

KINGSPORT BOARD OF ZONING APPEALS AGENDA
REGULAR MEETING: October 13, 2022
Boardroom, City Hall
415 Broad Street, 3rd Floor

CALL TO ORDER – 12:00 P.M. NOON

INTRODUCTION / MEETING PROCEDURES

PUBLIC HEARING:

Case: 22-0237 – The owner of property located at 2753 Circle View, Control Map 062A, Group G, Parcel 019.00 requests a 53-foot-7-inch departure from rear yard variance to Sec 114-133(1) for the purpose of constructing a freestanding garage in portions of the side and front yard. The property is zoned R-1B, Residential District.

INTERESTED PARTIES:

Owner: Alan Mirucki
2753 Circle View
Kingsport, TN 37664
423.218.8921

Representative: Alan Mirucki

Case: 22-0225 – The owner of property identified as Tax Map 076, a portion of parcel 20 along Tidewater Court requests reestablishment of a nonconforming use to Sec 114-8(4) for the purpose of conducting a temporary laydown yard on the property. The property is zoned B-4P, Planned Business District and A-1, Agricultural District.

INTERESTED PARTIES:

Owner: Roy Anderson
128 Arlington Circle
Kingsport, TN 37660
423.340.9000

Representative: James Holmes

Case: 22-0224 – The owner of property located at 618 Watauga Street, Control Map 046J, Group A, Parcels 001.00 and 022.00 requests a special exception to Sec 114-187(c) for the purpose of establishing a rehabilitation center in the exiting building. The property is zoned R-4, Medium Density Apartment District.

INTERESTED PARTIES:

Owner: First Broad Street UMC, Inc.
100 E. Church Circle
Kingsport, TN 37660
423.224.1511

Representative: Nathan Flora

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

BUSINESS:

Approval of the September 1, 2022 regular meeting minutes.

Stating for public record, the next application deadline is October 17, 2022 at noon, and meeting date (Thursday, November 3, 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, October 13, 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: 22-0237 – The owner of property located at 2753 Circle View, Control Map 062A, Group G, Parcel 019.00 requests a 53-foot-7-inch departure from rear yard variance to Sec 114-133(1) for the purpose of constructing a freestanding garage in portions of the side and front yard. The property is zoned R-1B, Residential District.

Case: 22-0225 – The owner of property identified as Tax Map 076, a portion of parcel 20 along Tidewater Court requests reestablishment of a nonconforming use to Sec 114-8(4) for the purpose of conducting a temporary laydown yard on the property. The property is zoned B-4P, Planned Business District and A-1, Agricultural District.

Case: 22-0224 – The owner of property located at 618 Watauga Street, Control Map 046J, Group A, Parcels 001.00 and 022.00 requests a special exception to Sec 114-187(c) for the purpose of establishing a rehabilitation center in the existing building. The property is zoned R-4, Medium Density Apartment District.

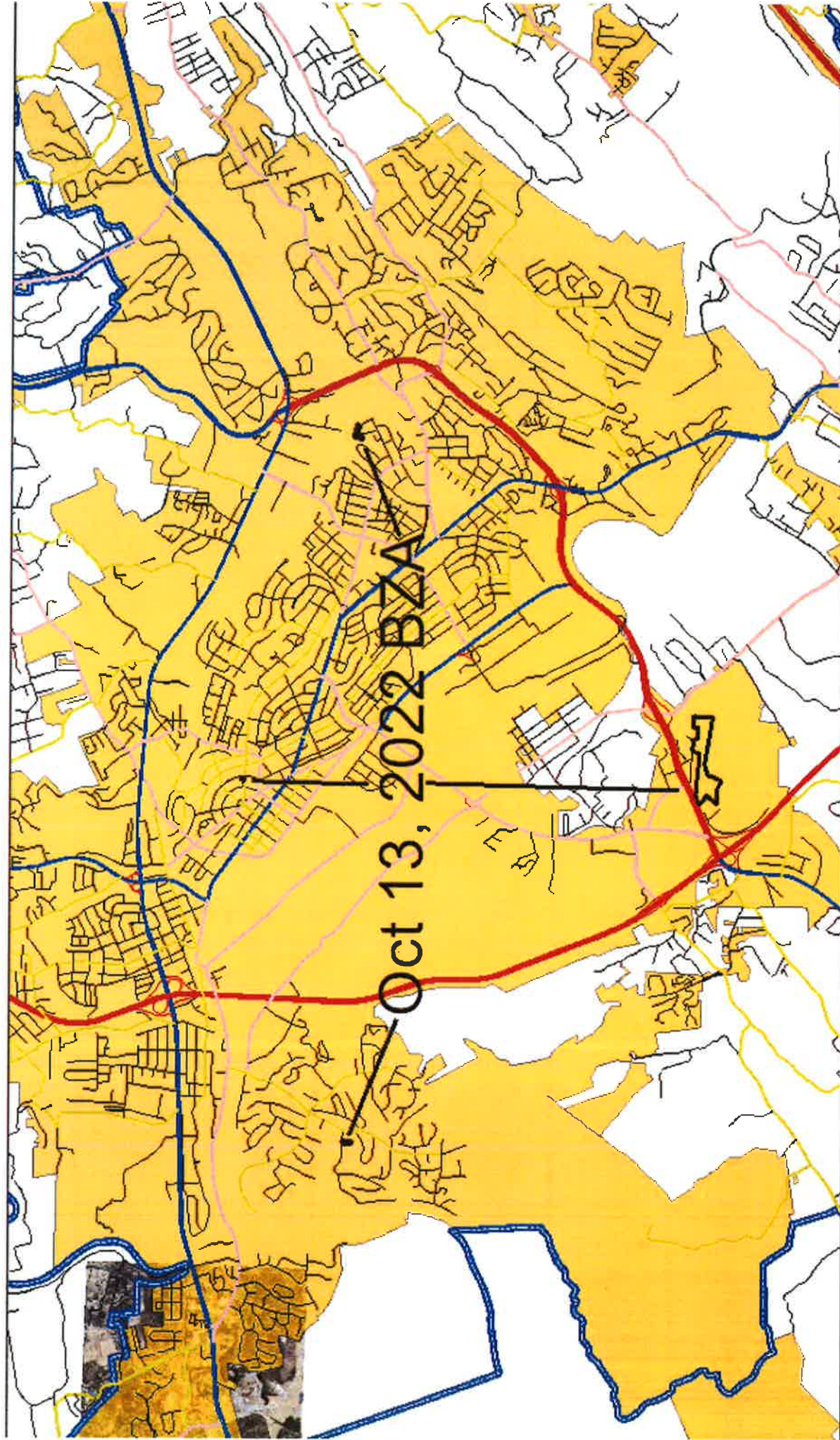
Case: 22-0204 – The owner of property located at 2009 Westwind Drive, Control Map 060B, Group B, Parcel 014.00 requests a 10.5 foot front yard variance to Sec 114-201e(1)c for the purpose of constructing a home addition to an existing carport. The property is zoned GC, Golf Course Community District.

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: 10/3/2022

ArcGIS Web Map



3/20/2022, 3:38:01 PM

Municipal Boundary

KINGSPO

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

1 1.5 2 3

0 0.5 0.75 1 1.5 2 3

0 0.5 0.75 1 1.5 2 3



TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: September 29, 2022

RE: 2753 Circle View

The Board is asked to consider the following request:

Case: 22-0237 – The owner of property located at 2753 Circle View, Control Map 062A, Group G, Parcel 019.00 requests a 53-foot-7-inch departure from rear yard variance to Sec 114-133(1) for the purpose of constructing a freestanding garage in portions of the side and front yard. The property is zoned R-1B, Residential District.

Code reference:

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

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

(1)Yards. No accessory building shall be erected in any required court or yard other than a rear yard with exceptions as provided in subsection (3) of this section.(2)Location. Except as provided in subsection (3) of this section, no accessory building shall be erected in any required front or side yard. Accessory residential structures shall be on the same lot as the principal residential structure. The floor area of accessory structures located upon any property zoned for residential use shall not exceed 30 percent of the floor area of the principal structure, or 1,100 square feet, whichever is greater. Lots that are two acres in size or larger may use the following calculation to determine accessory structure size: maximum of two percent of total parcel area but never more than 5,000 square feet. Accessory structures shall not exceed the height of the principal structure or 35 feet, whichever is less. Accessory structures shall be at least three feet from all lot lines and five feet from any other building on the same lot; provided, however, that where two adjoining property owners desire to build a double garage on the property line, one-half of which would be located on each property, they may secure a building permit to construct such garage by submitting written agreements signed by both parties concerned to the zoning administrator. The height of both the accessory structure and the principal structure shall be measured according to the provisions outlined in the current building code, as set forth in article III of chapter 22. Swimming pools not covered by a permanent roof, tennis courts, pet enclosures not exceeding 100 square feet floor area, and satellite dish antennas shall not be subject to size or height restrictions in this section or included in calculating floor area.(3)Garage. Where the average natural grade of a required yard is more than eight feet above or below the established street grade, a private garage may be erected within such yard, but not within five feet of any street right-of-way.

ArcGIS Web Map



3/20/2022, 3:59:58 PM

- Lawkins County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels

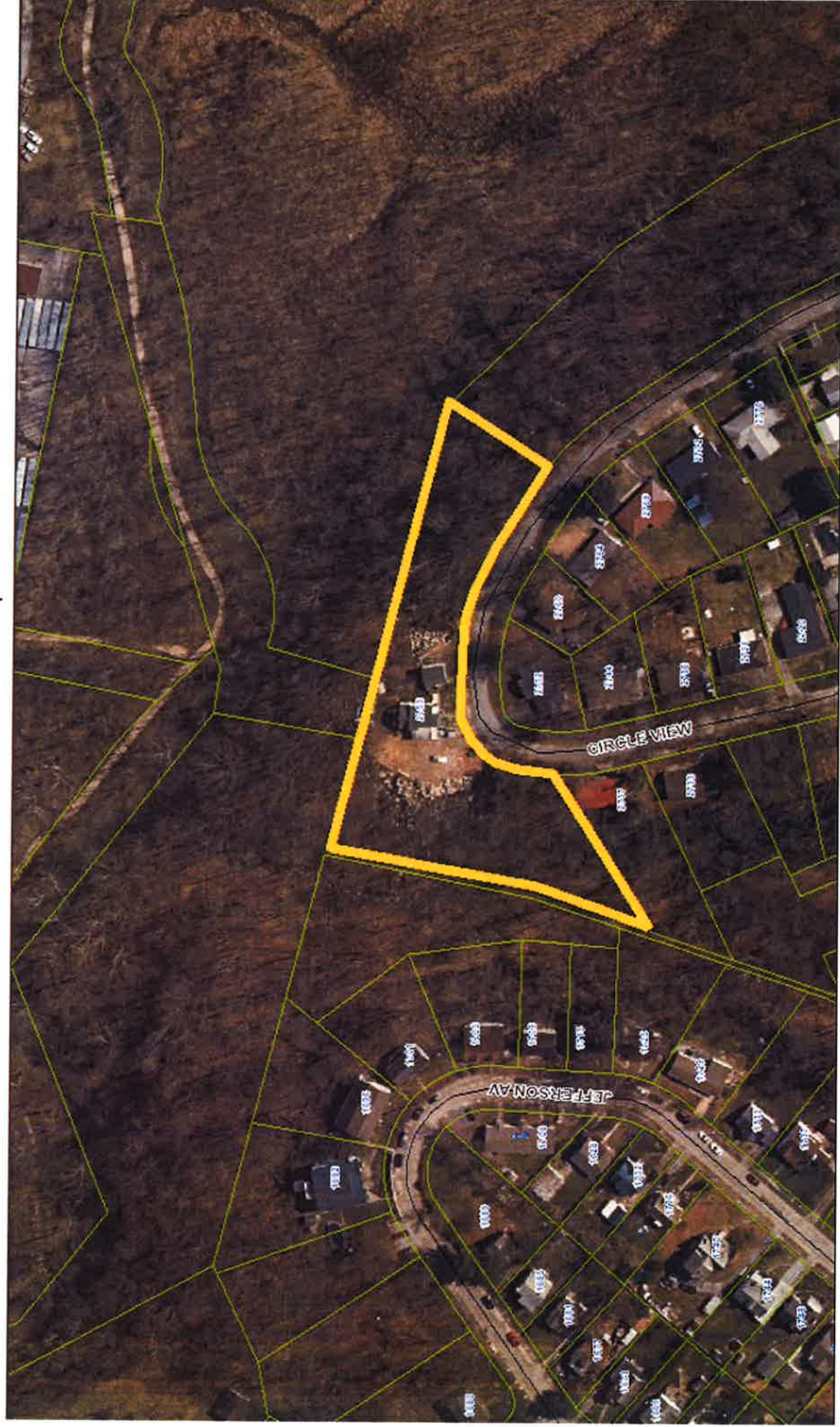
- Sullivan County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels

- Washington County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels

- Railroad_ROW
- River
- Street_ROW
- Kpt 911 Address



ArcGIS Web Map



3/20/2022 4:04:16 PM

TAYLORS COUNTY, GEORGIA

Lake Pond

Parcel Conflict

510

Sullivan County Parks

133

Page Cont.

250

Washington County Panels

166 *David Bond*

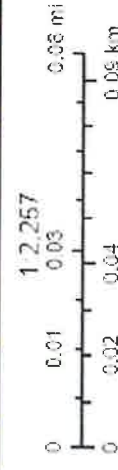
Year	Population	Area	Population	Area
1990	1,000,000	100,000	1,000,000	100,000
2000	1,200,000	120,000	1,200,000	120,000
2010	1,400,000	140,000	1,400,000	140,000
2020	1,600,000	160,000	1,600,000	160,000
2030	1,800,000	180,000	1,800,000	180,000
2040	2,000,000	200,000	2,000,000	200,000
2050	2,200,000	220,000	2,200,000	220,000
2060	2,400,000	240,000	2,400,000	240,000
2070	2,600,000	260,000	2,600,000	260,000
2080	2,800,000	280,000	2,800,000	280,000
2090	3,000,000	300,000	3,000,000	300,000
2100	3,200,000	320,000	3,200,000	320,000

Free

Y

[illegible]

Notes



APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name Mirucki	First Alan	M.I.	Date 08/15/2022
Street Address 2753 Circle View			Apartment/Unit #
City Kingsport	State TN	ZIP 37664	
Phone 423-218-8921	E-mail Address amsnitro@live.com		

PROPERTY INFORMATION:

Tax Map Information	Tax map:	Group:	Parcel:	Lot:
Street Address 2753 Circle View			Apartment/Unit #	
Current Zone		Proposed Zone		
Current Use		Proposed Use		

REPRESENTATIVE INFORMATION:

Last Name Mirucki	First Alan	M.I.	Date 8/15/2022
Street Address 2753 Circle View			Apartment/Unit #
City Kingsport	State TN	ZIP 37664	
Phone	E-mail Address		

REQUESTED ACTION:

THE INCLINATION OF THE LAND BEHIND MY HOUSE DOES NOT ALLOW ME TO CONSTRUCT ^{LAND} THE BUILDING THAT I AM PROPOSING. SO, THEREFORE I NEED A VARIANCE TO CONSTRUCT ON NW SIDE OF HOUSE. MEASUREMENT FROM FRONT OF PROPOSE BUILDING TO BACKSIDE OF HOUSE IS 53'-7"

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: Alan Mirucki Date: 08/16/2022

Signed before me on this 16 day of August, 2022
a notary public for the State of Tennessee
County of Hawkins

Notary Lisa M. Hutton
My Commission Expires 5/30/23



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.

BECAUSE OF THE RADICAL INCLINATION
OF THE SLOPE BEHIND MY HOUSE I CANNOT
PUT THE BUILDING BEHIND THE HOUSE,

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

THE LAND IS NOT USABLE
BEHIND THE HOUSE BECAUSE
OF THE DEEP INCLINATION,

- 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 LAND HAS DEEP SLOPE
INCLINATION AND CANNOT BUILD
BEHIND THE HOUSE AND STAY
WITHIN BOUNDRIES.

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

THE VARIANCE WILL NOT AFFECT
THE NEIGHBORHOOD OR THE SAFETY
AND WELFARE. THE BUILDING IS NEW.
IT WILL CHANGE NOTHING IN
THE NEIGHBORHOOD.

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

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

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

NOT DRAWN TO SCALE



STREET

GARAGE VIEW

16' 10'
HEIGHT



Quonset Buildings

Quonset
Hut Garage

Quonset
Hut House

Steel Building
Kits

Quonset
Hut Barn

Quonset
Hut Homes Plans



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quonset.ca | 800 x 573 joeg | a year ago 20

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Kits

Quonset Hut
Barn



Related searches

Quonset Hut
Homes Plans

Prefab Metal
Buildings



TO: KINGSPOINT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: September 29, 2022

RE: Tax Map 076, a portion of parcel 20 along Tidewater Court

The Board is asked to consider the following request:

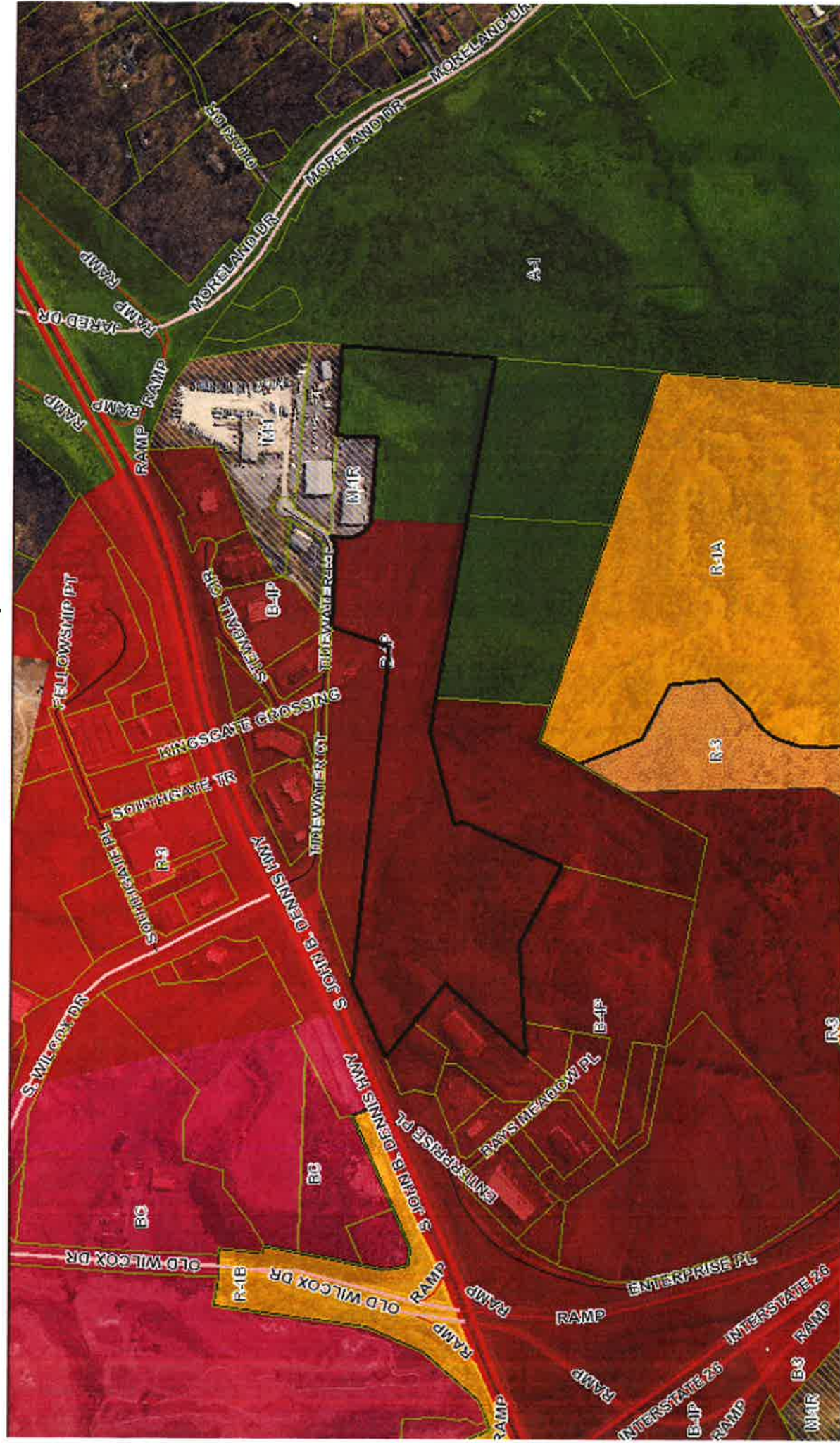
Case: 22-0225 – The owner of property identified as Tax Map 076, a portion of parcel 20 along Tidewater Court requests reestablishment of a nonconforming use to Sec 114-8(4) for the purpose of conducting a temporary laydown yard on the property. The property is zoned B-4P, Planned Business District and A-1, Agricultural District.

Code reference:

(4)

Discontinuance. When a nonconforming use of any building or land has ceased for a period of one year, it shall not be reestablished or changed to any use not in conformity with this chapter without the written approval of the board of zoning appeals.

ArcGIS Web Map



3/20/2022, 4:07:05 PM

-lawkins County Parcels

Lake_Pond
Parcel_Conflict
Parcels

Sullivan County Parcels

Lake_Pond
Parcel_Conflict
Parcels

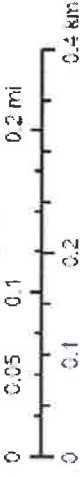
Washington County Parcels

Lake_Pond
Parcel_Conflict
Parcels

Railroad_ROW

River
Street_ROW

1:9,028



ArcGIS Web Map



3/20/2022 4:09:39 PM

Tazewell County Parcels

Lake_Pond

Peace, Conflict

Prices

Survivor County Records

Lake Pond

Parcel Conflict:

Parcels

Washington County Parcels

Lake Pond

Parcel Conflict

Page 1

0.5

10

19928

0.1

— 4 —

0201

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APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name:	ANDERSON	First	ROY	M.I. C.	Date	08-22-20
Street Address	128 ARLINGTON CIRCLE			Apartment/Unit #		
City	KINGSPORT	State	TN	ZIP	37660	
Phone	423 340-9000	E-mail Address	CLEVE@ACPRX.NET			

PROPERTY INFORMATION:

Tax Map Information	Tax map:	076	Group:	Parcel:	20.00	Lot:	12.4 ACRES/ 42 acre site
Street Address	1345 S JOHN B DENNIS HWY, KINGSPORT, TN 37660					Apartment/Unit #	
Current Zone	B-4P	Proposed Zone					
Current Use	Vacant	Proposed Use	Re-establish Lay-down yard for FINAL Limited period.				

REPRESENTATIVE INFORMATION:

Last Name	HOLMES	JAMES	M.I. W.	Date	8-22-22
Street Address	2404 N. JOHN B. DENNIS HWY			Apartment/Unit #	
City	KINGSPORT	State	TN	ZIP	37660
Phone	423 246-9553	E-mail Address	JHOLMES@HOLMES-STICE.COM		

REQUESTED ACTION:

Re-establishing non-conforming use of the subject property as a temporary "lay down" yard. Eastman Chemical Company is renting the subject property commencing on January 1, 2022 until June 30, 2023. The plan for the site is to use approximately 1/3 to 1/2 of the property for contractor parking (T E C Industrial) for the project at Eastman. At the peak of the project, Eastman is anticipating approximately 150 craft people. Eastman will be bussing craftsman back and forth from the site to Eastman's property each day. Tenant's normal work hours will be 0600-0700 am and 1600-1700 pm, 5 days a week, 10 hours per day. Tenant will also be utilizing the remainder of the property for staging pipe materials, steel, electrical materials, Connex's for dry storage of materials and process equipment. From time to time, Tenant will have a crane and / or boom truck on site to assist with the loading of materials and equipment. Eastman is planning on having its office trailers located on premises as well, to house its project staff personnel. This will most likely peak around 20 people. A chain-link fence already exists around the previous laydown area and Tenant is going to use that as a security measure for materials and equipment after hours.

Tenant may extend the lease up to December 31, 2023. Tenant shall continue to clear brush, lay down gravel and fence the maximum 12.4-acre use area.

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:

8/22/22

Signed before me on this 22 day of August, 20 22
a notary public for the State of Tennessee
County of Sullivan

Notary Susan Salyer
My Commission Expires 11-23-24



CITY PLANNING OFFICE

Received Date:

Received By:

Application Fee Paid:

Board of Zoning Appeals Meeting Date:

Section of Applicable Code:

Building/Zoning Administrator Signature:

Date:

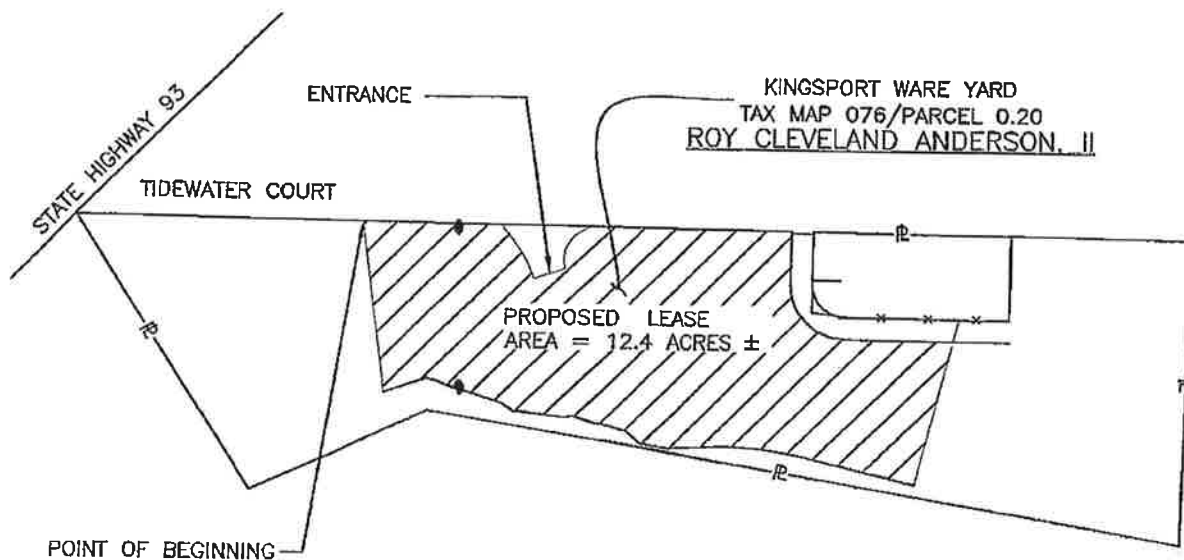
Completed Site Plans Received:

Previous requests or file numbers:

Signature of
City Planner:

Date:

SULLIVAN COUNTY, TENNESSEE



GRAPHIC SCALE



EXHIBIT 'A'

*ACTUAL LOCATION OF NEW PERMANENT EASEMENT IS DETERMINED BY THE PIPELINE AS INSTALLED

*PROPERTY LINES ARE BASED ON COUNTY TAX MAPS AND FIELD SURVEY DATA AND ARE NOT THE RESULT OF A FULL BOUNDARY SURVEY

TITLE: **SPECTRA - NE TENNESSEE**
KINGSPORT WARE YARD
 LANDOWNER: N/F ROY CLEVELAND ANDERSON, II - TRACT NO. KINGSPORT WARE YARD

LOC.: SULLIVAN COUNTY, TENNESSEE
 CKD. BY: HMMHOL
 ENG.
 DATE: 7/28/2010
 DRN. BY: HMMHOL
 SCALE: 1"=400'
 DWG. NO. FW-P-90

SpectraEnergy
 Partners

East Tennessee Natural Gas, LLC
 5400 Westheimer Ct. Houston, TX 77056-5310 713 / 627-5400

P:\262219 SPECTRA NE TENN\SECTION_VII_DRAFTING\PLATS\FW-P-90.DWG

L.G.



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: September 29, 2022

RE: 618 Watauga Street

The Board is asked to consider the following request:

Case: 22-0224 – The owner of property located at 618 Watauga Street, Control Map 046J, Group A, Parcels 001.00 and 022.00 requests a special exception to Sec 114-187(c) for the purpose of establishing a rehabilitation center in the existing building. The property is zoned R-4, Medium Density Apartment District.

Code reference:

*(c) Special exceptions. Special exceptions are permitted only with the approval of the board of zoning appeals and are allowed in the R-3 district as follows: nursing homes, rest homes, **rehabilitation centers**, hospitals, religious and charitable institutions, community centers (such as YMCA, etc.), day care nurseries, communication facilities.*

Staff comment: The zoning code does not contain a definition for a rehabilitation center. The applicant has provided a description of the proposed use that is substantially similar enough to the plain meaning of a rehabilitation center that staff has found it appropriate for the applicant to make such application to the Board.

ArcGIS Web Map



3/20/2022, 3:57:18 PM

Hawkins County Parcels

Railroad_ROW

River

Parcel_Conflict

Parcels

Lake_Pond

Railroad_ROW

River

Parcel_Conflict

Parcels

Lake_Pond

Railroad_ROW

River

Parcel_Conflict

Parcels

Lake_Pond

Railroad_ROW

River

Parcel_Conflict

Parcels

1:1,128

0 0.01 0.02 0.03 mi

0 0.01 0.02 0.04 km

ArcGIS Web Map



3/20/2022, 3:58:58 PM

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



APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name First Broad Street
United Methodist Church, Inc
Street Address 100 E. Church
Circle
City Kingsport
Phone 423.224.1511

First
M.I.
Date
Apartment/Unit #
State TN
ZIP 37660
E-mail Address
nflora@fbsumc.org

PROPERTY INFORMATION:

Tax Map Information Tax map: 046J Group: A Parcel: 001 and 022 Lot: 00
Street Address 618 Wauga St.
and 145 E. Wanola Ave.
Current Zone R4
Current Use vacant. Previously
Medical office and general office

Apartment/Unit #
Proposed Zone
Proposed Use
Rehabilitation services

REPRESENTATIVE INFORMATION:

Last Name Flora
Street Address 100 E. Church
Circle
City Kingsport
Phone 423.224.1511

First Nathan
M.I.
Date 8/23/22
Apartment/Unit #
State TN
ZIP 37660
E-mail Address
nflora@fbsumc.org

REQUESTED ACTION:

Special exception to conduct a rehabilitation services use in an R-4 zone.

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:

[Handwritten Signature]

Date:

8/24/22

Signed before me on this 24 day of August, 2022

a notary public for the State of TN

County of Sullivan

Notary Mary Jane Alley

My Commission Expires 4-1-23





From: Todd Broughton broughtonhomes@gmail.com
Subject: Fwd: [EXT] History
Date: August 22, 2022 at 11:15 AM
To: kenweems@kingsporttn.gov, lynnehipley@tcigroup.com



Here is our rough draft on spa history and direction. Thank you all in advance for your review and help !
Todd Broughton
423-578-0480

Valley Springs Spa was established inside Holston Valley Medical Center in 2006. The business started inside the doctors' office of Dr. Thibault, Dr. Saunders, and Dr. Beckner. The original location was based on promoting prenatal massages. Skincare and nail services were added by the previous owner to offer a full relaxing/pampering experience to the clients.

We purchased the business in 2014. In 2015, the doctor's planned an expansion and we chose to relocate to the Wellmont Corporate building.

Since relocating there we have made an effort to streamline our services to focus more on rehabilitation, stress relief, and pain relief. We have eliminated nail services and added salt therapy to our services. Our decision for salt therapy came after discovering it helps relieve some discomfort of psoriasis, as well as sinus pressure headaches.

We have multiple chiropractors and physical rehabilitation centers that refer patients for massage therapy. Our clients are seen after an injury, either job or sports related, as well as recovering from joint injury or replacement. Prenatal massages are still performed after the first trimester and are greatly appreciated by the mother to be.

We currently have therapist that are working towards their medical massage accreditation, so they can better assist our clients.

With approval from a Physician, our clients can use their HSA (Health Savings Account) to pay for services. We are open to the public and do have increasing clientele, therefore we need to enlarge our treatment facility.

Thank you for your consideration in allowing us to continue serving our clients and assist with their well being.

Paula Broughton
Valley Springs Spa
423-765-9999



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: September 29, 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.

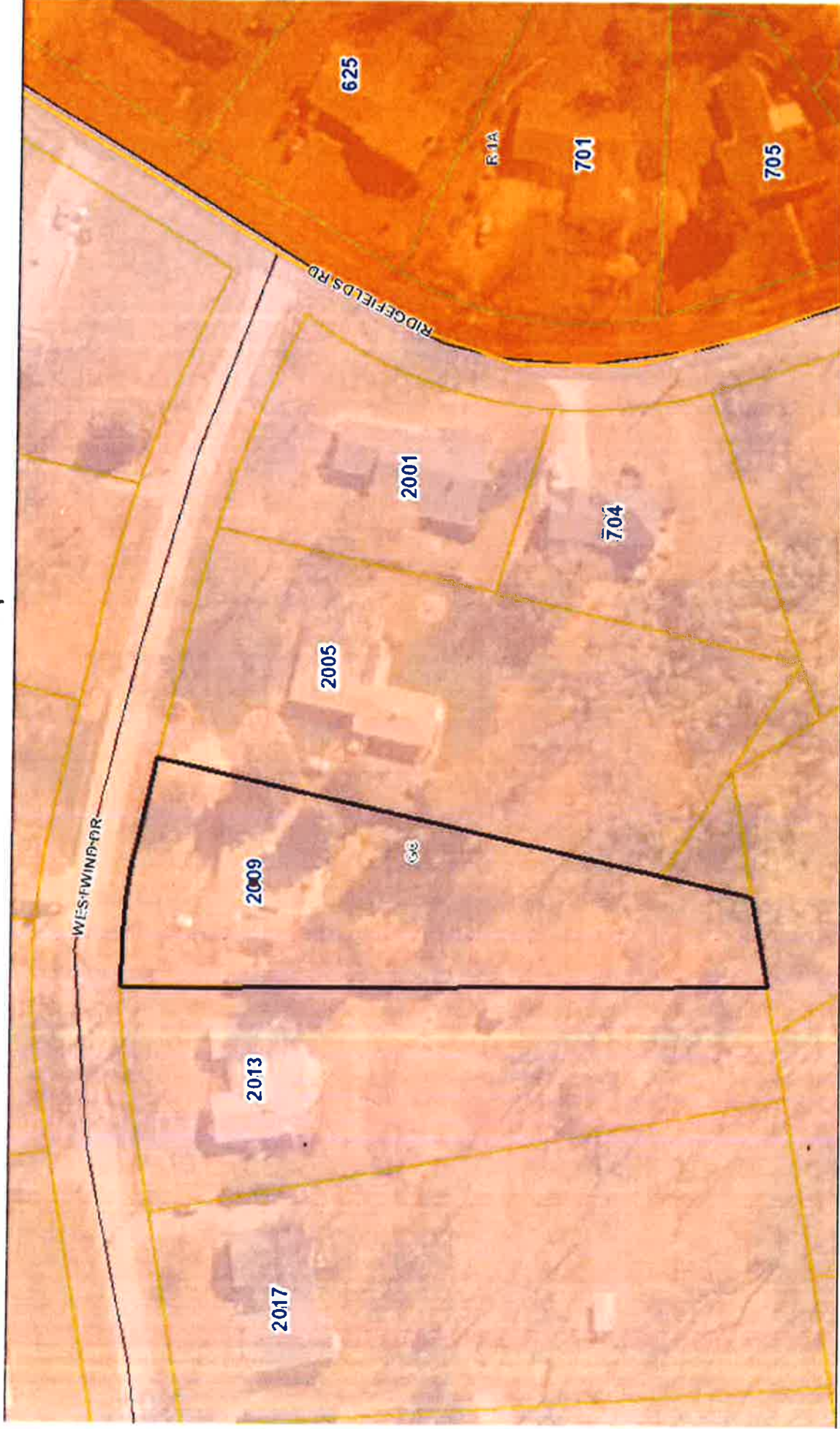
c.Front yard. Minimum front yard setback shall be 40 feet.

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.

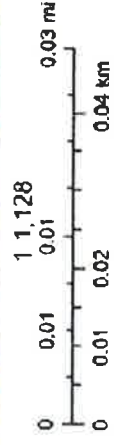
Note that the Board, with the applicant for this item in agreement, postponed a decision on this case until the October 2022 regular meeting. Five new pages of information now accompany this item for consideration.

ArcGIS Web Map



3/19/2022, 9:42:31 AM

- ☐ Hawkins County Parcels
- ☐ Lake_Pond
- ☐ Parcel_Conflict
- ☐ Parcels
- ☐ Railroad_ROW
- ☐ River
- ☐ Street_ROW
- ☐ Sullivan County Parcels
- ☐ Lake_Pond
- ☐ Parcel_Conflict
- ☐ Railroad_ROW
- ☐ River
- ☐ Street_ROW
- ☐ Washington County Parcels
- ☐ Lake_Pond
- ☐ Parcel_Conflict
- ☐ Railroad_ROW
- ☐ River
- ☐ Street_ROW
- ☐ K01 911 Address



ArcGIS Web Map



3/19/2022 9:43:39 AM

Lawrence County Parcels

Parcel

Parcel

Parcel

Parcel

Lawrence County Parcels

Parcel

Parcel

Parcel

Parcel

Lawrence County Parcels

Parcel

Parcel

Parcel

Parcel

Lawrence County Parcels

Parcel

Parcel

Parcel

Parcel

1" = 28'

0 0.01 0.02 0.03 0.04 0.05

0 0.01 0.02 0.03 0.04 0.05

0 0.01 0.02 0.03 0.04 0.05

0 0.01 0.02 0.03 0.04 0.05

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: Lot: 4
014.00 Apartment/Unit #
Street Address 2009 Westwind Dr.
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
4/19/25

My Commission Expires



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.

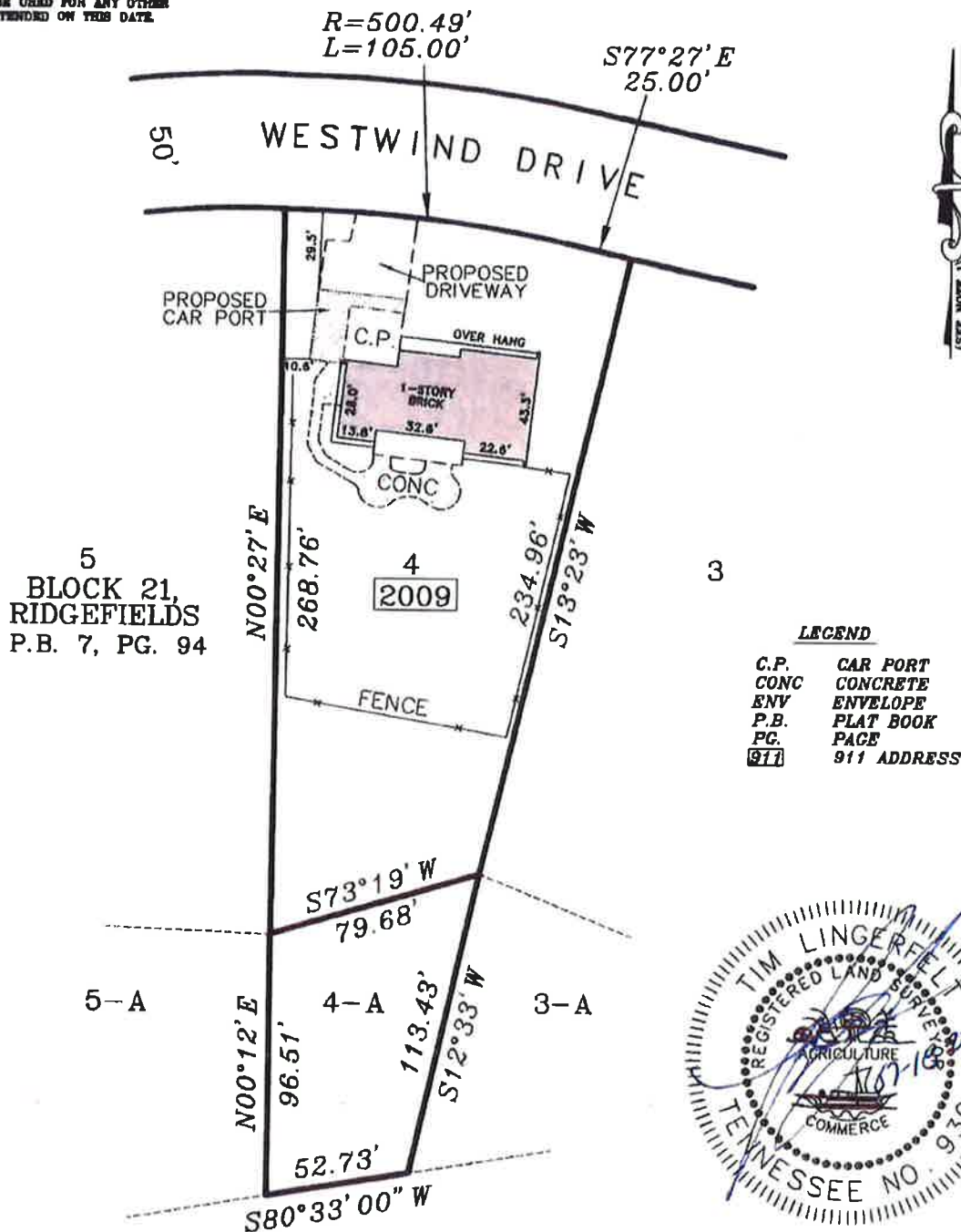
d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

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.



NOTES:

- 1) NORTH BASED ON REFERENCED PLAT.
- 2) SETBACKS TO CONFORM TO ZONING DESIGNATION
- 3) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL FLOOD INSURANCE ADMINISTRATION BOUNDARY MAP 47183C00400 EFFECTIVE DATE SEPTEMBER 29, 2006 AND FOUND THAT THE ABOVE PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.
- 4) I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND THE RATIO OF PRECISION IS BETTER THAN 1:10,000.
- 5) THIS SURVEY WAS DONE IN COMPLIANCE WITH THE CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE.
- 6) THIS SURVEY IS SUBJECT TO ANY AND ALL SERVITUDES, EASEMENTS COVENANTS, OR RESTRICTIONS EITHER WRITTEN OR UNWRITTEN.

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

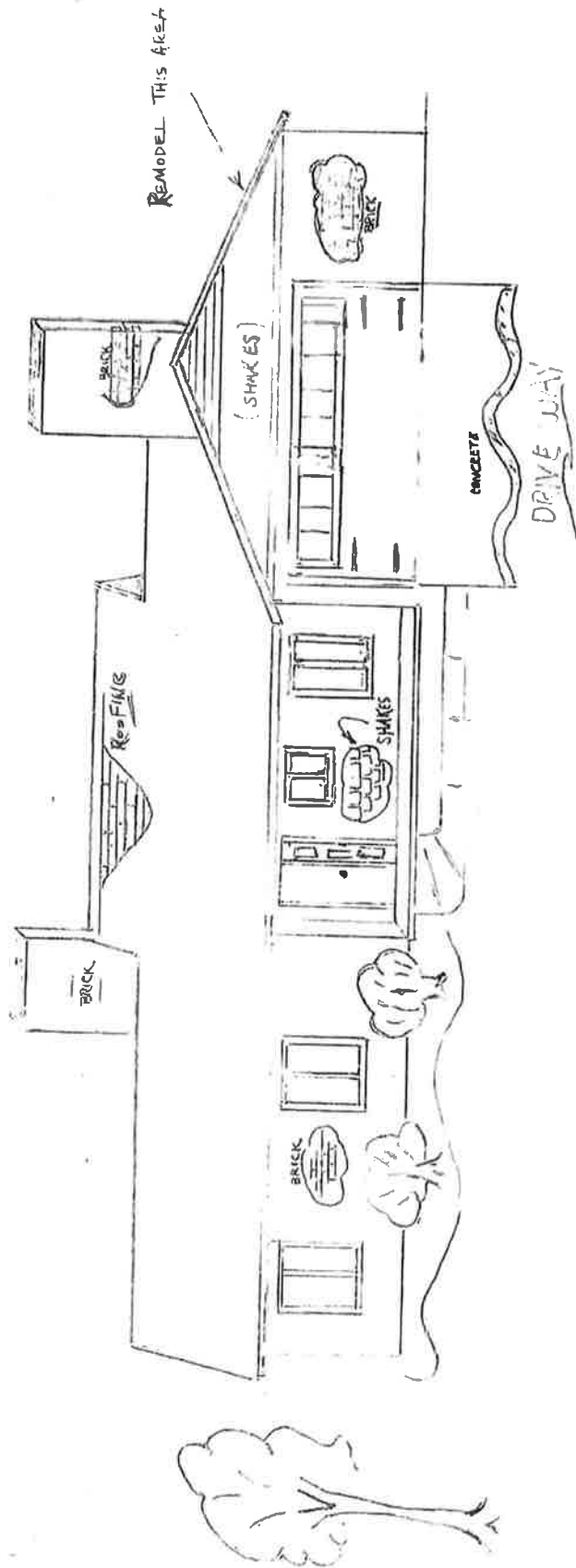
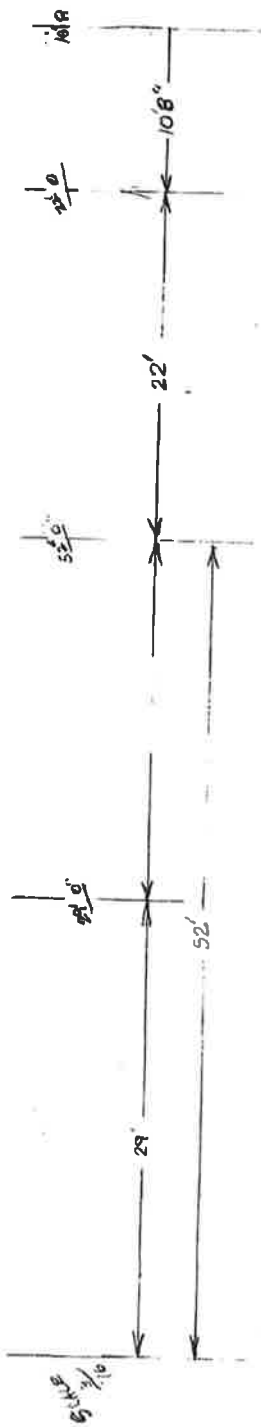
STATE: TENNESSEE TAX MAP 11B "B" PARCEL 14.00

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

REFERENCE: PLAT BOOK 7, PAGE 94

22-12703 FB/PG: N/A

FOR: OWNER



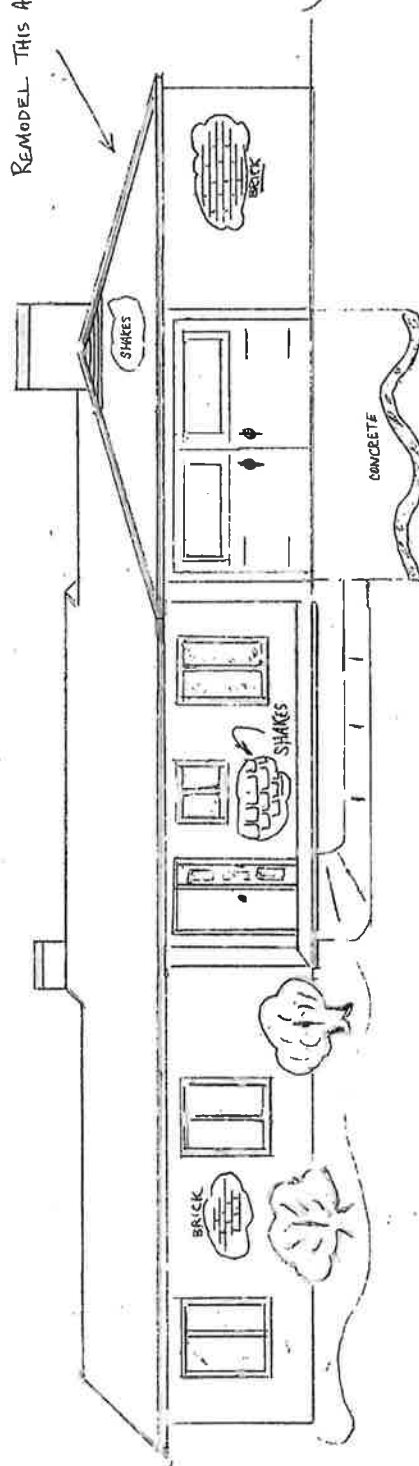
- REMODEL 1960 CARPORT
- INCLUDE & ADD GARAGE DOOR
- ADD 5' TO FRONT OF CARPORT
- PICTURES INCLUDED





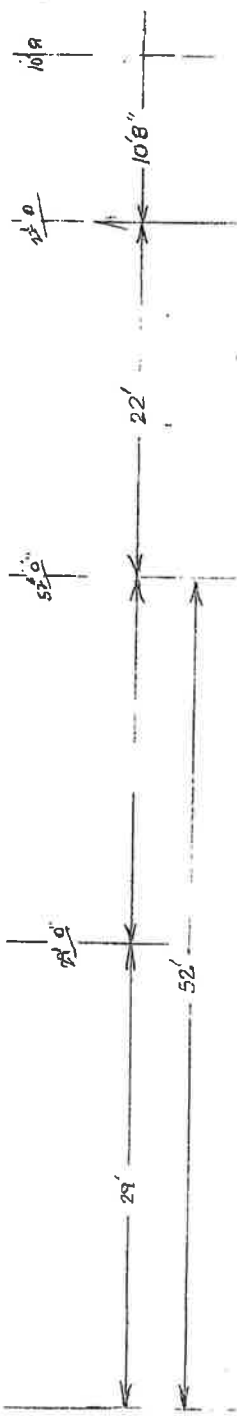
THE FOLLOWING 5 PAGES OF THIS ITEM HAVE BEEN
SUBMITTED BY THE APPLICANT FOR THE
OCTOBER 13, 2022 MEETING.

REMODEL THIS AREA

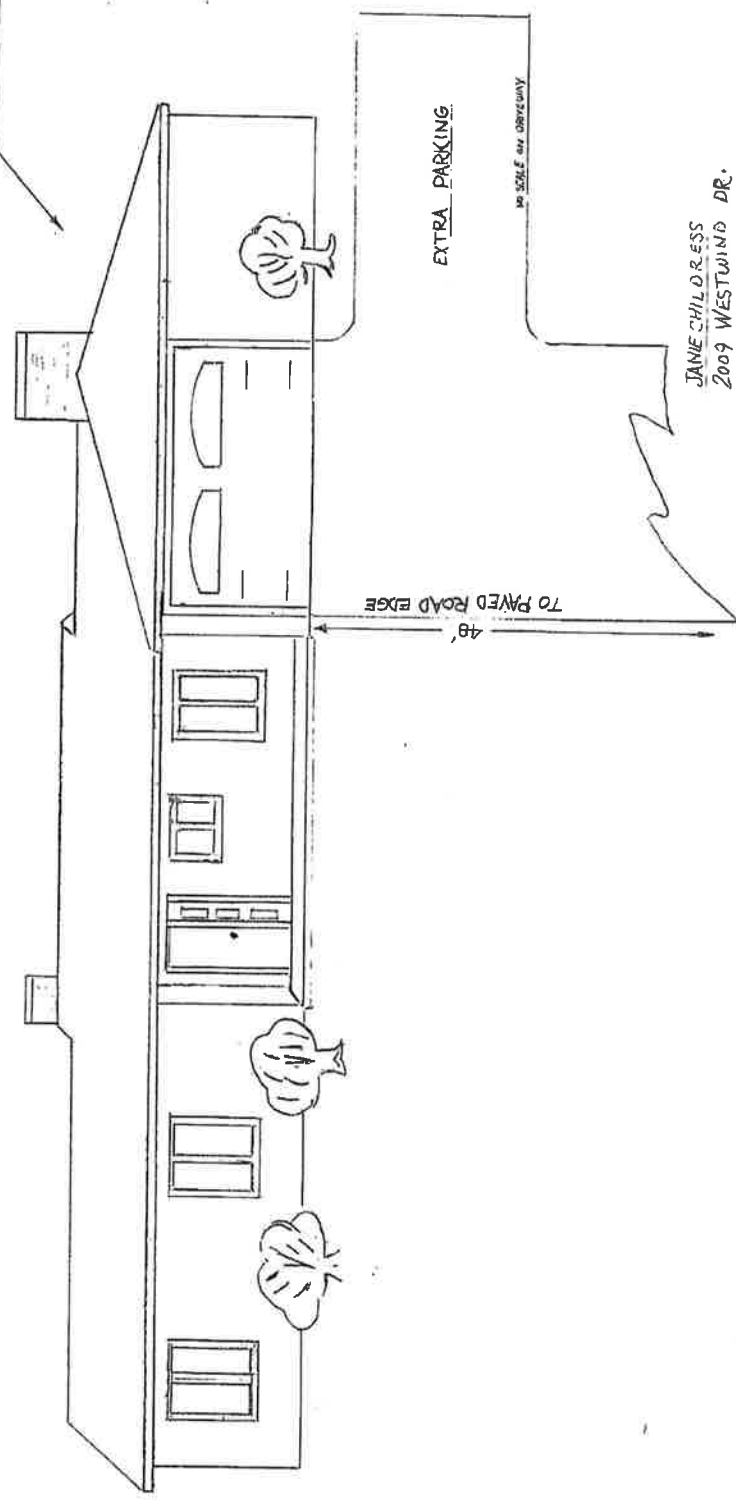


- REMODEL 1960 CARPORT
ENCLOSE & ADD GARAGE DOOR
ADD 5' TO FRONT OF CARPORT
PICTURES ENCLOSED

JANE CHILDRRESS
2009 WESTWIND L.

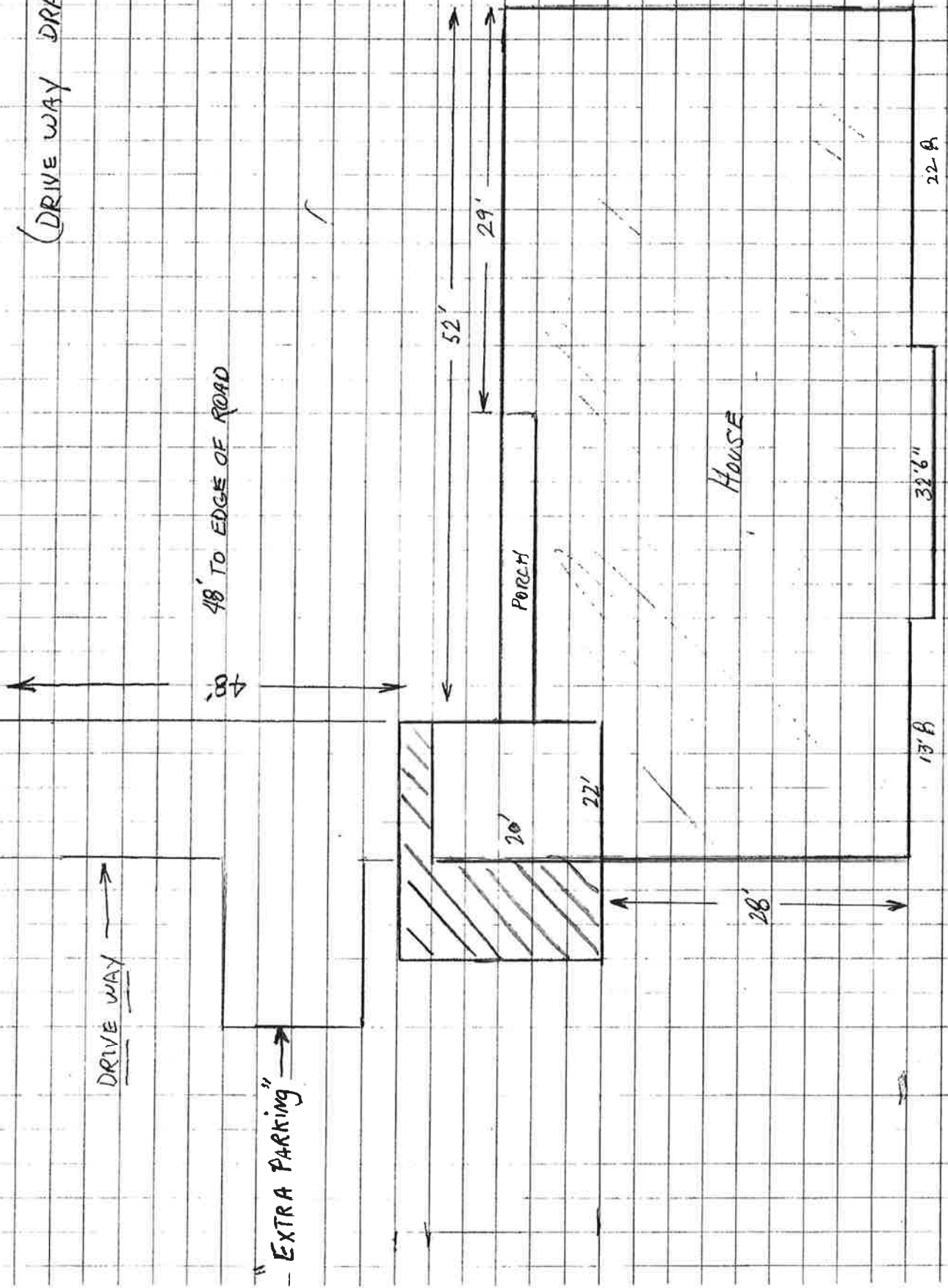


HIP STYLE ROOF

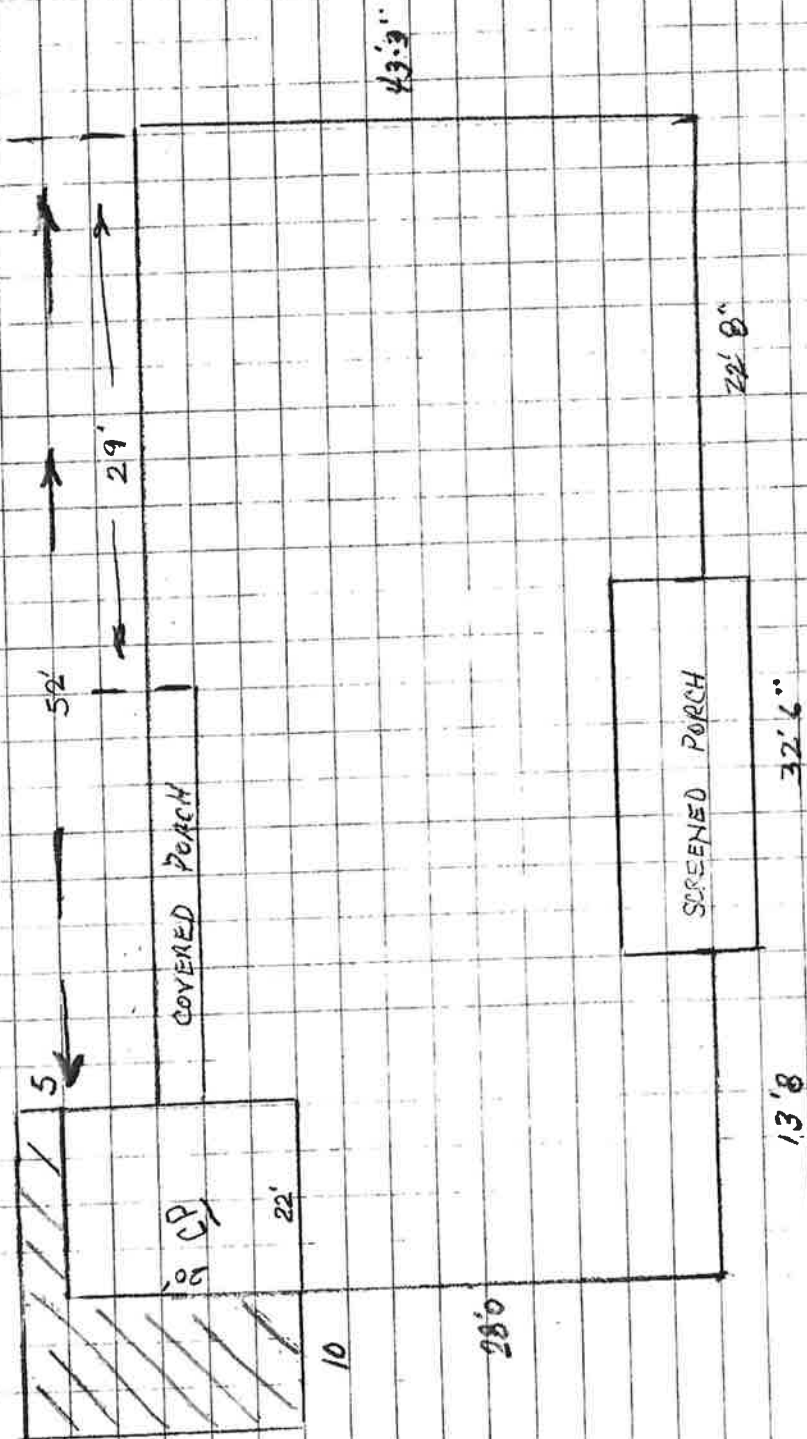


JANIE CHILDRESS
2009 WESTWIND DR.

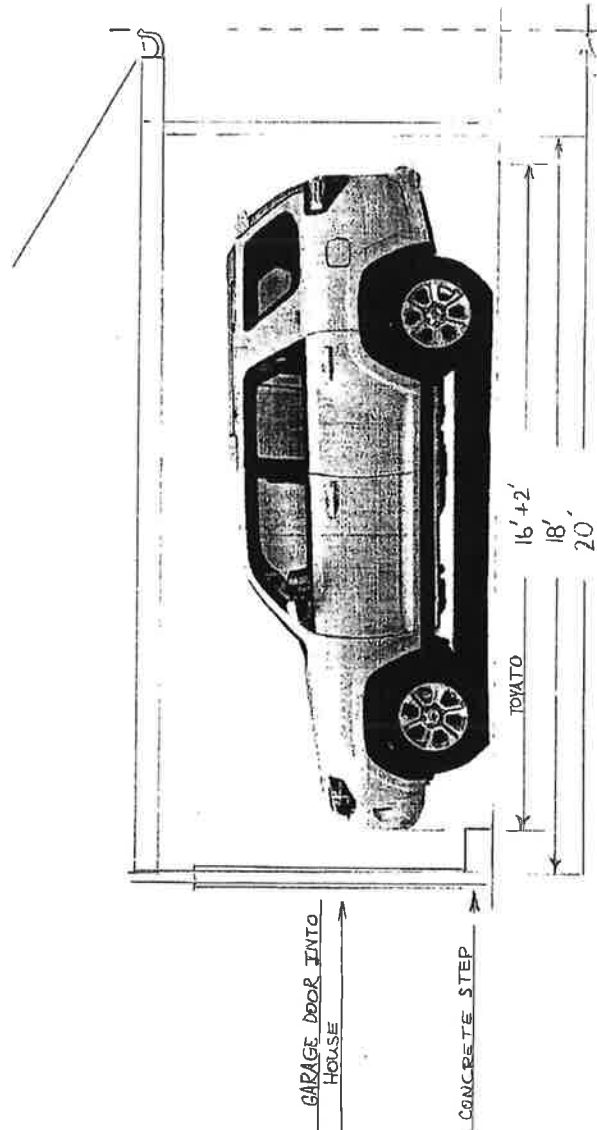
(DRIVE WAY DRAWING)



Zoe Westwood
House



JANIE CHILDRESS
2009 WEST WIND



⊕	BMW	14' 8"
	TOYATO	16' + REAR HATCH 2'
	CHEVY CONVERSION	16' + BACK DOOR 2' 7"

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

September 1, 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:

Jeanie Brehl Bernard Brehl

Butch Rose Carroll Childress

Teresa Smith Brian Smith

Lisa Robbins Joseph Robbins

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: 22-0204 – 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.

Mr. Carroll Childress presented the case to the Board. Mr. Childress stated that the request was needed for security as the property owner works from home. Mr. Childress stated that no room exists to support a driveway connection to the rear of the property. Staff drew attention to the public input on the item. The Chairman opened the public hearing. Mr. Bernard Brehl stated that he has concerns about the proposal and that the current structure does not fit the proper setbacks.

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

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 front yard 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.

Mr. Butch Rose presented the case to the Board. Mr. Rose stated that he needs the extra space in the front yard due to the steep contour of the rear yard that impacts all properties being considered for the variance. The Chairman opened the public hearing. Mr. Brian Smith stated that he does not believe that the property qualifies for a zoning exemption. Mr. Joe Robbins stated that he does not want small homes and that there are deed restrictions that Mr. Rose must follow.

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 August 4, 2022 regular meeting. The motion passed unanimously, 5-0. The Board determined that the next regular meeting date of October 6, 2022 was not possible as a quorum would not be available. The Board decided to delay the October meeting by one week. Staff announced that a public notice would run in the Times-News to announce the amended October 2022 meeting date. Staff stated for public record that the next application deadline is September 15, 2022 for the October 13, 2022 regular meeting.

Adjudication of Cases:

Case: 22-0204 – The owner of property located at 2009 Westwind Drive, Control Map 060B, Group B, Parcel 014.00

Calvin Clifton stated that the gable ending for the proposal is a concern of one of the neighbors. Mr. Childress stated that he would take concern that into consideration. Mr. Clifton asked if the applicant could do an enclosed garage without extending the wall out. Mr. Childress stated that he did not know how to do that. Mr. Clifton asked if dimensions of the current carport can be supplied to the Board. Mr. Childress stated that he would be willing to postpone a decision from the Board today if he is allowed to return to a near future meeting with the requested information.

MOTION: made by Calvin Clifton, seconded by Tracey Cleek, to delay a decision on the matter today with the application representative's permission.

VOTE: 4-0 to delay a decision with the application representative's approval.

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

Calvin Clifton stated that there are neighbor concerns, setback, and home size concerns.

MOTION: made by Wes Combs, seconded by Bill Sumner, to deny the 5 foot variance requests for all parcels.

VOTE: 5-0 to approve the motion.

With no further business the meeting was adjourned at 1:22 p.m.

Respectfully Submitted,

Ken Weems, AICP
Planning Manager