

KINGSPORT BOARD OF ZONING APPEALS AGENDA

REGULAR MEETING: September 1, 2022

Boardroom, City Hall  
415 Broad Street, 3rd Floor

CALL TO ORDER – 12:00 P.M. NOON

INTRODUCTION / MEETING PROCEDURES

**PUBLIC HEARING:**

**Case: 22-0204 – The owner of property located at 2009 Westwind Drive, Control Map 060B, Group B, Parcel 014.00** requests a 10.5 foot front yard variance to Sec 114-201e(1)c for the purpose of constructing a home addition to an existing carport. The property is zoned GC, Golf Course Community District.

***INTERESTED PARTIES:***

Owner: Janie Childress  
2009 Westwind Drive  
Kingsport, TN 37660  
423.367.4002

Representative: Carroll Childress

**Case: 22-0206 – The owner of properties located at 4712, 4720, 4724, 4728, and 4736 Sterling Lane, Control Map 062E and 062D, Group F, Parcels 004.00, 006.00, 007.00, 008.00, and 010.00** requests a 5 foot variance to Sec 114-183e(1)c for the purpose of constructing a new home on each parcel. The property is zoned R-1B, Residential District.

***INTERESTED PARTIES:***

Owner: David Rose  
1038 S. Wilcox Dr., Ste 100  
Kingsport, TN 37660  
423.245.2264

Representative: David Rose

**BUSINESS:**

**Approval of the August 4, 2022 regular meeting minutes.**

**Stating for public record, the next application deadline is September 15, 2022 at noon, and meeting date (Thursday, October 6, 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, September 1, 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: 22-0204 – The owner of property located at 2009 Westwind Drive, Control Map 060B, Group B, Parcel 014.00** requests a 10.5 foot front yard variance to Sec 114-201e(1)c for the purpose of constructing a home addition to an existing carport. The property is zoned GC, Golf Course Community District.

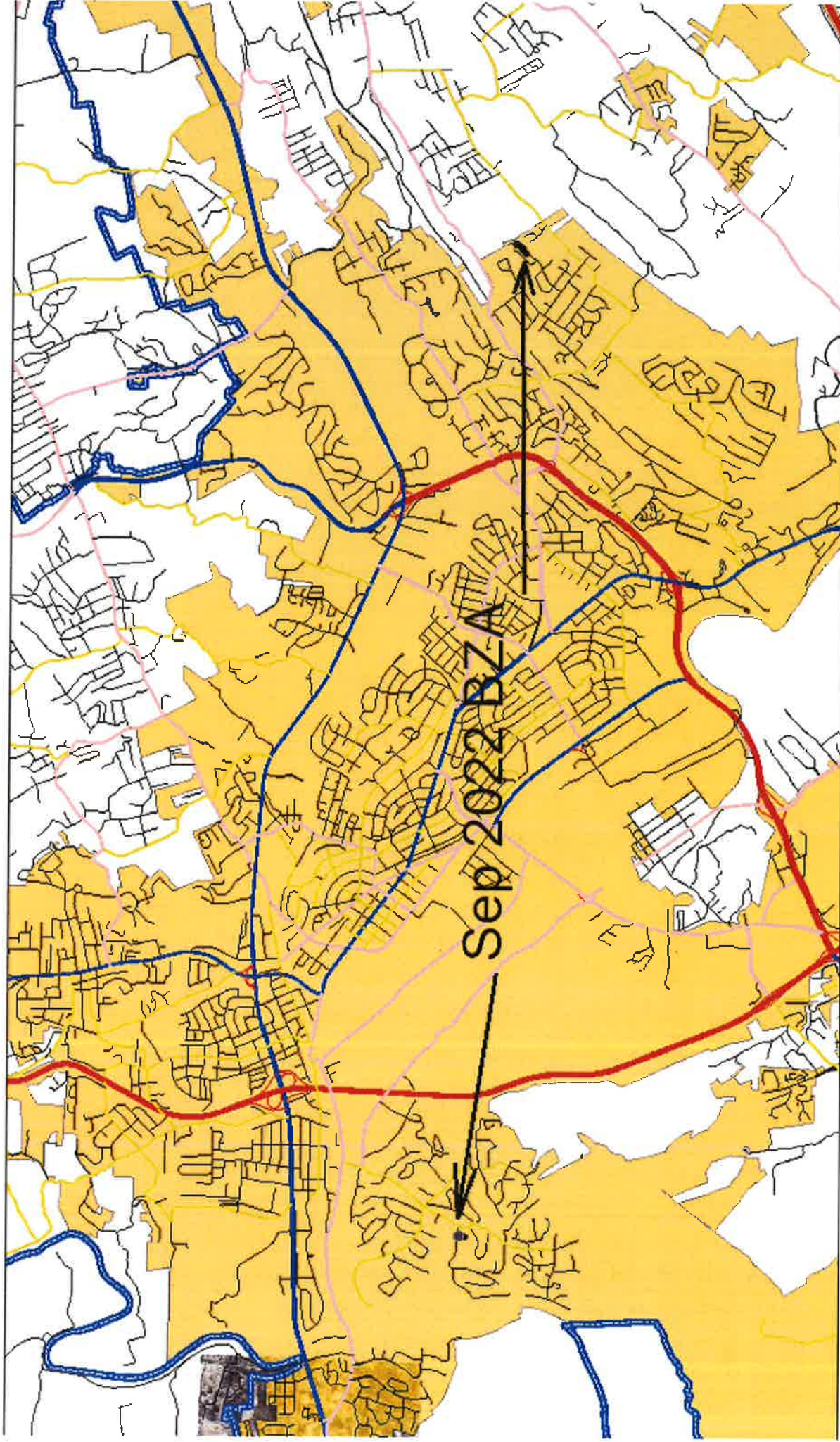
**Case: 22-0206 – The owner of properties located at 4712, 4720, 4724, 4728, and 4736 Sterling Lane, Control Map 062E and 062D, Group F, Parcels 004.00, 006.00, 007.00, 008.00, and 010.00** requests a 5 foot variance to Sec 114-183e(1)c for the purpose of constructing a new home on each parcel. The property is zoned R-1B, Residential 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](mailto: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: 8/22/2022

# ArcGIS Web Map



3/19/2022, 9:40:56 AM

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

2948821.tif

- Expressway
- Major Arterial
- Minor Arterial
- Collector Street
- Local Street
- Private Street
- Ramp
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3

1:72,224







TO: KINGSPOINT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: August 19, 2022

RE: 2009 Westwind Drive

The Board is asked to consider the following request:

**Case: 22-0204 – The owner of property located at 2009 Westwind Drive, Control Map 060B, Group B, Parcel 014.00** requests a 10.5 foot front yard variance to Sec 114-201e(1)c for the purpose of constructing a home addition to an existing carport. The property is zoned GC, Golf Course Community District.

Code reference:

*(e)Design standards.*

*(1)Minimum requirements.*

*a.Minimum lot area, 10,000 square feet.*

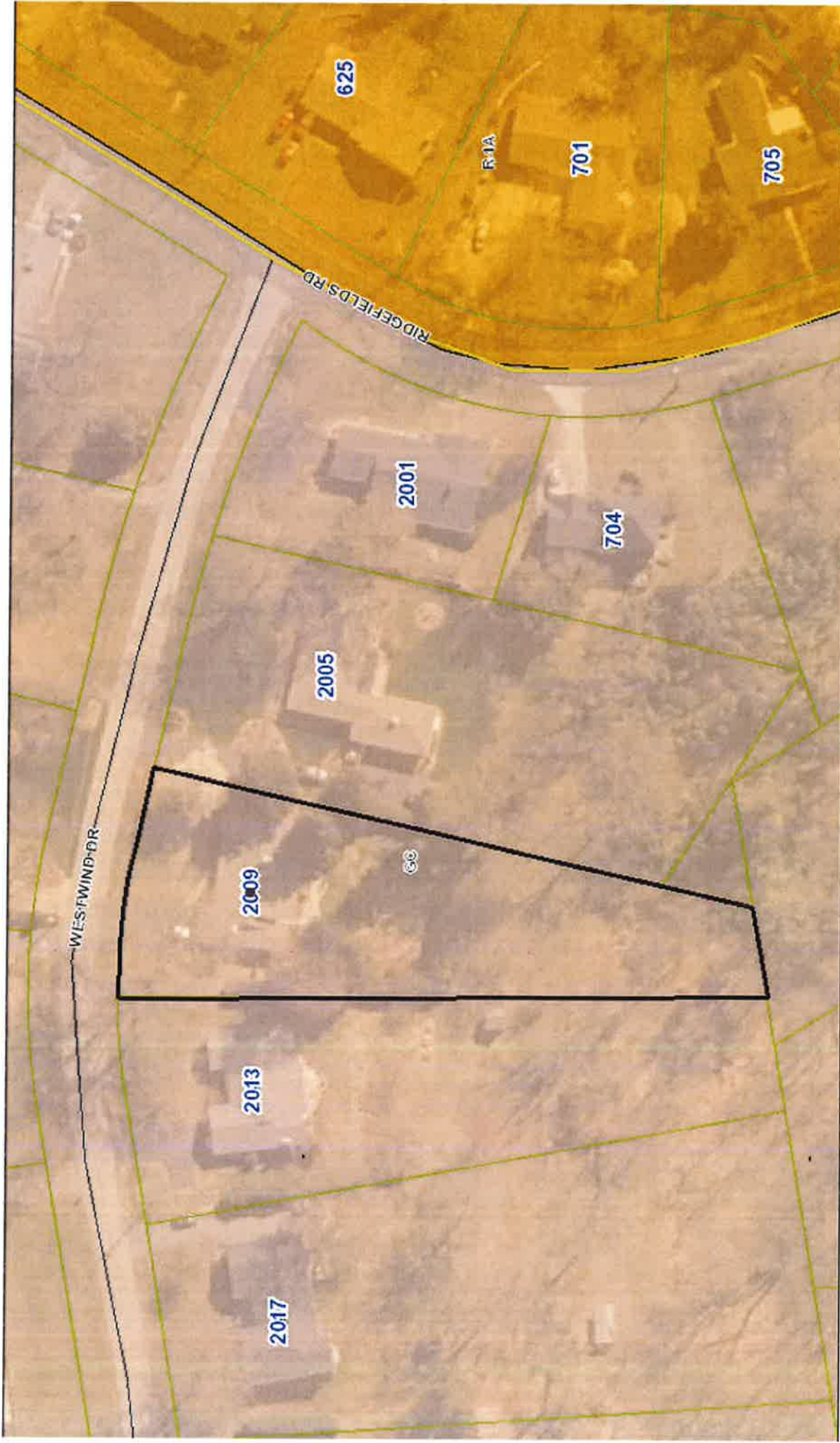
*b.Lot frontage, 60 feet; and all nonresidential uses must have access directly from an arterial or collector street as designated by the major street and road plan.*

*c.Front yard. Minimum front yard setback shall be 40 feet.*

*d.Side yard. Minimum side yard setback shall be ten feet for one or two stories; 15 feet for three stories; plus 50 percent of the side yard setback listed above for a side yard abutting a public street.*

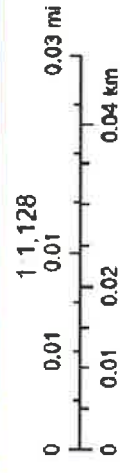
*e.Rear yard, minimum rear yard setback shall be 30 feet.*

# ArcGIS Web Map



3/19/2022 9:42:31 AM

- Lawkins 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
- Kot 911 Address



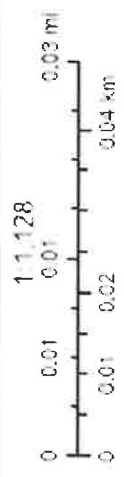


# ArcGIS Web Map



3/19/2022 9:43:39 AM

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| <input type="checkbox"/> Lake_Pond              | <input type="checkbox"/> Lake_Pond               | <input type="checkbox"/> River        | <input type="checkbox"/> Lake_Pond                 |
| <input type="checkbox"/> Parcel_Conflict        | <input type="checkbox"/> Parcel_Conflict         | <input type="checkbox"/> Street_ROW   | <input type="checkbox"/> Parcel_Conflict           |
| <input type="checkbox"/> Parcels                | <input type="checkbox"/> Parcels                 | <input type="checkbox"/> Parcels      | <input type="checkbox"/> Parcels                   |
- Kpt 011 Address



# APPLICATION

Board of Zoning Appeals



## APPLICANT INFORMATION:

Last Name Childress First Janie M.I. L. Date 8-5-22  
Street Address 2009 Westwind Dr. Apartment/Unit #  
City Kingsport State TN ZIP 37660  
Phone 423-367-4002 E-mail Address janielm.52@gmail.com

## PROPERTY INFORMATION:

Tax Map Information Tax map: 0608 Group: B Parcel: 014.00 Lot: 4  
Street Address 2009 Westwind Dr. Apartment/Unit #  
Current Zone GC Proposed Zone no change  
Current Use Single family Proposed Use no change

## REPRESENTATIVE INFORMATION:

Last Name Childress First Carroll M.I. Date 8-5-22  
Street Address 408 East Ave Apartment/Unit #  
City Kingsport State TN ZIP 37660  
Phone 423-429-8990 E-mail Address

## REQUESTED ACTION:

10'12' front yard variance for purpose of constructing a home addition to an existing carport (to enclose carport)

## 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: Janie Childress

Date: 8-5-22

Signed before me on this 5 day of August, 2022

a notary public for the State of TN

County of Sullivan

Notary Sierra Wampler

My Commission Expires 4/19/25





## 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.

Adding 5' extension to existing carport which is already connected to existing driveway. The narrowing shape of lot prohibits carport to be relocated.

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

to enclose carport and extend 5' to allow room for SUV with open tailgate. Denial of variance could allow unsafe circumstance when entering or exiting the home.

- 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 and driveway was existing when I purchased the property. I am asking permission to extend the carport only 5'. The survey shows 10 1/2' difference. I can only assume that the house was 5 1/2' over the line when I acquired the property.

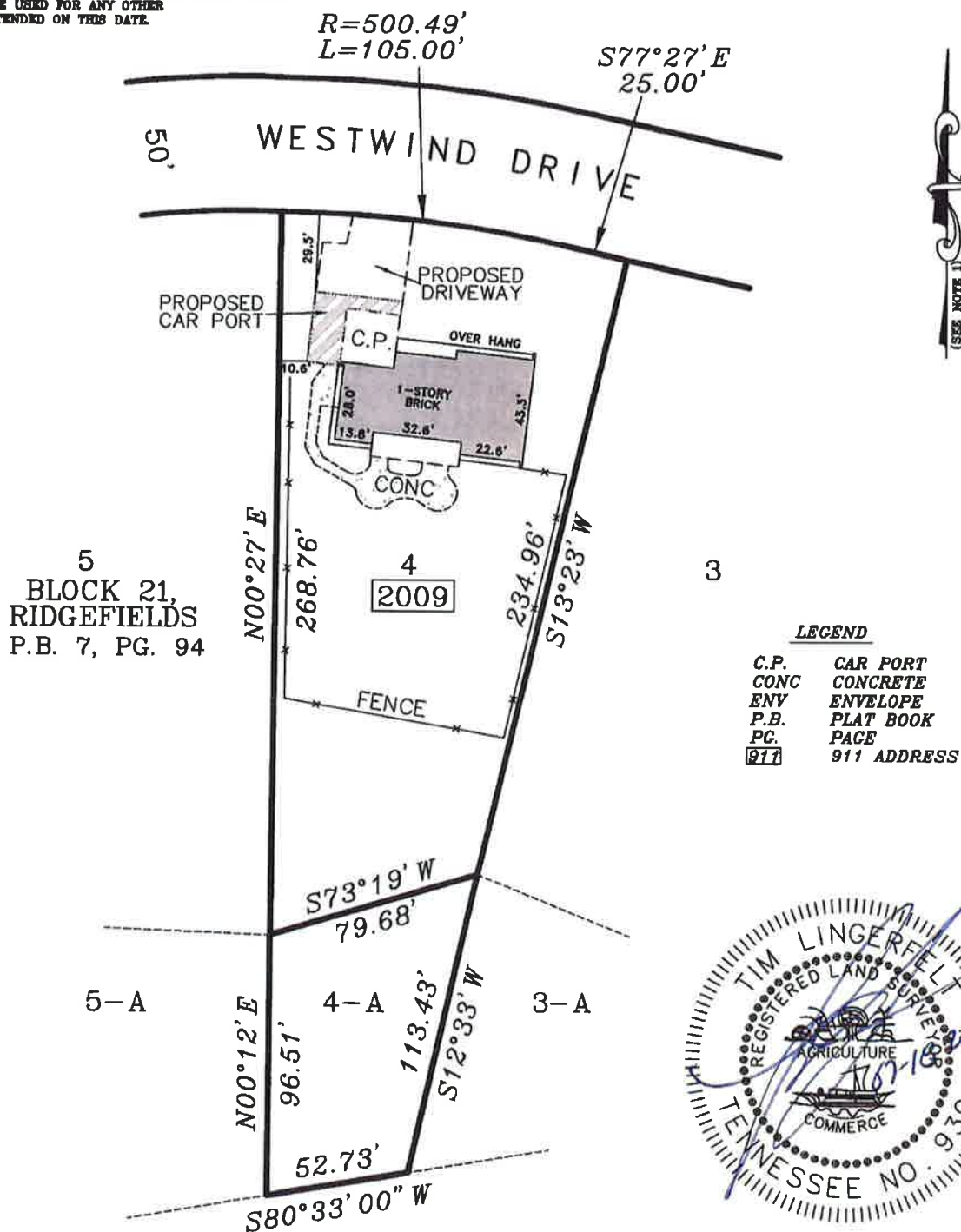
d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

Permitting the variance will allow garage construction typical of single family home in this neighborhood.

Further, a variance may be granted only if the Board finds that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and this chapter. Variances shall not be granted permitting an increase in floor area or density above the maximum permitted by the zoning district; allowing a use other than those specifically authorized by this chapter in the applicable zoning district; or from the denial of a zoning permit when such denial is due to the fact that such lot has no frontage on a public street unless such lot was a lot of record on June 16, 1981.

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

1. The premises of cannot be used in a manner permitted by the Zoning Ordinance unless the variance is granted.
2. A strict application of the terms of the Zoning Ordinance precludes its use for any purpose to which the land is reasonably adopted.
3. Inability to put the property to its most profitable use DOES NOT constitute a "hardship".
4. Mere inconvenience to the applicant is not sufficient grounds for determining a "hardship". In granting a variance the BZA may not make any decision that is contrary to the purpose and intent of the Zoning Ordinance.



**ALLEY & ASSOCIATES, INC.**

243 E Market Street  
Kingsport, Tennessee 37660  
E-mail: tlingerfelt@alleyassociates.com

MAP OF: LOTS 4 & 4-A, BLOCK 21, RIDGEFIELDS

OWNER: JANIE L. CHILDRESS

CIVIL DISTRICT: 12TH COUNTY: SULLIVAN

STATE: TENNESSEE TAX MAP 11B "B" PARCEL 14.00

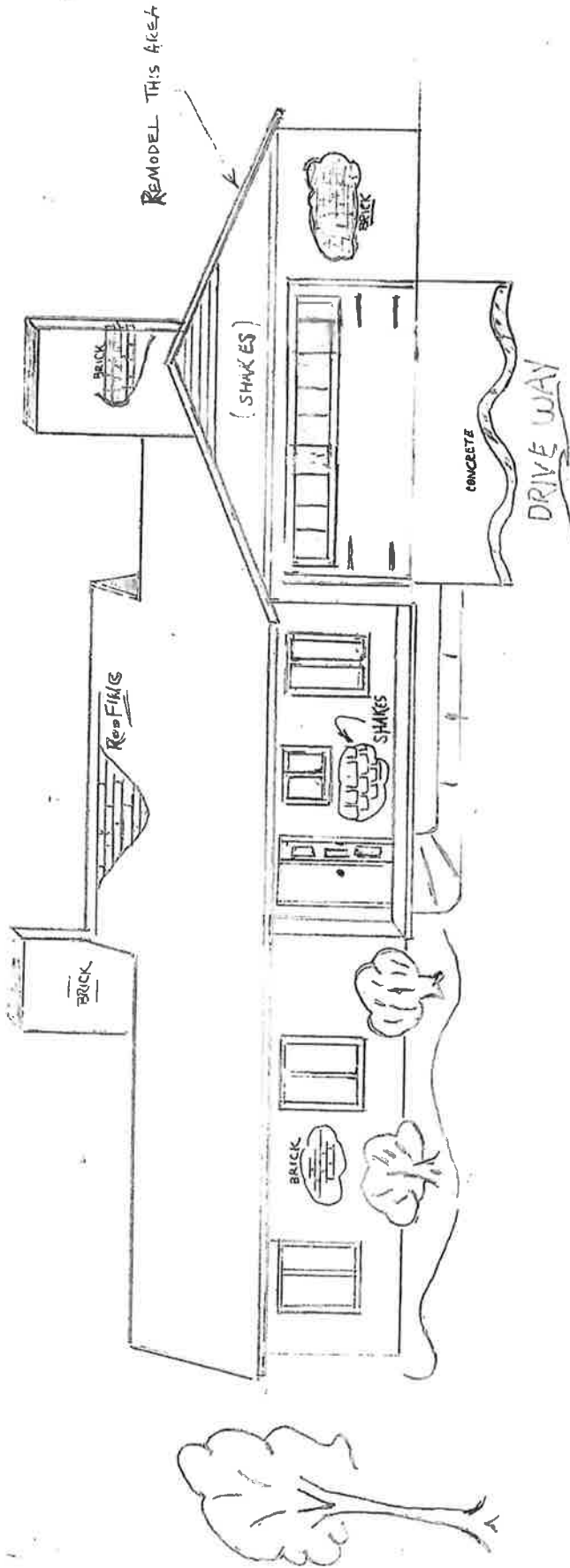
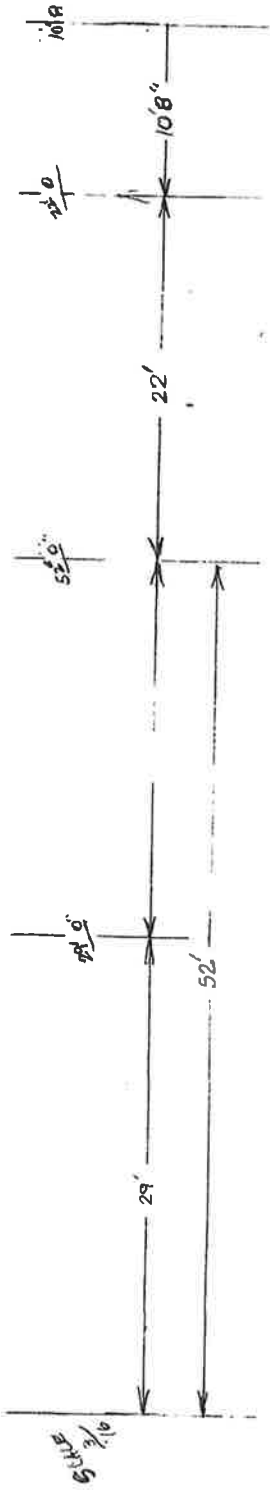
SCALE: 1 INCH = 60' DATE: JULY 18, 2022

REFERENCE: PLAT BOOK 7, PAGE 94

22-12703 FB/PG: N/A

FOR: OWNER





- REMODEL 1960 CARPORT
- ENCLOSE & ADD GARAGE DOOR
- ADD 5' TO FRONT OF CARPORT
- PICTURES ENCLOSED









TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: August 19, 2022

RE: 4712, 4720, 4724, 4728, and 4736 Sterling Lane

The Board is asked to consider the following request:

**Case: 22-0206 – The owner of properties located at 4712, 4720, 4724, 4728, and 4736 Sterling Lane, Control Map 062E and 062D, Group F, Parcels 004.00, 006.00, 007.00, 008.00, and 010.00** requests a 5 foot variance to Sec 114-183e(1)c for the purpose of constructing a new home on each parcel. The property is zoned R-1B, Residential District.

Code reference:

*(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.*

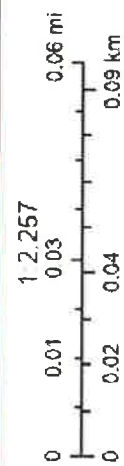


# ArcGIS Web Map



3/19/2022 9:45:27 AM

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| <input type="checkbox"/> Railroad_ROW           | <input type="checkbox"/> Railroad_ROW            | <input type="checkbox"/> Railroad_ROW              |
| <input type="checkbox"/> River                  | <input type="checkbox"/> River                   | <input type="checkbox"/> River                     |
| <input type="checkbox"/> Parcel_Conflict        | <input type="checkbox"/> Parcel_Conflict         | <input type="checkbox"/> Parcel_Conflict           |
| <input type="checkbox"/> Street_ROW             | <input type="checkbox"/> Street_ROW              | <input type="checkbox"/> Street_ROW                |
| <input type="checkbox"/> Parcels                | <input type="checkbox"/> Parcels                 | <input type="checkbox"/> Parcels                   |



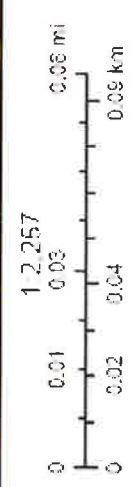


# ArcGIS Web Map



3/19/2022 9:49:32 AM

- ☐ 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
- ☐ Kot 911 Address





**APPLICATION**  
Board of Zoning Appeals



**APPLICANT INFORMATION:**

Last Name	ROSE	First	DAVID	M.I.	L	Date	8/15/22
Street Address	1038 South Wilcox St 100 Kpt TN 37660			Apartment/Unit #			
City	KINGSPORT TN 37660	State	TN	ZIP		37660	
Phone	423-245-2264			E-mail Address			

**PROPERTY INFORMATION:**

Tax Map Information	Tax map: 0620 F	Parcel:	Lot: 4, 6, 7, 8, 10
Street Address	4712, 4720, 4724, 4728, 4736 STERLING LANE		
Current Zone	R-1B	Proposed Zone	NO CHANGE
Current Use	VACANT LOTS	Proposed Use	SINGLE FAMILY

**REPRESENTATIVE INFORMATION:**

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

**REQUESTED ACTION:**

5' FRONT YARD VARIANCE FOR ALL 5 LOTS LISTED ABOVE

**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:

*David Rose*

Date: 8/15/22

Signed before me on this 15 day of August, 2022

a notary public for the State of Tennessee

County of Sullivan

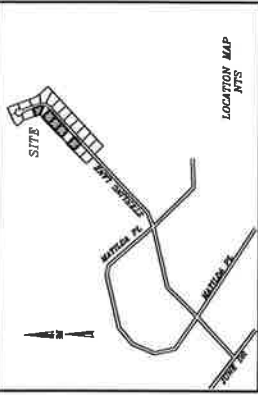
Notary

*[Signature]*

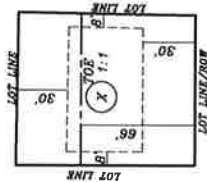
My Commission Expires 11-23-2024





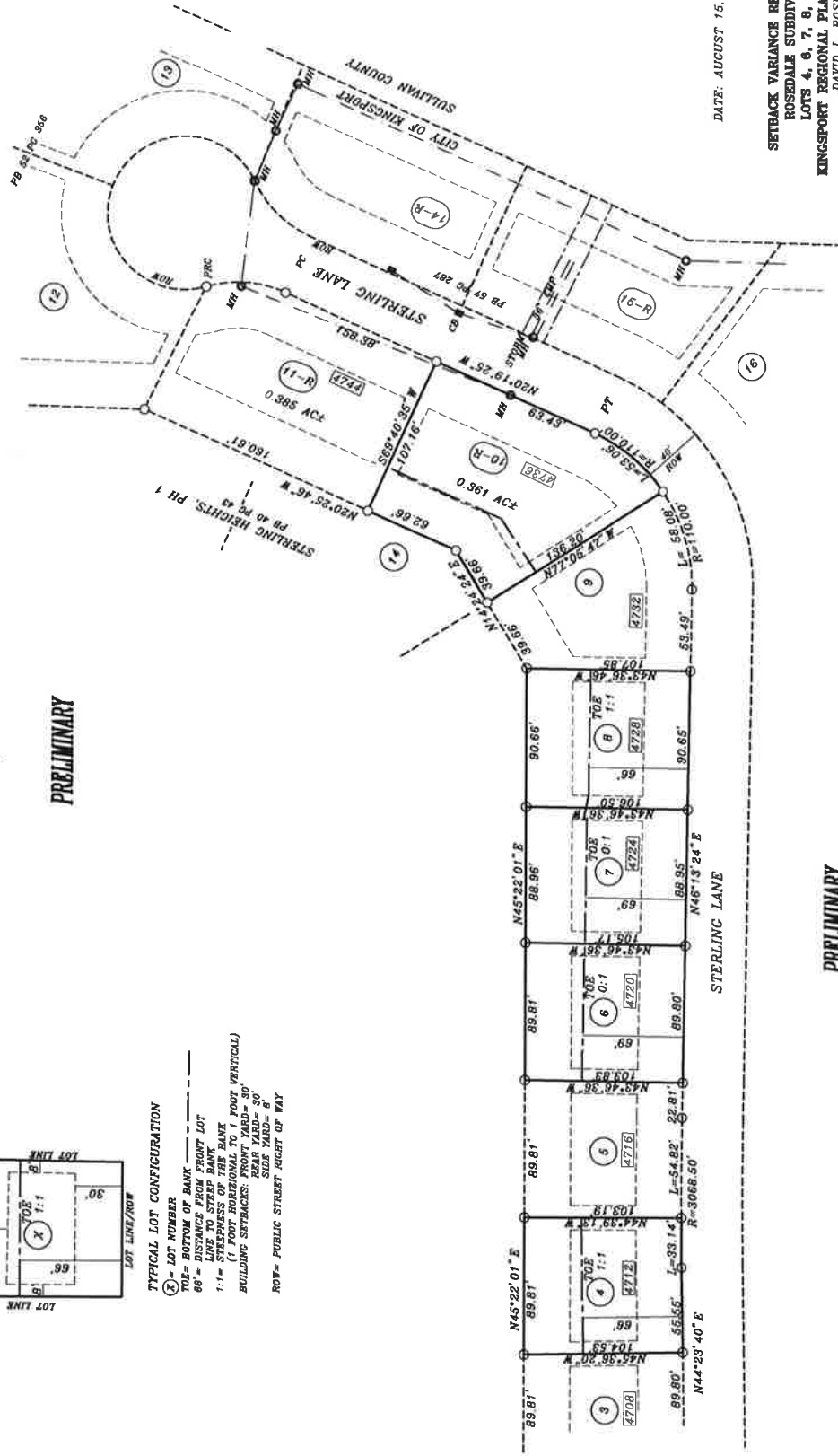


PRELIMINARY



### TYPICAL LOT CONFIGURATION

- ① - LOT NUMBER
- - LOT LINE
- - LOT LINE/ROW
- - DISTANCE FROM FRONT LOT
- - DISTANCE FROM STRIP BANK
- 1:1 - STRIPNESS OF THE BANK
- (1 FOOT HORIZONTAL TO 1 FOOT VERTICAL)
- BUILDING SETBACKS: 30'
- SIDE YARD= 8'
- ROW= PUBLIC STREET RIGHT OF WAY



PRELIMINARY

DATE: AUGUST 15, 2022

SETBACK VARIANCE REQUEST MAP  
ROSEDALE SUBDIVISION  
LOTS 4, 6, 7, 8, & 10  
KINGSPORT REGIONAL PLANNING COMMISSION  
DAVID L. ROSE  
7th CIVIL DISTRICT  
CITY OF KINGSPORT  
SULLIVAN COUNTY, TENNESSEE  
MIZE & ASSOCIATES SURVEYORS  
JOHN R. MIZE RLS Tn 891

SCALE 1" = 50'



P.O. Box 465  
Blountville, Tennessee 37617  
423-384-4552

## 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.

I would like to pull the house up 5' so that it would give the homes at least 10' of a back yard, which would actually make the subdivision look nicer and uniformed.

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

The hill that runs behind the homes, which would be considered the homeowners backyard. If this variance is not given it would deprive the homeowners of a back 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.

The lay of the land is a detriment of the homeowner

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

Since all the lots in the subdivision varies in size it would not alter the look of the subdivision in any way or hurt it.

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.



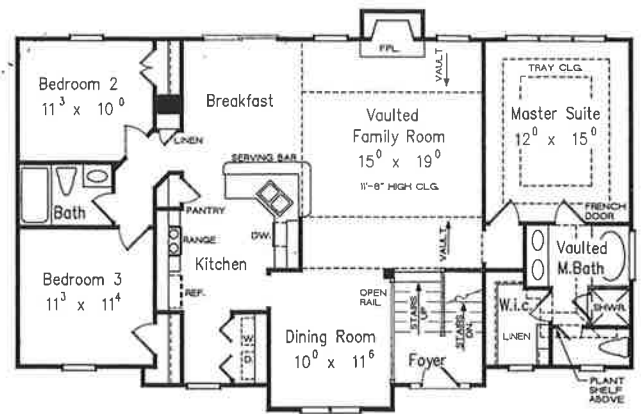


## FAULKLAND

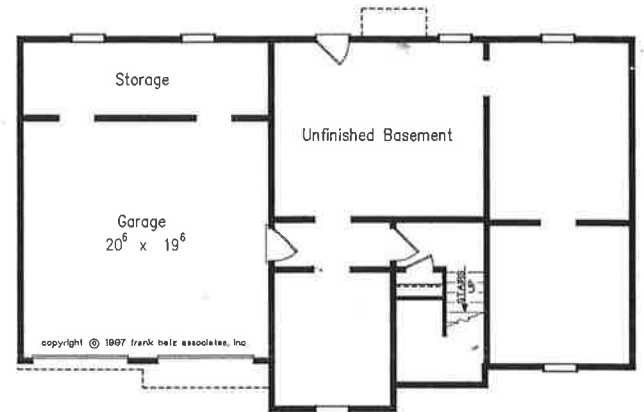
PRICE CODE **B**

Lower Level 36 sq. ft.  
Upper Level 1480 sq. ft.  
Total 1516 sq. ft.

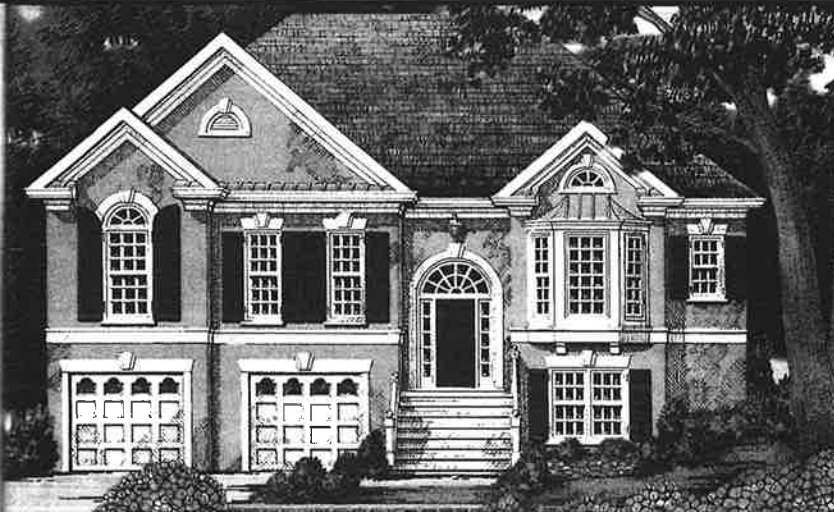
Overall Dimensions  
51'-6" x 33'-4"



UPPER LEVEL PLAN



LOWER LEVEL PLAN

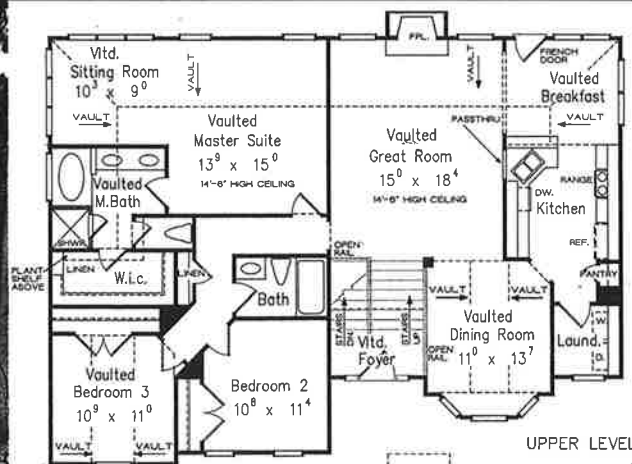


## TOPEKA

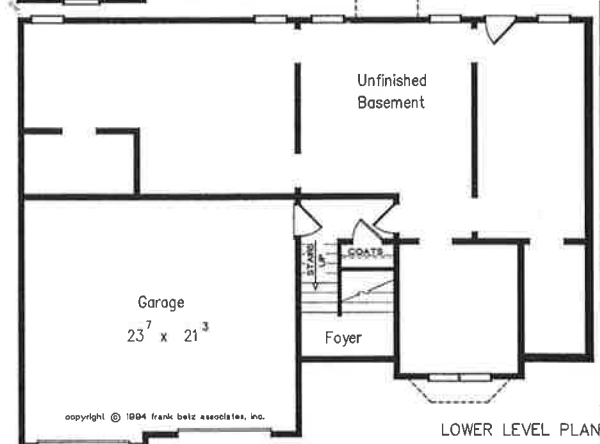
PRICE CODE **B**

Lower Level 40 sq. ft.  
Upper Level 1677 sq. ft.  
Total 1717 sq. ft.

Overall Dimensions  
50'-0" x 39'-4"



UPPER LEVEL PLAN



LOWER LEVEL PLAN

Multilevels

1.888.717.3003

**HOMEPLANS**  
Designed for Today's Market

## MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

### August 4, 2022, Regular Meeting

Noon  
City Hall Council Room

#### Members Present:

Bill Sumner  
Joe White  
Tracey Cleek  
Calvin Clifton  
Wes Combs

#### Members Absent:

#### Staff Present:

Ken Weems, AICP  
Jessica McMurray

#### Visitors:

Sandra Hardin	Sophia Davidson
Becky Barnett	Lana Luttrell
Doug Barnett	Ronnie Vicars
Jerry Salyer	Andrew Hagan
Jordan Corbitt	

Chairman Sumner called the meeting to order.

Chairman Sumner explained the meeting procedures.

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

#### **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.

Ms. Sophia Davidson presented the case to the Board. Ms. Davidson described the layout of the proposed dental office and demonstrated zoning conformance of the different aspects of the proposal. Staff commented that no public comment had been received on the item. Chairman Sumner opened the public hearing. Chairman Sumner, seeing no one wishing to speak further on the item, closed the public hearing.

**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.

Ms. Lana Luttrell presented the case to the Board. Ms. Luttrell stated that the need for the excess parking is a state of Tennessee requirement and not one for local zoning. Ms. Luttrell drew attention to the proposed landscaping that buffers the proposed parking from the adjacent residential district. Staff noted that no public comment had been received about the item.

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

**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.

Ms. Sandra Hardin presented the case to the Board. Ms. Hardin stated that she wanted to position a new doublewide on the property, but was lacking both front and rear yard space to accommodate the established setbacks. Ms. Hardin stated that the lot was the way it is today when she purchased it. Chairman Sumner opened the public hearing. Chairman Sumner, seeing no one wishing to speak further on the item, closed the public hearing.

**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.

Mr. Jerry Salyer presented the case to the Board. Mr. Salyer stated that he had very little room in his rear yard to locate any type of accessory structure. Mr. Salyer stated that due to the lack of room in his rear yard, that he was seeking to locate the proposed carport in his front yard, which acts as a side yard due to the lot being a corner lot. Chairman Sumner opened the public hearing. Chairman Sumner, seeing no one wishing to speak further on the item, closed the public hearing.

**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.

Mr. Jordan Corbitt presented the case to the Board. Mr. Corbitt stated that the parking lot as it is today is suitable for the store needs and will remain suitable once the tool rental station is constructed. Mr. Corbitt stated that the existing parking lot exceeds the minimum amount of spaces typically required by the Home Depot business for new models. Mr. Corbitt noted that topography of the site is very challenging when considering a parking lot expansion. Chairman Sumner opened the public hearing. Chairman Sumner, seeing no one wishing to speak further on the item, closed the public hearing.

The Chairman opened the business meeting portion of the meeting. A motion was made by Tracey Cleek, seconded by Joe White, to approve the minutes of the June 2, 2022 regular meeting. The motion passed unanimously, 5-0. Staff stated for public record that the next application deadline is August 15, 2022 for the September 1, 2022 regular meeting.

#### **Adjudication of Cases:**

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

The Board acknowledge the desirability of the dental office proposal and that it would exist harmoniously with the surrounding land uses.



MOTION: made by Joe White, seconded by Tracey Cleek, to grant the special exception as requested.

VOTE: 5-0 to approve the motion.

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

The Board acknowledged the limited space for additional parking and also the proposed landscaping buffer.

MOTION: made by Calvin Clifton, seconded by Joe White, to grant the commercial parking in a residential zone allowance.

VOTE: 5-0 to approve the motion.

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

The Board acknowledged the limited space for any type of modern housing, especially in the context of the more restrictive corner lot setbacks.

MOTION: made by Tracey Cleek, seconded by Joe White, to grant the front yard variance of 10 feet and the rear yard variance of 13.79 feet for the purpose of locating a new home on the property.

VOTE: 5-0 to approve the motion.

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

The Board acknowledged the limited space for in the rear yard of the property due to existing conditions when the property was acquired by the current owner/ applicant.

MOTION: made by Calvin Clifton, seconded by Tracey Cleek, to grant the 133 foot departure from rear yard variance for the purpose of locating a carport in the front yard based upon the submitted design.

VOTE: 5-0 to approve the motion.

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

The Board acknowledged the traditionally unused portion of the existing parking lot.

MOTION: made by Calvin Clifton, seconded by Joe White, to grant the needed 52 space parking reduction based on needs and market trends.

VOTE: 5-0 to approve the motion.

With no further business the meeting was adjourned at 12:50 p.m.

Respectfully Submitted,

Ken Weems, AICP  
Planning Manager