

KINGSPORT BOARD OF ZONING APPEALS AGENDA
REGULAR MEETING: February 1, 2018
Development Services Building – Bob Clear Conference Room

CALL TO ORDER – 12:00 P.M. NOON

INTRODUCTION / MEETING PROCEDURES

PUBLIC HEARING:

Case: 18-701-00001 – Property located at 508 Rock Springs Road, Control Map 091E, Group A, Parcel 006.00 requests a 4.05 foot front yard setback variance for construction of a new building to Sec 114-195(f)1(c). The property is zoned B-3, Highway Oriented Business District.

INTERESTED PARTIES:

Owner: Larry Michels
512 Rock Springs Rd
Kingsport, TN 37664
(423) 782-7927

Representative: Larry Michels

Case: 18-701-00002 – Property located at Tri Cities Xing, Control Map 119, a Portion of Parcel 098.50 requests a special exception for a franchised auto dealership to Sec 114-192(d)1. The property is zoned TA/C, Tourist Accommodation/Commerce District.

INTERESTED PARTIES:

Owner: Chantz Scott
929 East Stone Dr.
Kingsport, TN 37660
(423) 230-4542

Representative: Pat Breeding

BUSINESS:

Conduct 2018 officer elections

Approval of the December 7, 2017 driving tour and regular meeting minutes.

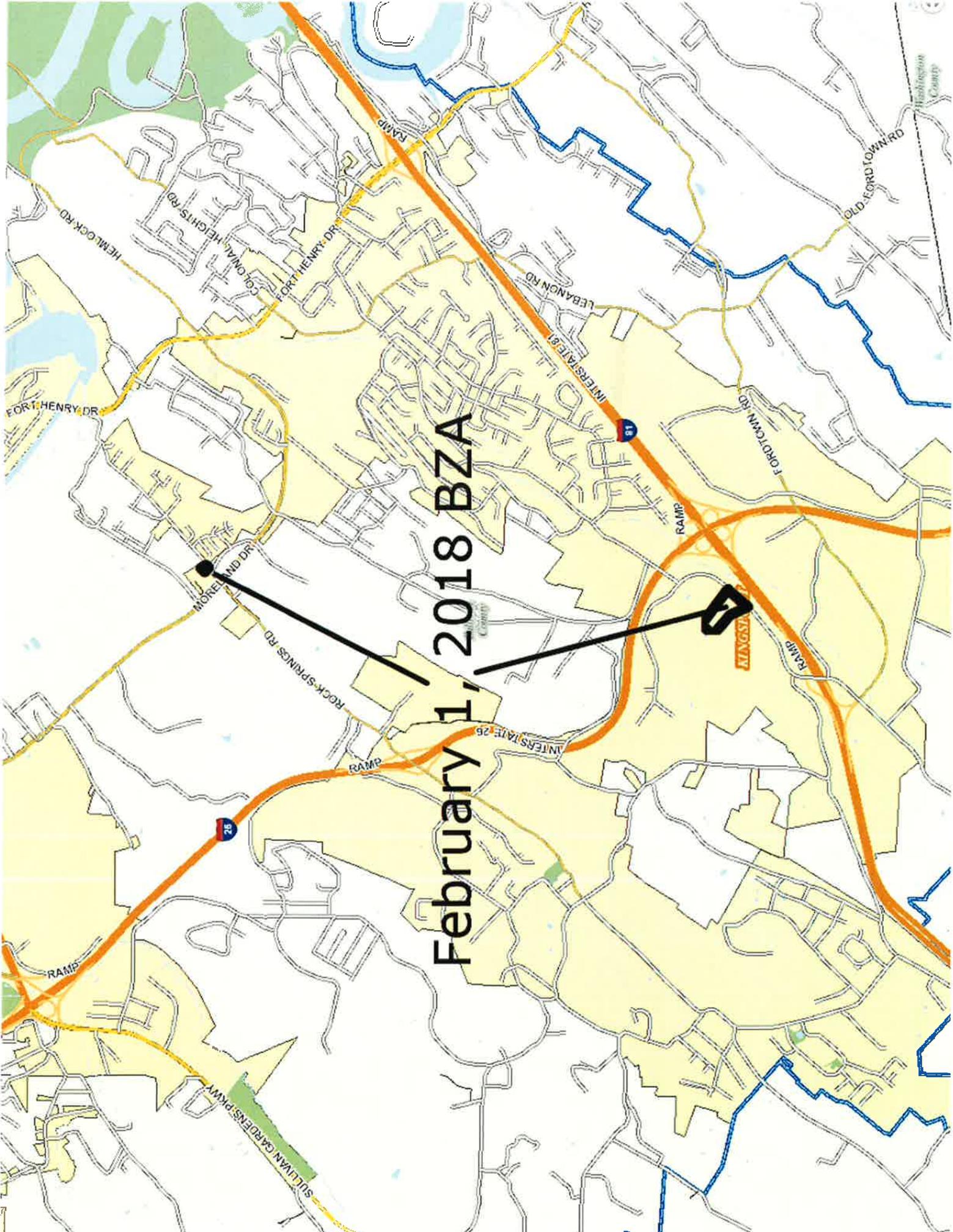
Stating for public record, the next application deadline is February 15, 2018 at noon, and meeting date (Thursday, March 1, 2018).

Zoning map training agenda orientation

ADJUDICATION OF CASES:

ADJOURNMENT:

February 1, 2018 BZA



MEMORANDUM

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: January 16, 2018

RE: 508 Rock Springs Road

The Board is asked to consider the following request:

Case: 18-701-00001 – Property located at 508 Rock Springs Road, Control Map 091E, Group A, Parcel 006.00 requests a 4.05 foot front yard setback variance for construction of a new building to Sec 114-195(f)1(c). The property is zoned B-3, Highway Oriented Business District.

The requested front yard setback will permit a new 2,250 square foot building that will serve as a cabinet showroom and associated storage for A Place For Everything Closets. The parcel has a 10' sewer easement running in front of the existing building parcel, forcing the new building to be proposed 4.05 feet into the required 20' front yard.

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, February 1, 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: 18-701-00001 – Property located at 508 Rock Springs Road, Control Map 091E, Group A, Parcel 006.00 requests a 4.05 foot front yard setback variance for construction of a new building to Sec 114-195(f)1(c). 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: 1/22/18



Sullivan
County

500

KINGSFORT
508

512

516

ROCK SPRINGS RD
Dr. A. Lewis Granda

3\" Poly Vinyl Chloride

15\" concrete pipe
OLD MORELAND DR

Sullivan
County

R-3

P0

3rd Ashland Concrete

2nd Poly Vinyl Chloride

3rd Poly Vinyl Chloride

R-1P

R-3

18' Granite Area

516

1411

3rd Granite Area



APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name MICHELLS First LARRY M.I. (NONE) Date 1-10-2018
Street Address 512 ROCK SPRINGS RD Apartment/Unit #
City KINGSPOUR State TN ZIP 37664
Phone 423 782 7927 E-mail Address CHRIS@GETNEWCLOSETS.COM

PROPERTY INFORMATION:

Tax Map Information Tax map: 0912 Group: A Parcel: B Lot: ---
Street Address 512 ROCK SPRINGS RD. Apartment/Unit #
Current Zone B-3 Proposed Zone NO CHANGE
Current Use CLOSET MFG Proposed Use SAME

REPRESENTATIVE INFORMATION:

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

REQUESTED ACTION:

3.14 FT FRONT YARD VARIANCE TO ACCOMMODATE NEW BUILDING

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.

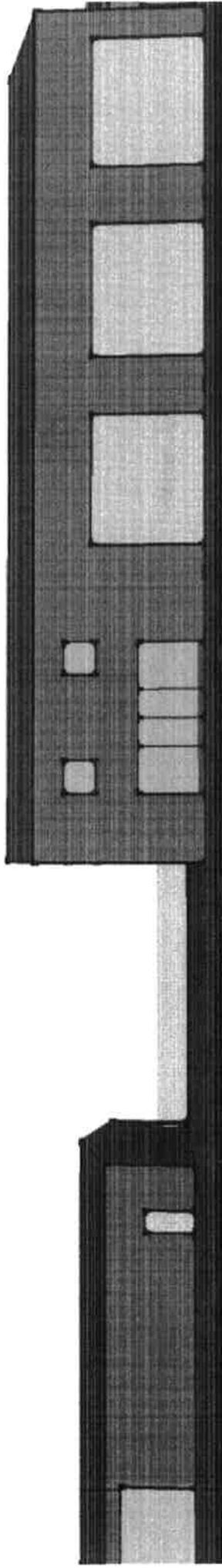
Signature: Larry Michels Date: 1-10-2018

Signed before me on this 10th day of January, 2018.
a notary public for the State of Tennessee
County of Sullivan

Notary Alison Hamrin
My Commission Expires 10-19-18



new



Variance Worksheet – Finding of Facts

Variations. 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.

There is a sewer line through the property that limits our ability to expand our manufacturing space and grow our business.

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

Limiting the size of our facility would severely hamper our ability to fully utilize the property to meet our current and future needs.

- 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 current owner was not involved in the sewer line placement as referenced above.

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 requested variance respects the setback with the exception of a small portion on each end of the proposed building. The new building will be of equal or greater visual appearance to the existing buildings on the property.

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.

MEMORANDUM

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: January 16, 2018

RE: Tri Cities Xing, a portion of parcel 98.50

The Board is asked to consider the following request:

Case: 18-701-00002 – Property located at Tri Cities Xing, Control Map 119, a Portion of Parcel 098.50 requests a special exception for a franchised auto dealership to Sec 114-192(d)1. The property is zoned TA/C, Tourist Accommodation/Commerce District.

This special exception request is similar to the request concerning the same parcel that came before the Board during their October 6, 2016 meeting. Multiple franchised auto dealerships were granted a special exception to reside in the same TA/C zone.

REGULAR MEETING
& PUBLIC HEARING
Kingsport Board of Zoning Appeals

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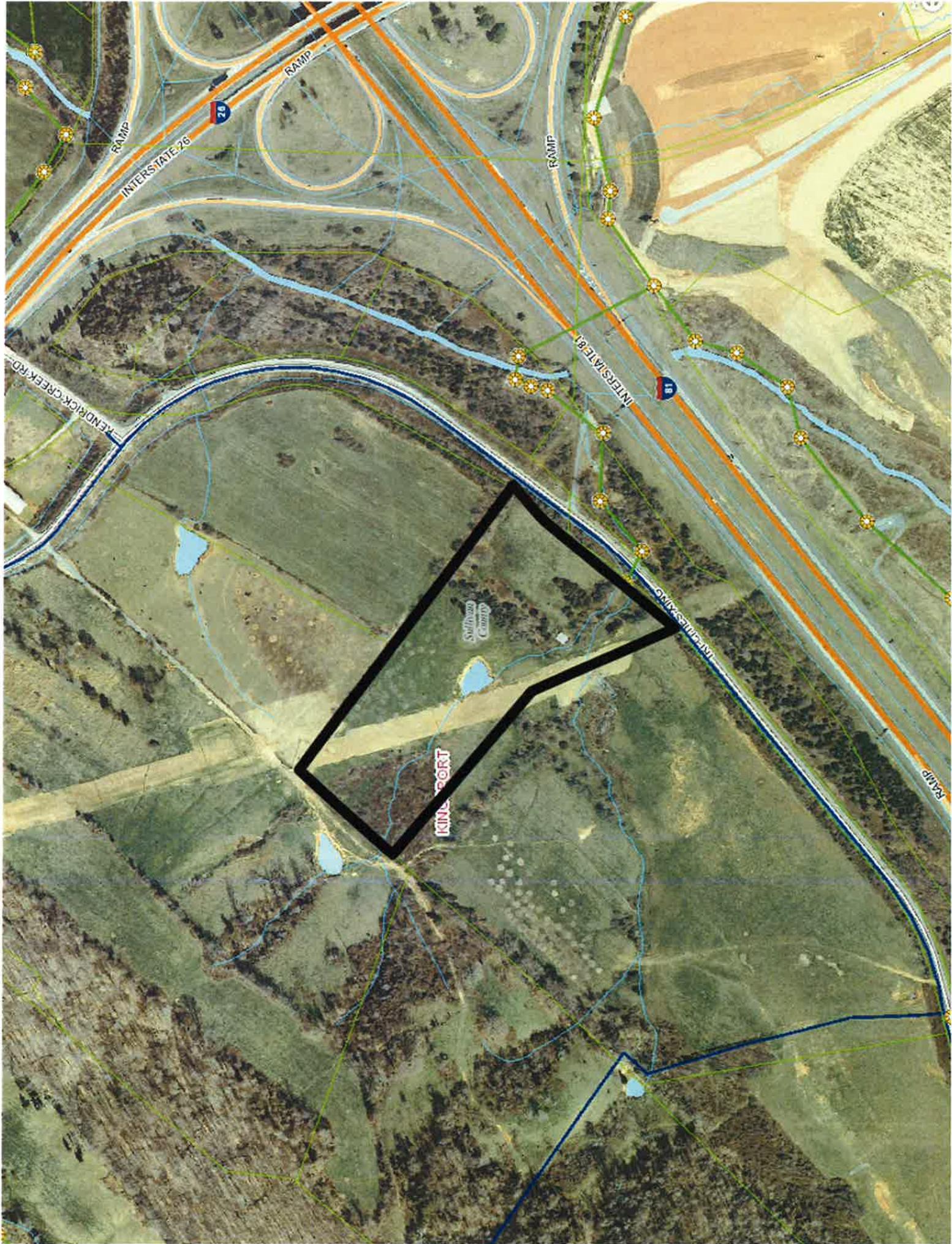
A tour of the property will be conducted starting at 10:30a.m. prior to the meeting.

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

Case: 18-701-00002 – Property located at Tri Cities Xing, Control Map 119, a Portion of Parcel 098.50 requests a special exception for a franchised auto dealership to Sec 114-192(d)1. The property is zoned TA/C, Tourist Accommodation/Commerce 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: 1/22/18





APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name Scott First Chantz M.I. _____ Date 1-15-2018
Street Address 929 E. Stone Drive Apartment/Unit # _____
City Kingsport State TN ZIP 37660
Phone 423-230-4542 E-mail Address kiaofkingsport@gmail.com

PROPERTY INFORMATION:

Tax Map Information Tax map: 119 Group: _____ Parcel: 98.50 Lot: _____
Street Address Tri-Cities Crossing Apartment/Unit # _____
Current Zone TA-C Proposed Zone No Change
Current Use Vacant Proposed Use Franchised Auto Dealership

REPRESENTATIVE INFORMATION:

Last Name Breeding First Pat M.I. _____ Date 1-15-2018
Street Address 130 Regional Park Drive Apartment/Unit # _____
City Kingsport State TN ZIP 37660
Phone 423-349-7760 E-mail Address pat@grcinc.com

REQUESTED ACTION:

Application for special exception of a franchised auto dealership in a TA-C 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:

Date: 1/17/18

Signed before me on this 17 day of Jan, 20 18,
a notary public for the State of Tennessee
County of Sullivan

Notary
My Commission Expires 02/28/2021

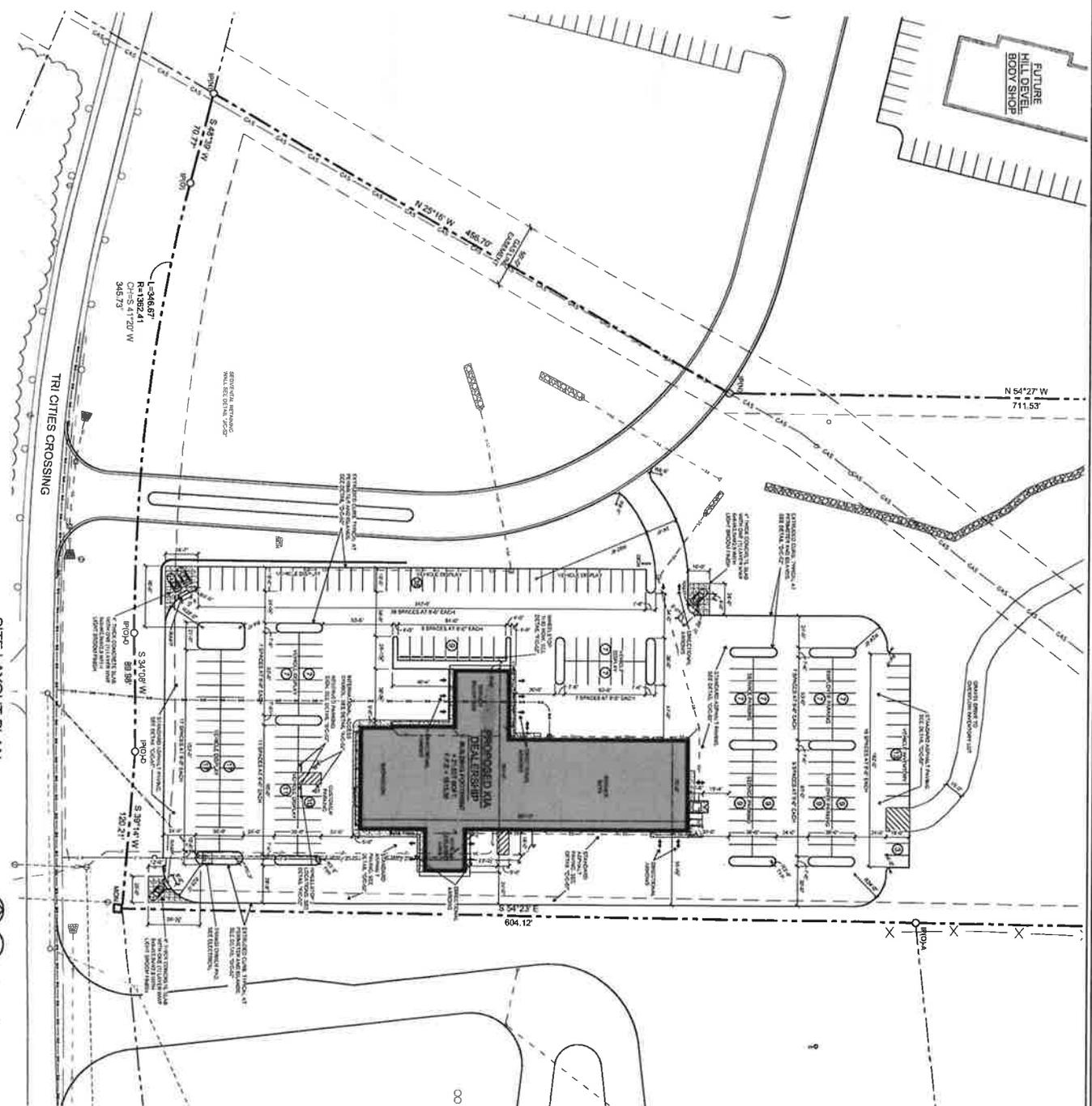


LEGEND

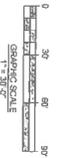
PROPERTY AND TRAIL INDICATOR	---
FACTORY LANE CENTERLINE	---
EXISTING ROADWAY	---
PROPOSED ROADWAY	---
EXISTING BUILDING	---
PROPOSED BUILDING	---
NEW SERVICE	---
EXISTING UTILITY (INDICATED BY NUMBER)	---
NEW UTILITY	---
EXISTING POWER POLE	---
NEW POWER POLE	---
EXISTING LIGHT POLE	---
NEW LIGHT POLE	---
EXISTING WATER VALVE	---
NEW WATER VALVE	---
EXISTING GAS VALVE	---
NEW GAS VALVE	---
EXISTING FIRE EXTINGUISHER CONNECTION	---
NEW FIRE EXTINGUISHER CONNECTION	---
EXISTING WATER WITHIN	---
NEW WATER WITHIN	---
EXISTING CONDUIT TO EXISTING UTILITY	---
NEW CONDUIT TO EXISTING UTILITY	---

PARKING COUNT

TOTAL SITE NON-RESIDENTIAL SPACES	165
NON-RESIDENTIAL SPACES	165
TOTAL H.C. SPACES	2
TOTAL PARKING SPACES	210



SITE LAYOUT PLAN
SCALE: 1" = 30'



NO.	DATE	REVISION

New Automobile Dealership for:



Kingsport, Tennessee

Architectural Services

Cam Rash West
Architects

REVIEW PRINT
1/15/2018
NOT FOR CONSTRUCTION

DATE: 2/21/18
DRAWN: STINEBAUGH
PROJECT: 2017175
SHEET: C-11
SITE LAYOUT PLAN

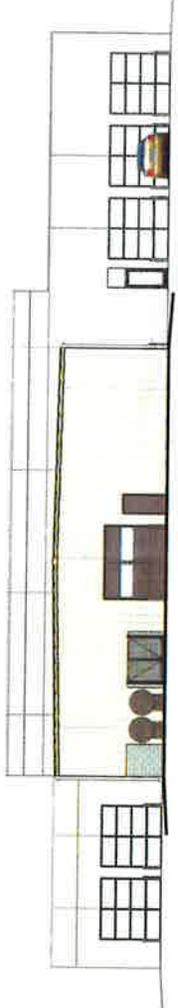


GRC **Cain Rash West** **ARCHITECTS**

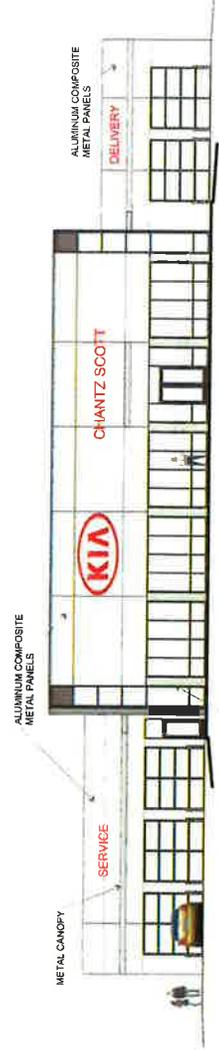
130 Regional Park Drive
Knoxville, TN 37650
Phn (423) 349-7760
www.gjrcnc.com



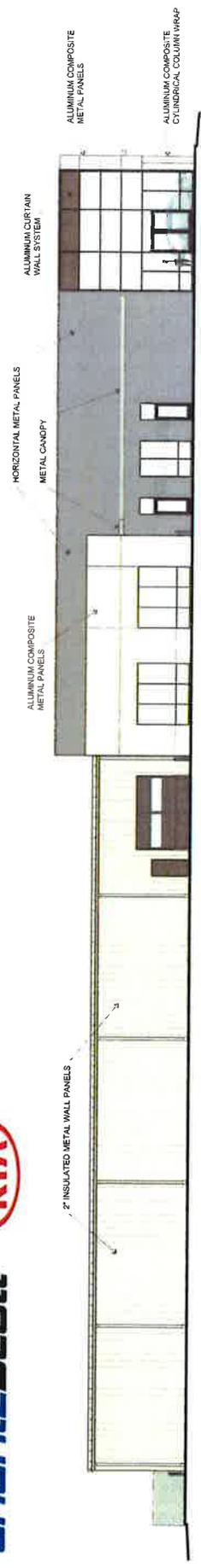
ChantzScott **KIA**



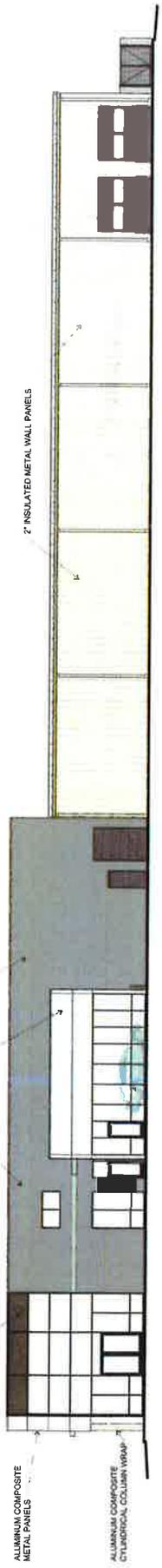
NORTH ELEVATION (REAR)
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION (FRONT)
SCALE: 1/8" = 1'-0"



WEST ELEVATION (SIDE)
SCALE: 1/8" = 1'-0"



EAST ELEVATION (SIDE)
SCALE: 1/8" = 1'-0"

ALUMINUM COMPOSITE METAL PANELS

CHANTZ SCOTT

ALUMINUM COMPOSITE METAL PANELS

DELIVERY

SERVICE

METAL CANOPY

ALUMINUM COMPOSITE CYLINDRICAL COLUMN WRAP

HORIZONTAL METAL PANELS METAL CANOPY

ALUMINUM COMPOSITE METAL PANELS

2" INSULATED METAL WALL PANELS

ALUMINUM COMPOSITE METAL PANELS

ALUMINUM CURTAIN WALL SYSTEM

ALUMINUM COMPOSITE CYLINDRICAL COLUMN WRAP

HORIZONTAL METAL PANELS

ALUMINUM COMPOSITE METAL PANELS

2" INSULATED METAL WALL PANELS

ALUMINUM CURTAIN WALL SYSTEM

ALUMINUM COMPOSITE METAL PANELS

ALUMINUM COMPOSITE CYLINDRICAL COLUMN WRAP

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

December 7, 2017

10:30 a.m.

Members Present:

Leland Leonard
Frank Oglesby
Bill Sumner

Members Absent:

Anita Campbell
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 9960 Airport Parkway. No official action was taken.

The driving tour concluded at 11:20 a.m.

Respectfully Submitted,

Ken Weems, AICP
Zoning Administrator

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

December 7, 2017, Regular Meeting

Noon

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

Members Present:

Leland Leonard, Chairman
Frank Oglesby
Bill Sumner
Ashok Gala
Anita Campbell

Members Absent

none

Staff Present:

Ken Weems, AICP
Page Jeffers

Visitors:

Marcy Walker
Wes Acklin
Johnny Campbell

Chairman Leonard called the meeting to order.

Chairman Leonard explained the meeting procedures.

Ms. Page Jeffers conducted the swearing in ceremony for those wishing to speak during the regular meeting. Marcy Walker and Wes Acklin were sworn in.

Public Hearing:

Case: 17-701-00016 – Property located at 9960 Airport Parkway, Control Map 078, Parcel 095.50 requests a 35 foot height variance and a 253.5 square foot size variance for a new freestanding sign to Sec 114-533(8)a(2 ,4). The property is zoned B-3, Highway Oriented Business District.

Ms. Marcy Walker presented the case to the Board. Ms. Walker stated that the parcel currently has two freestanding signs and that both of the existing freestanding signs are planned to be completely removed. Ms. Walker identified the need of the proposed freestanding sign so that large trucks in need of service would be able to readily identify the property from the interstate.

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

Next, Chairman Leonard called for the approval of the October 5, 2017 driving tour and regular meeting minutes. On a motion by Mr. Gala, seconded by Mr. Sumner, the Board approved the October 5, 2017 driving tour minutes unanimously (4-0). On a motion by Mr. Gala, seconded by Mr. Sumner, the Board approved the October 5, 2017 regular meeting minutes unanimously (4-0).

The Board stated, for the record, that the next submittal deadline is December 15, 2017 at noon for the January 4, 2018 regular meeting.

Mr. Weems reported to the Board that the annual BZA holiday lunch had been scheduled by the Chairman for December 13, 2017. Additionally, Mr. Weems stated that he would organize online training for those members still in need of hours. Mr. Weems noted that the two newest members of the Board had a full year from their start date with the Board to accrue their 4 annual hours.

Adjudication of Cases:

Case: 17-701-00016 – Property located at 9960 Airport Parkway, Control Map 078, Parcel 095.50

Chairman Leonard acknowledged the hardship of the parcel is an elevation issue, where additional signage can be justified to properly serve customers of the business.

MOTION: made by Mr. Oglesby, seconded by Mr. Sumner, to grant the 35 foot height variance and 253.5 square foot freestanding sign size variance as requested.

VOTE: 4-0 to approve the request.

PROOF PRESENTED:

1. 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. *This parcel's elevation is lower than the surrounding parcels, making appropriate signage challenging under current zoning requirements.*
2. 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 would deny the owners of a reasonable use of their property.*
3. 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 existing property configuration is not a result of the applicant.*
4. 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 preserve the essential character of the neighborhood by allowing signage that will more closely resemble signage of adjacent properties of the similar use.*

With no further business the meeting was adjourned at 12:21 p.m.

Respectfully Submitted,

Ken Weems, AICP
Zoning Administrator