

KINGSPORT BOARD OF ZONING APPEALS AGENDA  
REGULAR MEETING: December 6, 2018  
Development Services Building – Bob Clear Conference Room

CALL TO ORDER – 12:00 P.M. NOON

INTRODUCTION / MEETING PROCEDURES

**PUBLIC HEARING:**

**Case: 18-701-00020 – Property located at 107 Lindkaye Drive, Control Map 92O, Group E, Parcel 027.00**, requests a 1.81 foot front yard variance to Sec 114-183(e)1(c) to accommodate a home addition. The property is zoned R-1B, Residential District.

***INTERESTED PARTIES:***

Owner: Michael Hale  
107 Lindkaye Drive  
Kingsport, TN 37663  
423.239.5344

Representative: Michael Hale

**Case: 18-701-00021 – Zoning Interpretation, Administrative Review** Lamar Texas Limited Partnership dba Lamar Advertising Tri-Cities TN to revoke any and all permits including the building permit dated 10/5/18, authorizing Allison Outdoor Advertising to erect an off-premises advertising sign on the property located at 1750 E. Stone Drive, Kingsport, Tennessee. Said sign and its location does not comply with Sec. 114-532 of the City of Kingsport's code of ordinances, including, but not limited to, the following:

1. The site does not meet the distance from an interstate highway as provided in subsection (3); and
2. The size of the sign surface area greatly exceeds the limitations in subsection (6). An off-premises advertising sign has not been located on the site for approximately five (5) years, which discontinuance period far exceeds the grandfathering time limits of 30 months set forth in T.C.A. 13-7-208(g) and Sec. 114-531(a)(4) of the City code.

***INTERESTED PARTIES:***

Lamar Texas Limited Partnership dba Lamar Advertising Tri-Cities TN  
PO Box 96030  
Baton Rouge, LA 70896  
423.323.5219

Representative: J. Shay Langley

**Case: 18-701-00022 – Property located at 4624 Farlane Drive, Control Map 92N, Group C, Parcel 005.00**, requests erection of a nonconforming freestanding sign to Sec. 114-531 (b). The existing freestanding sign is 243.59 square feet in size. The nonconforming freestanding sign proposal is 150.3 square feet in size. Additionally, the applicant requests two (2) variances of 4.66 square feet to Sec 114-528(1)b for the purpose of increased directional sign size. The property is zoned B-3, Highway Oriented Business District.

***INTERESTED PARTIES:***

Owner: Monilkumar Patel  
4624 Fairlane Drive  
Kingsport, TN 37663  
423.443.0059

Representative: Gil Walden, Bristol Sign Company

**Case: 18-701-00023 – Property located at 4335 Fort Henry Drive, Control Map 92K, Group A, Parcel 001.04**, requests a 39.6 square foot freestanding sign size variance to Sec. 114-533(8)2. The property is zoned B-3, Highway Oriented Business District.

***INTERESTED PARTIES:***

Owner: Ingle Markets Inc., c/o Mary Thompson  
2913 Hwy 70 West  
Black Mountain, NC 28711  
828.669.2941

Representative: Craig Inabinett, Rainbow Signs Inc.

**Case: 18-701-00024 – Property located at 2000 Greenway Street, Control Map 45F, Group E, Parcel 001.10**, requests two (2) variances of 6 square feet to Sec 114-528(1)b for the purpose of increased directional sign size; one (1) variance of 22 square feet to Sec 114-528(1)b for the purpose of increased directional sign size; and approval for continuation of a non-conforming freestanding sign to Sec 114-531(b). The property is zoned R-3, Low Density Apartment District.

***INTERESTED PARTIES:***

Owner: Brent Fugate  
1905 American Way  
Kingsport, TN 37660  
423.923.7352

Representative: Randy Holland, Snyder Signs

**Case: 18-701-00025 – Property located at 2204 Pavilion Drive, Control Map 47H, Group A, Parcel 028.70**, requests a 66 square foot variance for one (1) directional signage to Sec 114-528(1)d. The property is zoned P-1, Professional Offices District.

***INTERESTED PARTIES:***

Owner: Brent Fugate  
1905 American Way  
Kingsport, TN 37660  
423.923.7352

Representative: Randy Holland, Snyder Signs

**BUSINESS:**

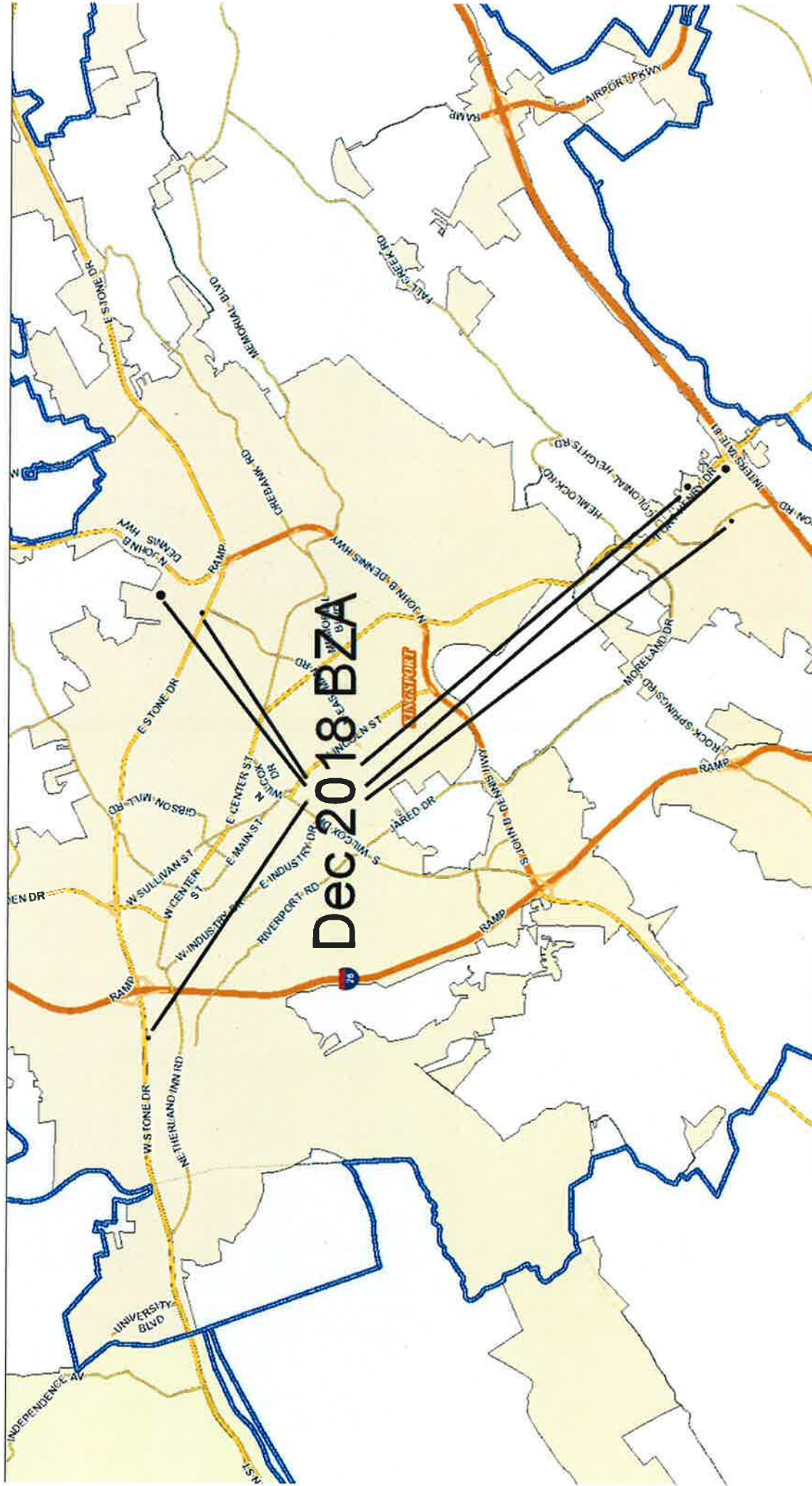
**Approval of the November 1, 2018 driving tour and regular meeting minutes.**

**Stating for public record, the next application deadline is December 17, 2018 at noon, and meeting date (Thursday, January 3, 2019).**

**ADJUDICATION OF CASES:**

**ADJOURNMENT:**

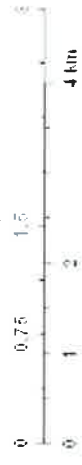
# ArcGIS Web Map



1/9/2018 1:52:17 PM

Urban Growth Boundary

1:72,224



MEMORANDUM

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: November 19, 2018

RE: 107 Lindkaye Drive

The Board is asked to consider the following request:

**Case: 18-701-00020 – Property located at 107 Lindkaye Drive, Control Map 920, Group E, Parcel 027.00**, requests a 1.81 foot front yard variance to Sec 114-183(e)1(c) to accommodate a home addition. The property is zoned R-1B, Residential District.

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, December 6, 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.

A tour of the property will be conducted starting at 10:30a.m. prior to the meeting.

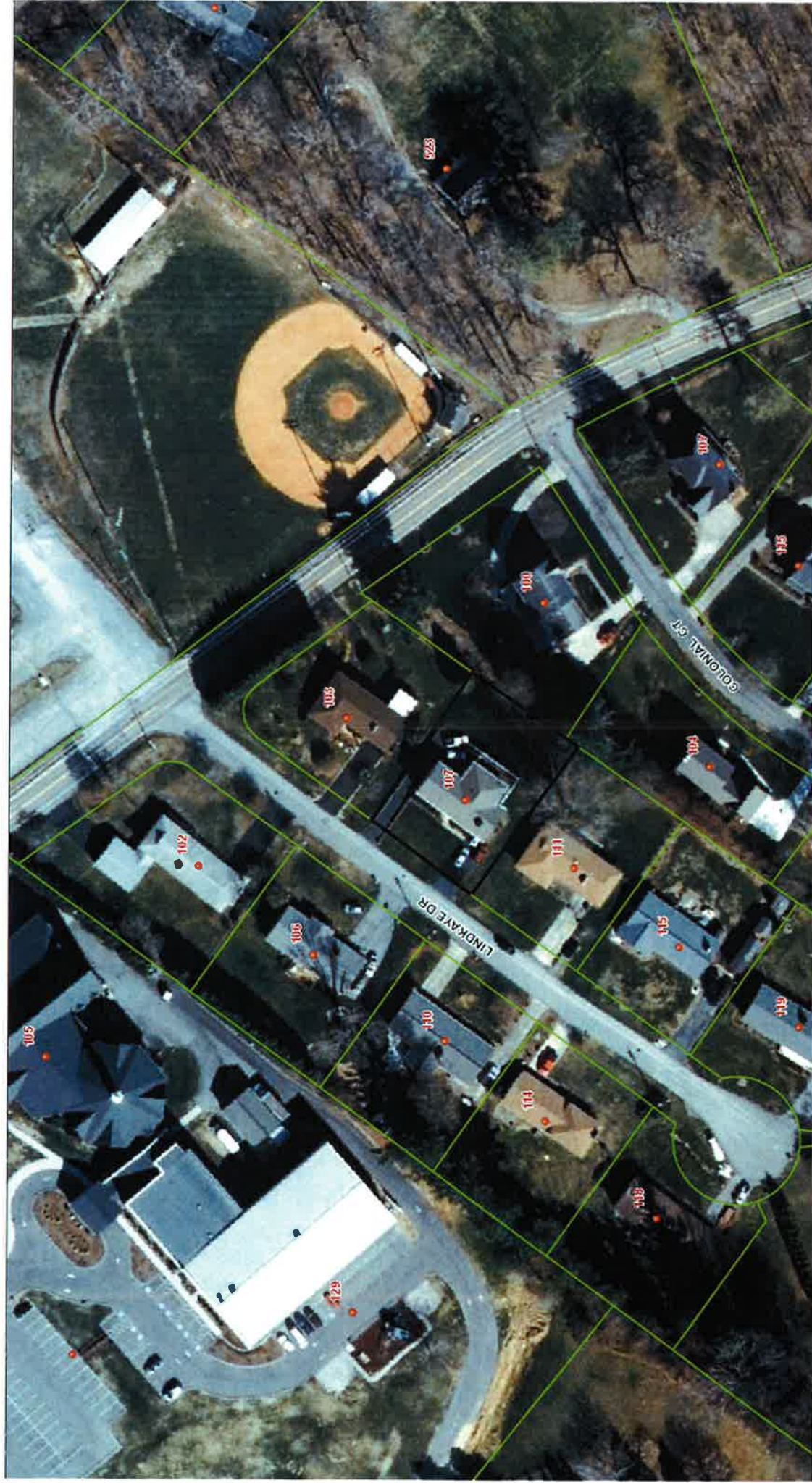
Public Hearing: The Kingsport Board of Zoning Appeals will conduct a Public Hearing during this meeting to consider the following case:

**Case: 18-701-00020 – Property located at 107 Lindkaye Drive, Control Map 92O, Group E, Parcel 027.00,** requests a 1.81 foot front yard variance to Sec 114-183(e)1(c) to accommodate a home addition. 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) 229-9485.

City of Kingsport, Tennessee  
Jim Deming, City Recorder  
P1T: 11/26/18

# ArcGIS Web Map



11/9/2016 2:02:54 PM

Addresses

Sullivan Co Parcel Data

Urban Growth Boundary

1:1,128





# APPLICATION

Board of Zoning Appeals



## APPLICANT INFORMATION:

Last Name Michael E. Hale First Michael M.I. E. Date \_\_\_\_\_  
Street Address 107 Lindkaye Dr. Apartment/Unit # \_\_\_\_\_  
City Kingsport State IN. ZIP 37663  
Phone 423-239-5344 E-mail Address \_\_\_\_\_

## PROPERTY INFORMATION:

Tax Map Information Tax map: 920 Group E Group: E Parcel: 37 Lot: \_\_\_\_\_  
Street Address Same as above Apartment/Unit # \_\_\_\_\_  
Current Zone R-1B Proposed Zone NA  
Current Use single family Proposed Use same

## REPRESENTATIVE INFORMATION:

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

## REQUESTED ACTION:

1.81 FT. Front Yard Variance

## 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: Michael E. Hale

Date: 10-29-18

Signed before me on this 29th day of October, 2018,  
a notary public for the State of Tennessee  
County of Sullivan

Notary Alison Katie Fields  
My Commission Expires 5-31-22



## 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.

*Currently some essential functions must be done in the downstairs area of the home. Due to ageing issues this is becoming very difficult. The proposed addition will allow the functions to be done on the upstairs level.*

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

*Without the proposed addition, we will likely need to relocate.*

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 elevation off the front of the property allows for the proposed addition; whereas, the topography at the rear of the property would prohibit the addition.*

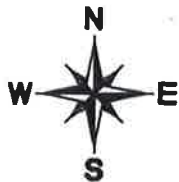
d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

*By making the proposed addition to the home; the property value will increase, the appearance of the home will improve and add to the overall aesthetic of 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.

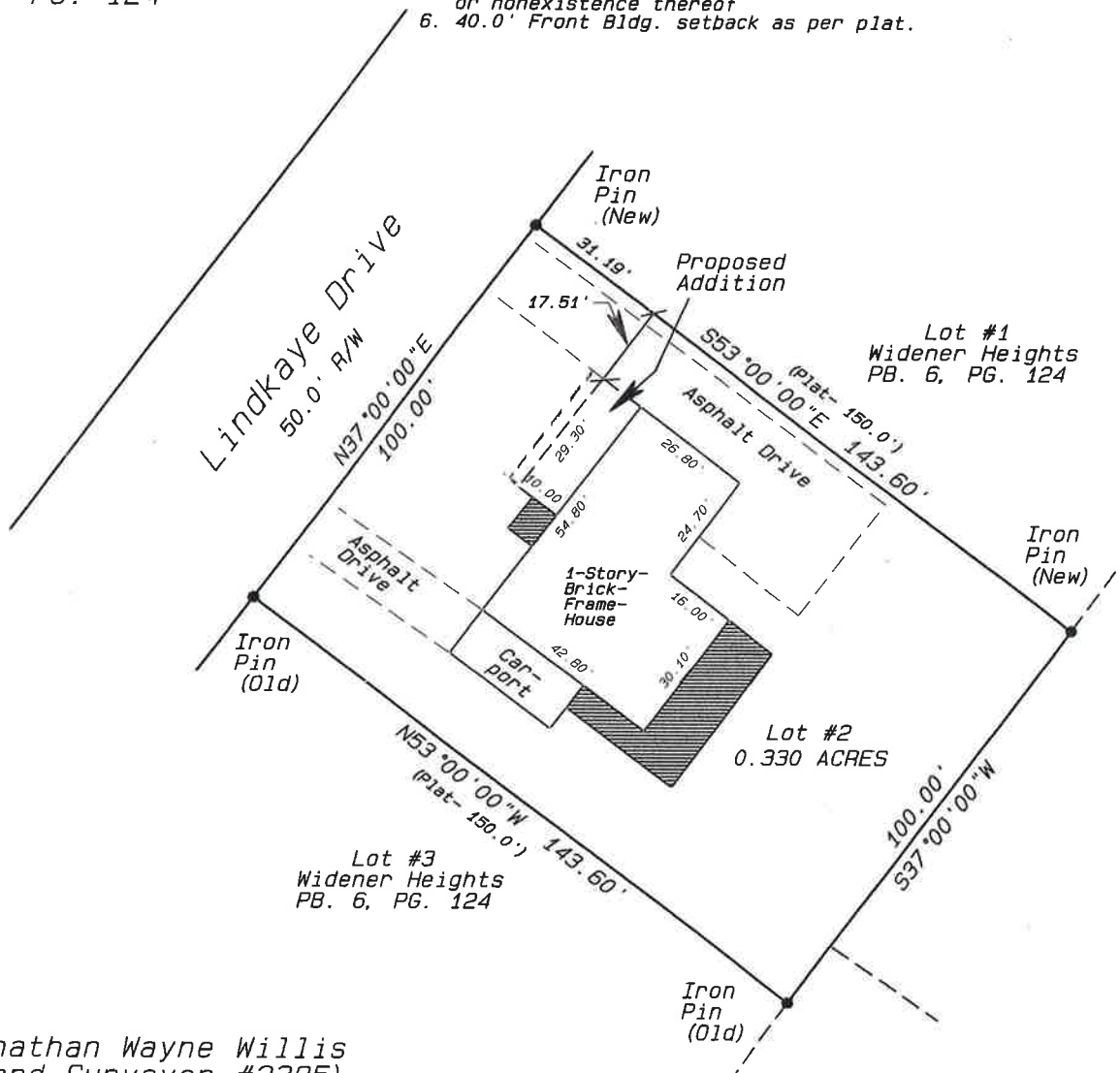
Hardship - There is no definition of a "hardship". Some guidelines, based on legal precedent, for applying the concept of unnecessary hardship are:

1. The premises 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



PB. 6,  
PG. 124

1. This survey is based upon existing monuments and evidence which were found in the field as of the above date.
2. No title information was furnished to this surveyor this survey is subject to an actual title search.
3. I hereby certify that this is a Category I survey and the ratio of precision of the unadjusted survey is 1' in 10,000' as shown hereon.
4. The Property shown and described hereon are subject to any and all easements, right of ways, restrictive covenants, reservations, zoning ordinance, planning commission regulations and building setbacks, if any affecting said property, whether or not they may be shown on the plat hereon or whether or not recorded in the public records.
5. Utilities and underground features have not been located as part of this survey and no certification is made or implied to the existence or nonexistence thereof
6. 40.0' Front Bldg. setback as per plat.



Jonathan Wayne Willis  
(Land Surveyor #2385)  
170 Lakeview Lane  
Gray, TN. 37615  
(423) 202-8667

Owners- Michael Earl & Carolyn Kay Hale  
Property Address- 107 Lindkaye, Drive, Kingsport, TN. 37663

## Lot #2, Widener Heights

SCALE: 1" = 40'

APPROVED BY:

DRAWN BY J.W.

DATE: 9/4/2018

Willis Land Surveying

REVISED

Located in the 14th Civil District of  
Sullivan County, TN.

Tax Map 0920, Group E, Parcel 037.00  
DB. 88C, PG. 235, PB. 6, PG. 124

DRAWING NUMBER  
9-4-194-18



## MEMORANDUM

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: November 19, 2018

RE: 1750 E Stone Drive

The Board is asked to consider the following request:

**Case: 18-701-00021 – Zoning Interpretation, Administrative Review** Lamar Texas Limited Partnership dba Lamar Advertising Tri-Cities TN to revoke any and all permits including the building permit dated 10/5/18, authorizing Allison Outdoor Advertising to erect an off-premises advertising sign on the property located at 1750 E. Stone Drive, Kingsport, Tennessee. Said sign and its location does not comply with Sec. 114-532 of the City of Kingsport's code of ordinances, including, but not limited to, the following:

1. The site does not meet the distance from an interstate highway as provided in subsection (3); and
2. The size of the sign surface area greatly exceeds the limitations in subsection (6). An off-premises advertising sign has not been located on the site for approximately five (5) years, which discontinuance period far exceeds the grandfathering time limits of 30 months set forth in T.C.A. 13-7-208(g) and Sec. 114-531(a)(4) of the City code.

Two sections of city code that address the administrative review process are found below:

***Sec. 114-67. – Powers(1):***

*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 114-68. – Appeals to the Board(a)***

*An appeal to the board of zoning appeals may be taken by any person aggrieved or by any governmental officer, department, board or bureau affected by any decision of the building official based in whole or in part upon this chapter. Such appeal shall be taken by filing with the board of zoning appeals a notice of appeal, specifying the grounds thereof. The building official shall transmit to the board all papers constituting the record upon which the action appealed*

*was taken. The board shall fix a reasonable time for the hearing of the appeal, shall give public notice thereof, as well as due notice to the parties in interest, and shall decide the appeal within a reasonable time. At the hearing any person or party may appear in person or by agent or by attorney.*

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Partnership dba Lamar Advertising Tri-Cities TN to revoke any and all permits including the building permit dated 10/5/18, authorizing Allison Outdoor Advertising to erect an off-premises advertising sign on the property located at 1750 E. Stone Drive, Kingsport, Tennessee. Said sign and its location does not comply with Sec. 114-532 of the City of Kingsport's code of ordinances, including, but not limited to, the following:

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City of Kingsport, Tennessee  
Jim Deming, City Recorder  
PIT: 11/26/18

# ArcGIS Web Map



19/2018 1:55:25 PM

- Addresses
- Sullivan Co Parcel Data
- Urban Growth Boundary

1:1,128



# ArcGIS Web Map



1/19/2016 1:58:32 PM

Addresses

Sullivan Co Parcel Data

Zoning

<Full>

TA-C

P-5

P-4

P-3B

P-3A

P-3

P-2

P-1C

SpH

TA

TA-C

UAE

Urban Growth Boundary

P-4

P-3B

P-3A

P-3

P-2

P-1C

SpH

TA

TA-C

UAE

Urban Growth Boundary

P-4

P-3B

P-3A

P-3

P-2

P-1C

SpH

TA

TA-C

UAE

Urban Growth Boundary

P-4

P-3B

P-3A

P-3

P-2

P-1C

SpH

TA

TA-C

UAE

Urban Growth Boundary

P-4

P-3B

P-3A

P-3

P-2

P-1C

SpH

TA

TA-C

UAE

Urban Growth Boundary

P-4

P-3B

P-3A

P-3

P-2

P-1C

SpH

TA

TA-C

UAE

Urban Growth Boundary

P-4

P-3B

P-3A

P-3

P-2

P-1C

SpH

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TA-C

UAE

Urban Growth Boundary

P-4

P-3B

P-3A

P-3

P-2

P-1C

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TA-C

UAE

Urban Growth Boundary

P-4

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Urban Growth Boundary

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Urban Growth Boundary

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Urban Growth Boundary

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Urban Growth Boundary

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Urban Growth Boundary

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P-1C

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UAE

Urban Growth Boundary

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P-3

P-2

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UAE

Urban Growth Boundary

P-4

P-3B

P-3A

P-3

P-2

P-1C

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TA-C

UAE

Urban Growth Boundary

P-4

P-3B

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P-2

P-1C

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UAE

Urban Growth Boundary

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P-3A

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P-1C

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UAE

Urban Growth Boundary

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P-1C

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TA-C

UAE

Urban Growth Boundary

P-4

P-3B

P-3A

P-3

P-2

P-1C

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TA-C

UAE

Urban Growth Boundary

P-4

P-3B

P-3A

P-3

P-2

P-1C

SpH

TA

TA-C

UAE

# APPLICATION

Board of Zoning Appeals



## APPLICANT INFORMATION:

Last Name	Lamar Texas Limited Partnership dba Lamar Advertising Tri-Cities TN.	First		M.I.		Date	
Street Address	PO Box 96030					Apartment/Unit #	
City	Baton Rouge	State	LA	ZIP	70896		
Phone				E-mail Address			

## PROPERTY INFORMATION:

Tax Map Information	Tax map:	Group:	Parcel:	Lot:			
Street Address	1750 E Stone Drive					Apartment/Unit #	
Current Zone	Business-Hwy Oriented			Proposed Zone			
Current Use				Proposed Use			

## REPRESENTATIVE INFORMATION:

Last Name	Langley	First	J. Shay	M.I.		Date	11-2-18
Street Address	2020 Gateway Park Court					Apartment/Unit #	
City	Kingsport	State	TN	ZIP	37663		
Phone	423-323-5219			E-mail Address	jlangley@lamar.com		

**REQUESTED ACTION:** J. Shay Langley, Vice President and General Manager for Lamar Advertising Tri-Cities TN.

Zoning interpretation - *See Attachments*

## 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:

*J. Shay Langley*

Date:

Signed before me on this 2nd day of November, 2018.

a notary public for the State of Tennessee

County of Sullivan

Notary Ashley A. Gasbarre

My Commission Expires 12/31/2019





Advertising

November 2, 2018

**Via hand delivery**

Board of Zoning Appeals  
C/o Ken Weems, Secretary  
201 W. Market Street  
Kingsport, TN 37660

**RE: 1750 E. Stone Drive**

Dear Mr. Weems:

Please find enclosed a completed Application with attachments to the Board of Zoning Appeals, along with our check in the amount of \$50.00 to cover the filing fee for same. If there is anything further needed to perfect Lamar's appeal, please let me know. As evidenced below, Lamar intends to provide a copy of the appeal to the landowner of the site in question as noted on the County GIS and Allison Outdoor.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Shroy Lang".

Enclosures

Cc: Allison Outdoor Advertising – PO Box 120, Sylva, NC 28779 – via regular mail  
Sundowner Construction Co. – 2670 W. Carters Valley Road, Kingsport, TN 37665 – via regular mail  
Shirley F. Jackson Trustees – C/o Ryan, LLC – PO Box 4900, Dept 715, Scottsdale, AZ 85261 – via regular mail

**Lamar Advertising Tri-Cities' 2020 Gateway Park Court, Kingsport, TN.  
37663**

**Office**

**Fax**

To revoke any and all permits, including the attached building permit dated 10/5/18, authorizing Allison Outdoor Advertising to erect an off-premises advertising sign on the property located at 1750 E. Stone Street, Kingsport, Tennessee. Said sign and its location does not comply with Sec. 114-532 of the City of Kingsport's Code of Ordinances, including, but not limited to, the following:

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CITY OF KINGSPORT  
BUILDING DEPARTMENT  
225 W. CENTER STREET - KINGSPORT, TN 37660  
423-229-9393

Application Number . . . . . 18-00001342 Date 10/05/18  
Property Address . . . . . 1750 E STONE  
Parcel Number . . . . .  
Application description . . . . . SIGNS  
Property Use . . . . .  
Property Zoning . . . . . BUSINESS-HWY ORIENTED  
Legal description . . . . .

Owner

Contractor

ALLISON OUTDOOR ADVERTISING

SUNDOWNER CONSTRUCTION CO

PO BOX 120  
SYLVA

NC 28779

2670 W CARTERS VALLEY RD  
KINGSPORT TN 37665  
(423) 247-5228

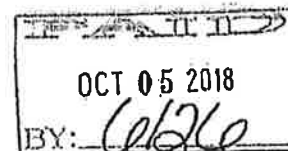
Structure Information

Construction Type . . . . .  
Occupancy Type . . . . .  
Roof Type . . . . .  
Flood Zone . . . . .  
Sign Type . . . . . BILLBOARD  
Fence Type . . . . .  
Other struct info . . . . . DIMENSIONS 12' X 40'

Permit . . . . . SIGN BASED ON SQUARE FOOTAGE  
Additional desc . . . . .  
Permit Fee . . . . . 485.00  
Issue Date . . . . . 10/05/18 Valuation . . . . . 0  
Expiration Date . . . . . 4/03/19

Qty	Unit	Charge	Per	Extension
1.00		5.0000	EA	BUILDING TECHNOLOGY FEE 5.00
480.00		1.0000		SIGN BASED ON SQUARE FOOTAGE 480.00

Fee summary	Charged	Paid	Due
Permit Fee Total	485.00	.00	485.00



THE APPLICANT WHOSE NAME APPEARS BELOW AGREES TO COMPLY WITH  
ALL CITY OF KINGSPORT ORDINANCES & CODES & FURTHER AGREES  
THAT THE ABOVE WORK WILL BE DONE BY A PROPERLY QUALIFIED  
PERSON. SIGNED: [signature] (CONTRACTOR/AGENT)  
APPROVED: [signature] (BUILDING OFFICIAL)

## MEMORANDUM

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: November 19, 2018

RE: 4624 Fairlane Drive

The Board is asked to consider the following request:

**Case: 18-701-00022 – Property located at 4624 Fairlane Drive, Control Map 92N, Group C, Parcel 005.00**, requests erection of a nonconforming freestanding sign to Sec. 114-531 (b). The existing freestanding sign is 243.59 square feet in size. The nonconforming freestanding sign proposal is 150.3 square feet in size. Additionally, the applicant requests two (2) variances of 4.66 square feet to Sec 114-528(1)b for the purpose of increased directional sign size. The property is zoned B-3, Highway Oriented Business District.

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A tour of the property will be conducted starting at 10:30a.m. prior to the meeting.

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

**Case: 18-701-00022 – Property located at 4624 Farilane Drive, Control Map 92N, Group C, Parcel 005.00,** requests erection of a nonconforming freestanding sign to Sec. 114-531 (b). The existing freestanding sign is 243.59 square feet in size. The nonconforming freestanding sign proposal is 150.3 square feet in size. Additionally, the applicant requests two (2) variances of 4.66 square feet to Sec 114-528(1)b for the purpose of increased directional sign size. 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: 11/26/18

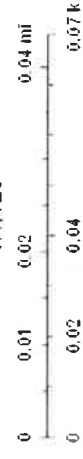
# ArcGIS Web Map



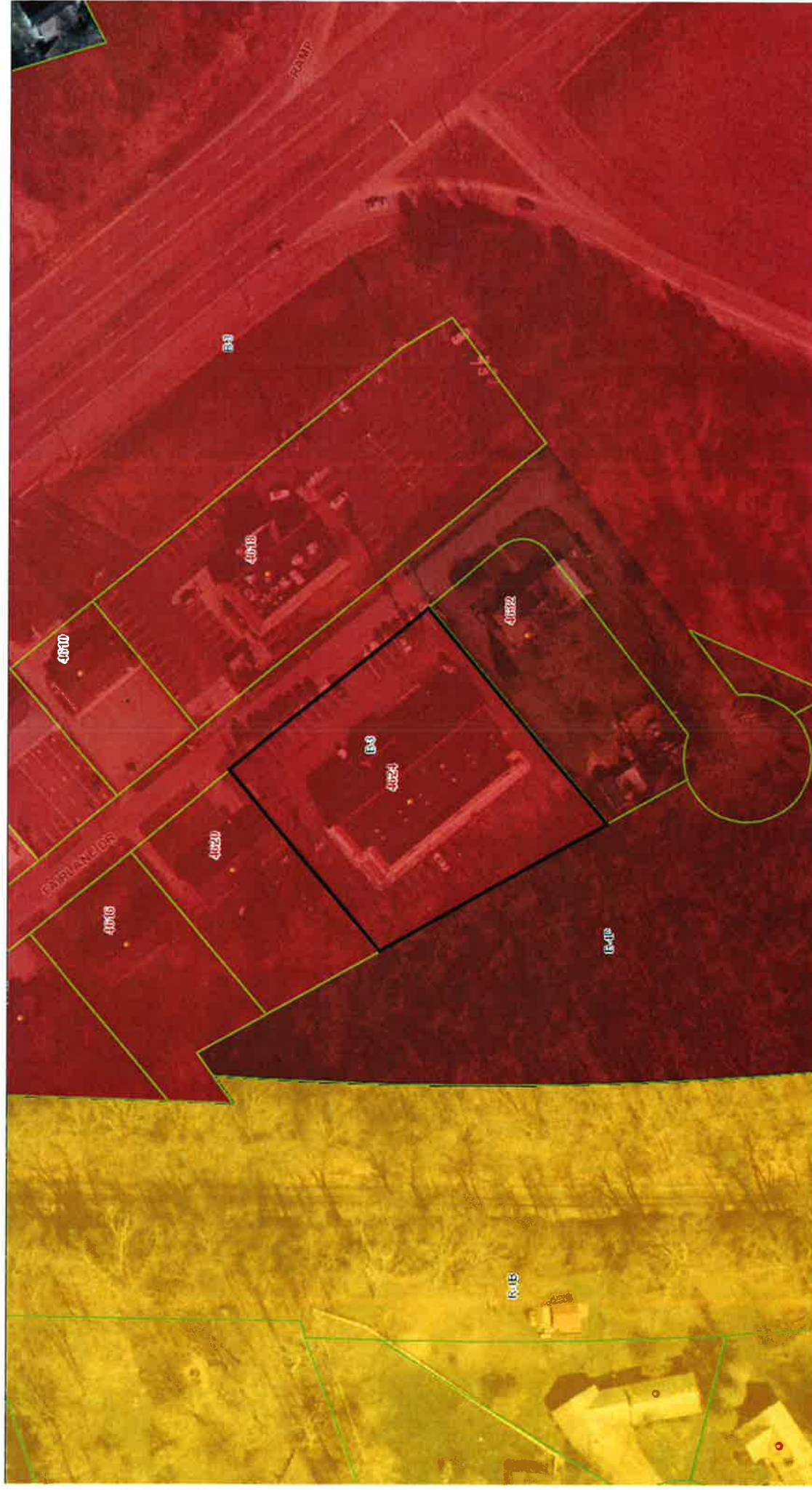
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- Addresses
- Sullivan Co Parcel Data
- Urban Growth Boundary

1:1,128



# ArcGIS Web Map



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Address

Sullivan Co Parcel Data

Zoning

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**APPLICATION**  
Board of Zoning Appeals



**APPLICANT INFORMATION:**

Last Name patel First Monilkumar M.I. M Date 10/10/18  
Street Address 4624 Fairlane Dr Apartment/Unit #  
City Kingsport State TN ZIP 37663  
Phone 423 443 0059 E-mail Address comfortinn246@gmail.com

**PROPERTY INFORMATION:**

Tax Map Information Tax map: Group: Parcel: Lot:  
Street Address 4624 Fairlane Dr, Kingsport, TN 37663 Apartment/Unit #  
Current Zone Proposed Zone  
Current Use Proposed Use

**REPRESENTATIVE INFORMATION:**

Last Name Bristol Sign Company First M.I. Date  
Street Address 6870 GATE City Hwy P.O Box 16938 Apartment/Unit #  
City BRISTOL State VA ZIP 24209  
Phone 276-669-0811 E-mail Address BIL.WALDEN@bristolSIGN.COM

**REQUESTED ACTION:**

Replace existing signage with new Re-Branding  
INSTALL 2 - 1'8" X 4' EXIT-ENTRANCE SIGNS 8.66 SQ FT EACH

**DISCLAIMER AND SIGNATURE**

By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Board of Zoning Appeals will review my application. I further state that I am/we are the sole and legal owner(s) of the property described herein and that I am/we are appealing to the Board of Zoning Appeals.

Signature: [Signature]

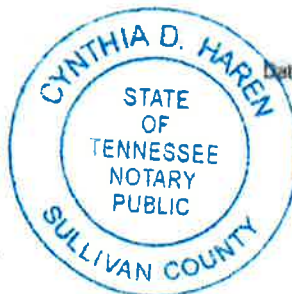
Signed before me on this 17th day of October 2018

a notary public for the State of Tennessee

County of Sullivan

Notary Cynthia D. Haren

My Commission Expires 7/29/2019



10-17-18

CITY PLANNING OFFICE

## 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.

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

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 PARENT COMPANY OF COMFORT INN HAS ORDERED  
A RE-BRANDING AND THIS LOCATION MUST COMPLY IN  
ORDER TO HOLD ITS FRANCHISE*

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

*IT WILL MAKE THE SIGNAGE MORE COMPLIANT WITH CITY CODE BY REDUCING THE TOTAL SQUARE FOOTAGE BY APPROX 93 SQ. FT. PLUS THE REMOVAL OF A SECONDARY SIGN ON THE POLE OF 47 SQ. FT.*

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.

# FREE STANDING SIGNAGE

## SURVEY INFORMATION

Overall Height: 74' (total height of cabinet and structure from grade)  
 Pole Circumference: 31" Wall thickness: \_\_\_\_\_ (Bottom Stage)-provide height of each stage 24'  
 Pole Circumference: 20" Wall thickness: \_\_\_\_\_ (Second Stage if applicable)-provide height of each stage 36'  
 Pole Circumference: 10 3/4" Wall thickness: \_\_\_\_\_ (Third Stage if applicable)-provide height of each stage 43 1/2"  
 Condition of Pole (Good/Fair/Bad/Unsafe): GOOD Existing Electrical Service at Pole(yes/no): YES  
 Center to Center: \_\_\_\_\_ (If more than 1 pole)  
 Pole Cover: Height: \_\_\_\_\_ Width: \_\_\_\_\_ Depth: \_\_\_\_\_ (If Applicable)  
 Pole Cover Surface: Color: \_\_\_\_\_ Material: \_\_\_\_\_ Service Access: \_\_\_\_\_ (If Applicable)  
 Comments on structure condition: GOOD  
 Foundation Information if available: DIRECT BURIAL  
 Cabinet Size: 7' 2" H 6' 7" W 6" Depth (Cabinets and Wall Signs)  
 Elevation(North/South/East/West): NORTH Match Plate Size: 3/4" Anchor Bolt Size 1 1/2"



BEFORE PICTURE



PROPOSED SIGNAGE  
150.3 59 FT

### RECOMMENDATION COMMENTS:

- Descriptive difference between current and proposed signage.(Example: Number of signs, location, etc.)
- Why is the proposed signs being added and/or removed.  
REMOVAL OF SINGLE SIDED CABINET DUE TO BRAND STANDARDS.
- Describe why a proposed sign is contrary to brand guidelines.(What is the solution & why must it be done?)
- List all CODE RESTRICTIONS.

REMOVE SECONDARY SINGLE FACED CABINET

PROJECT NUMBER:

PROPERTY BRAND/EXTENSION:  
COMFORT INN

PROPERTY LOCATION:

DATE: 8/10/2018

PREPARED BY:

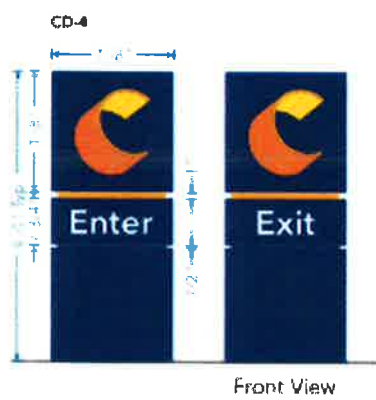
PROPERTY CODE: TN246

4624 Fairlane Dr.  
Kingsport, TN 37663

SALES REP: George Miller

On Property Contact & E-Mail Address: Monilkumar Patel  
gm.TN246@choicehotels.com







Removal



**BEFORE PICTURE**



**PROPOSED SIGNAGE**

**RECOMMENDATION COMMENTS:**

- Descriptive difference between current and proposed signage.  
(Example: Number of signs, location, etc.)

- Why is the proposed signs being added and/or removed.

**REMOVAL OF METAL LOGO DUE TO BRAND STANDARDS.**

- Describe why a proposed sign is contrary to brand guidelines (What is the solution & why must it be done?)

- List all CODE RESTRICTIONS.

**REMOVAL ONLY**



**BEFORE PICTURE**



**PROPOSED SIGNAGE**

**RECOMMENDATION COMMENTS:**

- Descriptive difference between current and proposed signage.  
(Example: Number of signs, location, etc.)

**REPLACE WITH BRAND APPROVED CHANNEL LETTERS**

- Why is the proposed signs being added and/or removed.

- Describe why a proposed sign is contrary to brand guidelines. (What is the solution & why must it be done?)

- List all CODE RESTRICTIONS.

18" CHANNEL LETTER



MEMORANDUM

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: November 19, 2018

RE: 4335 Fort Henry Dr

The Board is asked to consider the following request:

**Case: 18-701-00023 – Property located at 4335 Fort Henry Drive, Control Map 92K, Group A, Parcel 001.04**, requests a 39.6 square foot freestanding sign size variance to Sec. 114-533(8)2. The property is zoned B-3, Highway Oriented Business District.

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, December 6, 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.

A tour of the property will be conducted starting at 10:30a.m. prior to the meeting.

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

**Case: 18-701-00023 – Property located at 4335 Fort Henry Drive, Control Map 92K, Group A, Parcel 001.04,** requests a 39.6 square foot freestanding sign size variance to Sec. 114-533(8)2. 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: 11/26/18

# ArcGIS Web Map



11/21/2018 2:06:58 PM

Addresses

Sullivan Co Parcel Data

Urban Growth Boundary

11/21/2018

0.00 0.04 0.08 0.12 0.16

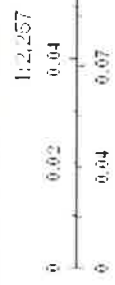
0.00 0.04 0.08 0.12 0.16

# ArcGIS Web Map



1/9/2016 2:07:46 PM

- Addresses
- Sullivan Co Parcel Data
- Zoning
  - <Null>
  - TA-C
  - P-5
- BC
- B-2
- GC
- B-2E
- A-1
- A-2
- AP
- B-1
- B-3
- B-3
- B-4
- B-4P
- B-1
- B-1
- GC
- M-1
- M-1P
- M-2
- MX
- P-1
- P-D
- PBD-3
- PBD-3
- PBD-3
- PD
- PLMD-1
- PLMD-2
- PLMD
- PVD
- P-1
- P-1A
- P-1B
- P-1C
- P-2
- P-3
- P-3A
- P-3B
- P-4
- SPR
- TA
- TA-C
- U-E
- Urban Growth Boundary



**APPLICATION**

Board of Zoning Appeals

Kingsport

**APPLICANT INFORMATION:** Ingles Markets, Inc.

Last Name Thompson

First Mary

M.I. L.

Date 10-25-2018

Street Address 2913 Hwy 70 West

Apartment/Unit #

City Black Mountain

State NC

ZIP 28711

Phone 828-669-2941

E-mail Address mthompson@ingles-markets.com

**PROPERTY INFORMATION:**

Tax Map Information

Tax map:

Group:

Parcel:

Lot:

Street Address 4345 Fort Henry

Apartment/Unit #

Current Zone

Proposed Zone

Current Use Commercial

Proposed Use

**REPRESENTATIVE INFORMATION:** RAINBOW SIGNS, INC.

Last Name INABINE

First CRAIG

M.I. A.

Date 10/23/18

Street Address 1306 E DIRST

Apartment/Unit #

City GREENWOOD

State SC

ZIP 29648

Phone 843-749-2865

E-mail Address CRAIGINABINE#@gmail.com

**REQUESTED ACTION:**UPGRADE CURRENT PYLONS TO ADD FUEL PRICING  
AND TENANT PANEL.ADD FUEL PRICING Box 3'10" by 10'4" - ~~39.60~~**DISCLAIMER AND SIGNATURE**

Sg. Leek

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: Mary Thompson

Date: 10-25-2018

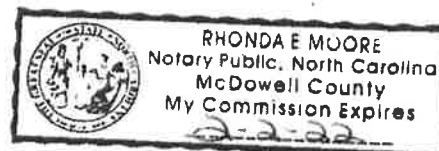
Signed before me on this 25<sup>th</sup> day of October 2018

a notary public for the State of North Carolina

County of McDowell

Notary Rhonda E Moore

My Commission Expires 2-2-22

**CITY PLANNING OFFICE**

## 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.

The way property is presently divided applicant will be forced to add additional pylon which will add to signage on road front.

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

The strict application of this chapter deprives applicant of being able to keep additional green space on property.

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.

Applicant is requesting Board's support of proposed relief of this chapter due to layout of property they feel their request better serves community.

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 Applicant's proposal adds to public safety and welfare as well as adds to the character of neighborhood by reducing number of pylons and overall signage square footage.*

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.

1:2,255

**D** Urban Growth Boundary

#72 present  
11/18



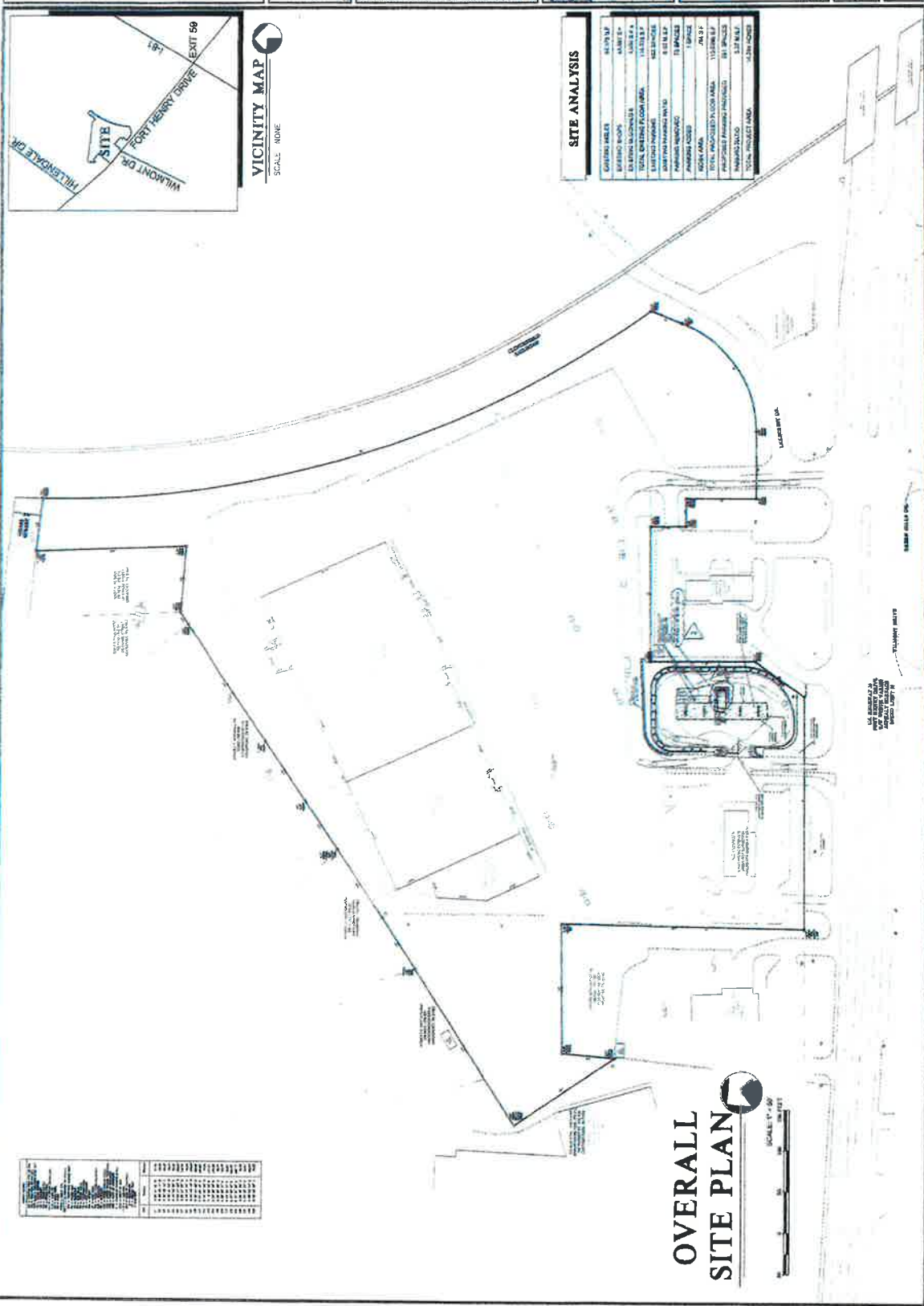
**INGLES**  
ARCHITECTS & ENGINEERS  
3400 Peachtree Road, Suite 275, Atlanta, Georgia 30308  
770-434-2900 FAX 770-313-0146

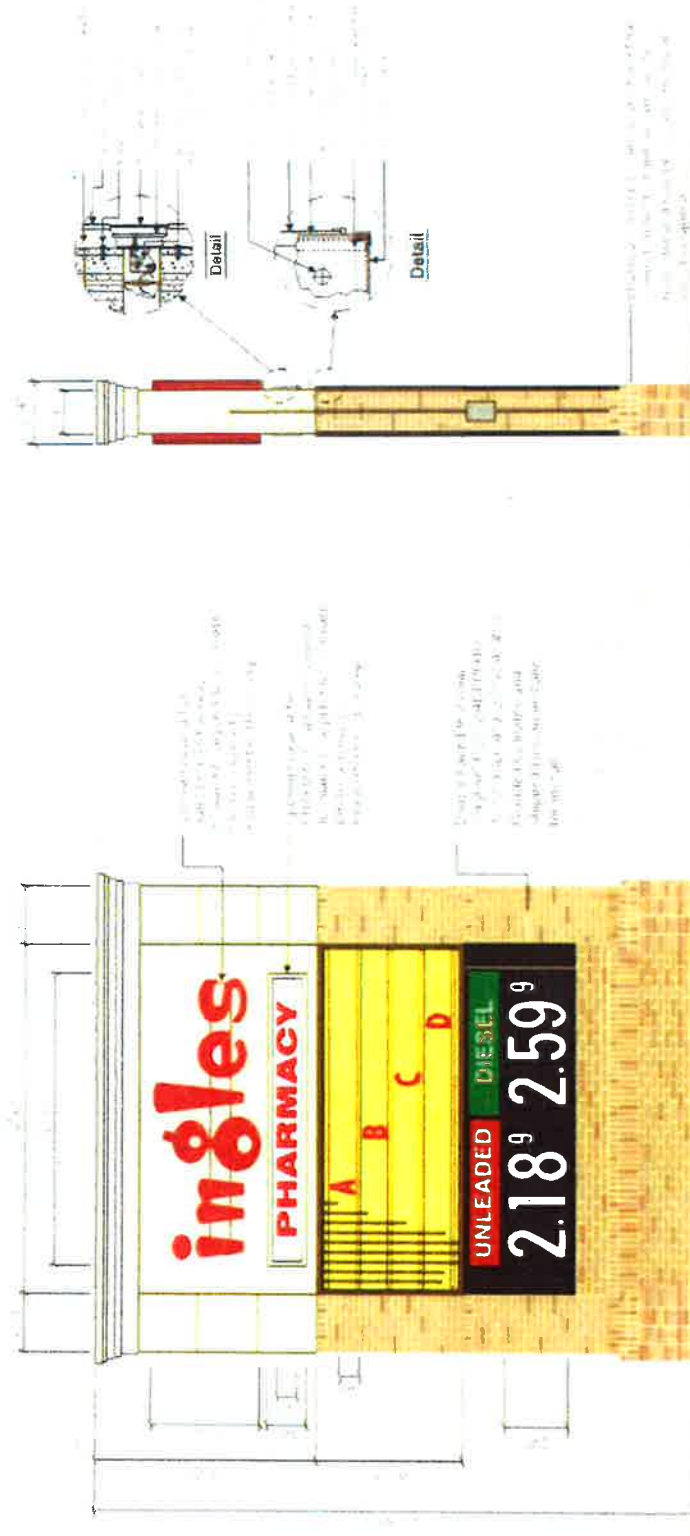
**INGLES STORE #72 - FUEL CENTER**  
4335 ROBERT HENRY DRIVE, KNOXVILLE, TN 37943  
NORTH OREGON, SOLWAY COUNTY, TENNESSEE  
7-14-17  
DATE

**INGLES**  
ARCHITECTS & ENGINEERS  
3400 Peachtree Road, Suite 275, Atlanta, Georgia 30308  
770-434-2900 FAX 770-313-0146

**OVERALL SITE PLAN**

**C-1.1**





Scale: 1/4" = 1'-0" SIGN ELEVATION

**ingles**

<b>Rainbow Signs, Inc.</b> GREENWOOD, SC 864-223-5423		CUSTOMER NAME <b>INGLES #72 - KINGSPORT, TN</b>	JOB NO <b>18-237-2</b>	APPROVED BY CUSTOMER
ADDRESS <b>Starbucks, Bear's Head, Chopsticks</b> <b>4345 Ft. Henry Drive</b>	DESIGNER <b>AS NOTED</b>	DATE	FILE #	FILE #
COPY RIGHTS NOTICE This design, artwork and printed presentation is the sole property of Rainbow Sign Company Inc. and may not be used without written permission from Rainbow Sign Company, Inc.				



MEMORANDUM

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: November 19, 2018

RE: 2000 Greenway Street

The Board is asked to consider the following request:

**Case: 18-701-00024 – Property located at 2000 Greenway Street, Control Map 45F, Group E, Parcel 001.10**, requests two (2) variances of 6 square feet to Sec 114-528(1)b for the purpose of increased directional sign size; one (1) variance of 22 square feet to Sec 114-528(1)b for the purpose of increased directional sign size; and approval for continuation of a non-conforming freestanding sign to Sec 114-531(b). The property is zoned R-3, Low Density Apartment District.

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, December 6, 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.

A tour of the property will be conducted starting at 10:30a.m. prior to the meeting.

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

**Case: 18-701-00024 – Property located at 2000 Greenway Street, Control Map 45F, Group E, Parcel 001.10,** requests two (2) variances of 6 square feet to Sec 114-528(1)b for the purpose of increased directional sign size; one (1) variance of 22 square feet to Sec 114-528(1)b for the purpose of increased directional sign size; and approval for continuation of a non-conforming freestanding sign to Sec 114-531(b). The property is zoned R-3, Low Density Apartment 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: 11/26/18

## An aerial photograph of a residential neighborhood with property lines overlaid in green. A large central property is labeled with the address 2000. To its left, a road labeled 'WESTSTONE DR' runs vertically. To its right, a road labeled 'AMBERST' runs horizontally. Various other houses are visible, each with a red address label: 1938, 409, 405, 401, 317, 313, 2002, 314, 2006, 2043, 2045, 2047, 2003, 2004, 2022, and 2025. The houses are mostly single-story with dark roofs. The surrounding area includes trees, lawns, and some commercial buildings in the distance.

## Addresses

Urban Growth Boundary



**APPLICATION**  
Board of Zoning Appeals



**APPLICANT INFORMATION:**

Last Name	Fugate	First	Brent	M.I. B.	Date	11/14/18
Street Address	1905 American Way			Apartment/Unit #		
City	Kingsport	State	TN	ZIP	37660	
Phone	423-923-7352	E-mail Address	Brent.Fugate@Balladhealth.org			

**PROPERTY INFORMATION:**

Tax Map Information	Tax map: 045F	Group: E	Parcel: 001.10	Lot:	
Street Address	2000 Greenway St.			Apartment/Unit #	
Current Zone	R3	Proposed Zone			
Current Use		Proposed Use			

**REPRESENTATIVE INFORMATION:**

Last Name	Holland	First	Randy	M.I.	Date	10/31/18
Street Address	2918 Creekmore Drive			Apartment/Unit #		
City	Johnson City	State	TN	ZIP	37601	
Phone	423-791-0671	E-mail Address	<a href="mailto:randy@snydersigns.com">randy@snydersigns.com</a>			

**REQUESTED ACTION:**

**Ballad Health Madison House seeks a variance in increasing the size of three (3) directional signs for the assisted living facility for patients, visitors, and physicians. We also request continuation of a non-conforming freestanding sign off on the back of the property along Stone Drive (replacement faces for existing sign.)**

**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: Brent B Fugate

Date: 11.15.18

Signed before me on this 15<sup>th</sup> day of Nov, 2018

a notary public for the State of Tennessee

County of Washington

Notary Debbie Scott

My Commission Expires 2-29-20



## 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.

***The subject property is an assisted living facility. With the recent Wellmont/Mountain States merger, Ballard Health has rebranded, and the existing signs need to change to reflect the new name and brand. This facility has different departments and requires directional signage. Therefore, it must be clearly marked, and highly visible for patients, physicians, and visitors to gain correct access to the needed location.***

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

***Current code only allows 2 sq. ft. for directional signs. This is not sufficient for visibility of patients and visitors driving into the campus trying locate the part of the facility they need to enter. Research shows you need 2"-4" high lettering in order for viewing from 50-100 feet away. Proposed designs are minimal at 2" and 4" H lettering on three (3) proposed directional signs at the front (main entrance) to the property. (Replacing two of the current signs.)***

***We are also seeking a continuation of a non-conforming sign to replace the existing faces in a pylon sign that was installed over a decade ago that sits on the backside of the property along West Stone Drive (to help people locate the property off the main road.)***

- 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.

***Ballad Health is not asking for additional signage, only to switch out the old Wellmont-branded signs with new Ballard-branded signs.***

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 aesthetics of the signs are pleasant to the eye, and will help the public with direction on the site.***

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.

**VARIANCE REQUEST FOR THE FOLLOWING SIGNS AT MADISON HOUSE:**

**Sign 1: 55 sq. ft. replacement faces in existing pylon sign.**

*Requesting variance for continuation of a non-conforming sign.*

**Sign 2: 24 sq. ft. directional sign. Replaces existing post & panel sign at entrance to property.**

*Requesting variance for size, as only 2 sq. ft. is currently allowed for directional signs. Has a 20'+ setback.*

**Signs 3 & 8: 8 sq. ft. directional sign. Replaces existing signs inside of property.**

*Requesting variance for size, as only 2 sq. ft. is currently allowed for directional signs. Sits well within the property.*



SYMBOL TO BE DIGITALLY PRINTED  
ON TRANSLUCENT VINYL USING  
Z3-GRAPHICS & HAVE DAY TIME &  
ILLUM COLORS MATCH W  
ASSIGNED COLORS.  
SYMBOL SIZE = 15.18" x 23.338"

FACE TO BE CUSTOM MOLDED  
WHITE ACRYLIC PAN FACE.

### ARCS TO BE ASSIGNED TRANSLUCENT FILM COLORS

BLUE PORTION TO BE BALLAD HEALTH BLUE  
WITH ADDRESS NUMBER VOID OF COLOR  
CREATING WHITE NUMBER

001

**SITE BH093 - Wellmont Madison House - 07.12.18**  
2000 Greenway St.; Kingsport, TN 37660

This design is the exclusive property of Snyder Signs, Inc., and is not to be used in whole or in part without written permission from Snyder Signs, Inc.



2918 CREEKMORE DRIVE  
JOHNSON CITY, TN 37601  
423-282-6221 FAX 423-282-6222

DESIGN # MG1530

REVISION #:

SCALE:  $3/4" = 1'$

DATE: 10/27/78  
DISCUSER: RA

**SALES REP: CHARLY SPOKS**

GENERAL NOTES FOR RAILROAD HEALTH-

FOR THE PURPOSES OF THE NATIONAL SPECIFICATIONS, THE FOLLOWING ARE THE MINIMUM REQUIREMENTS FOR THE FABRICATOR TO PROVIDE FOR PREVENTION OF ANY LIGHT LEAKS:

- 1. ALL LEADS FROM BACK OF ILLUMINATED LETTERS/SYMBOL SHALL BE MINIMUM OF 6" IN LENGTH MEASURED FROM THE BACK SURFACE OF THE LETTER/SYMBOL.
- 2. THE INTERIOR OF ALL CABINETS WITH LIGHT MANAGEMENT POINT SHALL BE PAINTED WITH LIGHT ABSORBENT PAINT.
- 3. ALL LEADS TO BE MATTERLESS TWO PART POLYURETHANE TYPE, EQUIVALENT TO THAT SPECIFIED OTHERWISE IN THE NATIONAL SPECIFICATIONS.

**NOTE:** The following colors have a white circular center.

ALLAD-HEALTH OK BLUE - MP 23612 R167214  
ALLAD-HEALTH OK YELLOW - MP 81690 R167214  
ALLAD-HEALTH ORANGE - MP 80296 R167214  
ALLAD-HEALTH RED - MP 73976 R167214  
ALLAD-HEALTH WHITE - MP 11477 R167214  
ALLAD-HEALTH PURPLE - MP 80353 R168123

\*These are not true colors. Colors may vary slightly.

ALLIAD HEALTH OK 888

CALLAO HEALTH BLUE - 381 3030-167 BRIGHT BLUE  
CALLAO LT. BLUE - 381 3030-7555  
CALLAO HEALTH MARIJON - 10HE DIGITALLY PRINTED TO

WATCH PMS 229C

ALLIAD HEALTH PURPLE - JM 3635-113 MAGENTA  
ALLIAD HEALTH YELLOW - JM 3630-125 GOLDEN YELLOW

ALLAD HEALTH ORANGE - 3M 3630-84 TANGERINE

ALLAD HEALTH MED - 3M 3630-33 MED  
ALLAD HEALTH GRAY - 3M DUAL COLOR DNO0470

PALLAD HEALTH WHITE - 3M 3630-20 WHITE  
PACIFIC FIB MS.

ALLAD HEALTH GRAY - 3M 180-11 DARK GRAY

ALLAD HEALTH DOOR VINYL WHITE - 725-10 WHITE  
ALLAD WHITE - 3M 180-10 WHITE

**DIGITAL PRINTS:**

DIGITAL PRINTS TO BE PRODUCED BY Z3 GRAPHICS USING  
PURE COLOR TECHNOLOGY OR APPROVED EQUAL

MANUFACTURER

## PRODUCTION APPROVALS

Santia Nasser

Debra D. Brown

### Available Representative

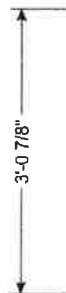
## Graphics & Routing Map

Production Manager

State Representative

**DISCLAIMER: MENVA.**

DATE.



2918 CREEKMORE DRIVE  
JOHNSON CITY, TN 37601  
423-282-6322 FAX 423-282-6322

DESIGN # 2217  
RETENTION # 1, 10, 18  
SCALE: 1" = 1'  
DATE: 02/5/18  
DESIGNER: KA  
SALES REP: RORY HOLLING

[illegible]

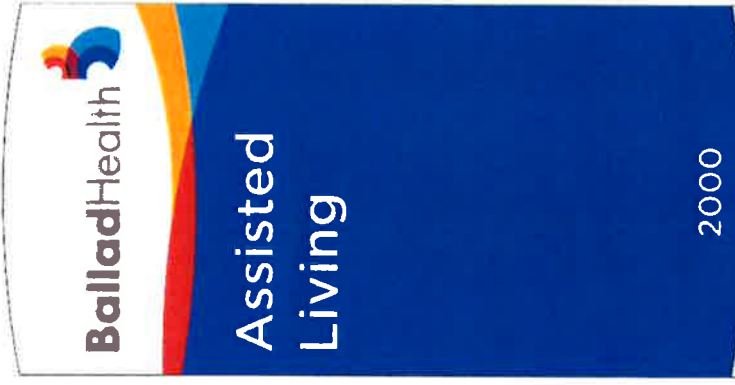
**PRODUCTION APPROVALS**

Graphic Designer
Sales Representative
Graphics & Routing Mgr
Production Mgr
Sales Representative

**CUSTOMER APPROVAL:** \_\_\_\_\_  
**DATE:** \_\_\_\_\_

This design is the exclusive property of Snyder Signs, Inc., and is not to be used in whole or in part without written permission from Snyder Signs, Inc.





1" = 1' 1" 1/2" ALUM. 50 TUBE FRAME WILL SUPPORT 125 SIGN FACE & WILL EXTEND BELOW GRADE SET IN CONCRETE TO APPROPRIATE DEPTH

SIGN FACE WILL BE CHEN WELDED TO 50 TUBE FRAME

SIGN FACE 125" ALUM. PAINTED BALLAD HEALTH WHITE SEMI-GLOSS

BALLAD HEALTH LOGO TO BE OPTICALLY PRINTED ORANGE BY 2D GRAPHICS USING ASSIGNED COLORS. WILL OVERLAY A MATTE LAMINATE FOR 1 YR WARRANTY SYMBOL SIZE: 3.27" x 1.195"

0'-3 3/8"

0'-1 1/2"

0'-4 1/4"

0'-2 1/4"

0'-2 3/4"

0'-1 1/4"

0'-3 1/2"

0'-2 1/2"

0'-1 1/2"

0'-1 1/2"

0'-0 1/8"

2'-0"

0'-5 3/16"

0'-7 1/4"

0'-2 1/2"

0'-3 1/2"

ARCS TO BE ASSIGNED TRANSLUCENT FILM COLORS

4'-0"

3'-9 3/4"

ADDRESS ADJUNCTORY COPY TO BE BALLAD WHITE 28x18x10 WHITE

SIGN FACE 125" ALUM. PAINTED BALLAD HEALTH BLUE SEMI-GLOSS

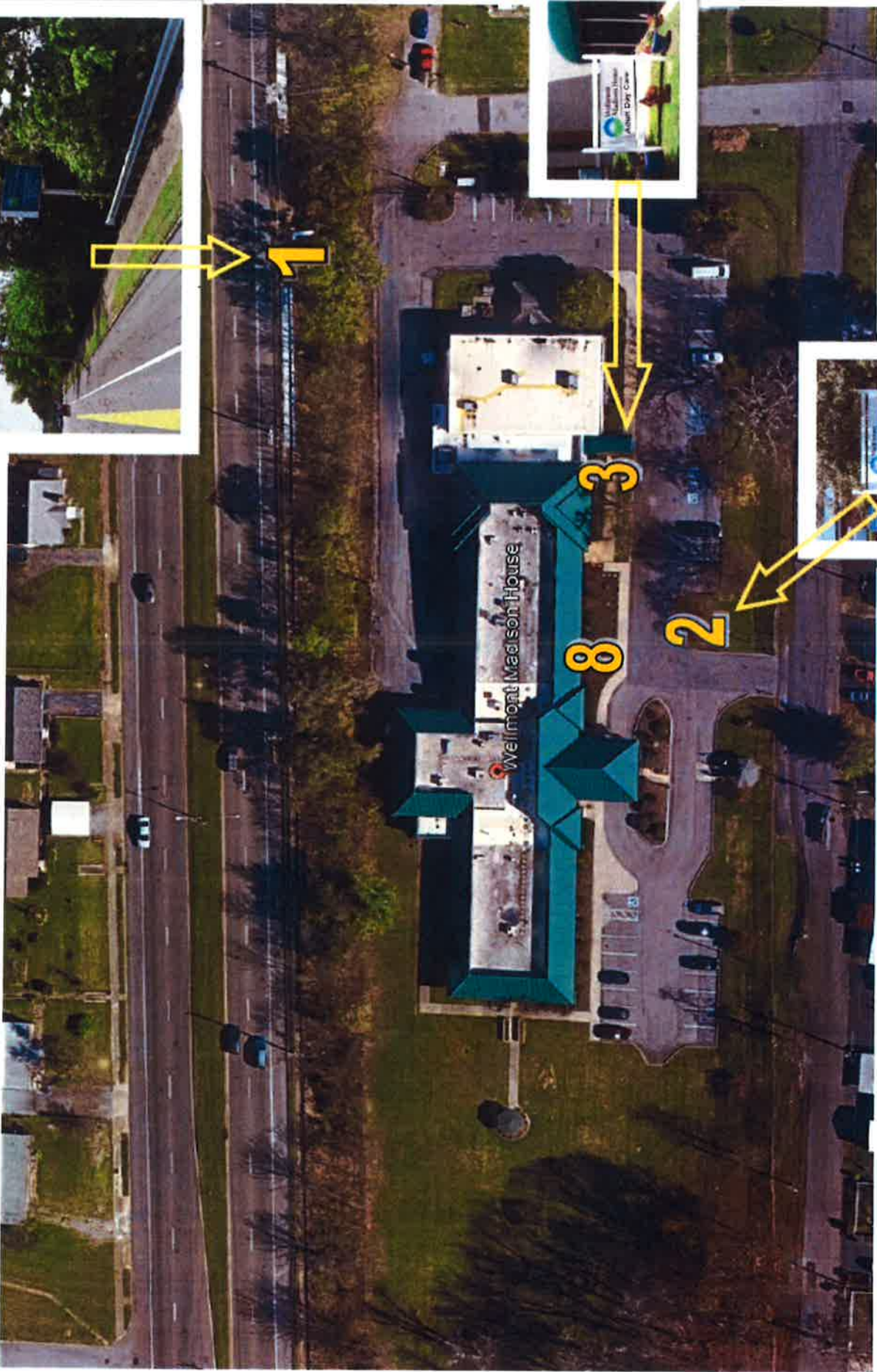
0'-4"

2000

BalladHealth

Assisted Living

**CUSTOMER APPROVAL:** \_\_\_\_\_  
DATE: \_\_\_\_\_



MEMORANDUM

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: November 19, 2018

RE: 2204 Pavilion Drive

The Board is asked to consider the following request:

**Case: 18-701-00025 – Property located at 2204 Pavilion Drive, Control Map 47H, Group A, Parcel 028.70**, requests a 66 square foot variance for one (1) directional signage to Sec 114-528(1)d. The property is zoned P-1, Professional Offices District.

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, December 6, 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.

A tour of the property will be conducted starting at 10:30a.m. prior to the meeting.

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

**Case: 18-701-00025 – Property located at 2204 Pavilion Drive, Control Map 47H, Group A, Parcel 028.70,** requests a 66 square foot variance for one (1) directional signage to Sec 114-528(1)d. 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) 229-9485.

City of Kingsport, Tennessee  
Jim Deming, City Recorder  
P1T: 11/26/18

# ArcGIS Web Map



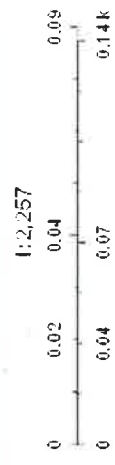
11/9/2016 11:32:51 AM

Addresses

Sullivan Co Parcel Data

1:2,257





Addresses

Sullivan Co Parcel Data

Zoning

<Null>

TAC

Urban Growth Boundary

Legend:

- GC
- B-2
- BC
- P-1
- PMD-2
- P-1C
- Split
- B-3
- GC
- P-D
- PUD
- P-2
- TA
- B-3
- M-1
- PBD-3
- PVD
- P-3
- TAC
- A-1
- M-1P
- PBD
- P-1
- P-3A
- UAE
- A-2
- M-2
- PD
- P-1A
- P-3B
- AR
- M-3
- PMU-1
- P-4
- B-1
- B-4P
- PMU-1
- P-1B
- P-4

# APPLICATION

Board of Zoning Appeals



## APPLICANT INFORMATION:

Last Name Fugate First Brent M.I. B. Date 11/14/18  
Street Address 1905 American Way Apartment/Unit #  
City Kingsport State TN ZIP 37660  
Phone 423-923-7352 E-mail Address Brent.Fugate@Balladhealth.org

## PROPERTY INFORMATION:

Tax Map Information Tax map: 047H Group: A Parcel: 028.70 Lot:  
Street Address 2204 Pavilion Dr. Apartment/Unit #  
Current Zone Proposed Zone  
Current Use Proposed Use

## REPRESENTATIVE INFORMATION:

Last Name Holland First Randy M.I. Date 10/31/18  
Street Address 2918 Creekmore Drive Apartment/Unit #  
City Johnson City State TN ZIP 37601  
Phone 423-791-0671 E-mail Address [randy@snydersigns.com](mailto:randy@snydersigns.com)

## REQUESTED ACTION:

**Ballad Health seeks a variance in increasing the size of one (1) directional sign for the outpatient facility adjacent to the Hospital. This facility currently houses the Day Surgery, Family Medicine, Digestive Center, Pediatrics, Rehabilitation, and a Primary Care clinic.**

## 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:

*Brent B. Fugate*

Date:

*11.15.18*

Signed before me on this 15<sup>th</sup> day of Nov, 2018,

a notary public for the State of Tennessee

County of Washington

Notary Debbie Scott

My Commission Expires 2-29-20



## 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.

***The subject property is an extension of Indian Path Medical Center. With the recent Wellmont/Mountain States merger, Ballad Health has rebranded, and this additional sign will need to change to reflect the new name and brand. This facility has different departments and requires directional signage. Therefore, it must be clearly marked, and highly visible for patients, physicians, and visitors to gain correct access to the needed location.***

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

***Current code only allows 2 sq. ft. for directional signs. This is not close to being sufficient for visibility of patients/visitors/physicians patients driving through the campus trying to find parking areas and the entrance to the Surgery Center (as well as the Digestive Center/Family Practice/Rehab/Pediatrics/Primary Care outpatient facilities. Research shows you need 3" high lettering in order for viewing from 75 feet away. Proposed design is minimal at 3" lettering on two (2) proposed directional signs at the main entrance to the property.***

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.

***Ballad Health is not asking for additional signage, only to switch out the old Mountain States-branded sign with the new Ballad-branded sign.***

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

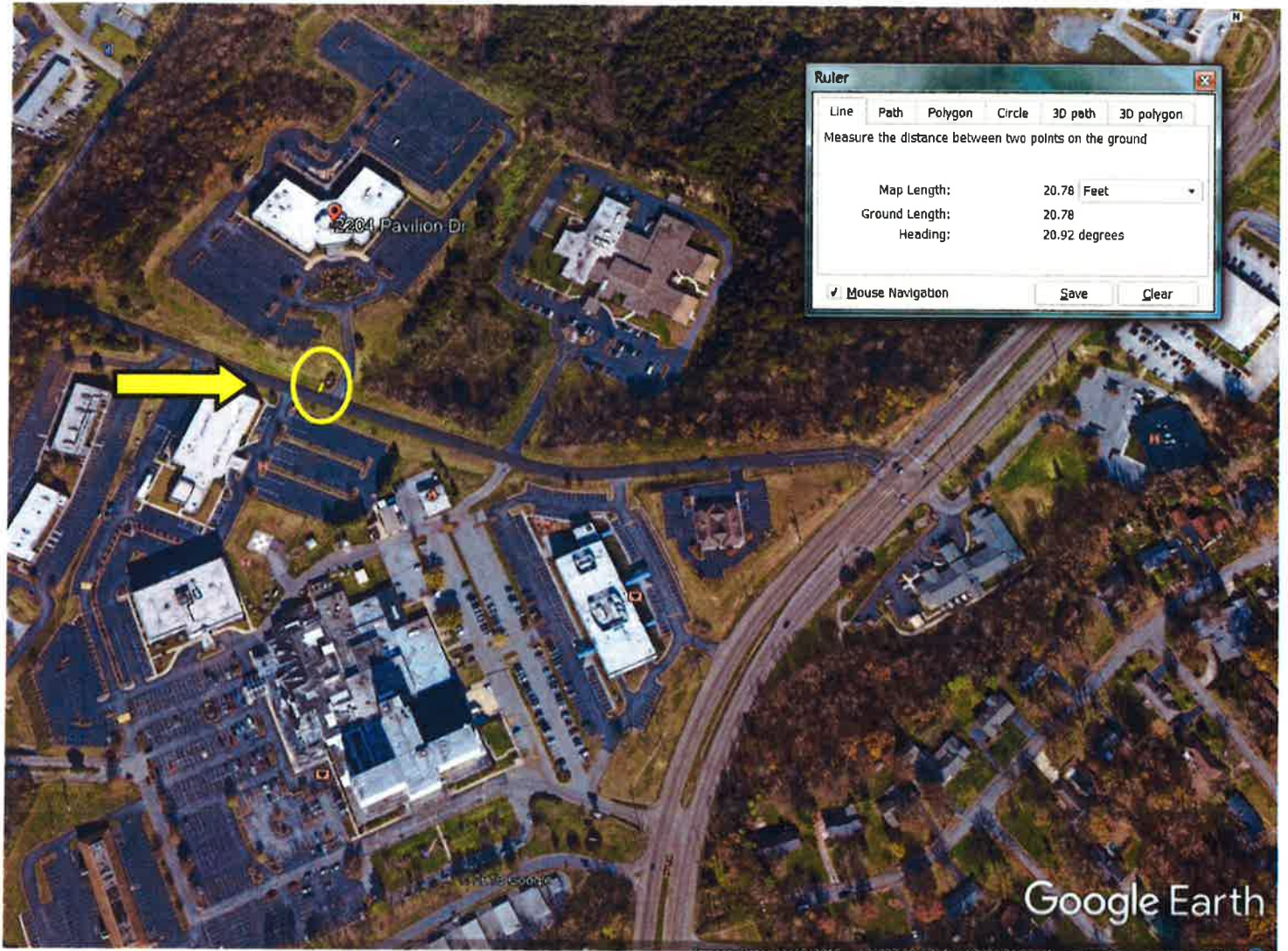
***The aesthetics of the signs are pleasant to the eye, and will help the public with direction to the site.***

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.





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

**November 1, 2018**

10:30 a.m.

**Members Present:**

Bill Sumner

Jeff Little

**Members Absent:**

Calvin Clifton

Ashok Gala

Anita Campbell

**Staff Present:**

Ken Weems, AICP

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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 4401 West Stone Drive and 461 West Center Street. No official action was taken.

The driving tour concluded at 11:35 a.m.

Respectfully Submitted,

Ken Weems, AICP  
Zoning Administrator

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

### November 1, 2018, Regular Meeting

Noon

Bob Clear Conference Room, 1<sup>st</sup> floor of the Development Services Building

Members Present:

Bill Sumner  
Jeff Little  
Ashok Gala

Members Absent:

Calvin Clifton  
Anita Campbell

Staff Present:

Ken Weems, AICP  
Page Jeffers  
Keith Bruner

Visitors:

Gary Hayes  
Bill Weigel  
Richard Whitson  
Danny Karst

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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. Gary Hayes, Bill Weigel, and Richard Whitson were sworn in.

### Public Hearing:

**Case: 18-701-00018 – Property located at 4401 W. Stone Drive, Control Map 022, Parcel 066.05**, requests a 40.36 square foot variance to Sec 114-533(8)a(1) and an 81.12 square foot variance to Sec 114-533(8)b. The purpose of the requests is to exceed maximum size requirements for both freestanding and wall signs. The property is zoned B-3, Highway Oriented Business District.

Mr. Gary Hayes presented the case to the Board. Mr. Hayes stated that the freestanding sign proposal was due to the bank obscuring the view of the site when traveling eastbound on Stone Drive. Mr. Hayes stated that the wall signage, when broken into the individual signs as proposed, would not have a major impact on the appearance of the store. Mr. Hayes also acknowledged that the store is set back further from the road than adjacent businesses, which puts it at a disadvantage. Chairman Sumner asked if a visibility study had been performed. Mr. Hayes stated that no visibility study, other than his professional opinion on the matter, had been performed. Bill Weigel stated that the store required advertising for non-ethanol gas too.

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

**Case: 18-701-00019 – Property located at 461 W. Center St., Control Map 461, Group: G Parcel 011.00**, requests a 10 foot variance to maximum setback to Sec 114-194e(2)a for the W. Center Street side of the building and a 24.7 foot variance to maximum setback to Sec 114-194e(2)a for the Clinchfield Street side of the building. The property is zoned B-2, Central Business District.

Mr. Richard Whitson presented the case to the Board. Mr. Whitson stated that due to the unique configuration of the lot, which is unlike adjacent lots, the requested variances were necessary. Mr. Whitson also drew attention to a sanitary sewer line adjacent to the Center Street side of the property, which would force the building back from the standard of building it to the property line.

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

Next, Chairman Sumner called for approval of the October 2018 driving tour and regular meeting minutes. On a motion by Mr. Little, seconded by Mr. Gala, the October 2018 driving tour and regular meeting minutes were approved unanimously, 3-0. Next, Chairman Sumner stated that the next application deadline is November 15, 2018 for the December 6, 2018 regular meeting. Last, Chairman Sumner stated that the Board would review a zoning text amendment proposal for accessory structures after adjudication of cases.

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

##### **Case: 18-701-00018 – Property located at 4401 W. Stone Drive, Control Map 022, Parcel 066.05**

Jeff Little stated that he is fine with the freestanding sign proposal. Jeff Little questioned the need for so many "W"s on the building. Mr. Gala stated that he understands the hardship of the property and is ok with both the freestanding sign proposal and the wall sign proposal.

MOTION: made by Mr. Gala, seconded by Mr. Little, to grant the variances as requested.

VOTE: 2-0 to approve the request.

##### **Case: 18-701-00019 – Property located at 461 W. Center St., Control Map 461, Group: G Parcel 011.00**

The Board acknowledged both the unique lot configuration and the sanitary sewer line impact along Center Street.

MOTION: made by Mr. Little, seconded by Mr. Gala, to grant the variances as requested.

VOTE: 3-0 to approve the request.

Next, Mr. Weems showed the Board a zoning text amendment that would allow garages, carports, and pools in the side yard of residential lots. The Board endorsed the text amendment, noting that it would help alleviate variance requests in the future.

With no further business the meeting was adjourned at 12:55 p.m.

Respectfully Submitted,

Ken Weems, AICP  
Zoning Administrator