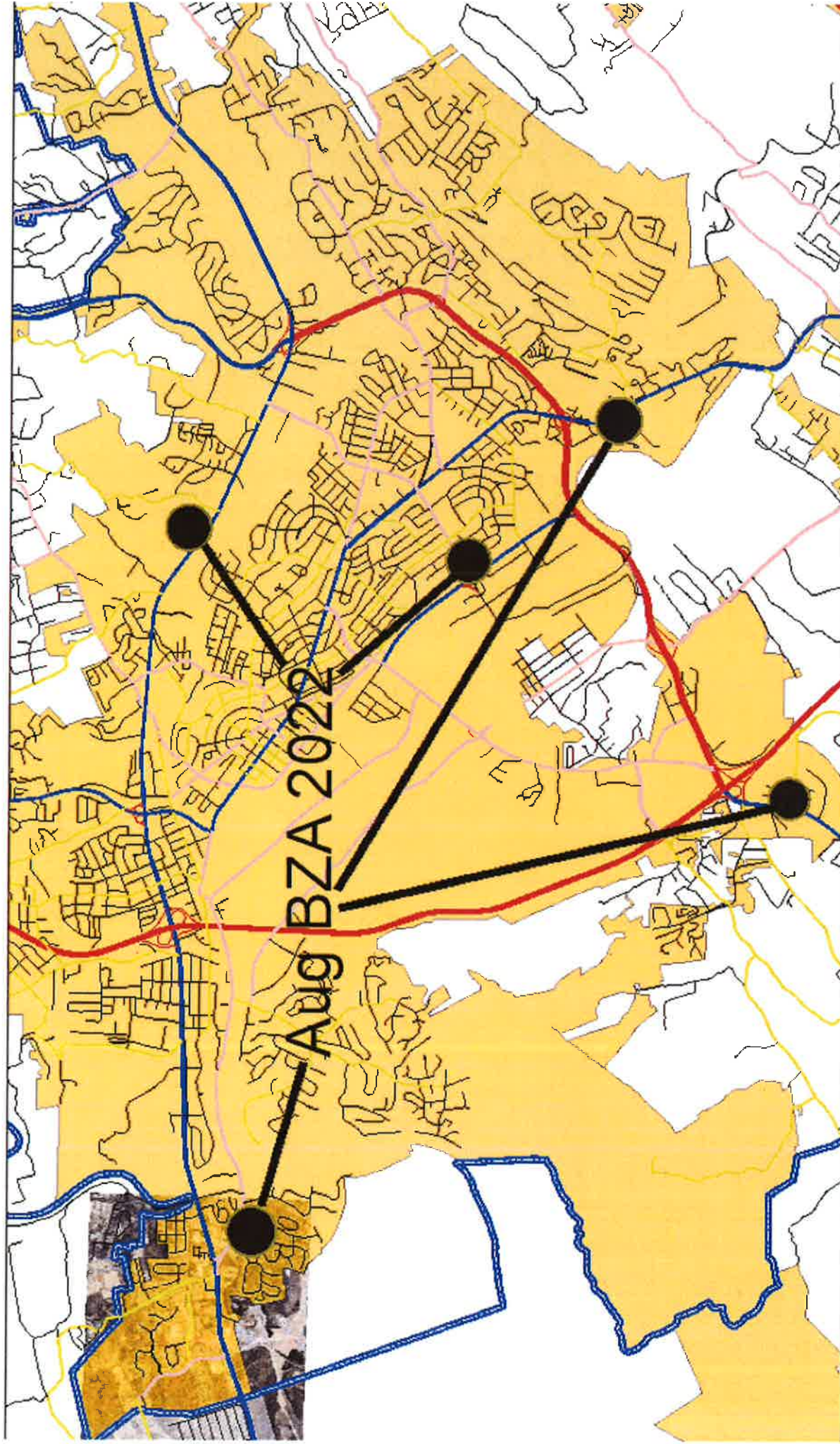
Approval of the June 2, 2022 regular meeting minutes.

Stating for public record, the next application deadline is August 15, 2022 at noon, and meeting date (Thursday, September 1, 2022).

ADJUDICATION OF CASES:

ADJOURNMENT:

ArcGIS Web Map



7/19/2022, 2:23:09 PM

Municipal Boundary JOHNSON CITY

KINGSFORT

MT CARMEL

CHURCH HILL

Urban Growth Boundary

Streets

Interstate

Expressway

Major Arterial

Minor Arterial

Local Street

Private Street

Ramp

2948821.tif

Red: Band_1

Green: Band_2

Blue: Band_3

0 0.5 1 1.5 2 mi

0 0.75 1.5 3 km

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, August 4, 2022 will be conducted beginning at NOON in the Kingsport City Hall Boardroom, 415 Broad Street, 3rd floor, Kingsport, Tennessee.

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

Case: 22-0170 – Property located at 3058 Fort Henry Drive, Control Map 77H, Group C, Parcel 001.00 requests a special exception for an institution for human care (dental office) to Sec 114-227. The property is zoned B-4P, Planned Business District.

Case: 22-0171 – Property located at 727 N Eastman Road, Control Map 61K, Group A, Parcel 001.00 requests approval from the Board of Zoning Appeals to conduct non-residential parking in a residential zone to Sec 114-563(4). The property is zoned R-1B, Residential District.

Case: 22-0172 – Property located at 122 Shady View Road, Control Map 091A, Group C, Parcel 009.00 requests a 10 foot front yard variance to Sec 114-183(e)1(c) and a 13.79 foot rear yard variance to Sec 114-183(e)1(e) for the purpose of locating a new house on the property. The property is zoned R-1B, Residential District.

Case: 22-0173 – Property located at 101 Old Castle Road, Control Map 22L, Group D, Parcel 033.00 requests a 133 foot departure from rear yard variance to Sec 114-133(1) for the purpose of building a carport in the front yard. The property is zoned R-1A, Residential District.

Case: 22-0174 – Property located at 2000 Harrell Road, Control Map 046F, Group A, Parcel 006.10 requests an automobile parking space reduction of 52 spaces to Sec 114-564(4)q. 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) 229-9368.

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) 229-9368 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: 7/25/2022



TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: July 19, 2022

RE: 3058 Fort Henry Dr.

The Board is asked to consider the following request:

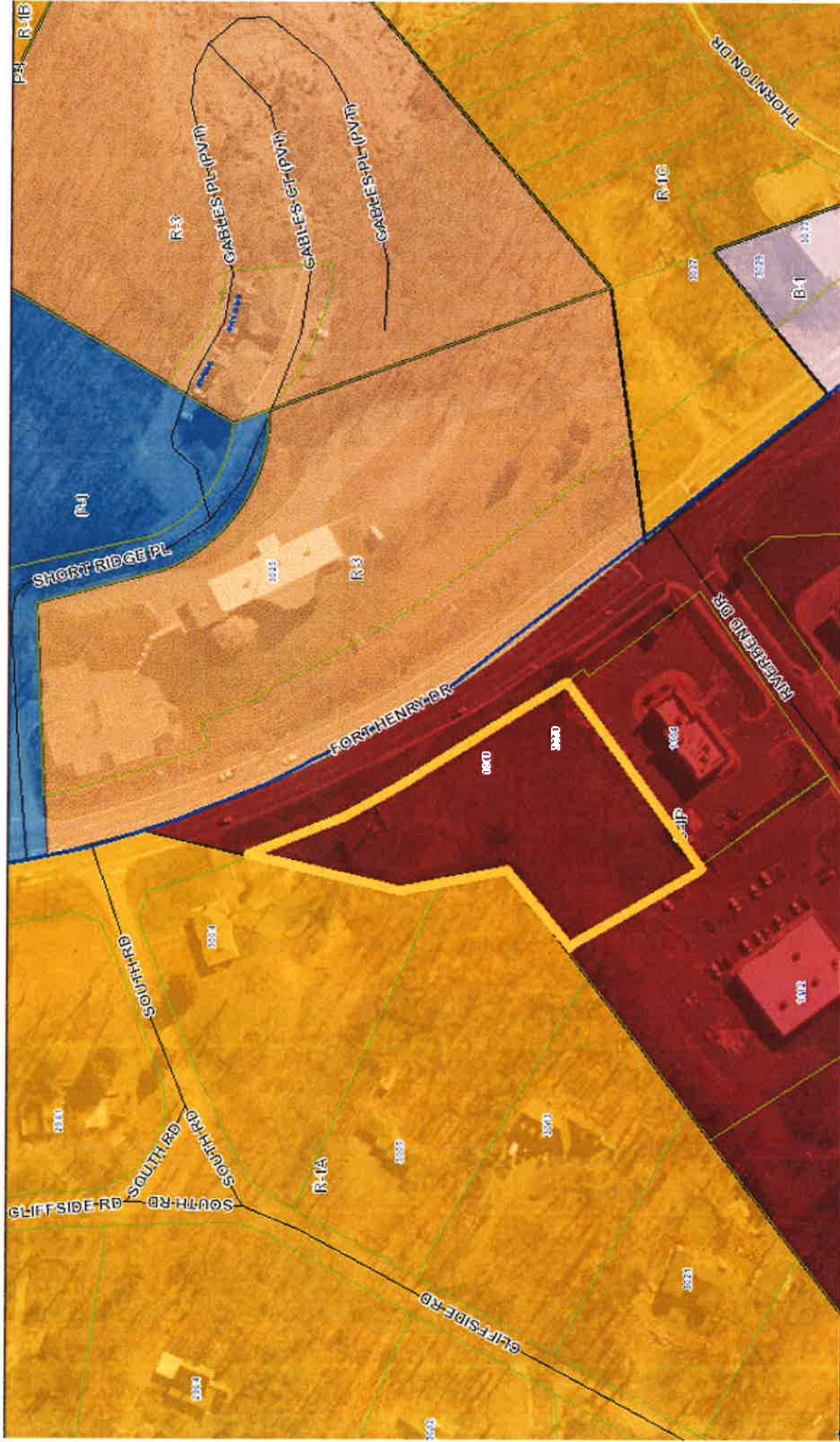
Case: 22-0170 – Property located at 3058 Fort Henry Drive, Control Map 77H, Group C, Parcel 001.00 requests a special exception for an institution for human care (dental office) to Sec 114-227. The property is zoned B-4P, Planned Business District.

Code references:

Sec. 114-227. - Special exceptions.

Permitted only with approval of board of zoning appeals: Helistops; institution for human care; open-air businesses such as plant sales, lawn furniture, playground equipment, and garden supplies; minor automobile repair centers; and parking lots and structures.

ArcGIS Web Map



7/19/2022, 3:28:35 PM

Lawrence County Parcels
 Land_Pond
 Parcel_Conflict
 Parcels

Sullivan County Parcels
 Land_Pond
 Parcel_Conflict
 Parcels

Washington County Parcels
 Land_Pond
 Parcel_Conflict
 Parcels

Railroad_ROW
 River
 Street_ROW
 Kot 911 Address

1:2,257

0 0.01 0.02 0.03 0.04 0.05 mi
 0 0.02 0.04 0.06 km

ArcGIS Web Map



7/19/2022 3:26:07 PM

Lawkins County Parcels

- Lake_Pond
- Parcel_Conflict
- Parcel

Sullivan County Parcels

- Lake_Pond
- Parcel_Conflict
- Parcel

Washington County Parcels

- Lake_Pond
- Parcel_Conflict
- Parcel

Railroad_ROW

- River

Street_ROW

- Parcel_Conflict

Parcel

- Parcel

Kat 911 Address

- Parcel

1 2 257

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0 0.02 0.04 0.08 km

BZA 22-0170

APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name HAGAN First ANDREW M.I. R Date 6/21/22
Street Address 5535 CHESTNUT HILLS DR. Apartment/Unit #
City Kingsport State TN ZIP 37664
Phone 423-571-2281 E-mail Address drhagan@kingsportdentist.com

PROPERTY INFORMATION:

Tax Map Information 077H "L" Tax map: Parcel: 001.00 Lot:
Street Address 3058 Fort Henry Drive Apartment/Unit #
Current Zone B-4P Proposed Zone Special Exemption for Dental Office
Current Use Vacant Proposed Use Dental Office and Counseling Office
(1 Building - Shared)

REPRESENTATIVE INFORMATION:

Last Name Davidson First Sophia M.I. B Date 6-24-22
Street Address 130 Regional Park Dr. Apartment/Unit #
City Kingsport State TN ZIP 37660
Phone 423.349.7760 E-mail Address sophia@grcinc.com

REQUESTED ACTION:

Special Exemption for Dental Office

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: 6/24/22

Signed before me on this 24th day of June, 2022,

a notary public for the State of Tennessee

County of Sullivan

Notary [Signature]

My Commission Expires 10/24/2023

CITY PLANNING OFFICE





TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: July 19, 2022

RE: 727 N Eastman Rd

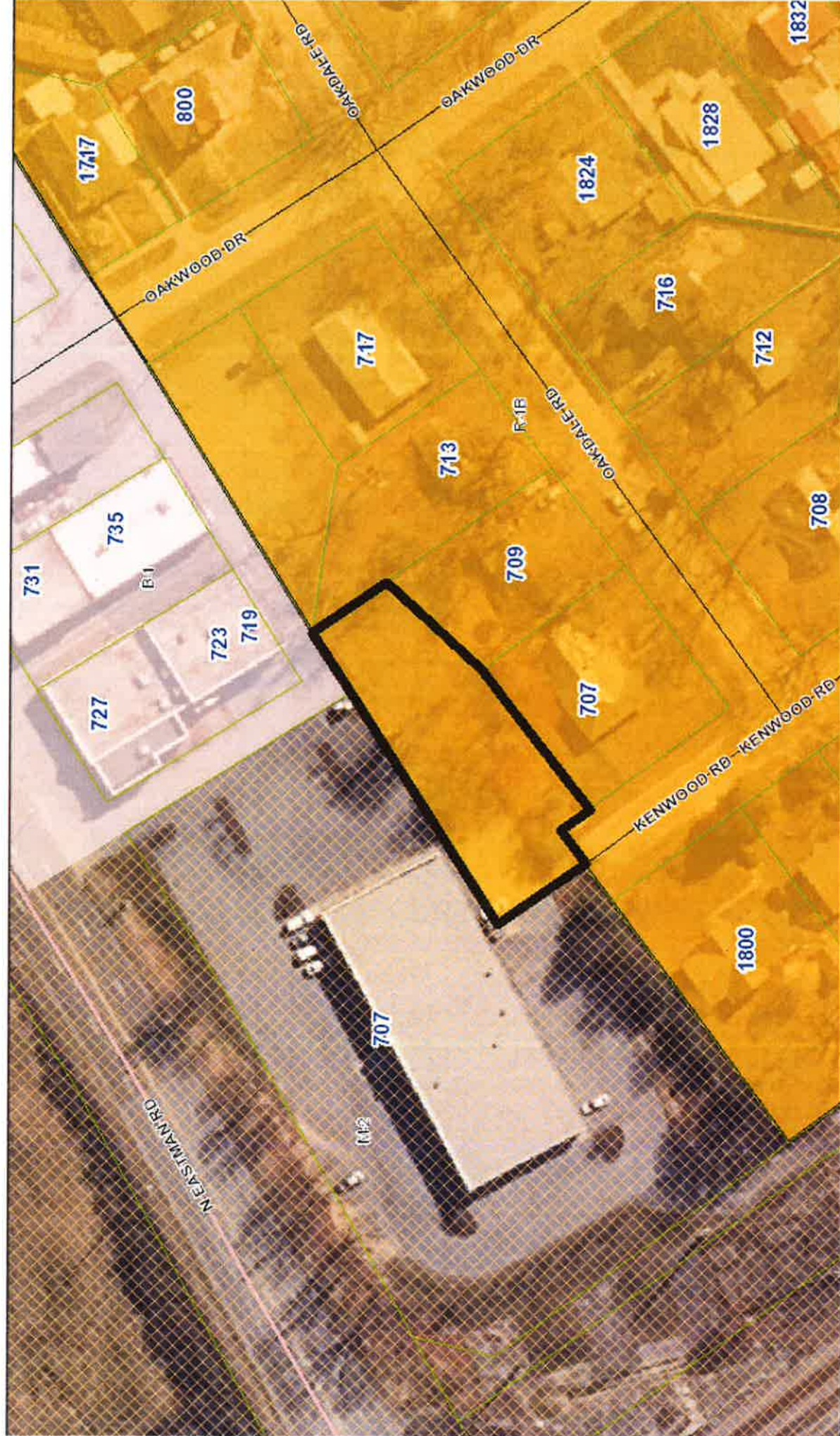
The Board is asked to consider the following request:

Case: 22-0171 – Property located at 727 N Eastman Road, Control Map 61K, Group A, Parcel 001.00 requests approval from the Board of Zoning Appeals to conduct non-residential parking in a residential zone to Sec 114-563(4). The property is zoned R-1B, Residential District.

Code references:

(4) Residential areas. Unless approval has been secured from the board of zoning appeals, no buses, trucks, heavy equipment or for sale vehicles shall be parked or stored in residential areas. Parking and loading requirements for business and industrial activities shall be met on land zoned for such activities, except that the board of zoning appeals may consider permitting such accessory uses on residentially zoned property if such can be effected without creating a public hazard or effectively reducing the value of adjoining residential properties. When permitted, the board shall require any necessary screening, landscaping, lighting, signing, access control or other physical design or operational restrictions that would help ensure the compatibility of the parking activities with adjoining residential activities.

ArcGIS Web Map



7/19/2022 3:30:48 PM

Hawkins County Parcels

Railroad_ROW

Lake_Pond

Parcel_Conflict

Parcels

River

Street_ROW

Parcel_Conflict

Parcels

Lake_Pond

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River

Street_ROW

Parcel_Conflict

Parcels

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ArcGIS Web Map



7/19/2022, 3:32:02 PM

☐ Hawkins County Parcels
☐ Lake_Pond
☐ Parcel_Conflict
☐ Parcels

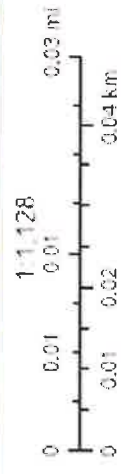
☐ Railroad_ROW
☐ River
☐ Street_ROW
☐ Parcels

☐ Sullivan County Parcels
☐ Lake_Pond
☐ Parcel_Conflict
☐ Parcels

☐ Railroad_ROW
☐ River
☐ Street_ROW
☐ Parcels

☐ Washington County Parcels
☐ Lake_Pond
☐ Parcel_Conflict
☐ Parcels

☐ Railroad_ROW
☐ River
☐ Street_ROW
☐ Kof 911 Address



~~ALCOA 22-04345~~
BZA 22-0171

APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name	Ripley	First	Richard	M.I.	O	Date	7/12/22
Street Address	1100 Industry Drive					Apartment/Unit #	
City	Kingsport	State	TN	ZIP	37660		
Phone			E-mail Address	roripley@gmail.com			

PROPERTY INFORMATION:

Tax Map Information	Tax map: 61-K "A"	Group:	Parcel: 1	Lot:		
Street Address	727 North Eastman Rd				Apartment/Unit #	
Current Zone			Proposed Zone			
Current Use			Proposed Use	Department of Human Services		
Vacant						

REPRESENTATIVE INFORMATION:

Last Name	Luttrell	First	Lana	M.I.	V	Date	7-12-22
Street Address	130 Regional Park Drive					Apartment/Unit #	
City	Kingsport	State	TN	ZIP	37660		
Phone	423-349-7760		E-mail Address	lana@grcinc.com			

REQUESTED ACTION:

Approval of new non-residential parking for the Department of Human Services

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: 7-13-22

Signed before me on this 13th day of July, 2022

a notary public for the State of Tennessee

County of Sullivan

Notary Renee Kleineick

My Commission Expires June 21, 2025





SCALE: 1" = 20'-0"

- ## SITE LAYOUT NOTES

1. FOR GENERAL PROJECT NOTES, SEE DRAWING G-01

2. UTILITY WORK SHALL BE COORDINATED w/ AUTHORITIES HAVING JURISDICTION

- [illegible]

3

NEW CHAIN-LINK FENCE

S33°40'E 51.12'

NEW CHAIN-LINK FENCE

S44°18'W 71.44'

P/4

PROPERTY BOUNDARY (TYP) EXIST. CHAIN-LINK FENCE

S56°20'W 100.00'

EXISTING GRASS (TYP)

N33°40'W 20.71'

NEW CHAIN-LINK FENCE

50' POLYWOOD ROAD

SANITARY SEWER EASEMENT

FUTURE GATE W/ CONTROL READER ACCESS

30' REAR SETBACK

NEG. GATE

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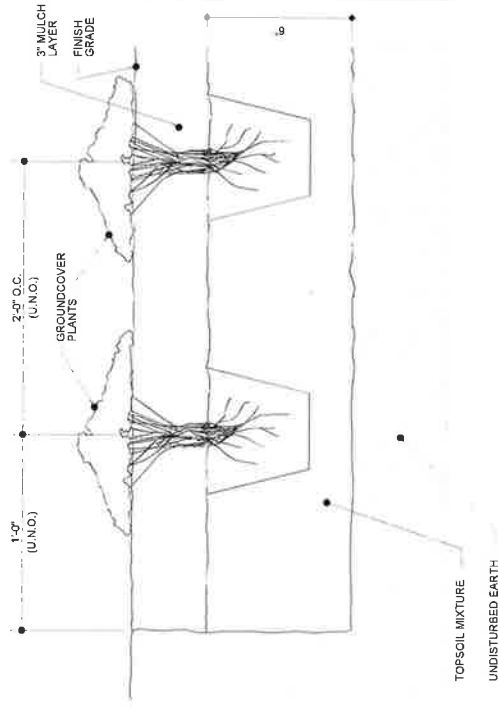
THIS DRAWING AS PREPARED
BY CainRashWest Architects
SHALL BE USED FOR THE
SPECIFIC IDENTIFIED PROJECT
ONLY. THIS DRAWING IS THE
PROPERTY OF CainRashWest
Architects AND SHALL BE
RETURNED PER THEIR REQUEST

[illegible]

issued	04/28/22
checked	WEST
drawn	SVL
project no.	202164

LANDSCAPE PLAN

SEE GENERAL NOTES AND NOTES
ON TREE PLANTING FOR ADDITIONAL
INFORMATION.

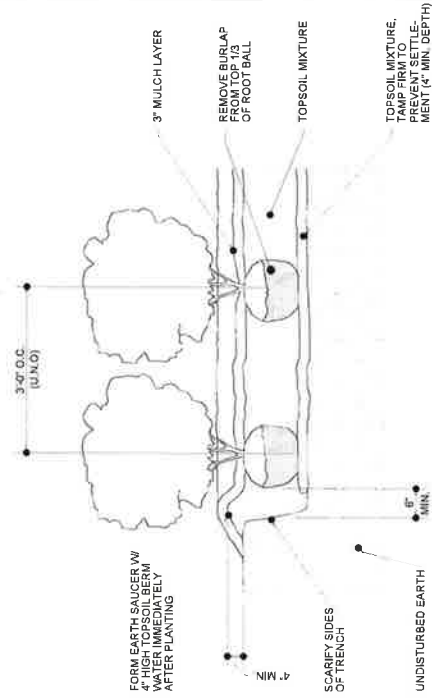


GROUND COVER PLANTING

NOT TO SCALE

4 L-12

SEE GENERAL NOTES AND NOTES
ON TREE PLANTING FOR ADDITIONAL
INFORMATION.

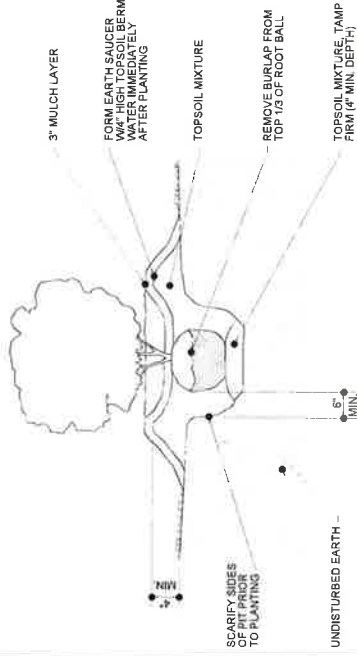


TRENCH PLANTING FOR SHRUBS

NOT TO SCALE

2 L-12

SEE GENERAL NOTES AND NOTES
ON TREE PLANTING FOR ADDITIONAL
INFORMATION.

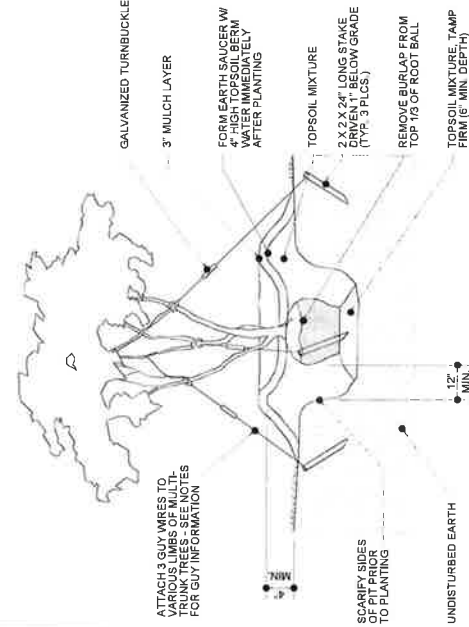


SHRUB PLANTING

NOT TO SCALE

3 L-12

SEE GENERAL NOTES AND NOTES
ON TREE PLANTING FOR ADDITIONAL
INFORMATION.



MULTI-TRUNKED TREE PLANTING

NOT TO SCALE

1 L-12



NO.	DATE	BY	DESCRIPTION
1	10/04/21	JT	FINAL REVISION



Revised	04/26/22
Checked	WEST
Drawn	SVL
Project No.	202154

LANDSCAPE
DETAILS

L-12

SEE GENERAL NOTES AND NOTES
ON TREE PLANTING FOR ADDITIONAL
INFORMATION.

CENTRAL LEADER SHALL
NOT BE CUT

GALVANIZED TURNBUCKLE-

GUY WIRES (3 PER TREE) -
SEE NOTES

TREE WRAPPING ON TRUNK -
SEE NOTES

- 3" MULCH LAYER

- FORM EARTH SAUCER W/
4" HIGH TOPSOIL BERM
WATER RUNOFF AFTER PLANTING

- TOPSOIL MIXTURE

- 2" X 2" X 24" LONG STAKE
DRIVEN 18" BELOW GRADE
(177- THREE PLACES)

- REMOVE BURLAP FROM
TOP 1/3 OF ROOT BALL

- TOPSOIL MIXTURE, TAMP
FIRM (6" MIN. DEPTH)

SCARIFY SIDES
OF PIT PRIOR
TO PLANTING

UNDISTURBED EARTH -

12"
MIN.

PLANTING FOR TREES OVER TO 3" CALIPER 2

NOT TO SCALE

SEE GENERAL NOTES AND NOTES
ON TREE PLANTING FOR ADDITIONAL
INFORMATION.

CENTRAL LEADER SHALL
NOT BE CUT

PRESSURE TREATED PINE
STAKE (TYP. 3 PLCS.)
DRIVE AT ANGLE AND
DRAW TO VERTICAL

- 3" MULCH LAYER

- FORM EARTH SAUCER W/
4" HIGH TOPSOIL BERM
WATER RUNOFF AFTER PLANTING

- TOPSOIL MIXTURE

- REMOVE BURLAP FROM
TOP 1/3 OF ROOT BALL

- STAKES SHALL CLEAR
BALL

- TOPSOIL MIXTURE, TAMP
FIRM (6" MIN. DEPTH)

GUY WIRES (3 PER TREE) -
SEE NOTES

TREE WRAPPING ON TRUNK -
SEE NOTES

SCARIFY SIDES OF PIT PRIOR
TO PLANTING

UNDISTURBED EARTH -

2'-0"
MIN.

12"
MIN.

PLANTING FOR TREES UP TO 3" CALIPER 1

NOT TO SCALE

Richard O. Ripley &
Department of
Human Services
A New Facility for
777 North Easman Road - Kingport, Tennessee 37664

**Cain
Rash
West**

Architects

130 Regional Park Dr.
Kingport, TN 37660
Phone: (423) 398-2400
Fax: (423) 398-2413
www.crc.com

THIS DRAWING IS PREPARED
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USE OF THIS DRAWING FOR ANY
OTHER PROJECT.

DATE	BY	REVISION
1	10/04/11	11/11/11



Issued	04/28/22
Checked	WEST
Drawn	SVL
Project No.	202184

LANDSCAPE
DETAILS

L-13



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: July 19, 2022

RE: 122 Shady View Rd

The Board is asked to consider the following request:

Case: 22-0172 – Property located at 122 Shady View Road, Control Map 091A, Group C, Parcel 009.00 requests a 10 foot front yard variance to Sec 114-183(e)1(c) and a 13.79 foot rear yard variance to Sec 114-183(e)1(e) for the purpose of locating a new house on the property. The property is zoned R-1B, Residential District.

Code references:

(e)Dimensional requirements. The minimum and maximum dimensional requirements for the R-1B district are as follows:

(1)Minimum requirements.

a.Lot area, 7,500 square feet.

b.Lot frontage, 50 feet.

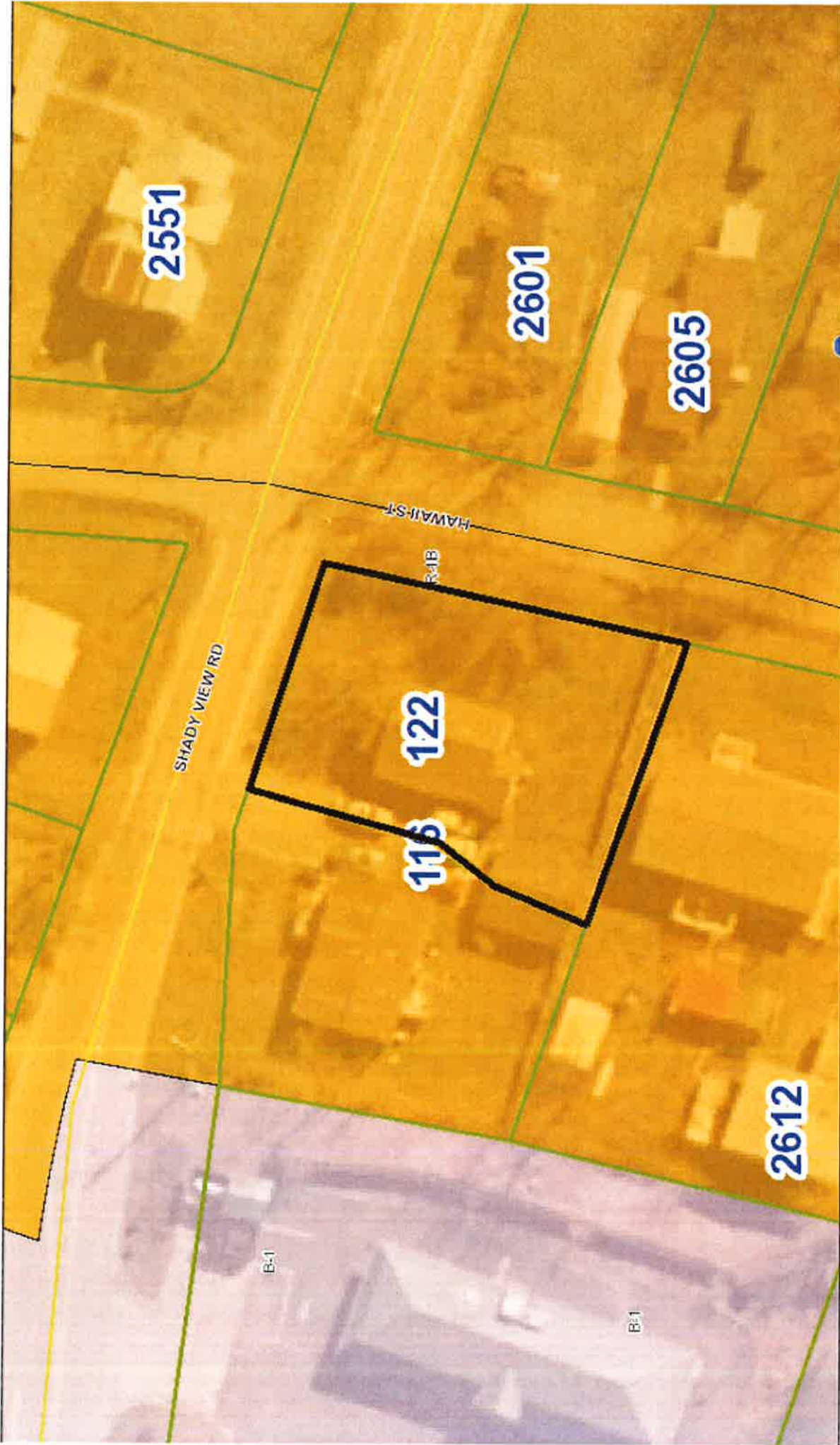
c.Front yard, 30 feet.

d.Each side yard, eight feet.

e .Rear yard, 30 feet.

f.Usable open space, not applicable.

ArcGIS Web Map



7/19/2022 3:35:21 PM

Hawkins County Parcels

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

Lake_Pond

Parcel_Conflict

Parcels

0 0.01 0.02 0.03 mi

0 0.01 0.02 0.03 km

0 0.01 0.02 0.03 mi

0 0.01 0.02 0.03 km

0 0.01 0.02 0.03 mi

Web AppBuilder for ArcGIS

ArcGIS Web Map



7/19/2022, 3:34:36 PM

- Hawkins County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels
- Railroad_ROW
- River
- Street_ROW
- Washington County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels
- Railroad_ROW
- River
- Street_ROW
- Kat 911 Address



APPLICATION
Board of Zoning Appeals

BZA 22-0172



APPLICANT INFORMATION:

Last Name	Hardin	First	Sandra	M.I.		Date	7/12/22
Street Address	336 Bullis Rd			Apartment/Unit #			
City	Kingsport	State	TN	ZIP	37663		
Phone	423-817-3194			E-mail Address grumpybear53@outlook.com			

PROPERTY INFORMATION:

Tax Map Information	Tax map:	Group:	Parcel:	Lot:			
Street Address	122 Shady View Rd Kingsport, TN 37660			Apartment/Unit #			
Current Zone	Proposed Zone						
Current Use	Proposed Use						

REPRESENTATIVE INFORMATION:

Last Name	Hardin	First	Sandra	M.I.		Date	
Street Address	336 Bullis Rd			Apartment/Unit #			
City	Kingsport	State	TN	ZIP	37663		
Phone	423-817-3194			E-mail Address grumpybear53@outlook.com			

REQUESTED ACTION:

Asking for A zoning compliance for 28x60

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.

Sandra Hardin

Signature:

07/13/22

Date:

Signed before me on this 13th day of July, 2022,

a notary public for the State of Tennessee

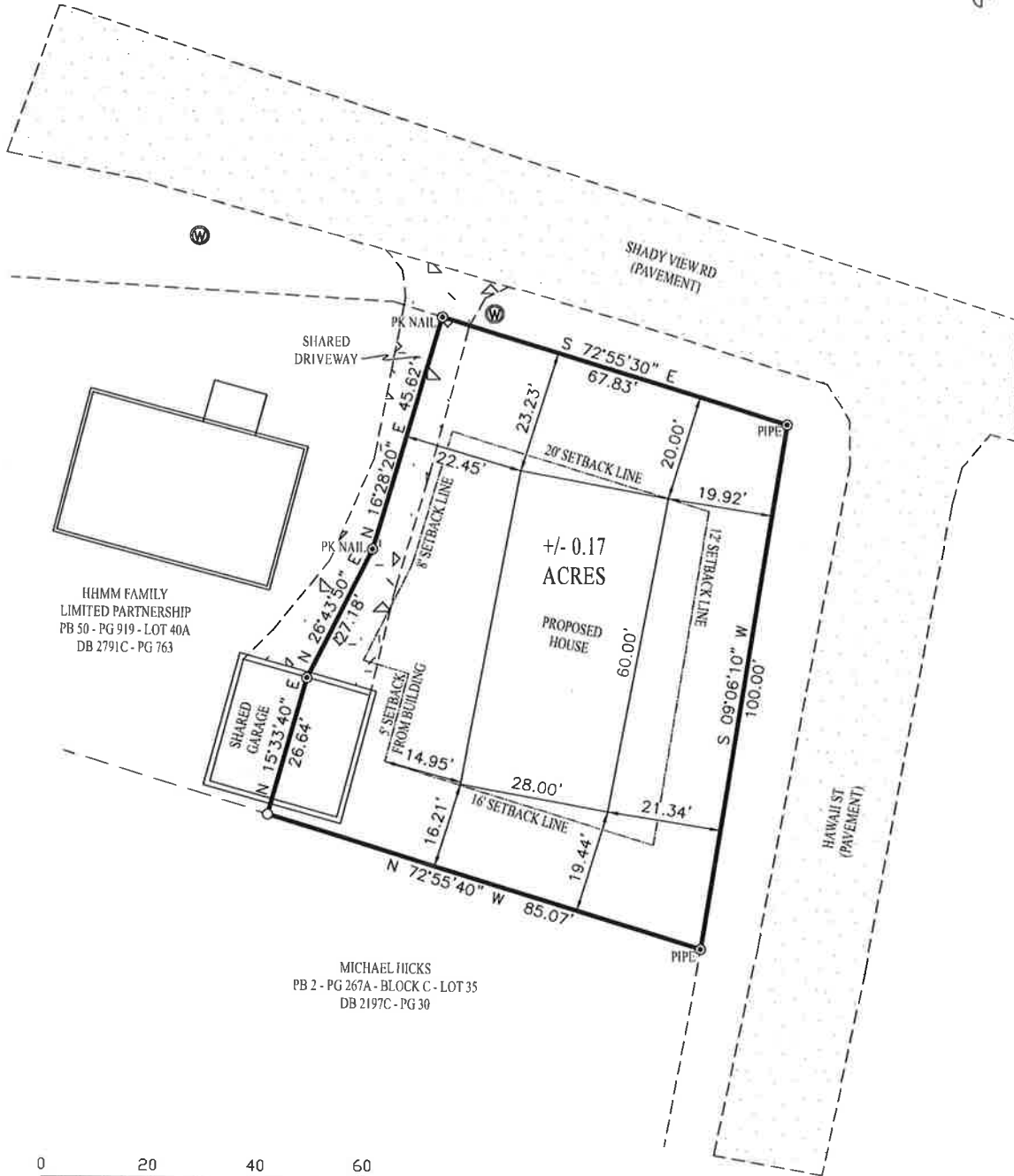
County of Sullivan

Notary Debra Lynn Myers

My Commission Expires 09-25-2022



My Commission Expires
Sep. 25, 2022



BOUNDARY IS BASED ON A CURRENT FIELD SURVEY

SURVEY FOR: SANDRA HARDIN		
Date 07-07-2022	File:HRDN-S.DWG Drawn By: CAG	Scale: 1" = 20'
Thirteenth (13th) Civil District		Sullivan County, TN
Culbertson Surveying P.O. Box 190, Nickelsville VA 24271 (276) 479-3093		Drawing Number 7708

Legend

- denotes Rebar Found
- denotes Rebar Set
- ⊙ denotes Calculated Point Unless otherwise Noted
- denotes Highway Marker
- ▲ denotes RailRoad Spike
- ⊕ denotes Water Meter

Notes

1. Deed Reference: DB 3482 - PG 1595
2. TAX MAP: 091A C 009.00
3. PLAT REFERENCE: PB 50 - PG 919 - LOT 40B



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: July 19, 2022

RE: 101 Old Castle Rd

The Board is asked to consider the following request:

Case: 22-0173 – Property located at 101 Old Castle Road, Control Map 22L, Group D, Parcel 033.00 requests a 133 foot departure from rear yard variance to Sec 114-133(1) for the purpose of building a carport in the front yard. The property is zoned R-1A, Residential District.

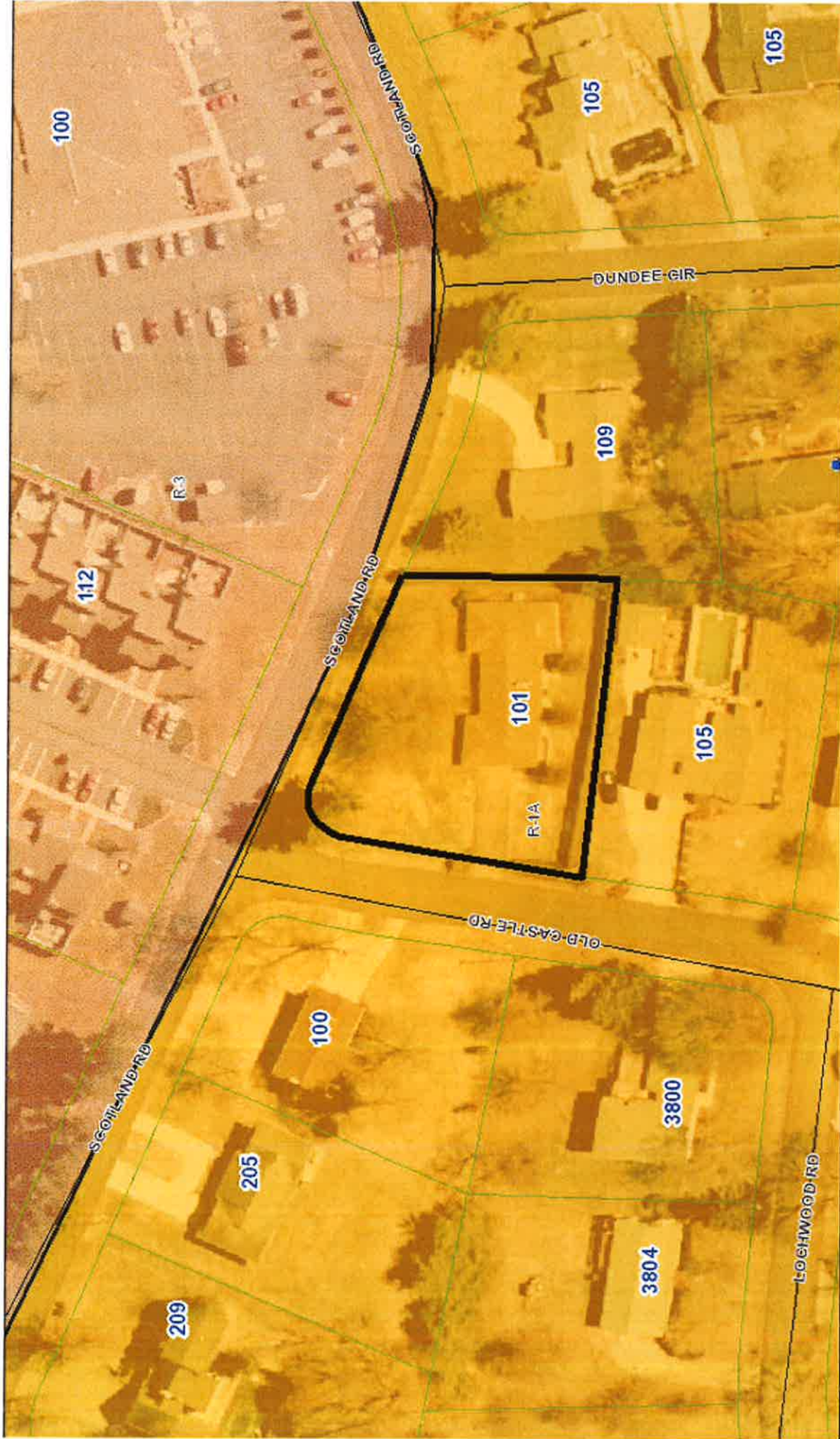
Code references:

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



7/19/2022, 3:59:26 PM

- ☐ Hawkins County Parcels
- ☐ Railroad_ROW
- ☐ Lake_Pond
- ☐ River
- ☐ Parcel_Conflict
- ☐ Street_ROW
- ☐ Parcels
- ☐ Sullivan County Parcels
- ☐ Railroad_ROW
- ☐ Lake_Pond
- ☐ River
- ☐ Parcel_Conflict
- ☐ Street_ROW
- ☐ Parcels
- ☐ Washington County Parcels
- ☐ Railroad_ROW
- ☐ Lake_Pond
- ☐ River
- ☐ Parcel_Conflict
- ☐ Street_ROW
- ☐ Parcels
- ☐ Kpt 911 Address

ArcGIS Web Map



7/19/2022, 4:00:22 PM

- Township County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels
- Railroad_ROW
- River
- Street_ROW
- Washington County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels
- Railroad_ROW
- River
- Street_ROW
- Kpt 911 Address



APPLICATION
Board of Zoning Appeals



B7A 22-0173

APPLICANT INFORMATION:

Last Name SALYER First JERRY M.I. W Date 7/13/2022
Street Address 101 Old Castle Rd Apartment/Unit #
City Kingsport State TN ZIP
Phone 423.245.6044 E-mail Address spyder1@gmail.com

PROPERTY INFORMATION:

Tax Map Information Tax map: 22L Group: D Parcel: 33 Lot: 7
Street Address 101 Old Castle Rd Apartment/Unit #
Current Zone R-1A Proposed Zone N/A
Current Use SINGLE FAMILY Proposed Use NO CHANGE

REPRESENTATIVE INFORMATION:

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

REQUESTED ACTION:

(133A) DEPARTURE FROM REAR YARD VARIANCE FOR THE PURPOSE OF CONSTRUCTING A DETACHED GARAGE.

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:

7/14/2022

Signed before me on this 14th day of July, 2022,

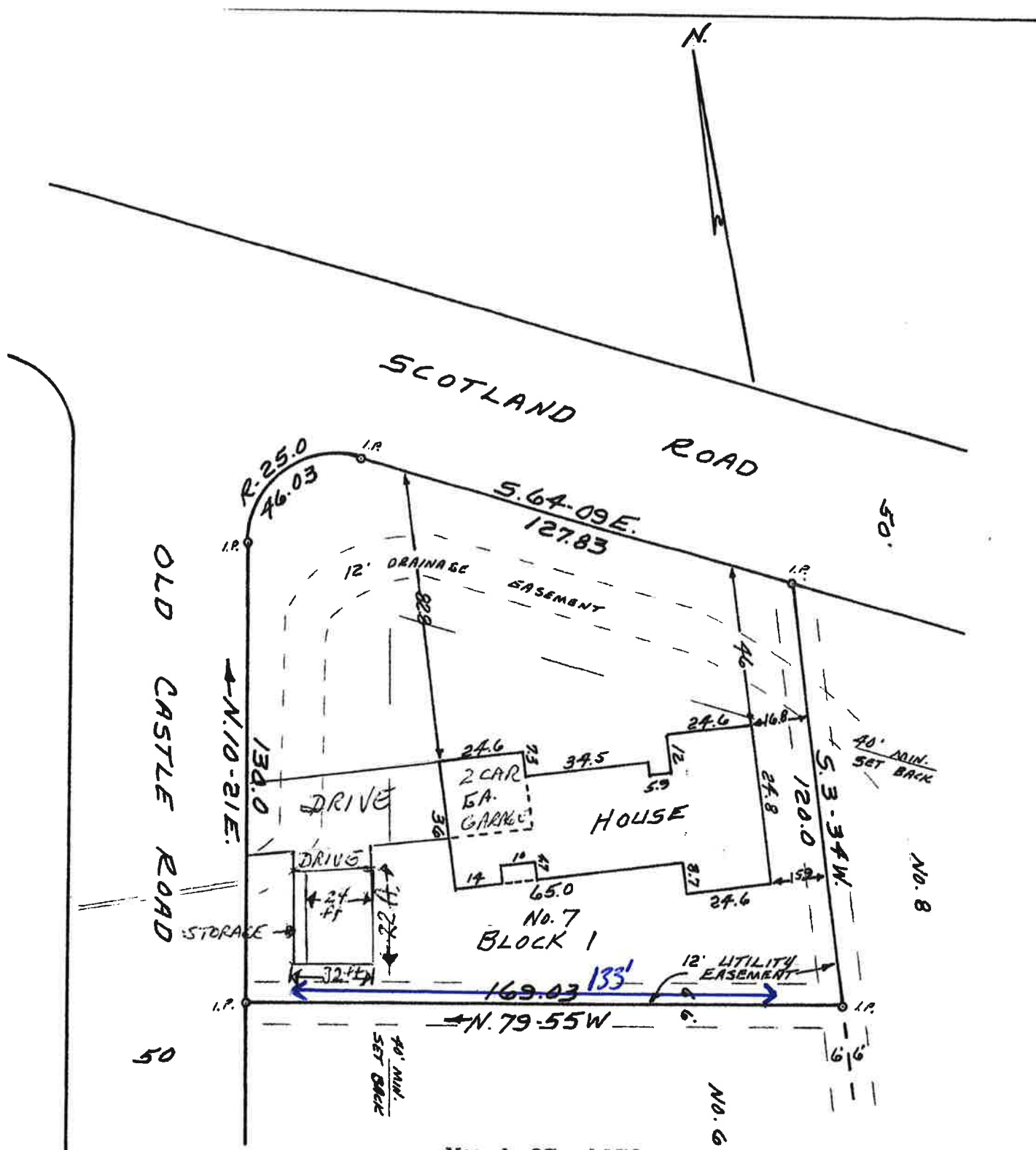
a notary public for the State of Tennessee

County of Sullivan

Notary Andrea Benabe Sanchez

My Commission Expires 08-31-2025



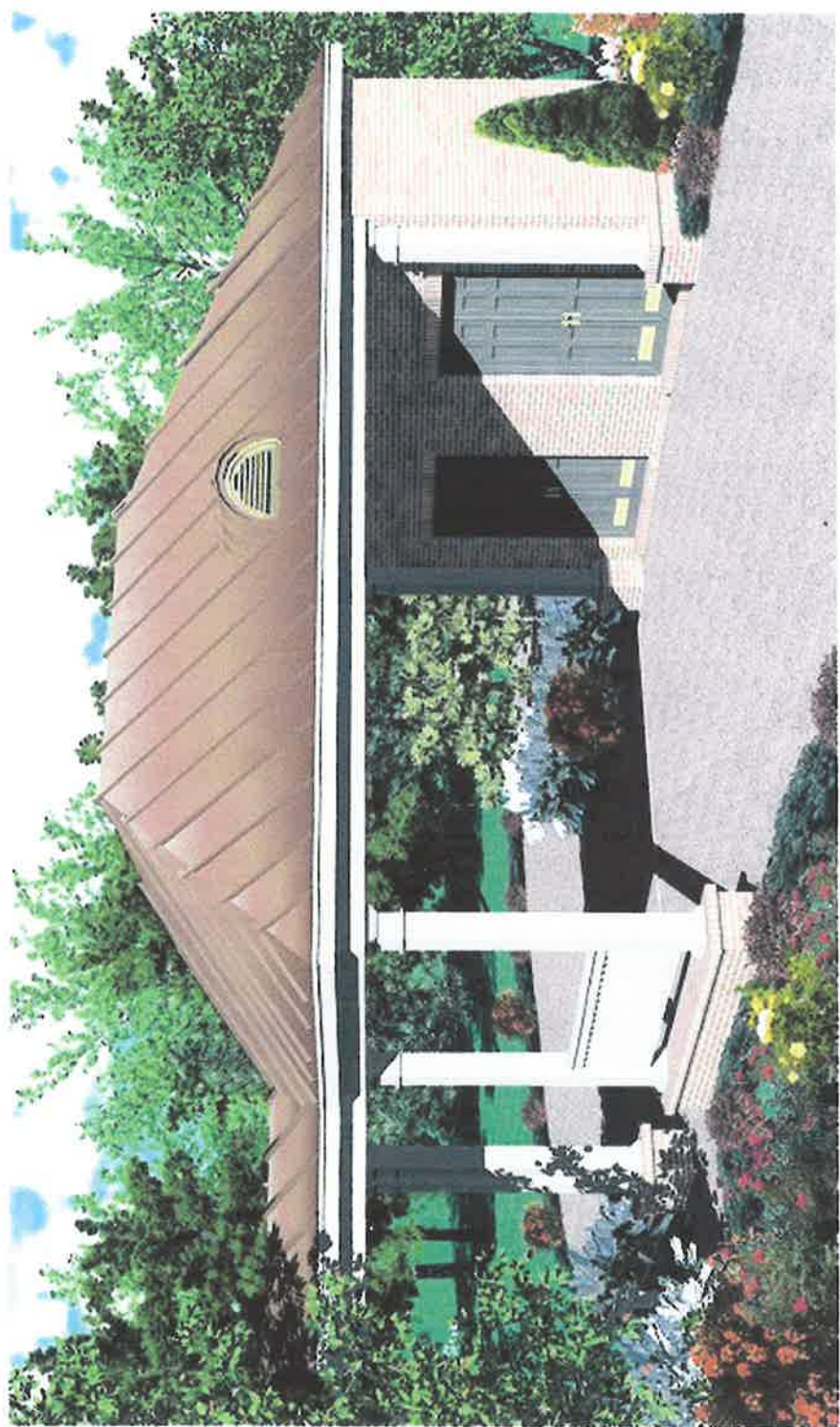


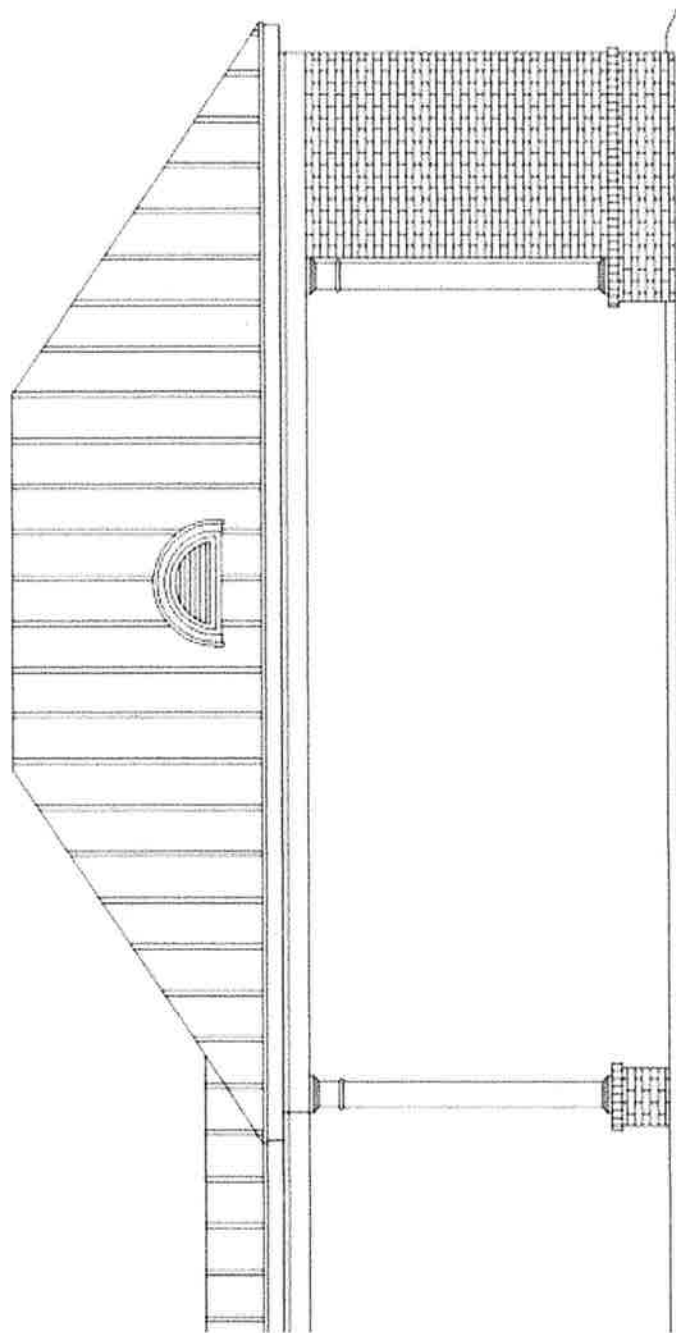
March 27, 1973
 Map of John C. Mayo
 and wife, Sandra M. Mayo
 property, being Lot No. 7
 in Block 1, Rotherwood
 Hills Subdivision in the
 7th Civil District of
 Hawkins County, Tennessee
 Scale 1 in.-40 ft.

Freddie D. Alley - Surveyor
 Kingsport, Tennessee

House added 6-14-73
 For-Kingsport Federal Savings & Loan Assn.

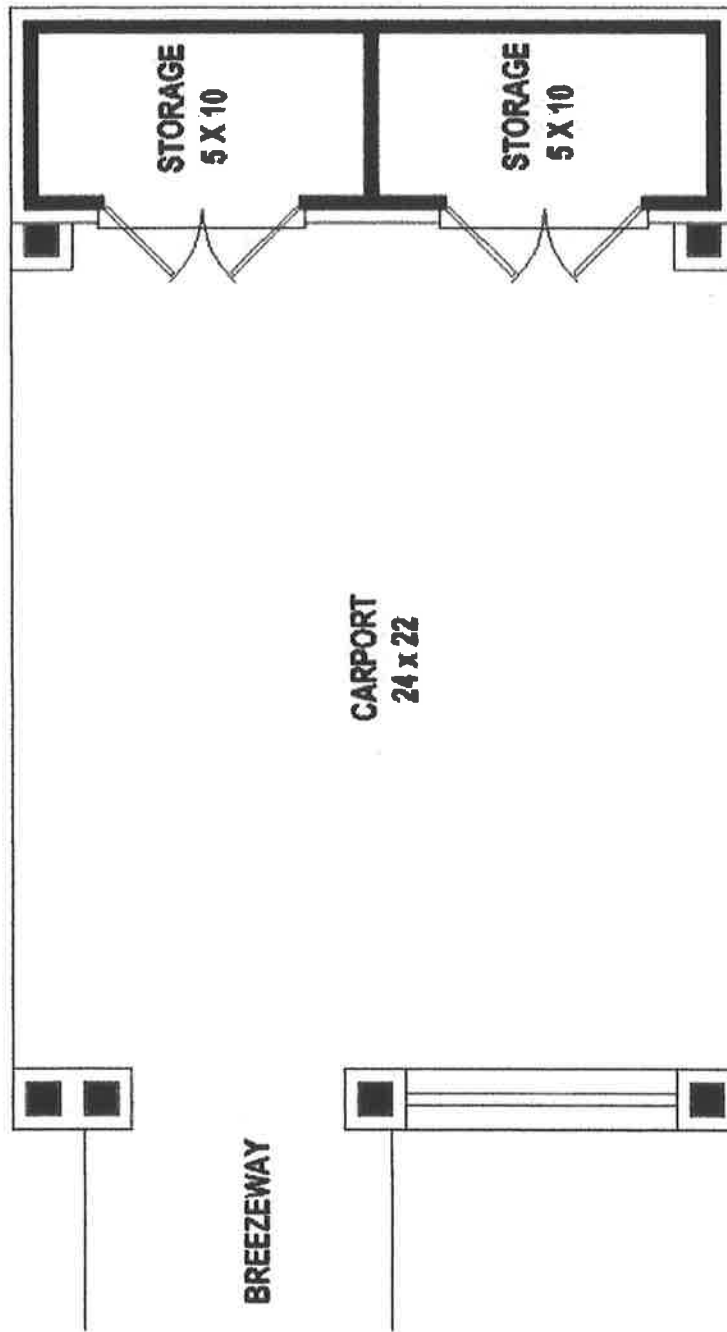






32-2

22-0



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 existing conditions when I acquired the home, there is only a 16ft rear yard available for my carport. Surrounding homes have much larger rear yards.

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

Denial of a variance would prevent accessory structure construction.

- 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 house location was existing when I acquired 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.

Permitting the variance will allow carport construction typical of a single family 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.



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: July 19, 2022

RE: 2000 Harrell Rd

The Board is asked to consider the following request:

Case: 22-0174 – Property located at 2000 Harrell Road, Control Map 046F, Group A, Parcel 006.10 requests an automobile parking space reduction of 52 spaces to Sec 114-564(4)q. The property is zoned B-3, Highway Oriented Business District.

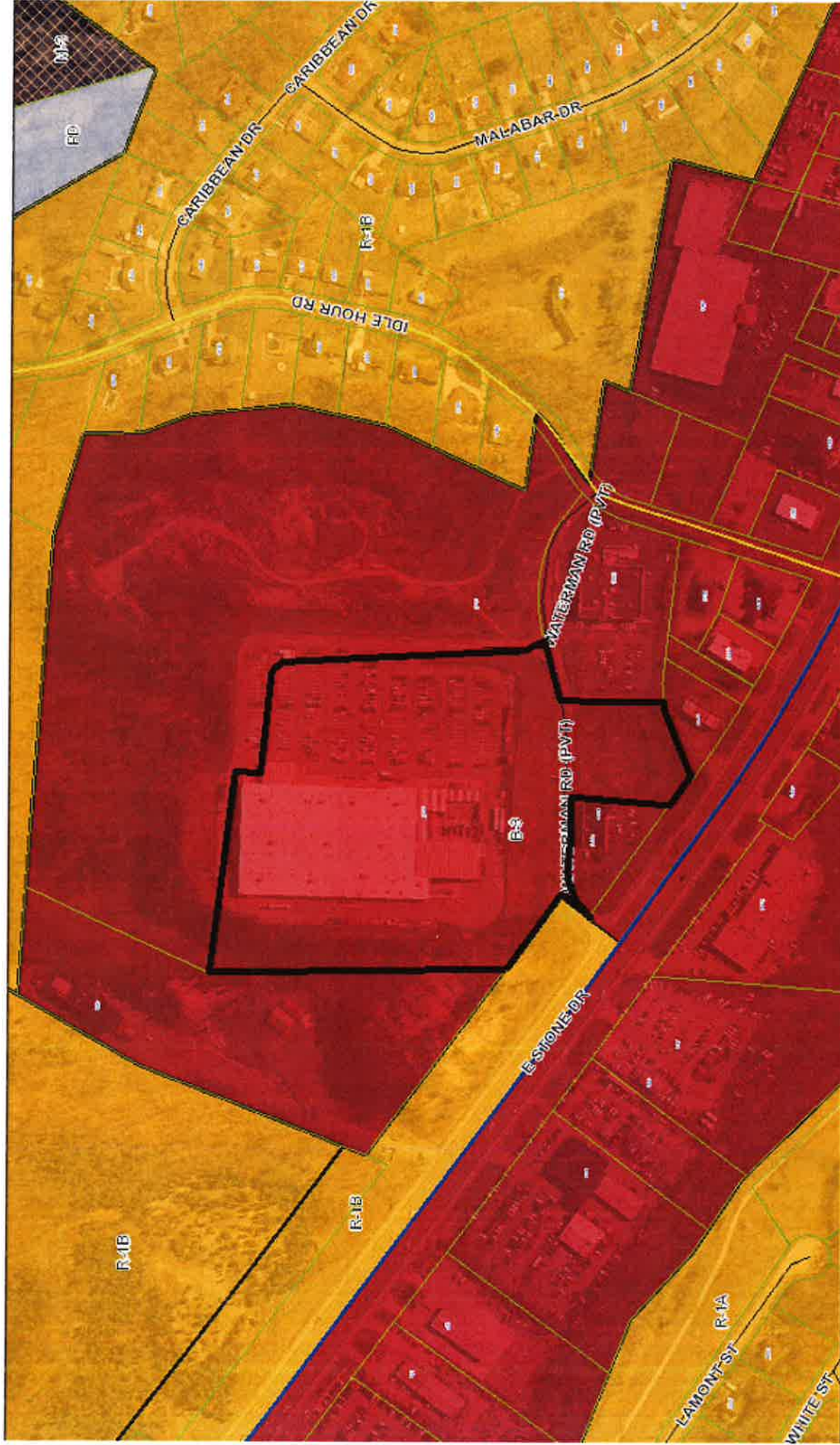
Code references:

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.

For zoning conformance purposes, the reduction variance covers the parking that is being either removed or repurposed per the application. It is understood that the parking as it is on the site today conforms to the zoning requirements at the time of construction.

ArcGIS Web Map



7/19/2022 3:56:47 PM

Lawkins County Parcels

- Lake_Pond
- Parcel_Conflict
- Parcel5

Sullivan County Parcels

- Lake_Pond
- Parcel_Conflict
- Parcel5

Washington County Parcels

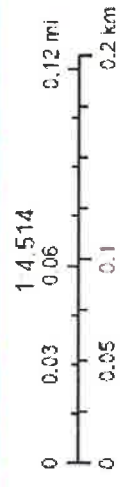
- Lake_Pond
- Parcel_Conflict
- Parcel5

Railroad_ROW

- River

Street_ROW

- Kat 911 Address

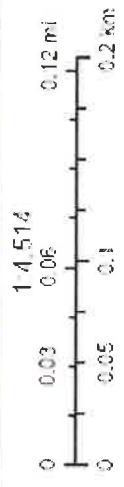


ArcGIS Web Map



7/19/2022 3:58:11 PM

- | | | | | | |
|---|---------------------------------------|--|---------------------------------------|--|---------------------------------------|
| <input type="checkbox"/> Hawkins County Parcels | <input type="checkbox"/> Railroad_ROW | <input type="checkbox"/> Sullivan County Parcels | <input type="checkbox"/> Railroad_ROW | <input type="checkbox"/> Washington County Parcels | <input type="checkbox"/> Railroad_ROW |
| <input type="checkbox"/> Lake_Pond | <input type="checkbox"/> River | <input type="checkbox"/> Lake_Pond | <input type="checkbox"/> River | <input type="checkbox"/> Lake_Pond | <input type="checkbox"/> River |
| <input type="checkbox"/> Parcel_Conflict | <input type="checkbox"/> Street_ROW | <input type="checkbox"/> Parcel_Conflict | <input type="checkbox"/> Street_ROW | <input type="checkbox"/> Parcel_Conflict | <input type="checkbox"/> Street_ROW |
| <input type="checkbox"/> Parcels | <input type="checkbox"/> Parcels | <input type="checkbox"/> Parcels | <input type="checkbox"/> Parcels | <input type="checkbox"/> Parcels | <input type="checkbox"/> Parcels |
- ☐ Kat 911 Address



BZA22-0174

APPLICATION

Board of Zoning Appeals

**APPLICANT INFORMATION:**

Last Name Yelder	First George	M.I.	Date 07/12/2022
Street Address 2455 Paces Ferry Rd SE		Apartment/Unit #	
City Atlanta	State GA	ZIP 30339	
Phone 678-231-1688	E-mail Address george_yelder@homedepot.com		

PROPERTY INFORMATION:

Tax Map Information		Tax map: 046F Group: A Parcel: 006.10 Lot: 1&2	
Street Address 2000 Harrell Rd, Kingsport, TN 37660		Apartment/Unit #	
Current Zone B3	Proposed Zone B3		
Current Use Home improvement retail store	Proposed Use Home improvement retail store		

REPRESENTATIVE INFORMATION:

Last Name Corbitt	First Jordan	M.I.	Date 07/12/2022
Street Address 11720 Amber Park Drive, Suite 600		Apartment/Unit #	
City Alpharetta	State GA	ZIP 30009	
Phone 770-545-6103	E-mail Address jordan.corbitt@kimley-horn.com		

REQUESTED ACTION:

Home Depot is proposing to construct an approximate 4,800 SF building expansion on the northern side of their existing building for a new Tool Rental Center (TRC) and storage room. To maintain the required fire lane access around the perimeter of the building, all 33 parking spaces along the northern portion of the building must be removed. Additionally, Home Depot would like to reserve up to 19 existing parking spaces for storage of rental equipment and vehicles. Therefore, this request is to reduce the total parking provided on site, including the 19 existing spaces being reserved for the rental uses, to 481 spaces. Due to existing topography around the perimeter of the site and fire code requirements for access, there is no ability to construct additional parking spaces to make up the difference in what is currently being provided on site, or to meet the current zoning requirement.

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.

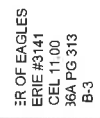
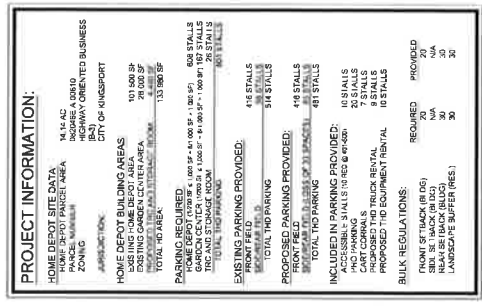
Signature:

Date: 07/14/2022

Signed before me on this 14th day of July, 2022
 a notary public for the State of Georgia
 County of Cobb

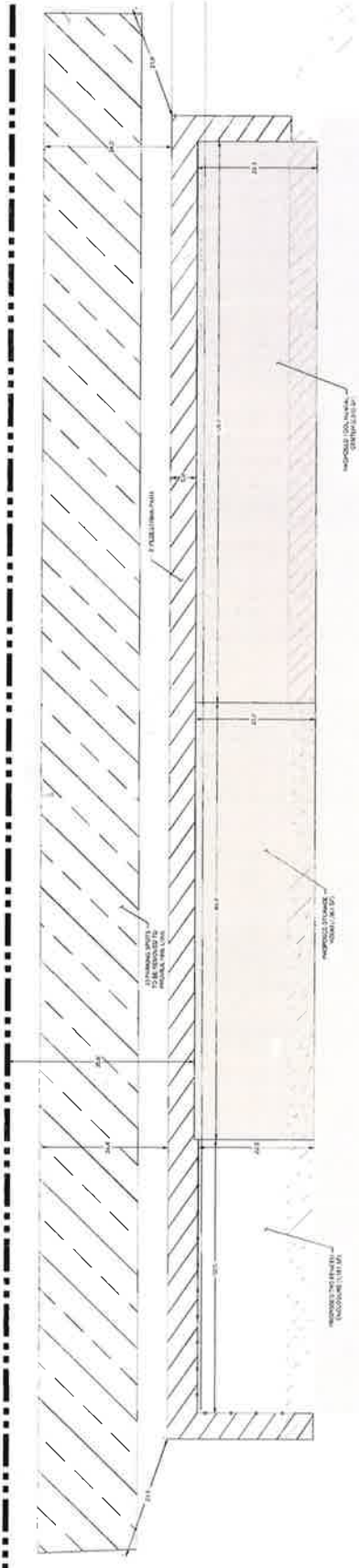
Notary Ivelisse Guadalupe
 My Commission Expires 03/06/2023







BUILDING FFE 1276.42'



THE HOME DEPOT
USA, INC.
ATLANTA, GA 30303
PHONE 770.340.2000



Kimley-Horn
Engineering & Architecture
1775 ALABAMA AVE. S.W.
ATLANTA, GA 30333
PHONE 404.525.1000
WWW.KIMLEY-HORN.COM

BOUNDARY & TOPO SURVEY
 MAP 46F, PARCEL 6.10
 200 HARRILL RD. - KINGSFORD
 SULLIVAN CO., TN
 FOR: KIMLEY-HORN & ASSOCIATES

1 2

APR	6256 226 003	6257 214 003	6258 202 003
MAY	6259 176 714	6260 164 714	6261 152 714
JUN	6262 106 426	6263 094 426	6264 082 426
JUL	6265 036 137	6266 024 137	6267 012 137
AUG	6268 376 072	6269 364 072	6270 352 072
SEP	6271 306 384	6272 294 384	6273 282 384
OCT	6274 236 096	6275 224 096	6276 212 096
NOV	6277 166 808	6278 154 808	6279 142 808
DEC	6280 096 520	6281 084 520	6282 072 520

PRODUCT CONTROL, TENNESSEE STATE LABORATORY
 MAGNETICALLY COPIED COPY 7 REVISED, MAR 2004

GRAPHIC SCALE: F = 100

Curve #	Length	Station	Start	Chord Distance	chord Length
C1	16.80	402.24	1+11.25	402.34 (351.55)	16.20
C2	68.32	461.10	1+80.35	517.22 (359.6)	67.60
C3	46.51	507.61	1+126.85	546.24 (375)	45.80
C4	53.89	551.46	1+180.75	597.28 (375)	53.20

Line #	Length	Comment
1.1	0.40	13.472244V
1.2	10.00	62.13470V
1.3	10.12	107.3477V
1.4	26.29	278.7870V
1.5	121.26	67.54120V
1.6	16.97	148.2218V
1.7	16.29	108.1120V

WVA
WILSON & ASSOCIATES, P.C.
Environmental Survey & Remedial
108 Beasley Drive
Franklin, TN 37064
615.794.2275

VICINITY MAP
NOT TO SCALE

GENERAL NOTES

- [illegible]

LEGEND

- | ITEM NO. | DESCRIPTION | QTY | UNIT | PRICE | TOTAL | REMARKS |
|----------|------------------|-----|------|-------|-------|---------|
| 1 | IRON PIN FOUND | 1 | PC | 1.00 | 1.00 | |
| 2 | PLASTER POINT | 1 | PC | 1.00 | 1.00 | |
| 3 | TRUSS POST FOUND | 1 | PC | 1.00 | 1.00 | |
| 4 | IRON PIN FOUND | 1 | PC | 1.00 | 1.00 | |
| 5 | CONC. MIX. RT | 1 | PC | 1.00 | 1.00 | |
| 6 | CONC. MIX. RT | 1 | PC | 1.00 | 1.00 | |
| 7 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 8 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 9 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 10 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 11 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 12 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 13 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 14 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 15 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 16 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 17 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 18 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 19 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 20 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 21 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 22 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 23 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 24 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 25 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 26 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 27 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 28 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 29 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 30 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 31 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 32 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 33 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 34 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 35 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 36 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 37 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 38 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 39 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 40 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 41 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 42 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
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| 50 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 51 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
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| 53 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 54 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 55 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 56 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 57 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 58 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 59 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 60 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 61 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 62 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 63 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 64 | IRON FOUND | 1 | PC | 1.00 | 1.00 | |
| 65 | IRON FOUND | 1 | PC | 1.00 | 1.0 | |

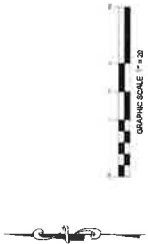
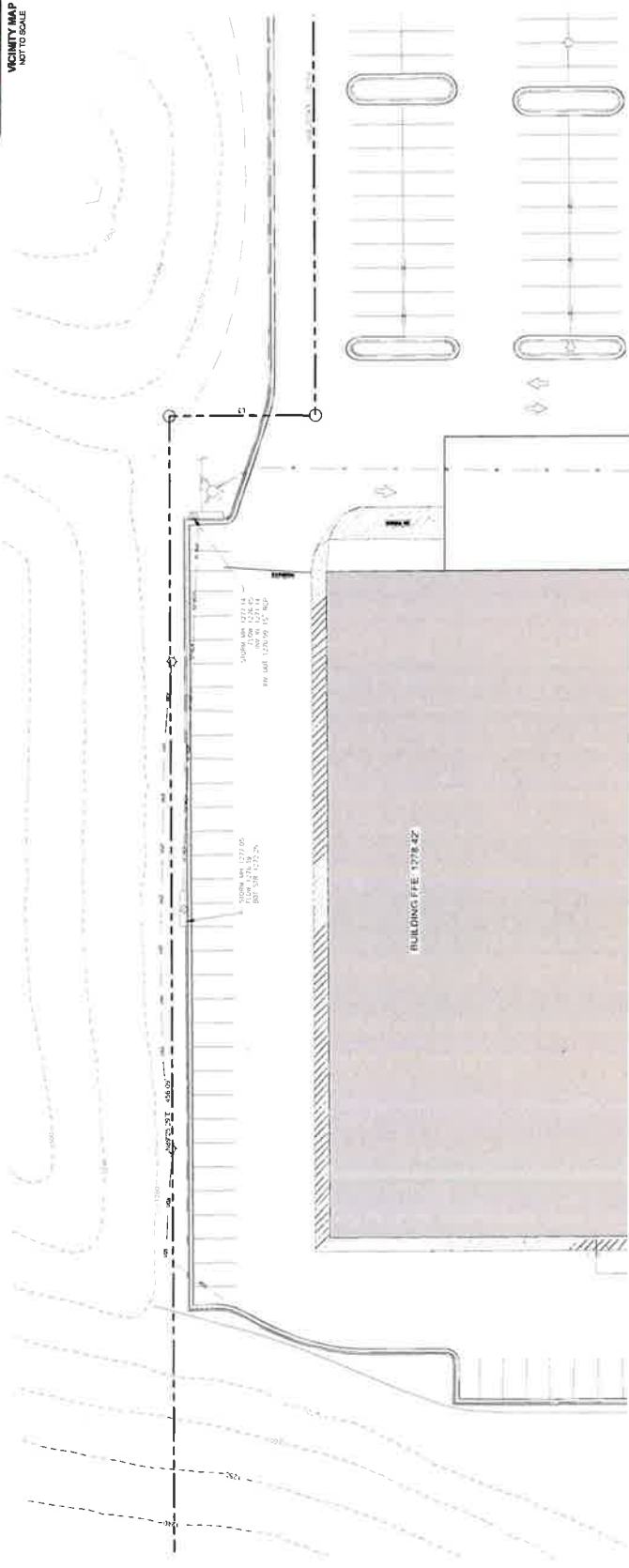
NO. DATE	COMMENTS



WILSON & ASSOCIATES, P.C.
 108 Beasley Drive
 Franklin, TN 37064
 615.794.2275

BOUNDARY & TOPO SURVEY
 MAP 46F, PARCEL 6.10
 200 HARBELL RD - KINGSPORT
 SULLIVAN CO., TN
 FOR: KIMLEY-HORN & ASSOCIATES

SHEET No. **1 of 2**
 SCALE: AS SHOWN
 DATE: 11/14/14
 DRAWN BY: AL
 CHECKED BY: JH
 APPR'D BY: JH



LEGEND	
IRON PIN FOUND FLASHED POT FOUND FENCE POST SET CONC MON FOUND Rwy to UNKNOWN POINT	BENCH MARK WATER METER FIRE HYDRANT SANITARY SEWER IN SANITARY SEWER OUT AREA DRAIN STORM IN
ELECTRIC METER BOX ELECTRIC POLE UTILITY POLE GAS ANCHOR COMMUNICATION POLE COMMUNICATION MANHOLE GAS VALVE	EVERGREEN TREE DECIDUOUS TREE HANDICAP PARKING TURN LANE MARKING MAIL BOX CEMETERY SANITARY SEWER MANHOLE
INLAND EASEMENT OVERHEAD BLDG COMMUNICATIONS BOUNDARY CENTERLINE FENCE WATER FEATURE TREE LINE	RIGHT-OF-WAY EASEMENT BOUNDARY CENTERLINE FENCE WATER FEATURE TREE LINE

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

June 2, 2022, Regular Meeting

Noon

City Hall Council Room

Members Present:

Bill Sumner

Joe White

Tracey Cleek

Members Absent:

Calvin Clifton

Staff Present:

Ken Weems, AICP

Page Jeffers

Visitors:

George Foehringer

Michelle Foehringer

Patricia Mallicote

Don Kincaid

Pamela Kincaid

Cara Smoetter

Aaron Sims

Aaron Duffy

Andi Lewis

Dan Jackson

Janis Jackson

Jessica Sims

Jeff Webber

Craig Dunworth

Julie Dunworth

Michelle DeVault

Chairman Sumner called the meeting to order.

Chairman Sumner explained the meeting procedures.

Ms. Page Jeffers conducted the swearing in ceremony for those wishing to speak during the regular meeting. All wishing to speak were sworn in.

Public Hearing:

Case: 22-0093 – Property located at 1016 Timberidge Trail, Control Map 22E, Group F, Parcel 034.00 requests a case of administrative review of the zoning administrator's decision regarding a vehicle parked at 1016 Timberidge Trail to Sec 114-563(4). The property is zoned R-1B, Residential District.

Mr. Craig Dunworth presented the case to the Board. Mr. Dunworth referenced the actions of the code enforcement department and how they improperly served him with a violation. Mr. Dunworth referenced the definition of a truck from a portion of city code other than the zoning code, and how by that definition the truck being parked at his residence is not a zoning violation. Mr. Dunworth spoke to the specifications of the truck in question, referencing that some Ford trucks can haul more payload than the truck in question. Mr. Dunworth cited past court cases to demonstrate that the truck in question should be allowed to remain on his residential property. Chairman Sumner requested testimony from the Zoning Administrator. The Zoning Administrator directed the Board's attention to the intent of the parking code by citing Section 114-562 of city code. The Zoning Administrator stated that in his opinion, an army truck is not reasonably expected to be generated by or the responsibility of the use on the site. The Zoning Administrator further stated that the principal use on the site is a single family home.

Chairman Sumner opened the public hearing. Michelle Foehringer, George Foehringer, Don Kincaid, Pamela Kincaid, Janice Jackson, and Dan Jackson spoke against the request for the Board to decide in favor of the administrative review request.

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

Case: 22-0094 – Property located at 1016 Timberidge Trail, Control Map 22E, Group F, Parcel 034.00 requests approval from the Board of Zoning Appeals to Sec 114-563(4) to park a truck at 1016 Timberidge Trail. The property is zoned R-1B, Residential District.

Mr. Dunworth presented the case to the Board, stating that he would like for the Board to consider the case on grounds of law. Chairman Sumner inquired as to the length of time that Mr. Dunworth has owned the army truck. Mr. Dunworth stated: "four years."

Chairman opened the public for the item. Don Kincaid and Pamela Kincaid spoke against the request.

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

Case: 22-0095 – Property located at 694 and 698 Clinchfield Street, Control Map 046H, Group C, Parcel 007.00 requests a special exception to Sec 114-191(c)1 for the purpose of conducting a veterinary hospital and dog daycare business utilizing the existing buildings. The property is zoned P-1, Professional Offices District.

Mr. Aaron Sims presented the case to the Board. Mr. Sims stated that he has owned several businesses in Kingsport in the past and that he is looking to continue his business relationship with the City. Mr. Sims proposed a veterinary clinic and dog daycare use for the P-1 zoned property. Mr. Sims stated his proposed ours of operation and procedures for the Board's information. Mr. Sims stated that he is sensitive to the adjacent residential uses and plans to take all proper steps toward minimizing any disruption for the area.

Chairman Sumner opened the public hearing for the item. Ms. Mallicote spoke against the request, stating concerns about barking dogs. Ms. Devault stated that she was appreciative of the information on the matter, and believes the use can be a good neighbor to the Cherokee Village area residents.

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 Joe White, seconded by Tracey Cleek, to approve the minutes of the May 5, 2022 regular meeting. The motion was approved unanimously, 3-0. Mr. Weems stated for the record that the next application deadline is June 15, 2022 for the meeting date of July 7, 2022.

Adjudication of Cases:

Case: 22-0093 – Property located at 1016 Timberidge Trail, Control Map 22E, Group F, Parcel 034.00

MOTION: made by Tracey Cleek, seconded by Joe White, to uphold the decision made by the Zoning Administrator, thus denying approval of the administrative review request.

VOTE: 3-0 to approve the motion.

Case: 22-0094 – Property located at 1016 Timberidge Trail, Control Map 22E, Group F, Parcel 034.00

The Board did not receive notice of any steps from the applicant that would have help ensure the compatibility of the parking activity with adjoining residential activities.

MOTION: made by Joe White, seconded by Tracey Cleek, to deny parking approval of the truck in question in a residential zone

VOTE: 3-0 to deny the request.

Case: 22-0095 – Property located at 694 and 698 Clinchfield Street, Control Map 046H, Group C, Parcel 007.00

The Board acknowledged the willingness of the applicant to be sensitive to the adjacent residential activity.

MOTION: made by Tracey Cleek, seconded by Joe White, to grant the special exception to Sec 114-191(c)1 for the purpose of conducting a veterinary hospital and dog daycare business utilizing the existing buildings.

VOTE: 3-0 to approve the request.

With no further business the meeting was adjourned at 1:19 p.m.

Respectfully Submitted,

Ken Weems, AICP
Planning Manager