

KINGSPORT BOARD OF ZONING APPEALS AGENDA
REGULAR MEETING: August 2, 2018
Development Services Building – Bob Clear Conference Room

CALL TO ORDER – 12:00 P.M. NOON

INTRODUCTION / MEETING PROCEDURES

PUBLIC HEARING:

Case: 18-701-00013 – Property located at 1010 Burns Street and 1017 Lynn Garden Drive, Control Map 030I, Group A, Parcel 012.00 requests a 6,951 square foot variance to minimum lot size and an 8,258 square foot variance to minimum lot size to Sec 114-195(f)1(a) and an 18 foot rear yard variance to Sec 114-195(f)1(e) for the purpose of subdividing the parcel. The property is zoned B-3, Highway Oriented Business District.

INTERESTED PARTIES:

Owner: Tony Mullenix
1017 Lynn Garden Drive & 1010 Burns Street
Kingsport, TN 37665
378-4344

Representative: Murrell Weems

BUSINESS:

Approval of the July 19, 2018 driving tour and regular meeting minutes.

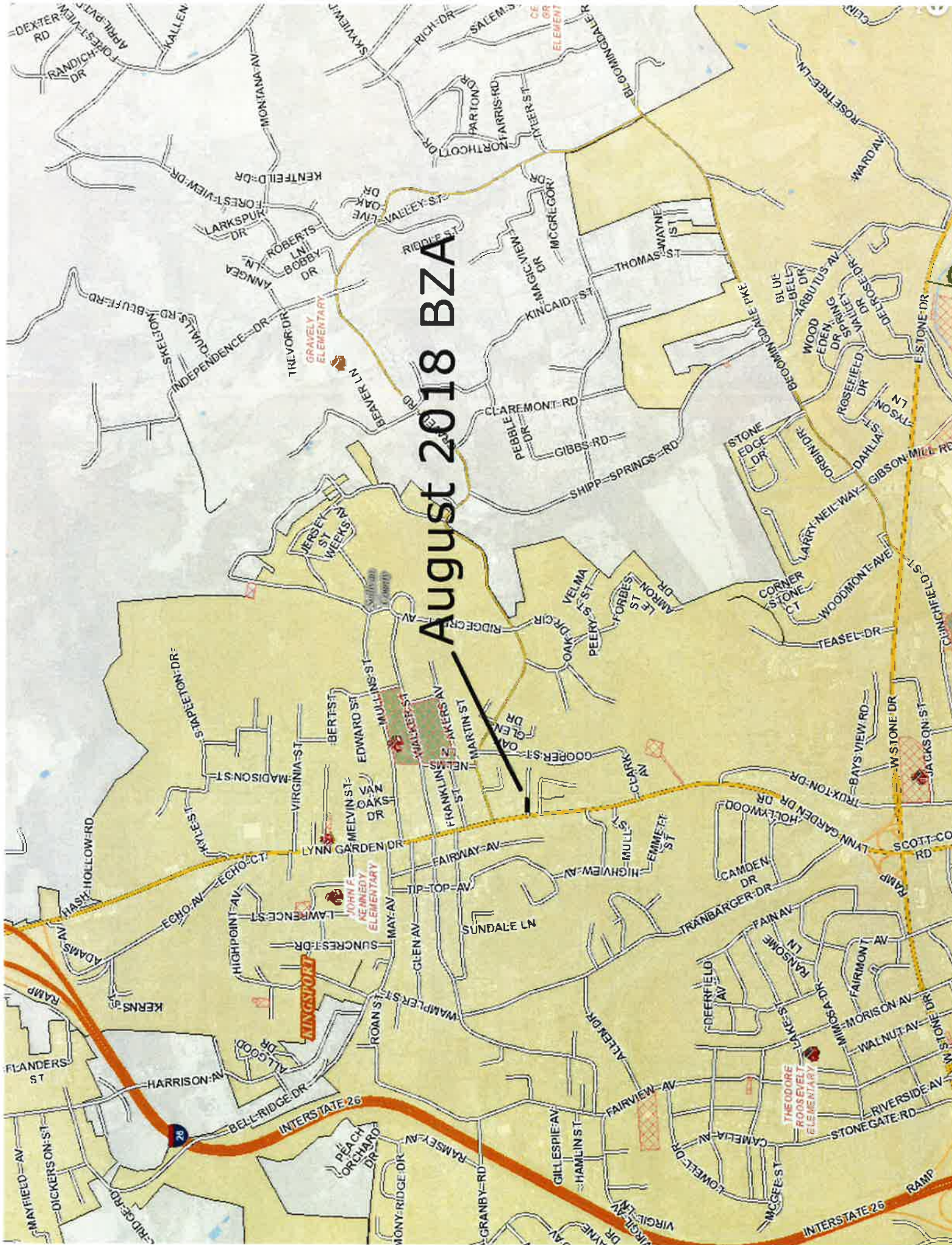
Stating for public record, the next application deadline is August 15, 2018 at noon, and meeting date (Thursday, September 6, 2018).

Discussion of future accessory structure regulation changes

ADJUDICATION OF CASES:

ADJOURNMENT:

August 2018 BZA



MEMORANDUM

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: July 24, 2018

RE: 1010 Burns Street and 1017 Lynn Garden Drive

The Board is asked to consider the following request:

Case: 18-701-00013 – Property located at 1010 Burns Street and 1017 Lynn Garden Drive, Control Map 030I, Group A, Parcel 012.00 requests a 6,951 square foot variance to minimum lot size and an 8,258 square foot variance to minimum lot size to Sec 114-195(f)1(a) and an 18 foot rear yard variance to Sec 114-195(f)1(e) for the purpose of subdividing the parcel. The property is zoned B-3, Highway Oriented Business District.

The existing parcel contains many legal, nonconforming zoning issues. The three listed above are solely the result of needing to subdivide the residential house from the commercial business. This is not uncommon for areas developed prior to modern-day zoning standards.

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 2, 2018 will be conducted beginning at NOON in the Bob Clear Conference Room, on the first floor of the Development Services Building, 201 West Market Street, Kingsport, Tennessee.

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

Case: 18-701-00013 – Property located at 1010 Burns Street and 1017 Lynn Garden Drive, Control Map 030I, Group A, Parcel 012.00 requests a 6,951 square foot variance to minimum lot size and an 8,258 square foot variance to minimum lot size to Sec 114-195(f)1(a) and an 18 foot rear yard variance to Sec 114-195(f)1(e) for the purpose of subdividing the parcel. The property is zoned B-3, Highway Oriented Business District.

All interested persons are invited to attend this Public Hearing. Additional information concerning this case may be obtained by contacting City of Kingsport Planning Division staff, telephone (423) 229-9485.

City of Kingsport, Tennessee
Jim Deming, City Recorder
P1T: 7/26/18



1023

1023

1013

1015

1008

1013

1040

1010

1021

1017

KINGSFORD

1025

1029

BURNS ST

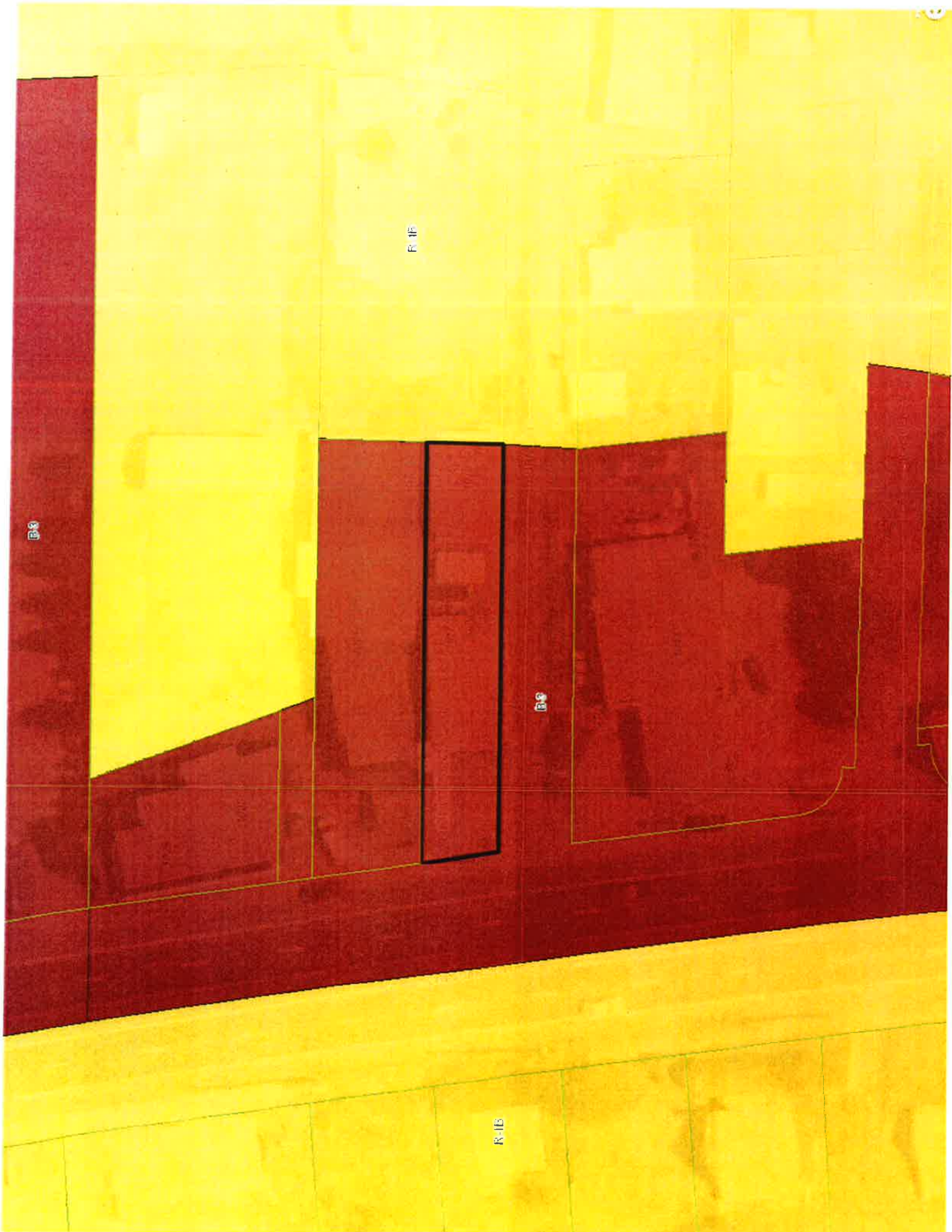
KINSLER AV

LYNN GARDEN DR

1040

1020

1012



R-1B

R-2

R-2

R-1B

APPLICATION

Board of Zoning Appeals

APPLICANT INFORMATION:

Last Name MULLENIX First TONY M.I. _____ Date 7-5-18
 Street Address 1017 LYNN GARDEN DR.
1010 BURNS ST. Apartment/Unit # _____
 City KINGSFORT State TN ZIP 37665
 Phone 378-4344 E-mail Address _____

PROPERTY INFORMATION:

Tax Map Information Tax map: 30I Group: A Parcel: 12 Lot: _____
 Street Address 1017 LYNN GARDEN DR. Apartment/Unit # _____
1010 BURNS ST.
 Current Zone B-3 Proposed Zone _____
 Current Use RESIDENTIAL Proposed Use _____
1017 LYNN GARDEN DR.
1010 BURNS ST.

REPRESENTATIVE INFORMATION:

Last Name WEEMS First MURRELL M.I. _____ Date 7-5-18
 Street Address P.O. Box 304 Apartment/Unit # _____
 City ROBESVILLE, State TN. ZIP 37857
 Phone 423-272-6608 E-mail Address MWEEMS285@BELLSOUTH.NE

REQUESTED ACTION:

1017 LYNN GARDEN DR. sq. feet 6,951 ± 18' VARIANCE ON
VARIANCE NEEDED REAR SETBACK LINE
1010 BURNS ST. sq. feet 8,258 ±
VARIANCE NEEDED

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: Tony W Mullenix

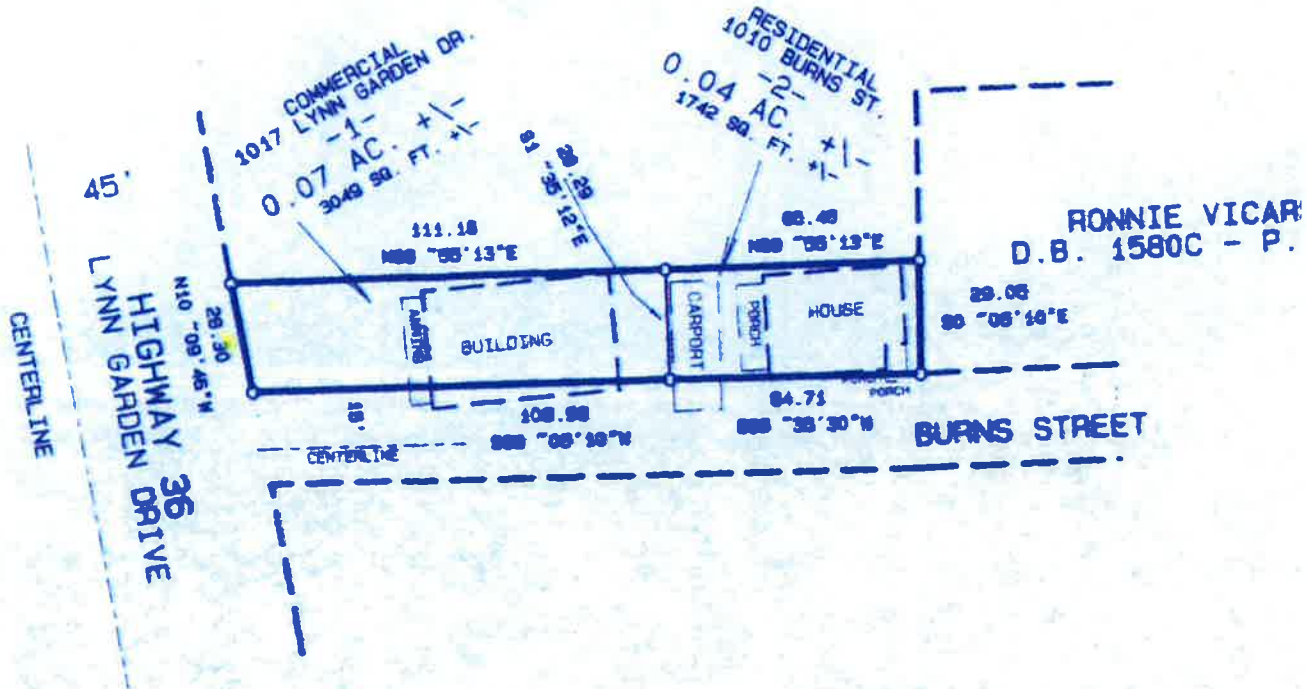
Date: 7-5-18

Signed before me on this 5th day of July, 2018,
 a notary public for the State of Tennessee
 County of Sullivan

Notary Anne M. Adamson
 My Commission Expires 11.25.2019



HAROLD PETERS
D.B. 2025C - P. 268



*Kem
Woems
1-865-361-1612
Jeff Woems*

I HEREBY CERTIFY THAT THIS IS A CATEGORY 2
PRECISION OF THE UNADJUSTED SURVEY IS 1/31
IN COMPLIANCE WITH THE TENNESSEE MINIMUM

SURVEYOR
REG. No. 285
PHONE (423) 272-6

CERTIFICATION OF APPROVAL FOR
RECORDING

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT

**MINUTES OF THE DRIVING TOUR OF THE
KINGSPORT BOARD OF ZONING APPEALS (BZA)**

July 19, 2018

10:30 a.m.

Members Present:

Bill Sumner
Calvin Clifton
Anita Campbell

Members Absent:

Jeff Little
Ashok Gala

Staff Present:

Ken Weems, AICP

At 10:30 a.m., the BZA departed the Development Services Building, 201 W. Market St. to conduct a driving tour of the property located at 509 E Main St., 1017 Lynn Garden Drive, 1280 Catawba Street, 2009 Green Lane, and 240 W. Center Street. No official action was taken.

The driving tour concluded at 11:55 a.m.

Respectfully Submitted,

Ken Weems, AICP
Zoning Administrator

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

July 19, 2018 Regular Meeting

Noon

Bob Clear Conference Room, 1st floor of the Development Services Building

Members Present:

Bill Sumner
Calvin Clifton
Anita Campbell
Ashok Gala

Members Absent:

Jeff Little

Staff Present:

Ken Weems, AICP
Page Jeffers

Visitors:

Amy Melling Denver Ford
Ted Fields Ronnie Vicars
Gil Walden Jon Brooks
Jody Stewart Shelia Shelton
Paul Ferrel Evan Crawford
Chris Coffey Janice Cobb

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. Attendees wishing to speak were sworn in.

Public Hearing:

Case: 18-701-00010 – Property located at 1280 Catawba Street, Control Map 046N, Group G, Parcel 040.00 requests a 7 foot, 10 inch side yard variance in order to construct an attached carport to Sec 114-183(e)1(d). The property is zoned R-1B, Residential District.

Mr. Jon Brooks presented the case to the Board. Mr. Brooks stated that he had suffered vehicle damage from an oak tree that overhangs his driveway. Mr. Brooks stated that he needs to build a carport addition onto his home that would cover the portion of the driveway that he parks on, thus shielding his vehicle from further damage.

Chairman Sumner, seeing no one else wishing to speak, closed the public hearing.

Case: 18-701-00011 – Property located at 2009 Green Lane, Control Map 061L, Group L, Parcel 010.00 requests a 17 foot variance to permit a swimming pool in a side yard to Sec 114-133(1). The property is zoned R-1B, Residential District.

Mr. Evan Crawford presented the case to the Board. Mr. Crawford stated that there is not enough room in his backyard for the swimming pool. Mr. Crawford stated that he needs approval for the pool to reside in his side yard. Ms. Campbell asked if Mr. Crawford had studied his backyard for a potential pool location. Mr. Crawford confirmed that he had studied his backyard for the pool location but that it wouldn't fit. During public comment, Chris Coffey stated that pools don't belong in the front or rear yard. Janice Cobb stated that Mr. Crawford has a nice fence around the pool and that it can no longer be seen. Ms. Cobb added that she has no problem with the pool being where it is. Denver Ford complained that the pool and fence block his view when he is attempting to turn onto Hermitage Drive. Mr. Ford stated that the pool has become the laughing stock of the neighborhood. Ms. Cobb stated that there is no obstruction on Green Lane.

Chairman Sumner, seeing no one else wishing to speak, closed the public hearing.

Case: 18-701-00012 – Property located at 509 East Main Street, Control Map 046P, Group F, Parcel 006.00 requests a 16.87 square foot variance to blade sign size to Sec 114-194(g)5. The property is zoned B-2, Central Business District.

Mr. Jody Stewart presented the case to the Board. Mr. Stewart stated that he was wanting to fill in the existing sign cabinet on the building with his company sign. Calvin Clifton confirmed with Mr. Stewart that the cabinet in question already existed on the building. Mr. Stewart confirmed that the cabinet in question was existing when he purchased the building.

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

Case: 18-701-00013 – Property located at 1010 Burns Street and 1017 Lynn Garden Drive, Control Map 030I, Group A, Parcel 012.00 requests a 6,951 square foot variance to minimum lot size and an 8,258 square foot variance to minimum lot size to Sec 114-195(f)1(a) and an 18 foot rear yard variance to Sec 114-195(f)1(e) for the purpose of subdividing the parcel. The property is zoned B-3, Highway Oriented Business District.

Chairman Sumner stated that no one was in attendance to present the case to the Board. Chairman Sumner stated that the case would not be heard by the Board until a representative of the case attended to present the case.

Case: 18-701-00014 – Property located at 240 West Center Street, Control Map 046, Group E, Parcel 021.00 requests a 100 square foot variance to wall sign size to Sec 114-194(g)2. The property is zoned B-2, Central Business District.

Gil Walden presented the case to the Board. Mr. Walden stated that the building height required a larger letter set for visibility and that the length of the bank name necessitated more space than most businesses. Calvin Clifton asked if the bank had considered a letter set in between 60 and 80 square feet. Mr. Walden stated that he had not considered that size of letter set since he believes 80 square feet looks better on the building. Jon Brooks stated that he has a background in graphic design and that a smaller letter set, if done properly, would be better for the building.

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

Next, Chairman Sumner called for approval of the June 2018 meeting minutes. Mr. Weems drew the Board's attention to a minute correction received from Calvin Clifton. On a motion by Mr. Gala, seconded by Ms. Campbell, the June 2018 driving tour and regular meeting minutes were approved as amended, 3-0. Next, Chairman Sumner stated for public record, that the next application deadline is July 16, 2018 for the August 2, 2018 meeting. Mr. Weems stated that he is prepared to offer training on minimum yard requirements and location standards if time permits at the end of the meeting.

Adjudication of Cases:

Case: 18-701-00010 – Property located at 1280 Catawba Street, Control Map 046N, Group G, Parcel 040.00

MOTION: made by Mr. Clifton, seconded by Ms. Campbell, to grant the variance as presented.

VOTE: 3-0 to approve

Case: 18-701-00011 – Property located at 2009 Green Lane, Control Map 061L, Group L, Parcel 010.00

Mr. Clifton stated that work needed to be done to clarify the definition of a pool as an accessory structure, with distinction between in-ground pools and above ground pools.

MOTION: made by Mr. Gala, seconded by Mr. Clifton, to grant the variance as presented.

VOTE: 3-0 to approve

Case: 18-701-00012 – Property located at 509 East Main Street, Control Map 046P, Group F, Parcel 006.00

MOTION: made by Ms. Campbell, seconded by Mr. Gala, to grant the variance as presented.

VOTE: 4-0 to approve

Case: 18-701-00014 – Property located at 240 West Center Street, Control Map 046, Group E, Parcel 021.00

Mr. Clifton stated that the proposal is too large and that a compromise will look better. Chairman Sumner stated that the hardship is that the building is too close to a busy street for any signage to be placed along the front of the structure and that a 60 square foot variance which would be a total of 120 square feet of wall signage would be more appropriate.

MOTION: made by Mr. Gala, seconded by Ms. Campbell, to grant a 60 square foot variance to wall sign allotment, which would mean a total of 120 square feet of total wall sign allotment for the building, to be split as desired by the applicant between the Shelby Street and Clay Street sides of the building.

VOTE: 4-0 to approve

With no further business the meeting was adjourned at 1:20 p.m.

Respectfully Submitted,

Ken Weems, AICP
Zoning Administrator