KINGSPORT BOARD OF ZONING APPEALS AGENDA
REGULAR MEETING: June 2, 2022
Boardroom, City Hall
415 Broad Street, 3rd Floor

CALL TO ORDER – 12:00 P.M. NOON

INTRODUCTION / MEETING PROCEDURES

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.

INTERESTED PARTIES:

Owner: Craig Dunworth
1016 Timberidge Trail
Kingsport, TN 37660
423.429.5816

Representative: Craig Dunworth

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.

INTERESTED PARTIES:

Owner: Craig Dunworth
1016 Timberidge Trail
Kingsport, TN 37660
423.429.5816

Representative: Craig Dunworth

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.

INTERESTED PARTIES:

Owner: Aaron Sims
1524 Bridgewater Lane

Kingsport, TN 37660
423.276-1007

Representative: Aaron Sims

BUSINESS:

Approval of the May 5, 2022 regular meeting minutes.

Stating for public record, the next application deadline is June 15, 2022 at noon, and meeting date (Thursday, July 7, 2022).

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, June 2, 2022 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: 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.

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.

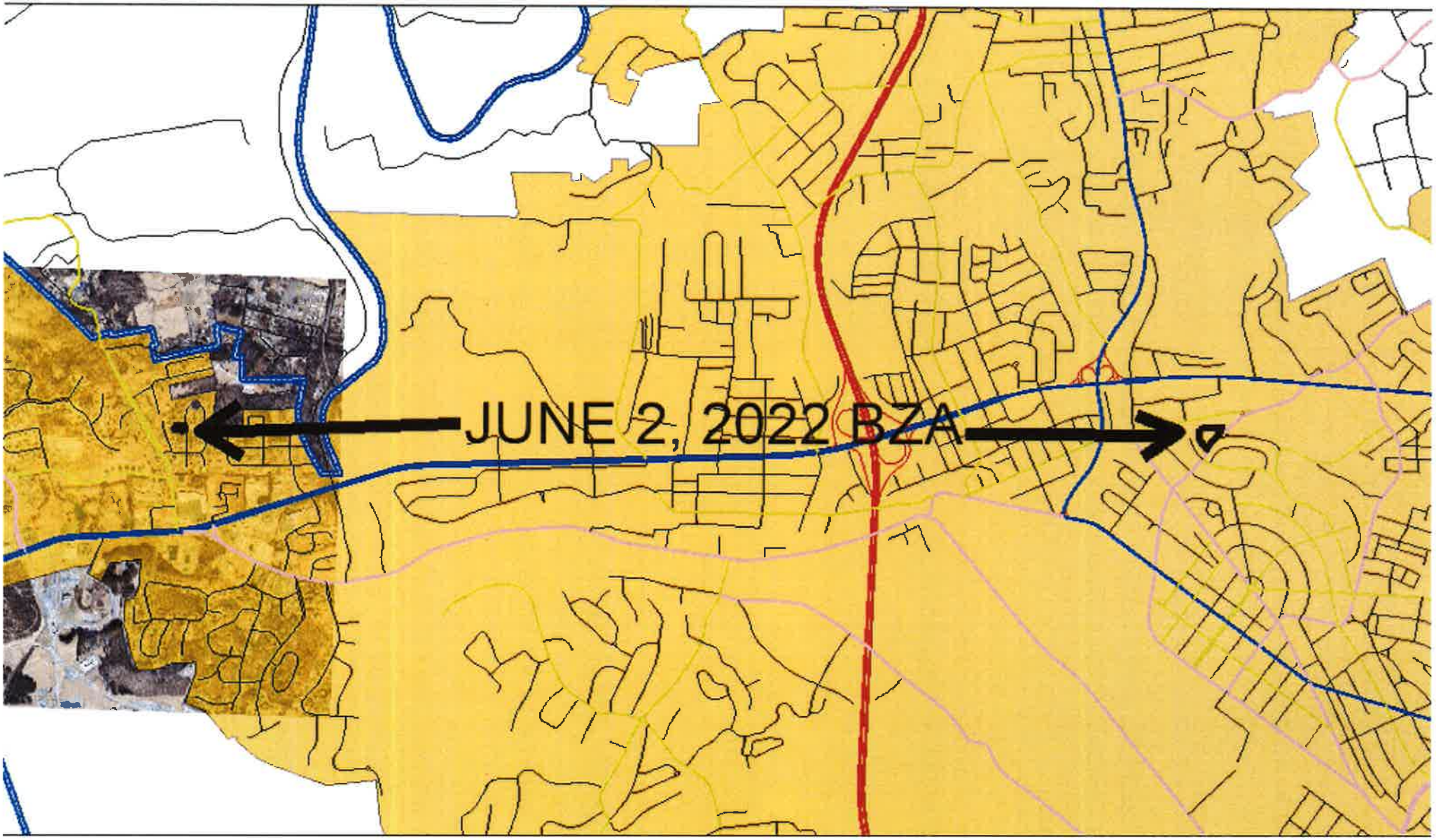
Case: 22-0095 – Property located at 694 and 698 Clinchfield Street, Control Map 046H, Group C, Parcel 007.00 requests a special exception to Sec 114-191(c)1 for the purpose of conducting a veterinary hospital and dog daycare business utilizing the existing buildings. The property is zoned P-1, Professional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

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: 5/23/2022

ArcGIS Web Map



5/17/2022, 6:09:27 PM

Municipal Boundary
- KINGSPORT
- MT CARMEL
- CHURCH HILL
- JOHNSON CITY
- Urban Growth Boundary

Streets
- Interstate
- Expressway
- Major Arterial
- Minor Arterial
- Collector Street
- Local Street
- Private Street
- Ramp

2948821.tif
- Red: Band_1
- Green: Band_2
- Blue: Band_3

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Web AppBuilder for ArcGI

KINGSPORT
TENNESSEE
Planning Department

TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: May 23, 2022

RE: 1016 Timberidge Trail

The Board is asked to consider the following requests:

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.

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.

The applicant for both above cases has two separate applications in this month's packet that address the same issue. Case 22-0093 addresses a case of administrative review concerning a parked vehicle located at 1016 Timberidge Trail. Case 22-0094 is a request to park a truck in a residential area. The "vehicle" referenced in Case 22-0093 and the "truck" referenced in Case 22-0094 both refer to the same vehicle.

Code reference describing the BZA's role in administrative review:

Sec. 114-67 –Powers.
(a)*Generally. The board of zoning appeals shall have the following powers:*
(1)Administrative review. To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision or refusal made by the zoning administrator, building official or other administrative official in carrying out or enforcing any section of this chapter and for interpretation of the zoning map and text.

Sec 114-563(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.

The applicant for both cases disagrees with the City's Zoning Administrator that the vehicle in question is a truck as referenced in Sec 114-563(4). The Zoning Administrator, in defense of his decision that the vehicle is a truck as referenced in Sec 114-563(4), will draw the Board's attention to Sec. 114-562 (Parking and Loading) as copied below:

Sec. 114-562. - Intent and applicability.

It is the intent of this article to provide for on-site provision of parking, loading and unloading of those vehicles reasonably expected to be generated by or the responsibility of the use on the site. This conforms to the city's transportation needs, wherein the community's streets are intended primarily for the movement of vehicular traffic and not for vehicular storage. Thus, to ensure that streets will function efficiently and with minimum hazard, off-street parking and loading facilities shall be provided by all land uses as described in this article.

Staff believes that the vehicle in question and further described for this case is not reasonably expected to be generated by or the responsibility of the use on site.

ArcGIS Web Map

3/17/2022, 5:56:48 PM

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Hawkins 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

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

Web AppBuilder for ArcGI

ArcGIS Web Map

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

Web AppBuilder for ArcGI

APPLICATION
Board of Zoning Appeals

Kingsport

APPLICANT INFORMATION:

Last Name Dunworth | First Craig | M.I. J | Date 5/4/2022

Street Address 1016 Timberidge Trail | Apartment/Unit #

City Kingsport | State TN | ZIP 37660

Phone 423-429-5816 | E-mail Address CraigDunworth@KingsportTN.gov

PROPERTY INFORMATION:

Tax Map Information Tax map: 22E Group: F Parcel: 034.00 Lot: 5

Street Address 1016 Timberidge Trail, Kingsport, Hawkins County, TN | Apartment/Unit #

Current Zone Residential | Proposed Zone Residential

Current Use Private | Proposed Use . Private

REPRESENTATIVE INFORMATION:

Last Name Dunworth | First Craig | M.I. J | Date 5/4/2022

Street Address 1016 Timberidge Trail | Apartment/Unit #

City Kingsport | State TN | ZIP 37660

Phone 423-429-5816 | E-mail Address CraigDunworth@KingsportTN.gov

REQUESTED ACTION:

Administrative Review of Mr. Weems' decision regarding a vehicle parked at the above residence. A hearing at the next opportunity to address the board with evidence in this matter is respectfully requested.

RE: Sec 114-563

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: 5/4/2022

Signed before me on this 4th day of May, 2022,

a notary public for the State of Tennessee

County of Sullivan

Notary Juanita Hope Lewis

My Commission Expires 11/27/23

JUANITA HOPE LEWIS
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF SULLIVAN

APPLICATION
Board of Zoning Appeals

Kingsport

APPLICANT INFORMATION:

Last Name	Dunworth	First	Craig	M.I.	J	Date	5/12/22
Street Address	1016 Timberidge Trail			Apartment/Unit #			
City	Kingsport	State	TN	ZIP	37660		
Phone	423-429-5816	E-mail Address	CraigDunworth@kingsporttn.gov				

PROPERTY INFORMATION:

Tax Map Information Tax map: 22E Group: F Parcel: 034.00 Lot: 5

Street Address 1016 Timberidge Trail, Kingsport, Hawkins County, TN Apartment/Unit #

Current Zone Residential Proposed Zone Residential

Current Use Private Proposed Use Private

REPRESENTATIVE INFORMATION:

Last Name	Dunworth	First	Craig	M.I.	J	Date	5/12/22
Street Address	1016 Timberidge Trail			Apartment/Unit #			
City	Kingsport	State	TN	ZIP	37660		
Phone	423-429-5816	E-mail Address	CraigDunworth@KingsportTN.gov				

REQUESTED ACTION:

Exemption of Section 114-563; to be permitted to park and maintain a truck at the residence for private use.

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: 5/16/22

Signed before me on this 16th day of May, 2022

a notary public for the State of Tennessee

County of Sullivan.

Notary Juanita Hope Lewis

My Commission Expires 11/27/23

JUANITA HOPE LEWIS
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF SULLIVAN

KINGSPORT
TENNESSEE
Planning Department

TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: May 23, 2022

RE: 694 and 698 Clinchfield Street

The Board is asked to consider the following request:

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.

Code reference:

Sec 114-191
(c)Special exceptions. Special exceptions are permitted only with the approval of the board of zoning appeals and are allowed in the P-1 district as follows:
(1)Offices of veterinarians, animal hospitals.
(2)Hospitals, rest or convalescent homes.
(3)Group homes.
(4)Communication facilities.
(5)Golf courses.
(6)Medical or dental offices, clinics provided ...

ArcGIS Web Map

5/17/2022, 6:05:05 PM

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

Sullivan County Parcels
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Washington County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels
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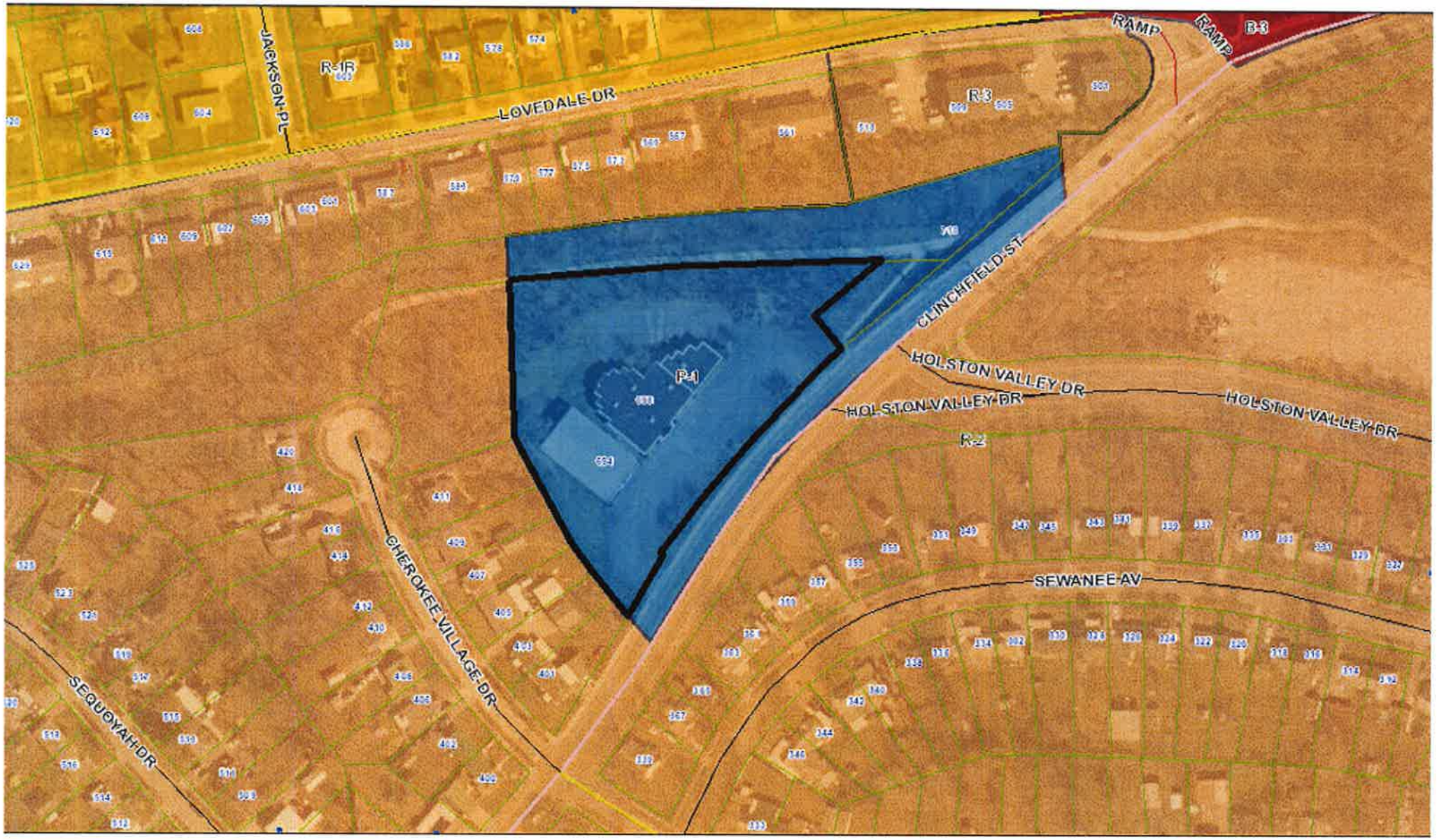
- Street_ROW
- Kpt 911 Address

Web AppBuilder for ArcGI

ArcGIS Web Map



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Hawkins County Parcels
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River
Street_ROW

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Lake_Pond
Parcel_Conflict
Parcels
Railroad_ROW
River
Street_ROW
Kpt 911 Address

Web AppBuilder for ArcGI

APPLICATION
Board of Zoning Appeals

Kingsport

APPLICANT INFORMATION:

Last Name Sims	First Aaron	M.I. W	Date 5/11/22
Street Address 1524 Bridgewater LN		Apartment/Unit # 102	
City Kingsport	State TN	ZIP 37660	
Phone 423 276 1007	E-mail Address asims@MEAA4U.com		

PROPERTY INFORMATION:

Tax Map Information Tax map: Group: Parcel: Lot:

Street Address 694 + 698 Clinchfield St	Apartment/Unit #
Current Zone	Proposed Zone
Current Use	Proposed Use

REPRESENTATIVE INFORMATION:

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

REQUESTED ACTION:

Special Exception for zone P-1 to allow us to open a Veterinary Hospital and dog day care Business

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: Aaron Sims Date: 5/11/22

Signed before me on this 12 day of May, 2022,

a notary public for the State of Tennessee

County of Sullivan.

Notary

My Commission Expires 10/26/25

PATRICIA A. LEWIS
STATE OF TENNESSEE NOTARY PUBLIC
SULLIVAN COUNTY

Yellow Lines - Proposed Fence Line w/ 6ft privacy fences

Red Lines - Proposed Fence Line w/ 6ft sound proof fencing (steel with rubber membrane)

Blue Lines - Potential future fence line for expansion if ever needed.

Orange Lines - Potential fence lines for public dog park if completed

Yellow Arrows - Traffic Pattern

Greenspace - We will not be disturbing any roadside greenspaces around the parking lot and will adhere to any rules and regulations regarding any greenspaces.

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

May 5, 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:
Glenn Wolfe
Steve Bingham
Timothy Strickland

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. Timothy Strickland and Steve Bingham were sworn in.

Public Hearing:

Case: 22-0091 – Property located at 1421 Old Gibson Mill Road, Control Map 046G, Group B, Parcel 039.00 requests a special exception to Sec 114-183(c) for the purpose of constructing a fellowship hall accessory structure on the property. Additionally, the applicant requests an 875 square foot variance to Sec 114-133(2) for increased accessory structure size. The property is zoned R-1B, Residential District.

Mr. Timothy Strickland presented the case to the Board. Mr. Strickland stated that the fellowship hall is needed to facilitate church activities on the property. Mr. Strickland noted that the variance to size would lend itself to appropriately accommodating a church of this size. Mr. Weems noted that this item would fall under the state's preservation of religious freedom act.

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

Case: 22-0092 – Property located at 4409 Stagecoach Road, Control Map 062C, Group G, Parcel 001.00 requests a departure from rear yard variance of 78.8 feet to Sec 114-133(1) for the purpose of constructing a carport with workshop. The property is zoned R-1A, Residential District.

Mr. Steve Bingham presented the case to the Board. Mr. Bingham stated that he needs a carport and workshop accessory structure for his home, but that the small rear yard of the home does not have adequate space for the accessory structure. Mr. Bingham noted that his

proposed structure would be under the allowable 1,100 square feet in size, and that the only possible space on the lot for the structure is in the side yard.

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 Tracey Cleek, seconded by Joe White, to approve the minutes of the March 3, 2022 regular meeting. The motion was approved unanimously, 3-0. Mr. Weems stated for the record that the next application deadline is May 16, 2022 for the meeting date of June 2, 2022.

Adjudication of Cases:

Case: 22-0091 – Property located at 1421 Old Gibson Mill Road, Control Map 046G, Group B, Parcel 039.00

The Board recognized the church needs in the context of the state's preservation of religious freedom act.

MOTION: made by Tracey Cleek, seconded by Joe White, to grant the special exception to Sec 114-183(c) for the purpose of constructing a fellowship hall accessory structure on the property and the 875 square foot variance to Sec 114-133(2) for increased accessory structure size.

VOTE: 3-0 to approve the request.

Case: 22-0092 – Property located at 4409 Stagecoach Road, Control Map 062C, Group G, Parcel 001.00

The Board acknowledged the hardship of the extremely small rear yard. Additionally, the Board recognized that this rear yard configuration is unique to this property when compared to surrounding properties.

MOTION: made by Joe White, seconded by Tracey Cleek, to grant the departure from rear yard variance of 78.8 feet to Sec 114-133(1) for the purpose of constructing a carport with workshop on the property.

VOTE: 3-0 to approve the request.

With no further business the meeting was adjourned at 12:25 p.m.

Respectfully Submitted,

Ken Weems, AICP
Planning Manager