

KINGSPORT BOARD OF ZONING APPEALS AGENDA
REGULAR MEETING: October 5, 2017
Development Services Building – Bob Clear Conference Room

CALL TO ORDER – 12:00 P.M. NOON

INTRODUCTION / MEETING PROCEDURES

PUBLIC HEARING:

Case: 17-701-00015 – Property located at 2671 N. John B. Dennis Highway, Control Map 31O, Group A, Parcel 008.00 requests a 5 foot setback variance for a new freestanding sign to Sec 114-530(7). The property is zoned B-4P, Planned Shopping Center District.

INTERESTED PARTIES:

Owner: Paul Schodowski
5118 Foxfire Trail
Kingsport, TN 37664
(423) 361-9623

Representative: Denise Hensley

Case: 17-701-00014 – Property located at 902 Broad Street and E. Ravine Rd, Control Map 46G, Group F, Parcels 014.00 and 013.00 and Control Map 46J, Group D, Parcel 030.00 requests a special exception for a pharmacy use to Sec 114-191(c)6 and approval for commercial parking in a residential zone to Sec 114-563(4). 902 Broad Street is zoned P-1, Professional Offices District. E. Ravine Road (Control Map 46J, Group D, Parcel 030.00) is zoned R-4, Medium Density Apartment District.

INTERESTED PARTIES:

Owner: Colton Marcum
920 Smith Hollow Road
Gate City, VA 24251
(423) 676-6339

Representative: Mark Freeman

BUSINESS:

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

Staff Reports: Review and comment on a proposed zoning text amendment that addresses adding architectural salvage to the list of special exceptions in the B-2 (Central Business District).

Stating for public record, the next application deadline is October 16, 2017 at noon, and meeting date (Thursday, November 2, 2017).

ADJUDICATION OF CASES:

ADJOURNMENT:

October 5, 2017 BZA

MEMORANDUM

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: September 25, 2017

RE: 2671 N. John B Dennis Highway

The Board is asked to consider the following request:

Case: 17-701-00015 – Property located at 2671 N. John B. Dennis Highway, Control Map 310, Group A, Parcel 008.00 requests a 5 foot setback variance for a new freestanding sign to Sec 114-530(7). The property is zoned B-4P, Planned Shopping Center District.

This parcel was approved for an “institution of human care” use special exception during the August 4, 2016 regular meeting of the Kingsport Board of Zoning Appeals. The new request seeks to locate the proposed freestanding sign on the property line of the parcel.



REGULAR MEETING
& PUBLIC HEARING
Kingsport Board of Zoning Appeals

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that an open and public meeting of the Kingsport Board of Zoning Appeals scheduled for Thursday, October 5, 2017 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: 17-701-00015 – Property located at 2671 N. John B. Dennis Highway, Control Map 31O, Group A, Parcel 008.00 requests a 5 foot setback variance for a new freestanding sign to Sec 114-530(7). The property is zoned B-4P, Planned Shopping Center 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: 9/26/17

APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name SCHODOWSKI First PAUL M.I. B Date _____
Street Address 5118 FOXFIRE TRAIL Apartment/Unit # _____
City KINGSPORT State TN ZIP 37664
Phone (423) 361-9623 E-mail Address psdpm@gmail.com

PROPERTY INFORMATION:

Tax Map Information Tax map: 31-0 Group: A Parcel: 8 Lot: -
Street Address 2671 N. JOHN B. DENNIS HWY Apartment/Unit # _____
Current Zone B-4P Proposed Zone _____
Current Use _____ Proposed Use _____

REPRESENTATIVE INFORMATION:

Last Name Hensley First Denise M.I. _____ Date 9-13-17
Street Address 2918 Creekmore Drive Apartment/Unit # _____
City Johnson City State TN ZIP 37601
Phone 423-282-6221 E-mail Address denise@snydersigns.com

REQUESTED ACTION:

5' setback variance for freestanding 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: Paul B Schodowski

Date: 9/8/2017

Signed before me on this 8TH day of SEPTEMBER, 2017.

a notary public for the State of TENNESSEE

County of SULLIVAN

Notary B D ma

My Commission Expires 8/28/18



VARIANCE PETITION

for

Dr. Paul B. Schodowski, DPM

September 13, 2017

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 Property Line for this Applicant goes straight thru a line of trees on either side of the existing stream. The Applicant has been denied permission to cut the trees which obstruct the view of the new building and/or sign. The neighboring business and residence areas are much closer to the road and do not have this same hardship of obstruction of view by a tree line. The building is set back behind existing trees and barely visible. All patients needs sufficient visibility upon approaching the entrance for safety reasons. The sign for Dr. Schodowski needs to be as close to the road as possible for ease of locating his medical facility. A large percentage of his patients are elderly and need good visibility upon approach to the area.

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

At the current 5' setback required, the sign would be obstructed with the Southbound traffic due to the tree line. There are no markers indicating the address close to the road. Once the sign would be visible, it would be too late for a turn in and may cause the Patient to react quickly to try and make the turn. No visibility of an Identification sign would deprive the Applicant of marked address and location of his medical facility.

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 ROW was determined previous to the Applicant's purchase of this property. The trees on the applicant's property were existing. The Southbound approach obstruction of view is not a result of the Applicant's actions. They have been denied to remove the trees due to environmental reasons. The Property Line goes thru the thick tree line which does not allow the sign to be placed in a proper viewing area due to the setback.

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

Granting the 5' setback variance for the pylon sign for Dr. Schodowski will allow a safe entrance to the medical facility. This will give more viewing time on approach to the property. The new building is an enhancement to the community as well as a needed medical facility for greater convenience to the Applicant's patients from both Tennessee and Virginia. A large percentage of the Applicant's patients are elderly and need good distance viewing upon approach of the address. Placing the sign closer to the road would not obstruct view of Enter and Exit to the Property. If this Variance would be granted, the sign would be placed about 30' from the edge of the existing pavement.

Thank you in advance for your serious consideration.

SPICER & WILSON
CONSULTING ENGINEERS
110 EAST SUMMIT STREET, SUITE 3
ANN ARBOR, MICHIGAN 48102-3000
PHONE 313.761.0700 FAX 313.761.0701
WWW.SPICERANDWILSON.COM

SIW Project No. M507

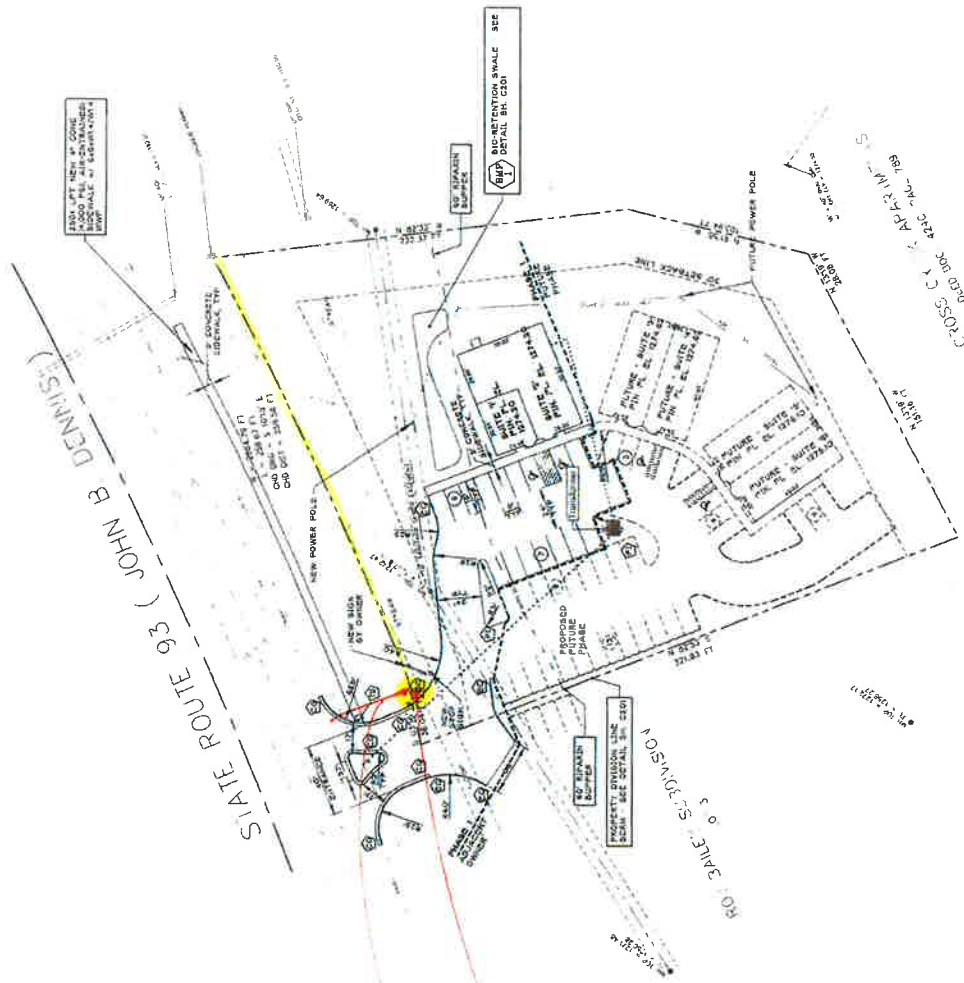


LEGEND

- PROPERTY LINES
- NEW EXTENDED CURBS
- NEW CURBS AND GUTTERS
- PAINTED ISLANDS NO CURBS
- EXISTING SANITARY SEWER EASEMENT
- NEW SANITARY SEWER EASEMENT
- INDICATED CURBS

SITE LAYOUT PLAN

1" = 30'



43' back from
edge of pavement

Proposed Sign Placement

PARKING COLLOCATION:
TOTAL NUMBER OF SITE PARKING
SPACES - 48 (CURRENT AND FUTURE)
CURRENT - 14 E20 - 2 HANDICAPPED
VAN ACCESSIBLE - 16 CURRENT
(ADDITIONAL 33 FUTURE)



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

DATE: 8/11/17
DESIGNER: TMT
SALES REP: DENISE HENSLEY

DESIGN #: 21609
REVISION #: 2, 9, 14, 17
SCALE: 3/16" = 1'

Snyder Signs
INC.

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.

North bound



North bound

Trees obstructing
view of
entrance



43' back from
edge of pavement

Proposed
Sign Placement



South bound



MEMORANDUM

TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

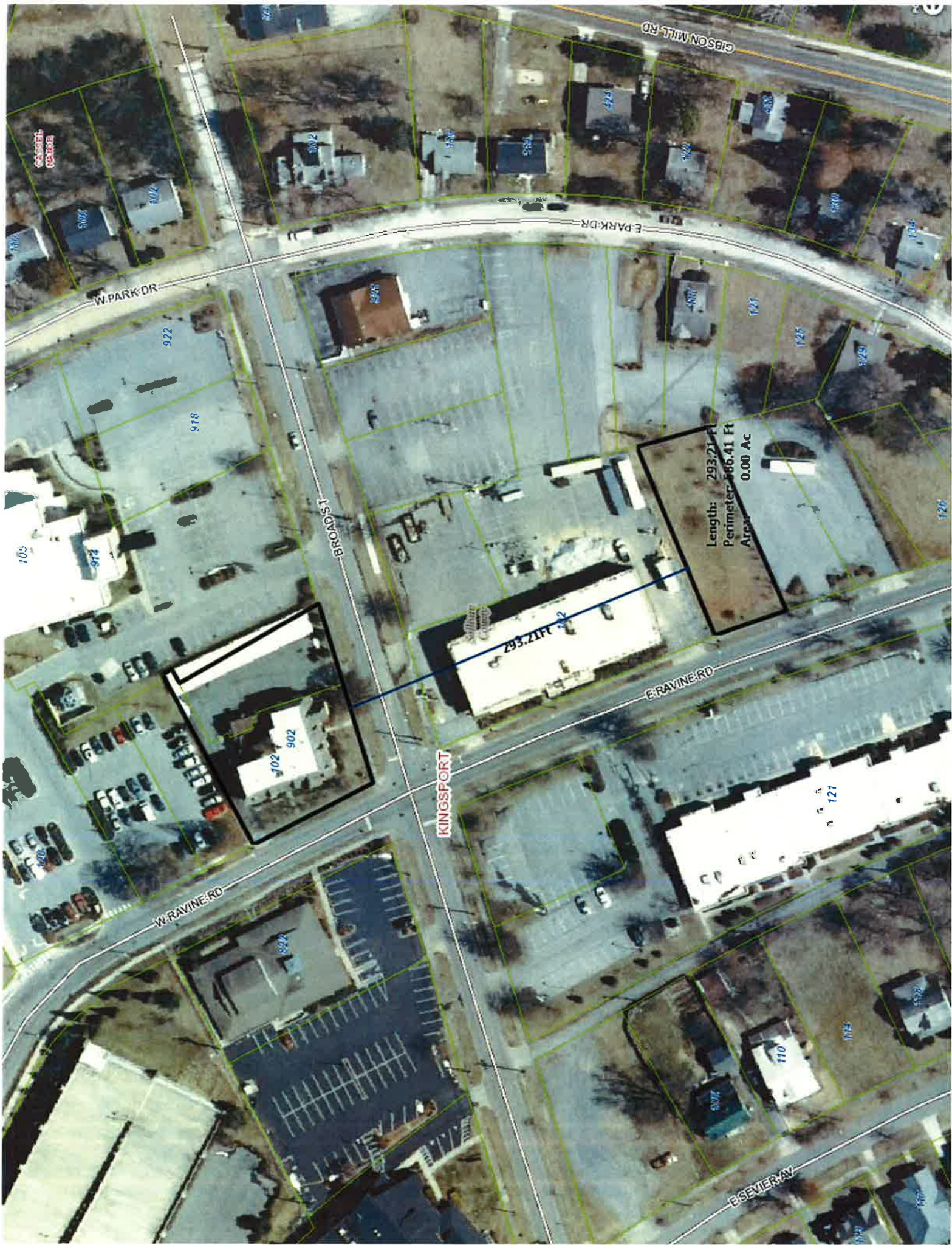
DATE: September 25, 2017

RE: 2671 N. John B Dennis Highway

The Board is asked to consider the following request:

Case: 17-701-00014 – Property located at 902 Broad Street and E. Ravine Rd, Control Map 46G, Group F, Parcels 014.00 and 013.00 and Control Map 46J, Group D, Parcel 030.00 requests a special exception for a pharmacy use to Sec 114-191(c)6 and approval for commercial parking in a residential zone to Sec 114-563(4). 902 Broad Street is zoned P-1, Professional Offices District. E. Ravine Road (Control Map 46J, Group D, Parcel 030.00) is zoned R-4, Medium Density Apartment District.

Marcum's Pharmacy is currently located at 121 E Ravine Rd. This pharmacy business is proposing to move it's location to 902 Broad Street. 902 Broad St. is zoned P-1 and a special exception has been requested to allow the new use. 902 Broad St. is currently used as an apartment building and will have to be remodeled to accommodate a pharmacy use. The second part of the submittal is approval of a commercial use parking lot in a residential zone located along E Ravine Rd (**Control Map 46J, Group D, Parcel 030.00**). This parcel is located across E Ravine Rd from the current location of Marcum's Pharmacy.



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: 17-701-00014 – Property located at 902 Broad Street and E. Ravine Rd, Control Map 46G, Group F, Parcels 014.00 and 013.00 and Control Map 46J, Group D, Parcel 030.00 requests a special exception for a pharmacy use to Sec 114-191(c)6 and approval for commercial parking in a residential zone to Sec 114-563(4). 902 Broad Street is zoned P-1, Professional Offices District. E. Ravine Road (Control Map 46J, Group D, Parcel 030.00) is zoned R-4, Medium 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: 9/26/17

APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name	Marcum	First	Colton	M.I. N.	Date
Street Address				920 Smith Hollow Rd.	
City				Gate City	
State				Virginia	
Phone				423 676 6339	
E-mail Address				marcums.pharmacy@yahoo.com	

PROPERTY INFORMATION:

Tax Map Information	Tax map:	46J	Group:	D	Parcel:	30	Lot:	PO 7
Street Address							126 E. Ravine	
Current Zone							P-1	
Proposed Zone							P-1	
Current Use							Apartment Bldg.	
Proposed Use							Pharmacy	
Health Foods, Medical Office, Museum								

REPRESENTATIVE INFORMATION:

Last Name	Freeman	First	Mark	M.I. B	Date
Street Address				P. O. Box 6	
City				Kingsport	
State				Tn	
Phone				423 646 1000	
E-mail Address				mark@mfa-arch.com	

REQUESTED ACTION:

Special Exception for use as Pharmacy as primary use and Associated Retail, Health Food Sales, Medical Office and Medical Museum

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:

9-15-2017

Signed before me on this 15th day of September 2017

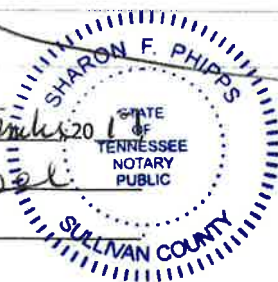
a notary public for the State of Tennessee

County of Sullivan

Notary

Sharon Phipps

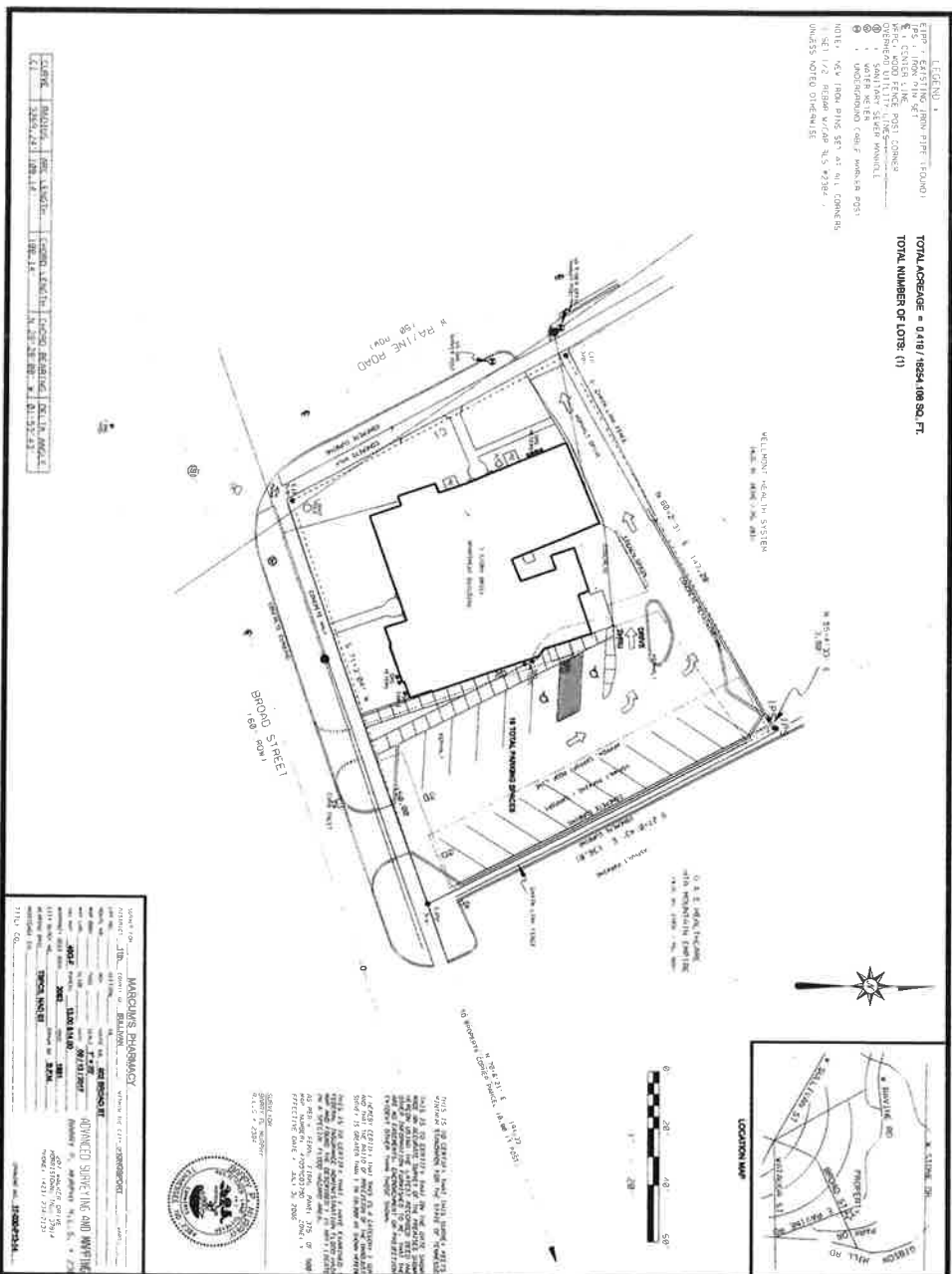
1023-18



PROJECT NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING CODES AND STANDARDS:

- INTERNATIONAL BUILDING CODE (IBC)
- INTERNATIONAL MECHANICAL AND ELECTRICAL CODE (IMC)
- INTERNATIONAL PLUMBING AND PIPEFITTERS CODE (IPFC)
- INTERNATIONAL FIRE AND ALARM CODE (IFAC)
- INTERNATIONAL ENERGY EFFICIENCY CODE (IEEC)
- INTERNATIONAL SCHEDULING CODE (ISC)
- INTERNATIONAL SPECIFICATIONS FOR ARCHITECTURAL MATERIALS (ISM)
- INTERNATIONAL SPECIFICATIONS FOR MECHANICAL AND ELECTRICAL EQUIPMENT (ISMEE)
- INTERNATIONAL SPECIFICATIONS FOR PLUMBING AND PIPEFITTERS EQUIPMENT (ISPPF)
- INTERNATIONAL SPECIFICATIONS FOR FIRE AND ALARM EQUIPMENT (ISFAE)
- INTERNATIONAL SPECIFICATIONS FOR ENERGY EFFICIENCY EQUIPMENT (ISEEE)
- INTERNATIONAL SPECIFICATIONS FOR SCHEDULING EQUIPMENT (ISSEE)
- INTERNATIONAL SPECIFICATIONS FOR ARCHITECTURAL MATERIALS (ISM)
- INTERNATIONAL SPECIFICATIONS FOR MECHANICAL AND ELECTRICAL EQUIPMENT (ISMEE)
- INTERNATIONAL SPECIFICATIONS FOR PLUMBING AND PIPEFITTERS EQUIPMENT (ISPPF)
- INTERNATIONAL SPECIFICATIONS FOR FIRE AND ALARM EQUIPMENT (ISFAE)
- INTERNATIONAL SPECIFICATIONS FOR ENERGY EFFICIENCY EQUIPMENT (ISEEE)
- INTERNATIONAL SPECIFICATIONS FOR SCHEDULING EQUIPMENT (ISSEE)



CI.02

APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name	Marcum	First	Colton	M.I. N.	Date
					09/15/17
Street Address	920 Smith Hollow Rd.			Apartment/Unit #	
City	Gate City	State	Virginia	ZIP	24251
Phone	423 676 6339		E-mail Address marcums.pharmacy@yahoo.com		

PROPERTY INFORMATION:

Tax Map Information	Tax map: 46J	Group: D	Parcel: 30	Lot: PO 7	
Street Address	126 E. Ravine			Apartment/Unit #	
Current Zone	R-4	Proposed Zone R-4			
Current Use	Empty Lot	Proposed Use Parking Lot			

REPRESENTATIVE INFORMATION:

Last Name	Freeman	First	Mark	M.I. B	Date
					09/15/17
Street Address	P. O. Box 6			Apartment/Unit #	
City	Kingsport	State	Tn	ZIP	37662
Phone	423 646 1000		E-mail Address mark@mfa-arch.com		

REQUESTED ACTION:

Special Exception for use as Parking

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: 9.15.2017

Signed before me on this 15th day of September 20 17
a notary public for the State of Tennessee
County of Sullivan

Notary Sharon Phipps

My Commission Expires 10-23-18



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

September 7, 2017

10:30 a.m.

Members Present:

Leland Leonard
Anita Campbell
Frank Oglesby
Bill Sumner
Ashok Gala

Members Absent:

none

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 445 Parker Drive and 2101 Fort Henry Dr. No official action was taken.

The driving tour concluded at 11:25 a.m.

Respectfully Submitted,

Ken Weems, AICP
Zoning Administrator

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

September 7, 2017, Regular Meeting

Noon

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

Members Present:

Leland Leonard, Chairman

Anita Campbell

Frank Oglesby

Bill Sumner

Ashok Gala

Members Absent

none

Staff Present:

Ken Weems, AICP

Page Jeffers

Visitors:

Tim Fugate

Mark Ball

Dan Moneyhun

Rob Johnson

Greg Horn

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. All visitors were sworn in.

Public Hearing:

Case: 17-701-00013 – Property located at 445 Parker Drive, Control Map 29O, Group A, Parcel 028.50 requests a special exception in order to construct a fellowship hall to Sec 114-183(c). The property is zoned R-1B, Residential District.

Mr. Dan Moneyhun presented the case to the Board. Mr. Moneyhun stated that the church has needed a fellowship hall for a long time and they are ready to proceed now. Mr. Moneyhun spoke to the location of the project, which abuts the existing church property. Mr. Moneyhun stated that a brick façade for the building was submitted to the BZA, but that other options may be more favorable to the Church if the BZA was willing to be flexible on the cladding of the proposed structure.

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

Case: 17-701-00011 – Property located at 2101 Fort Henry Drive, Control Map 61E, Group H, Parcels 009.00, 010.00 and 012.00 requests a 37 square foot freestanding sign variance to Sec 114-533(9)b(2) for a new pylon sign; a 210 square foot freestanding sign variance to Sec 114-533(9)b(2) for an electronic message board sign; a 12.8 square foot variance to Sec 117-535(2) for an electronic message board that is over 50% of the total sign square footage of the sign; a 430 foot variance to Sec 114-533(9)b for a freestanding sign that is 430 feet from a main entrance; a variance to Sec 114-533(9)b(1) to permit a third freestanding sign for the center; a total of three individual 43.2 square foot variances to Sec 114-528(1)b to permit directional signage inside the premises; a total of four individual 17 square foot variances to Sec 114-528(1)b to permit directional signage onto the premises. The property is zoned B-4P, Planned Shopping Center District.

Mr. Rob Johnson presented the case to the Board. Mr. Johnson stated that he represents the Hull Property Group. Mr. Johnson stated that the submitted sign package is necessary to get the word out about businesses inside the mall. Mr. Johnson noted that unlike other commercial buildings, the mall businesses have no way to place effective signage along public streets due to their internal location. Mr. Johnson stated that similar sign packages have been approved by other community malls that Hull owns. Mr. Johnson commented that the sole electronic message board proposed for the property is over 200 sq. ft. in size, yet that size of sign is necessary and appropriate for a property the size of the mall. Mr. Johnson asked for the Board's approval based upon the very unique property, which is configured unlike any other inside the city. Chairman Leonard noted that the last time Hull came before the Board, that they had agreed there would be no more signage variances for the mall. Mr. Johnson stated that he believed that only pertained to wall signage. Mr. Johnson further stated that they are going through great lengths to rebrand the mall and that the variance requests are in line with their other properties around the country. Mr. Johnson stated that they hold their properties instead of selling them, thus ensuring that all proposals will be appropriate for the property and that Hull has a vested interest in the property upkeep. Chairman Leonard inquired as to why Hull cannot conform to the existing sign code. Mr. Johnson stated that due to the uniqueness of the property, the submitted sign package would be most appropriate for the best visibility. Additionally, Mr. Johnson drew attention to the stacked stone accents of their freestanding signs. Bill Sumner thanked Mr. Johnson for trying to help the mall.

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

Next, Chairman Leonard called for the approval of the August 3, 2017 driving tour and regular meeting minutes. On a motion by Mr. Gala, seconded by Mr. Oglesby, the Board approved the August 3, 2017 driving tour minutes. On a motion by Mr. Gala, seconded by Mr. Oglesby, the Board approved the August 3, 2017 regular meeting minutes.

The Board stated, for the record, that the next submittal deadline is September 15, 2017 at noon for the October 5, 2017 regular meeting.

Adjudication of Cases:

Case: 17-701-00013 – Property located at 445 Parker Drive, Control Map 29O, Group A, Parcel 028.50

Chairman Leonard noted that the special exception request was appropriate for the area. Mr. Oglesby stated that he did not feel it necessary to require a brick façade for the fellowship hall building. Chairman Leonard noted that a brick veneer was presented to the Board.

MOTION: made by Mr. Oglesby, seconded by Mr. Sumner, to grant the special exception as requested, without a façade requirement.

VOTE: 4-0 to approve the request.

Case: 17-701-00011 – Property located at 2101 Fort Henry Drive, Control Map 61E, Group H, Parcels 009.00, 010.00 and 012.00

Chairman Leonard stated that the applicant needs to follow code. Mr. Oglesby stated that he is OK with the proposal.

MOTION: made by Ms. Campbell, seconded by Mr. Oglesby, to grant the required 37 sq ft freestanding sign along Fort Henry Drive as requested.

VOTE: 4-0 to approve the request.

MOTION: made by Mr. Oglesby, seconded by Mr. Sumner, to grant the 12.8 sq ft variance for the reader board, grant the 430 foot variance for distance from a main entrance for the reader board, and grant the 210 sq ft sign size variance for the reader board.

VOTE: 4-1 to approve the request.

MOTION: made by Mr. Sumner, seconded by Mr. Gala, to grant the 3rd freestanding sign, three 43.2 sq ft variances for directional signage, and four 17 sq ft variances directional signage onto premises.

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 contains thousands of feet of public street frontage, differentiating itself from all surrounding parcels.*
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 for the property consistent with existing and former signage for the property.

With no further business the meeting was adjourned at 12:45 p.m.

Respectfully Submitted,

Ken Weems, AICP
Zoning Administrator

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SEC. 114-1 AND SEC. 114-194(C); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, AS FOLLOWS:

SECTION I. That Sec. 114-1. Definitions of the Code of Ordinances, City of Kingsport, Tennessee is amended by adding the following definition:

Sec. 114-1. Definitions:

Architectural Salvage means the reclaimed architectural features that were once part of a building.

SECTION II. That Section 114-194(C). of the Code of Ordinances, City of Kingsport, Tennessee is amended by deleting and replacing the following to the section:

(c) Special exceptions. Special exceptions are permitted only with the approval of the board of zoning appeals and are allowed in the B-2 district as follows: communication facilities, facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site, and outdoor storage and sale of architectural salvage, provided that the activity is conducted on a parcel that contains an existing building and that adequate screening measures are installed as approved by the board of zoning appeals.

SECTION III. That this ordinance shall take effect from and after the date of its passage and publication, as the law directs, the public welfare of the City of Kingsport, Tennessee requiring it.

JOHN CLARK
Mayor

ATTEST:

JAMES H. DEMMING
City Recorder