

**KINGSPORT REGIONAL PLANNING COMMISSION  
AGENDA**

This meeting is an open and accessible meeting. If interested parties request special assistance or accommodations, please notify the Planning Department three (3) days in advance of the meeting.

June 20, 2013

7:00 p.m.

**I. INTRODUCTION AND RECOGNITION OF VISITORS**

**II. APPROVAL OF THE AGENDA**

**III. APPROVAL OF THE MINUTES OF THE WORK SESSION HELD ON MAY 13, 2013 AND THE REGULAR MEETING HELD MAY 16, 2013.**

**IV. CONSENT AGENDA** – Consent items are those items that have previously been brought before the Planning Commission, which have been reviewed by the Planning Commission in previous meetings or work sessions, or are minor subdivisions and final plats not requiring any variances.

**06-01 Skyland Falls – Final Zoning Development Plan Amendment – (05-102-00011)** – The Planning Commission is requested to consider approving the final zoning development plan amendment for the Skyland Falls final zoning development plan. The property is located off Alderwood Drive inside the corporate limits of the City of Kingsport, 11<sup>th</sup> Civil District of Sullivan County. (Weems)

**06-02 Edinburgh Phase 2f – Minor Amendment to Final Plat – (12-201-00045)** – The Planning Commission is requested to consider approving an amendment to the final plat for Edinburgh Phase 2f. This property is inside the corporate limits of the City of Kingsport, 15<sup>th</sup> Civil District of Sullivan County. (Koder)

**V. UNFINISHED BUSINESS**

None

**VI. NEW BUSINESS**

**06-03 Brookton Park Subdivision – Rezoning – (13-101-00005)** – The Planning Commission is requested to consider approving the rezoning of Brookton Park Subdivision on Brookhaven Drive from R-1B, Residential District, to R-1C, Residential District. This property is located inside the corporate limits of the City of Kingsport, 12<sup>th</sup> Civil District of Sullivan County. (Weems)

- 06-06 Brookton Park Subdivision – Preliminary Subdivision – (13-201-00035)** – The Planning Commission is requested to consider approving the preliminary subdivision for Brookton Park Subdivision on Brookhaven Drive. This property is inside the corporate limits of the City of Kingsport, 12<sup>th</sup> Civil District of Sullivan County. (Koder)
- 06-04 Irrevocable Letter of Credit (ILOC) – Netherland Villas – (06-201-00055)** – The Planning Commission is requested to call the ILOC for Netherland Villas Subdivision in the amount of \$84,840 issued by First Bank and Trust Company. (Koder)
- 06-05 Wheatley Subdivision – Final Subdivision – (13-201-00034)** – The Planning Commission is requested to consider approving the final subdivision for Wheatley Subdivision at Walker Street & Franklin Street. This property is inside the corporate limits of the City of Kingsport, 13<sup>th</sup> Civil District of Sullivan County. (Koder)
- 06-07 The Summitt at Preston Park Subdivision – Preliminary Plat – (13-201-00039)** – The Planning Commission is requested to consider approving the preliminary plat for The Summitt at Preston Park Subdivision. This property is inside the corporate limits of the City of Kingsport, 11<sup>th</sup> Civil District of Sullivan County. (Koder)
- 06-08 Goad Subdivision – Final Subdivision – (13-201-00040)** – The Planning Commission is requested to consider approving the final subdivision for Goad Subdivision on Memorial Boulevard. A variance has been requested on three lots. This property is inside the corporate limits of the City of Kingsport, 13<sup>th</sup> Civil District of Sullivan County. (Koder)
- 06-09 Shadyside Drive – Annexation, Zoning and Plan of Services – Part 2 – (13-301-00004)** – The Planning Commission is requested to consider approving and recommending a favorable recommendation to the Board of Mayor and Aldermen the annexation, zoning and plan of services of Shadyside Drive. This property is located outside the corporate limits of the City of Kingsport, 13<sup>th</sup> Civil District of Sullivan County. (Weems)
- 06-10 Bennett - Annexation, Zoning and Plan of Services – (13-301-00006)** – The Planning Commission is requested to consider approving and recommending a favorable recommendation to the Board of Mayor and Aldermen the annexation, zoning and plan of services of Bennett property on Memorial Drive. This property is outside the corporate limits of the City of Kingsport, 7<sup>th</sup> Civil District of Sullivan County. (Shepherd)
- 06-11 Nominating Committee** – 3 members of the Planning Commission shall be appointed by the Chairman to solicit nominations for the positions of Chairman, Vice-Chairman and Secretary for the 2013-2014 term. Elections are to be held during the July 18, 2013 Regular Meeting.

Revised →

**VII. PUBLIC COMMENT (Speakers are limited to 5 minutes per item.)**

**VIII. OTHER BUSINESS**

- 06-12** Receive a letter of resubdivision of the Roy Bailey Subdivision on John B. Dennis Highway.
- 06-13** Receive a letter of resubdivision of the Mabel Ford Todd Subdivision on Pactolus Road.
- 06-14** Receive a letter of resubdivision of the Hood and Simpson Subdivision on John B. Dennis Highway.
- 06-15** Receive a letter of resubdivision of the Taylor Property Replat on Memorial Boulevard.
- 06-16** Receive a letter of resubdivision of the Meadowwood Estates Subdivision on Bridwell Heights Road.
- 06-17** Receive a letter of resubdivision of the Bruce Graves Property Subdivision, Lot 4 on Shady View Road.
- 06-18** Receive, for informational purposes only, the April 4, 2013 and May 2, 2013 regular meeting minutes of the Board of Zoning Appeals.
- 06-19** Receive, for informational purposes only, a report of new businesses for April and May 2013.
- 06-20** Receive, for informational purposes only, the monthly report from the Building Division for May 2013.

**IX. ADJOURNMENT**

**MINUTES OF THE WORK SESSION OF THE  
KINGSPORT REGIONAL PLANNING COMMISSION**

The Improvement Building  
201 W. Market Street, Kingsport, TN 37660

May 13, 2013

12:00 Noon

**Members Present**

Dennis Ward, Chairman  
Mark Selby  
David Stauffer  
Jim Lewis  
Alderman Mike McIntire  
“Buzzy” Breeding  
Hoyt Denton

**Members Absent**

Colette George, Vice-Chairman  
George Coleman

**Staff Present**

Lynn Tully  
Forrest Koder  
Ken Weems  
Corey Shepherd  
Michael Thompson

**Visitor’s List**

At 12:00 p.m., the meeting was called to order by Lynn Tully. Mrs. Tully presented the tentative agenda for the May 16, 2013 meeting of the Planning Commission for discussion. No changes were presented to the agenda. Mrs. Tully also asked for any changes to the minutes of the April 15, 2013 work session and April 18, 2013 regular meeting. There being no changes suggested, the minutes will be submitted as complete during the May 16, 2013 meeting of the Planning Commission.

**05-01 Irrevocable Letter of Credit (ILOC) – St. Andrews Garth – (11-103-00001 and 10-201-00005)**

The Planning Commission heard a presentation regarding the ILOC for St. Andrews Garth Subdivision from Mr. Forrest Koder. Staff recommended approval of release of the letter of credit in the amount of \$47,700. After little discussion, there was no official action taken on this item.

**05-02 Bridwell Donation – Final Plat – (13-201-00023) –**

The Planning Commission heard a presentation regarding the final plat approval for Bridwell Donation property on the east side of Sumpter Road by Mr. Forrest Koder. Discussion ensued regarding the purpose of the plat to which staff stated that the plat is intended for wildlife sanctuary and to be undevelopable in perpetuity. Further staff noted that this is included in verbiage on the plat for future buyers. The Planning Commission asked about the sale of those undevelopable lots and if they could run with the sale of the lots across the street to which they are currently tied. Staff noted that they could ask if these lots would be deeded with the others, however, it’s not a requirement that we could enforce. There being no further questions, no official action was taken.

**05-03 Kingsport Land Use Plan-2030 – Amendment –**

The Planning Commission heard a presentation regarding proposed changes to the Kingsport Land Use Plan-2030 with respect to properties at Snapps Ferry Road and Rock Springs Road, Ft. Henry Drive, and Blakley Road north of Barnett Drive.

Mr. Forrest Koder presented the proposed revisions to the Land Use Plan. Staff noted the conditions currently existing, each area of amendment, as well as any transitioning developments within those same areas. There was minor discussion regarding each of the locations for amendment and staff recommended approval of the amendment. Following discussion, there was no official action taken on these items.

**05-04 Higher Ground Baptist Church – Sign Amendment – (13-102-00002)** – The Planning Commission heard a presentation regarding B-4P sign amendment for Higher Ground Baptist Church to accommodate an electronic message board. Mr. Ken Weems presented the item indicating an electronic message board change-out for the monument signage currently in place at Higher Ground Baptist Church at 1625 Lynn Garden Drive. Mr. Weems stated that the request is within the allowable sign area for message boards within their district. There being few questions, no official action was taken on this item.

**05-05 Edinburgh South – Rezoning – (13-101-00003)** – The Planning Commission heard a presentation regarding the rezoning of 2705 and 2697 Rock Springs Rd. from B-4P, Planned Commercial District, to R-1B, Residential District. Mr. Ken Weems presented the item noting that the surrounding area was currently used for single family residences as well as additional development pressures in the area being primarily marketable for single family development. It was also noted that the area has been considered for commercial use, however, was not ultimately identifiable for such use. Specifically of note was a parcel on the east portion of the rezoning area which is almost entirely covered by power line easement. There being little discussion, no official action was taken on this item.

**05-06 Blakley Drive – Rezoning – (13-101-00004)** – The Planning Commission heard a presentation to consider the approval to rezone 320 Blakley Drive from R-1B, Residential District, to PD, Planned Development District. Mr. Ken Weems presented the item noting that the adjoining area included mobile home parks to the East as well as commercial properties with primarily single family residential uses being found to the South and the immediate West. Mr. Weems identified the property as being appropriate for a transitional or buffer use to these disparate uses. Staff further noted that the applicant would like to utilize the proposed Planned Development density bonus and therefore would refrain from a development plan until the new Planned Development regulations have been approved. There being some discussion regarding adjoining uses, no official action was taken at this time.

**05-07 Edinburgh South Subdivision – Final Plat – (13-201-00022)** – The Planning Commission heard a presentation regarding the subdivision plat for Edinburgh South subdivision on Rock Springs Road. Mr. Forrest Koder presented the item indicating that staff is recommending denial of the final subdivision plat based on the verbiage in the subdivision regulations regarding internal access roads for subdivisions located along collector roads. Staff further went on to describe the site and comparing this site specifically to one that was previously denied in the opposite portion of the roadway. This site, although being denied, does not have the issues of sight distance, topographic changes, as well as higher traffic counts with the previously heard site. Staff noted that the subdivision regulations require the Planning Commission to consider the practicality of the internal access roadway in the verbiage of the subdivision regulations however, it is not a requirement. Staff noted that this denial keeps staff consistent in its interpretation and allows the Planning Commission to consider their vote independently. Some discussion ensued regarding the changes and differences between this site and the site heard several months ago with similar issues. No official action was taken on this item.

**05-08 Irrevocable Letter of Credit (ILOC) – Harmony Ridge Subdivision – (10-201-00010)** – The Planning heard a presentation from Mr. Forrest Koder regarding the Harmony Ridge Subdivision ILOC in the amount of \$180,660 for the Harmony Ridge development. Mr. Koder noted that staff has been diligent in working with this developer to continue to see progress regarding the items under the current bond. He noted that some work has been done however it has been extremely slow in order to meet the previous allowance for extension which included a fifty percent complete clause they would have to be

working very quickly in the remaining weeks prior to the expiration date of this bond. Staff recommended that the Planning Commission extend the bond if those previous conditions have been met for another six months or to call the bond if they have not been met. Staff stated that they would continue to be diligent in inspections for this bond extension. There being some discussion among the Planning Commission, no official action was taken.

**05-09 Irrevocable Letter of Credit (ILOC) – Chase Meadows Subdivision – (10-201-00001)** – The Planning Commission heard a presentation to call the bond in the amount of \$5,300 for the Chase Meadows development. This presentation was made by Mr. Forrest Koder noting that all other aspects of the infrastructure have been completed with the exception of the mobility trail for this phase of the development. The developer was given the option to roll this bond into the final phase of the Chase Meadows development however has not chosen to do so at this time. With no other recourse for completion of the trail, staff has recommended to call the bond if the improvements have not been completed prior to the expiration date of June 14, 2013. Again, staff noted that they would continue to be diligent in inspection of this development in hopes that the trail would be completed prior to that date. There was some discussion amongst the Planning Commission regarding the small amount of the bond and the ability of this particular developer to complete the improvements per the previous requirements. There being no additional discussion, no action was taken on this item.

**05-10 Appointment to Historic Zoning Commission** – The Planning Commission confirmed their recommendation of Commissioner Hoyt Denton to serve on the Historic Zoning Commission for the duration of his Planning Commission term in place of Commissioner Jim Lewis. There was no additional discussion on this item, and no official action was taken.

Mrs. Tully noted the items of other business on the agenda and asked for any questions regarding those items. There being no questions at that time, Mrs. Tully adjourned the meeting at approximately 12:59 p.m.

Respectfully Submitted,

---

Chanya Lynn Tully, AICP, Planning Commission Secretary

**MINUTES OF THE REGULAR MEETING OF THE  
KINGSPORT REGIONAL PLANNING COMMISSION**

City Hall  
225 W. Center Street, Kingsport, TN 37660

May 16, 2013

7:00 p.m.

**Members Present**

Dennis Ward, Chairman  
Colette George, Vice-Chairman  
Alderman Mike McIntire  
“Buzzy” Breeding  
George Coleman  
Hoyt Denton  
David Stauffer  
Mark Selby

**Staff Present**

Lynn Tully  
Forrest Koder  
Ken Weems  
Corey Shepherd  
Chris Alley

**Members Absent**

Jim Lewis

**Visitor’s List**

Otis Bridwell  
Bill Crow  
Steve Jones  
Leland C. Leonard  
Deborah Gray  
June Gray  
Barbara Wilson  
James E. Crumley  
Jim Willis  
Steve K. Holtz  
John Rose  
Chris Thomas  
Carl Stanley  
David Pendleton  
Danny Karst

At 7:00 p.m., Chairman Dennis Ward called the meeting to order, welcomed the audience, introduced the commissioners and staff and summarized the meeting procedures. Chairman Ward asked for approval of the agenda. There being no changes to the agenda, a motion was made by Mike McIntire seconded by George Coleman to approve the agenda as presented. The motion was approved unanimously, 7-0. Chairman Ward asked for changes to the minutes for the work session held on April 15, 2013 and the regular meeting held April 18, 2013. There being none, a motion was made by Colette George seconded by “Buzzy” Breeding to approve the minutes as presented. The motion was approved unanimously, 7-0.

**CONSENT AGENDA**

**05-01 Irrevocable Letter of Credit (ILOC) – St. Andrews Garth – (11-103-00001 and 10-201-00005)**

The Planning Commission considered a request to release the ILOC for St. Andrews Garth Subdivision in the amount of \$47,700. The Engineering department has inspected all the infrastructure improvements required for the subdivision and has approved them as complete and installed per specifications. Staff recommended the release of the letter of credit to Ms. Cindy Gerber, developer of the St. Andrews Garth Subdivision.

**05-02 Bridwell Donation – Final Plat – (13-201-00023) –**

The Planning Commission considered a request to approve the final plat for the Bridwell Donation Property on the east side of Sumpter Road.

The property is located inside the corporate limits of the City of Kingsport, 13<sup>th</sup> Civil District of Sullivan County. The property consists of 1.14 acres subdivided into four lots specifically noted as preservation for wildlife habitat on the plat. Although water is available and sanitary sewer would be available, the proposed lots are not intended for future development and have been deed restricted from development by the seller. Otherwise, the plat meets all the requirements of the subdivision regulations and staff recommends approval.

After little discussion, the chair asked if the public had comments or requests for any of the items to be removed from consent approval. There being none, a motion was made by Mike McIntire seconded by Dave Stauffer to approve the consent agenda items as read and recommended by staff. The motion was approved unanimously, 7-0.

## **UNFINISHED BUSINESS**

None

## **NEW BUSINESS**

**05-03 Kingsport Land Use Plan-2030 – Amendment** – The Planning Commission considered a request to approve an amendment to the long range Land Use Plan with respect to properties off Snapps Ferry Road at Rock Springs Road, Ft. Henry Drive, across from the VFW, and Blakley Road north of Barnett Drive. Mr. Forrest Koder presented the item stating that the 2030 Land Use Plan was originally presented with the promise that updates would be necessary and vital as the document was not static and would reflect changes in the market and in the area.

The first area presented was property along Rock Springs Road near its intersection with Snapps Ferry Road. This property has recently been requested for subdivision for single family lots. In looking at residential demand within the area, it appears that although the property is shown as appropriate for commercial uses, there is more residential demand in this area than previously thought. Originally, it was considered as undesirable for residential use due to its proximity to the interstate. Based on this new demand as well as the reduced traffic in this area and successful development across the street, this property is being recommended to be changed on the future Land Use Plan to a single family residential use from the Snapps Ferry intersection west.

The property being considered for change on Ft. Henry Drive includes property shown on the south side of Ft. Henry Drive between the Clinchfield Railroad right-of-way and near Kendrick's Creek. Staff stated that original expectations for this property indicated that although it was currently used for commercial businesses, the proximity to the creek, flood plain, as well as other topographical issues limit the property as more appropriate for single family residential uses. In fact, the commercial uses were expected to slowly move to other areas for expansion at some future point. However, we have seen a trend that not only indicates the properties will continue to be viable as commercial uses but are shown to be expanding commercial uses. Further, there has been no indication of repetitive loss of these properties due to its location within the flood area. Based on those items, staff supports amending the area to a commercial land use designation for the future.

Finally, the property located on Blakley Road north of Barnett Drive is currently shown on the Land Use Plan as appropriate for single family residential development. Based on development pressures as well as the need to provide appropriate transitional area from the higher density mobile home park nearby, the commercial uses within the area indicated as residential on the Land Use Plan, and also from other developed single family subdivisions such as Hunter's Crossing, this area would be more appropriate as a mix of multi-family uses and the existing commercial use. Further indicated on the Land Use Plan was

the current use of a church on Rock Springs Road and a removed water tank site on Westfield. Those changes will be indicated as well noting that the church would be shown as public use and the water tank site as single family residential as it has recently been surplus. Also indicated in the handout from staff is an area of apartment construction as well as the current state-funded Welcome Center construction near Barnett Drive. Please note that the location of the Welcome Center bisects the property and therefore would require a public use and a single family use to the north of the existing apartment construction. This change is based on the fact that there is very little infrastructure currently available to support of the properties located at the northern tip of this proposal. Mr. Mark Selby made mention that there is an additional church located on Westfield Road that is not indicated on the Land Use Plan. Staff did verify this as correct and that was also recommended to be changed to a public use.

There being no further questions or comments, the chair opened the item for public hearing. There were no speakers in favor of or opposition to the proposed changes to the 2030 Land Use Plan. A motion was made by Mike McIntire seconded by "Buzzy" Breeding to accept the changes as presented with the exception of adding the public use of the church on Westfield Drive to the Land Use Plan. The motion was approved unanimously, 7-0.

**05-04 Higher Ground Baptist Church – Sign Amendment – (13-102-00002)** – The Planning Commission considered a request to approve a sign amendment for Higher Ground Baptist Church located in a B-4P zoning district at 1625 Lynn Garden Drive. The property is located inside the corporate limits of the City of Kingsport, 12<sup>th</sup> Civil District of Sullivan County. Mr. Ken Weems presented the request for signage indicating that the sign proposed is approximately 150 square feet per side. The electronic message board request allows for fifty percent of the total signed area square footage to be permitted as an electronic message board. The requested change only amounts to approximately twenty percent of the total current sign face. Mr. Weems presented pictures of the proposed change to the signage and staff recommended the requested change. Chairman Ward opened the item for public hearing and there were no speakers in favor of or opposition to the request. The public hearing was then closed. There being no additional discussion, a motion was made by Hoyt Denton seconded by George Coleman to approve the sign request as presented. The motion was approved unanimously, 7-0.

**05-05 Edinburgh South – Rezoning – (13-101-00003)** – The Planning Commission considered a request to approve the rezoning of Edinburgh South, 2705 and 2697 Rock Springs Road from B-4P, Planned Commercial District, to R-1B, Single Family Residential District. The property is located inside the corporate limits of the City of Kingsport, 14<sup>th</sup> Civil District of Sullivan County. Mr. Ken Weems presented the item. Mr. Weems stated that the request is to provide for a single family subdivision development. The request includes the proposed subdivision property as well as a portion of property not requested for rezoning. Mr. Weems stated that staff had attempted several times to contact the additional property owner with little success. Staff noted that across the street several new houses have been completed with others under construction and the Land Use Plan change approval does support the request for subdivision and for rezoning. Staff recommended the rezoning as requested. Chairman Ward opened the item for questions. Commissioner Selby asked about the house at the far corner of the request. Staff noted that this represents the edge and end of the Urban Growth Boundary and is appropriately zoned as currently shown. Staff also noted that a large portion of the property that was not requested but included in the rezoning is also covered by a power line easement and is undevelopable for commercial uses. There being no further questions or comments, the Chair opened the item for public hearing. Mr. John Rose spoke in favor of the request. Mr. Rose also noted that the property owner, that staff attempted to contact, did speak with him specifically and asked him to relay that he is in favor of the request. Mr. Rose also noted that he has contracts for construction of two homes pending completion of the development. There being no other speakers in favor of or opposition to the request, the public hearing was closed. A motion was made by Colette George seconded by "Buzzy" Breeding to approve the rezoning request as presented. The motion was unanimously approved, 7-0.

**05-06 Blakley Drive – Rezoning – (13-101-00004)** – The Planning Commission considered a request to approve the rezoning of 320 Blakley Drive from R-1B, Residential District, to PD, Planned Development District. The property is located inside the corporate limits of the City of Kingsport, 13<sup>th</sup> Civil District of Sullivan County. Mr. Ken Weems presented the item noting that the request for Planned Development District is for a future condominium development. The developer is seeking at least 42 units on the property however the plan is still to be determined. This would be allowable only under the new Planned Development regulations which were presented last month and await Board of Mayor and Aldermen hearing. There are several additional steps required for this approval to be finalized including a Board of Mayor and Aldermen hearing and approval as well as site plan preparation. Among those included Land Use Plan update approval, rezoning approval, the completion of the update to the Planned Development regulations which are pending, and final site plan approval. Staff noted that many letters were sent for notifications and six calls were received asking what uses the Planned Development regulations allow. Many seemed pleased that the current mobile homes on the site will be removed according to staff discussion with the property owner. Staff recommended the rezoning from R-1B to PD to provide an appropriate buffer to the Hunt’s Crossing Subdivision as well as to provide an additional public hearing on the development. Commissioner George asked if additional trailers can be placed on the property to which staff replied that yes, double-wide trailers could be placed on the property however, not single-wide trailers, based on the size of the property. Further, she asked if the rezoning required the removal of those trailers. Staff replied that no, the rezoning would not require removal of those however the developer has stated that the removal would be required to construct a road-way for future condominium unit access. Commissioner Denton stated that typically removal of single-wide trailers is allowable if replaced within 30 days, but no expansion could occur. Commissioner Selby noted that he interpreted this request to be the best case scenario in that the Planned Development regulations have complete control of the plan so that nothing could happen without additional public approvals for the development. Commissioner Denton asked if there were any disadvantages to this request. Staff noted that they could only see advantages in this particular case due to the guaranteed open space and buffers of the Planned Development regulations the closest similar development is one near Edinburgh developed as St. Andrews Garth development. There being no further questions, Chairman Ward opened the item for public hearing. Mr. Bill Crow spoke asking for a clarification on the request for 42 units. Mr. Weems noted that the current density allowed by the Planned Development District would give only 34 units. The developer is anticipating the adoption of the newly proposed regulations which would allow 42 units. Mr. Jim Willis spoke in favor of the request noting that he proposes to build only up to the tree line with open space being proposed for the rear of the property due to its deep topography. Mr. Crow asked if this plan would hold for the future. Staff noted that this plan would be in place once completed with final approval for the lifetime of the property until a new plan or a different plan is proposed to the Planning Commission. At that time, additional public hearing would be required. Ms. June Gray spoke regarding traffic concerns on Blakley Road. She stated that she owned six acres to the West of the property in question and is concerned about additional units next door to her property. Mr. Carl Stanley spoke asking if there was a proposal for any improvements to Rock Springs or Blakley Roads. He stated that once the apartments are built this could be an issue. Staff noted that the portion of Rock Springs Road at its intersection with Blakley was a State road and there are proposals for improvements to a “super two lane road” as indicated by the engineers, but there are no improvements planned for Blakley Road at this time. There are also no traffic signals in the plan at this time. Mr. David Pendleton spoke noting that the large apartment developing currently under construction will increase traffic and there may be a need in the future. A combination of this proposal and the apartment development may compound the issue. Mr. Carl Stanley asked about the removal or replacement of trailers in the mobile home park. Ms. June Gray asked for clarification on the new Planned Development requirements and what was included. Staff noted that the primary change is the density bonus allowable for publicly accessible open space as well as additional open space being required. There’s also an allowance and encouragement for clustering of the developments housing units. All the uses however, stay the same. Mr. Bill Crow asked if the current zoning will allow approximately four units per acre. Staff responded that that was correct, however, the

density bonus would allow greater than four units per acre up to 42 units with the requirement for additional oversight and hearing for the plan and its open space requirement. Ms. Barbara Lane asked if the development would be mobile homes or if the units could be rented or would require them to be owned. Staff noted that the new condominium units proposed could be either rented or owned. The Planning Commission noted that they could not regulate whether the units were held for rental or individual ownership. There being no further questions from the public and no additional opposition or recommendation, Chairman Ward closed the item for public hearing. Commissioner Breeding asked if this plan could be different from the one currently indicated by the written proposal. Staff stated yes, however a new plan would be required to undergo similar public hearing standards. Commissioner George stated that the developer is not obligated to build the proposal as written until a site plan is approved, with Planned Developments if the plan meets our current standards the Planning Commission does not have the authority to require a certain price point or ownership model. Mr. David Pendleton spoke from the crowd asking if there was any other zone that would give the Planning Commission additional control. Staff responded that this was our most closely scrutinized residential zone. Mr. Danny Karst approached the podium. The Chair recognized Mr. Karst and he stated that his company owned a home at 388 Hunter's crossing and that he was in support of the request even though the request may be a direct competitor to his development and market. There being no additional discussion and no other presenters, the Planning Commission heard a motion made by Colette George seconded by Dave Stauffer to approve the rezoning as presented. The motion was approved unanimously, 7-0.

**05-07 Edinburgh South Subdivision – Final Plat – (13-201-00022)** – The Planning Commission considered a request for the final subdivision plat for Edinburgh South Subdivision on Rock Springs Road. The property is located inside the corporate limits of the City of Kingsport, 14<sup>th</sup> Civil District of Sullivan County. Mr. Forrest Koder presented the item. Staff noted the surrounding zoning is single family residential and the request is for 4.67 acres to be subdivided into six new lots with one variance. The six lots are located off of Rock Springs Road which is a collector. The subdivision regulations note that when a tract fronts on an arterial street, the Planning Commission may require an internal access road. This road will be required on a case by case basis as per the Planning Commission's review. Staff noted that this is similar to a request received about two months ago with a similar condition. At the time, staff did recommend denial for that site based on the subdivision regulations requirement for internal access. However, it was important to note that the property being considered tonight does not have the traffic or site distance issues or the topography issues of the previous request. Although staff is recommending denial of the Edinburgh South subdivision based on this request, staff does recognize the different characteristics of this request from the previous request other than the presence of arterial street frontage. Staff noted that the amended Land Use Plan and rezoning heard just prior to this request are in concert with development of the property as a single family residential subdivision. Additionally, there are several existing residential units in the area and new construction immediately across the street. Commissioner Colette George asked if the internal frontage road were constructed would the development lose lots. Staff noted that although the previous request did lose lots once an internal road was shown on the property, this particular request is a more standard shaped area and actually indicates that there may be more lots available however the housing would be closer to the interstate than under the current request. Commissioner Coleman asked if we approved the lots across the street with direct access on Rock Springs Road. Staff said they were approved through the Planning Commission but it was prior to the change in the Subdivision Regulations which include the hearing for marginal access streets. Discussion ensued among the Commission indicating that the developments off Cooks Valley Road were some of those that prompted the need for this contingency in the subdivision regulations. Commissioner Coleman noted that you could see that there is not a traffic visibility issue on this site as there was on the previous hearing. Commissioner Denton asked if we could contact the last developer again based on our decision on this request. Staff noted that this was already discussed with the surveyor under a redesigned plan. Commissioner Stauffer asked if the homes across the street had room on their lots for cars to turn around in their driveway and get a head out exit from their homes. Seeing response from the crowd, the

Chair opened the item for public hearing. Mr. John Rose spoke in favor of the request and noted that the housing across the street, currently being built by his development company, have room on their lots to turn around on some of the units however not all of the units. There were concerns expressed amongst the Commissioners about traffic pulling out directly onto the travel way. Mr. Rose noted that staff was correct and that there could be a frontage road on those lots, however, he currently has a contract pending subdivision approval on two of those lots. The same builder intends to buy all of those lots. If they had included a frontage road on those lots not only would the lots be smaller but the houses would be closer to the interstate and therefore less marketable. Mr. Danny Karst spoke in favor of the request noting that this property is being developed at the end of the Urban Growth Boundary and there's very little available acreage for additional development. Staff further noted that the lots themselves are relatively flat and the homes could be placed far enough back on the lots to allow for plenty of room in the driveway for a turn around. Mr. Karst stated that if the property remained as a B-4P commercial use, then there may have been a lot more traffic from the proposal than what is being produced from the requested subdivision. There being no further speakers in favor of or opposition to the request, the public hearing was closed by the Chair. There was additional discussion amongst the Commission regarding the previous denial and the differences of that request to the current request. Particularly noted was the basis for the current staff denial. The Director stated that although staff has recommended denial based on the regulations, this is a case by case call by the Planning Commission. This case is very different from the one previously heard and therefore could be considered differently if the Commission so chooses. There being no additional discussion, a motion was made by "Buzzy" Breeding seconded by Dave Stauffer to approve the request for subdivision as presented. The motion was approved 6-1, with Colette George voting "no."

**05-08 Irrevocable Letter of Credit (ILOC) – Harmony Ridge Subdivision – (10-201-00010)** – The Planning Commission considered a request to call the ILOC in the amount of \$180,660 for the Harmony Ridge Development should the remaining improvements remain in non-compliance prior to the expiration date of June 16, 2013. Mr. Forrest Koder presented the item stating that two votes were required for each bond. Mr. Koder noted that at the last request for extension the Planning Commission allowed extension of the bond for a six-month period with a stipulation that fifty percent of the sidewalks should be completed with all other infrastructure work also completed. He also noted that if that contingency was satisfied, another six month extension would be allowed by the Planning Commission based on the previous approval. Staff also noted that in most recent inspections it appeared that although some work has been done the fifty percent requirement had not yet been met, however, there was additional time for the developer to meet that requirement. Due to the expiration date on the bond, the hearing for extension had to be included in the May 2013 Planning Commission meeting. There being no discussion, Chairman Ward opened the item for public hearing. There were no speakers in favor of or opposition to the request and therefore the hearing was closed. Chris Alley spoke stating that there are engineering crews inspecting both bond sites regularly and that Harmony Ridge is currently completing some storm water issues. He also confirmed that if the work was done to 50% complete the engineering department would recommend a 6 month extension. A motion was made by Colette George seconded by Mike McIntire to call the bond in the amount of \$180,660 for the Harmony Ridge Development issued by Fidelity and Deposit Company of Maryland with an expiration date of June 16, 2013 if the required infrastructure has not been completed by at least fifty percent. Commissioner Coleman asked to reconsider the completion date to call the bond based on June 16, 2013 being a weekend day. Mrs. George amended her motion to call the bond on June 14, 2013 prior to the expiration date of June 16, 2013. The amendment was accepted by the seconder and the motion was approved, 6-0 with Dave Stauffer abstaining. A second motion was made Colette George seconded by George Coleman stating that if one hundred percent of the infrastructure has been complete and inspected and approved by the Engineering Dept. then the bond is allowed to be released prior to the expiration date of June 16, 2013. The motion was approved unanimously, 7-0.

**05-09 Irrevocable Letter of Credit (ILOC) – Chase Meadows Subdivision – (10-201-00001)** – The Planning Commission considered a request to call the ILOC for Chase Meadows Subdivision in the amount of \$5,300 contingent on noncompliance with the remaining improvements prior to the expiration date of June 14, 2013. Mr. Forrest Koder presented the item noting that a minimal amount of work is left to be done on the mobility trail in the Chase Meadows Subdivision. However, this bond has been outstanding for quite some time. Mr. Chris Alley noted that the inspection crews have been on the site and the forms are up for the sidewalks and could be completed within a week if there is good weather. Staff also noted that there has been a tremendous amount of rain lately and assuming good weather breaks this could be completed. This item was opened for public hearing. There being no speakers in favor of, or opposition to the request, the Chairman closed the public hearing. Discussion ensued amongst the Commission regarding this very small amount of bond work and completion of the infrastructure. Commissioner Stauffer noted that this seemed punitive on this development for such a small amount. Staff also stated that although it is a very small amount, there is an additional phase of construction for this development and we anticipate the work will be done and feels confident that the work can be done very quickly. A motion was made by Colette George seconded by George Coleman to call the bond in the amount of \$5,300 for Chase Meadows Subdivision issued by the Bank of Tennessee with an expiration date of June 14, 2013 if the work is not completed by that time. The motion was approved 6-1, with Dave Stauffer voting “no.” A second motion was made by Colette George seconded by George Coleman to release the bond if all work is completed, inspected and approved by the Engineering Dept. prior to the expiration date of June 14, 2013. The motion was approved unanimously, 7-0.

**05-10 Appointment to Historic Zoning Commission** – The Planning Commission considered recommending Commissioner Hoyt Denton to serve on the Historic Zoning Commission as the Planning Commission member for the duration of his Planning Commission term or as reappointed in place of Commissioner Jim Lewis. There being no discussion on the item, a motion was made by Mike McIntire seconded by Dennis Ward to approve the appointment. The motion was approved unanimously, 6-0.

## **PUBLIC COMMENT**

Mr. Bridwell asked if his plat had been approved to which staff replied that it had at this time. Mr. Danny Karst spoke during public comment thanking the Commission and staff for their continued hard work and flexibility with development and developers.

## **OTHER BUSINESS**

**05-11** Receive a letter of resubdivision of the Gibson Subdivision, Lot 30R on Robertson Street.

**05-12** Receive a letter of resubdivision of the Ft. Henry Lake Subdivision, Lots 10R and 11R on Lakeside Drive.

**05-13** Receive a letter of resubdivision of Lots 1 and 2 of Boyd and Jeter Property on Chippendale Extension Road.

**05-14** Receive a letter of resubdivision of the Edinburgh Subdivision, Lot 45 on Edinburgh Channel Road.

**05-15** Receive a letter of resubdivision of the Clearwater Subdivision, Lot 4 on Clearwater Drive.

**05-16** Receive a letter of resubdivision of the Quillen Subdivision on Blakley Drive.

Kingsport Regional Planning Commission  
May 16, 2013, Regular Meeting

**05-17** Receive, for informational purposes only, minutes from the April 4, 2013 regular meeting of the Board of Zoning Appeals.

**05-18** Receive, for informational purposes only, the April 2013 Building Division monthly report.

**ADJOURNMENT**

There being no further business, a motion was made by Mike McIntire and seconded by Colette George to adjourn the meeting at approximately 8:21 p.m. The motion was approved unanimously, 7-0.

Respectfully Submitted,

---

Chanya Lynn Tully, AICP, Planning Commission Secretary

## MEMORANDUM

To: Kingsport Regional Planning Commission

From: Ken Weems, Planner

Date: 3 July 2012

Subject: Final Zoning Development Plan Amendment: Skyland Falls

Project No: 05-102-00011

---

### **Introduction:**

Mr. Jerry Smith, Skyland Falls Developer, requests a final zoning development plan amendment for the Skyland Falls final zoning development plan. The property is located off Alderwood Drive in the 11<sup>th</sup> Civil District of Sullivan County.

### **Presentation:**

The most recent final zoning development plan approval occurred on 18 May 2006 for the Skyland Falls Development. This approval contains a total of 68 units for the development, down from an original approval of 69 units approved by the Planning Commission in November 2005. The amendment request is for an additional two units to the current approval, bringing the total units in the development to 70. When determining density in a planned development, the zoning code states that density: "... shall be generally harmonious to those requirements associated with the neighboring districts." The Skyland Falls Planned Development is located between R-3 (Low Density Apartment) and R-1B (Residential) zones with conforming existing development. The current approval of 68 units equates to 4.6 units per acre. The requested amendment of 70 units raises the density to 4.7 units per acre. Staff feels that the rise in density is consistent with the zoning code, as well as an appropriate transition of land use between the existing apartments and single family homes in addition to previous approvals by the Planning Commission. Per Division 3 of the City's zoning regulations, amendments may be made to the final zoning development plan require planning commission approval. The amendment request conforms to the current zoning district requirements without the need of a variance.

### **Options:**

The Planning Commission's options are as follow:

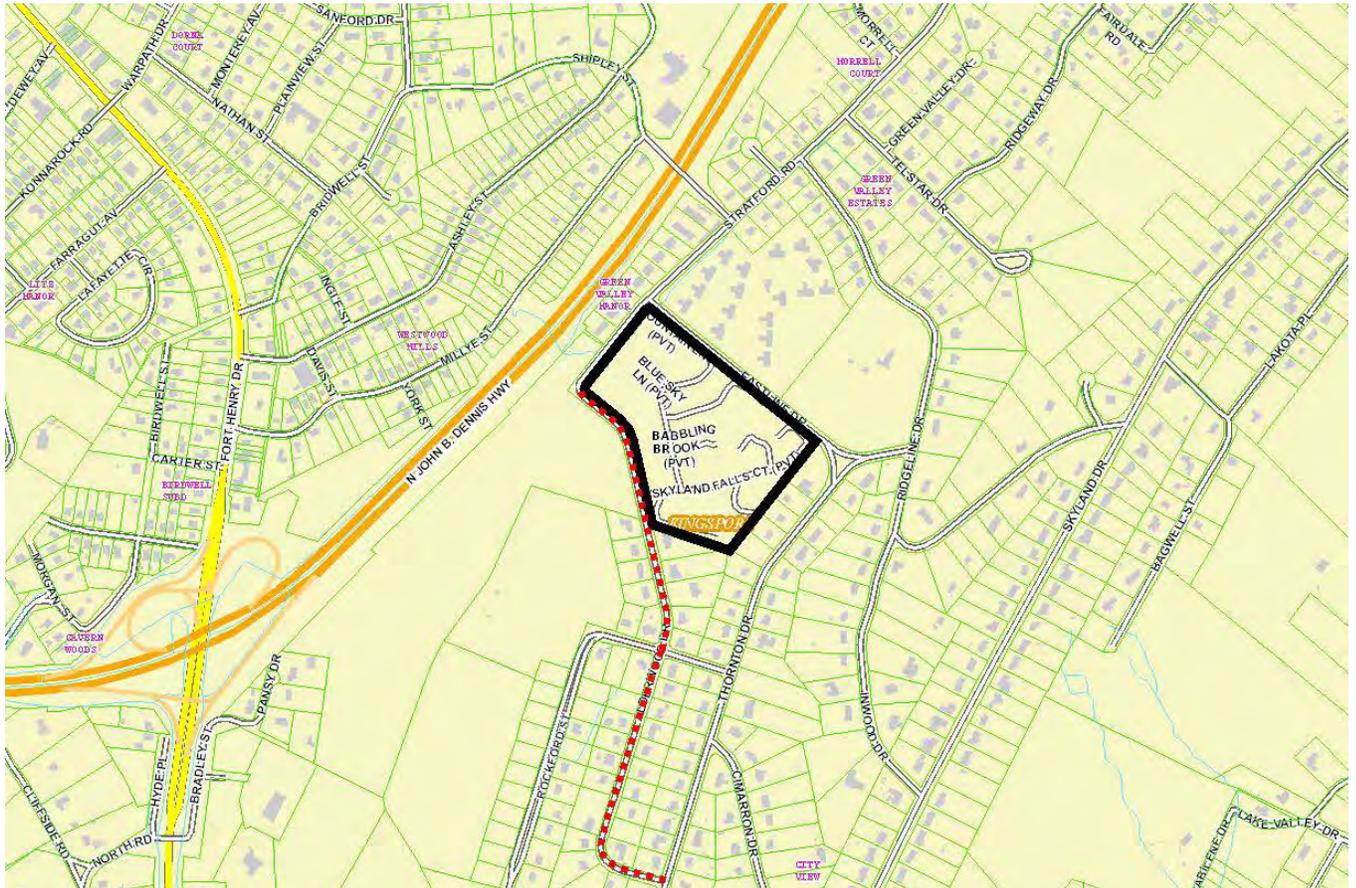
1. Grant final zoning development plan amendment approval.
2. Deny approval and state the reason for denial in writing.
3. Postpone action pending receipt of additional information

Recommendation:

Staff recommends the first option based on the following:

1. The proposed change meets the standards of the zoning district with no variances
2. The proposal is sufficiently similar to the previous approval and upholds the intent of the previous approvals.

## Vicinity Map



Aerial Photo



Current Approval



Amendment Request



# Memorandum

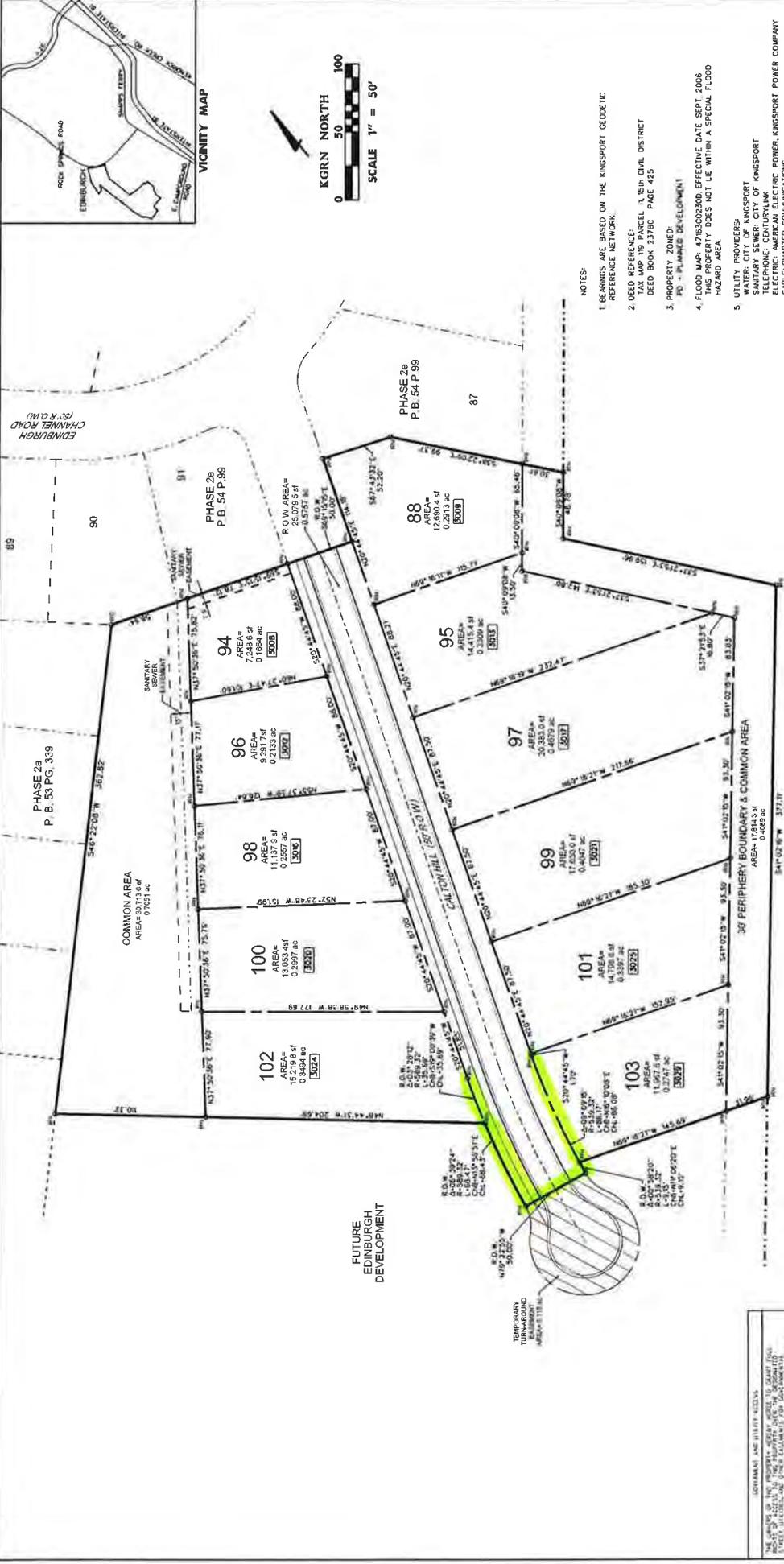
---

**To:** Kingsport Regional Planning Commission  
**From:** Forrest Koder, Planning Division  
**Date:** 6/5/2013  
**Re:** Minor Amendment to Edinburgh Phase 2f  
**Case:** 12-201-00045

The Kingsport Regional Planning Commission approved the final plat for this phase of Edinburgh at its September 11, 2012 meeting. Between then and now the developer has been making progress installing the required infrastructure and a surety was posted with the City on May 1, 2013 in the amount of \$133,590 from first Community Bank.

Our office was informed recently of a very minor change in the plat. Instead of going in a straight line, the street now has a slight arc near the end just before the temporary cul-de-sac. The Planned Development ordinance allows the Planning Director to approve minor changes, however since this was an Engineering related issue pertaining to the minimum subdivision regulations, staff felt it would be better for all to notify the Planning Commission of this minor change.

Staff recommends approval of the amended final plat for Phase 2f of the Edinburgh Development.



NEW LIFE CHURCH  
DEED BOOK 1389C PG. 158

- NOTES:
- BEARINGS ARE BASED ON THE KINGSFORT GEODETIC REFERENCE NETWORK.
  - DEED REFERENCE: TAX MAP 19 PARCEL 11, 15th CIVIL DISTRICT DEED BOOK 2378C PAGE 425
  - PROPERTY ZONED: PD - PLANNED DEVELOPMENT
  - FLUOR MAP 4718030380 EFFECTIVE DATE BEST PRACTICES HAZARD AREA. HAS PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA.
  - UTILITY REQUIREMENTS: WATER: CITY OF KINGSFORT; TELEPHONE: CENTURYLINK; SANITARY SEWER: KINGSFORT POWER, KINGSFORT POWER COMPANY; CABLE: CHARTER COMMUNICATIONS.
  - 500B - 81 ADDRESS
  - UTILITY EASEMENTS: 15 FOOT UTILITY EASEMENT ALONG FRONT LOT LINES; 75 FOOT TVA POWERLINE EASEMENT; SANITARY SEWER EASEMENT AS SHOWN.
  - IRON RODS NEW SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.

**BWSC**  
BARGE  
WAGGONER  
SUNNER &  
CANNON, INC  
408 W. MERCANTILE DRIVE, SUITE 100, KINGSFORT, TENNESSEE 37608  
PHONE 423-241-8225 FAX 423-241-8231  
www.bwsc.com

DEVELOPER:  
THE EDINBURGH GROUP, LLC  
1562 CRESCENT DRIVE  
KINGSFORT, TN 37664

FINAL PLAT - EDINBURGH - PHASE 2 F	KINGSFORT REGIONAL PLANNING COMMISSION
TOTAL ACRES 5.07	TOTAL LOTS 11
ACRES NEW ROAD/ALLEYS 0.57	MILES NEW ROAD 0.09
OWNER The Edinburgh Group, LLC	CIVIL DISTRICT 15th
SURVEYOR NELSON ELAM	CLOSURE ERROR .0000
SCALE: 1" = 50'	

CERTIFICATE OF APPROVAL OF PUBLIC WATER SYSTEM	CERTIFICATE OF APPROVAL FOR RECORD
HEREBY CERTIFY THAT THE PUBLIC WATER UTILITY SYSTEM INSTALLED OR PROPOSED FOR THIS LOT IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATE WATER CONTROL BOARD AND THE KINGSFORT REGIONAL PLANNING COMMISSION.	HEREBY CERTIFY THAT THE SUBDIVISION PLAT, SYSTEM, EASEMENTS, AND BEARINGS SHOWN ON THIS PLAT ARE IN ACCORDANCE WITH THE REQUIREMENTS OF THE KINGSFORT REGIONAL PLANNING COMMISSION AND THE STATE WATER CONTROL BOARD.
DATE _____	DATE _____
AUTHORIZING AGENT _____	CITY ENGINEER OR COUNTY PLAT COMMISSIONER _____

CERTIFICATE OF ACCURACY	CERTIFICATE OF THE APPROVAL OF THE PROJECT
HEREBY CERTIFY THAT THE PLAN NUMBER AND BEARINGS SHOWN ON THIS PLAT ARE IN ACCORDANCE WITH THE REQUIREMENTS OF THE KINGSFORT REGIONAL PLANNING COMMISSION AND THE STATE WATER CONTROL BOARD.	HEREBY CERTIFY THAT THE PUBLIC WATER UTILITY SYSTEM INSTALLED OR PROPOSED FOR THIS LOT IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATE WATER CONTROL BOARD AND THE KINGSFORT REGIONAL PLANNING COMMISSION.
DATE _____	DATE _____
AUTHORIZING AGENT _____	CITY ENGINEER OR COUNTY PLAT COMMISSIONER _____

CERTIFICATE OF THE APPROVAL FOR RECORD	CERTIFICATE OF THE APPROVAL FOR RECORD
HEREBY CERTIFY THAT THE PLAN NUMBER AND BEARINGS SHOWN ON THIS PLAT ARE IN ACCORDANCE WITH THE REQUIREMENTS OF THE KINGSFORT REGIONAL PLANNING COMMISSION AND THE STATE WATER CONTROL BOARD.	HEREBY CERTIFY THAT THE PUBLIC WATER UTILITY SYSTEM INSTALLED OR PROPOSED FOR THIS LOT IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATE WATER CONTROL BOARD AND THE KINGSFORT REGIONAL PLANNING COMMISSION.
DATE _____	DATE _____
AUTHORIZING AGENT _____	CITY ENGINEER OR COUNTY PLAT COMMISSIONER _____



Kingsport Regional Planning Commission

Rezoning Report

File Number 13-101-00005

**PROPERTY INFORMATION**

<b>ADDRESS</b>	Multiple lots fronting Brookhaven Drive and future streets
<b>DISTRICT</b>	12
<b>OVERLAY DISTRICT</b>	Not Applicable
<b>EXISTING ZONING</b>	R-1B (Residential District)
<b>PROPOSED ZONING</b>	R-1C (Residential District)
<b>ACRES</b>	10 +/-
<b>EXISTING USE</b>	vacant
<b>PROPOSED USE</b>	Single Family

**PETITIONER**

**ADDRESS** 905 Colfax Avenue, Kingsport, TN 37660

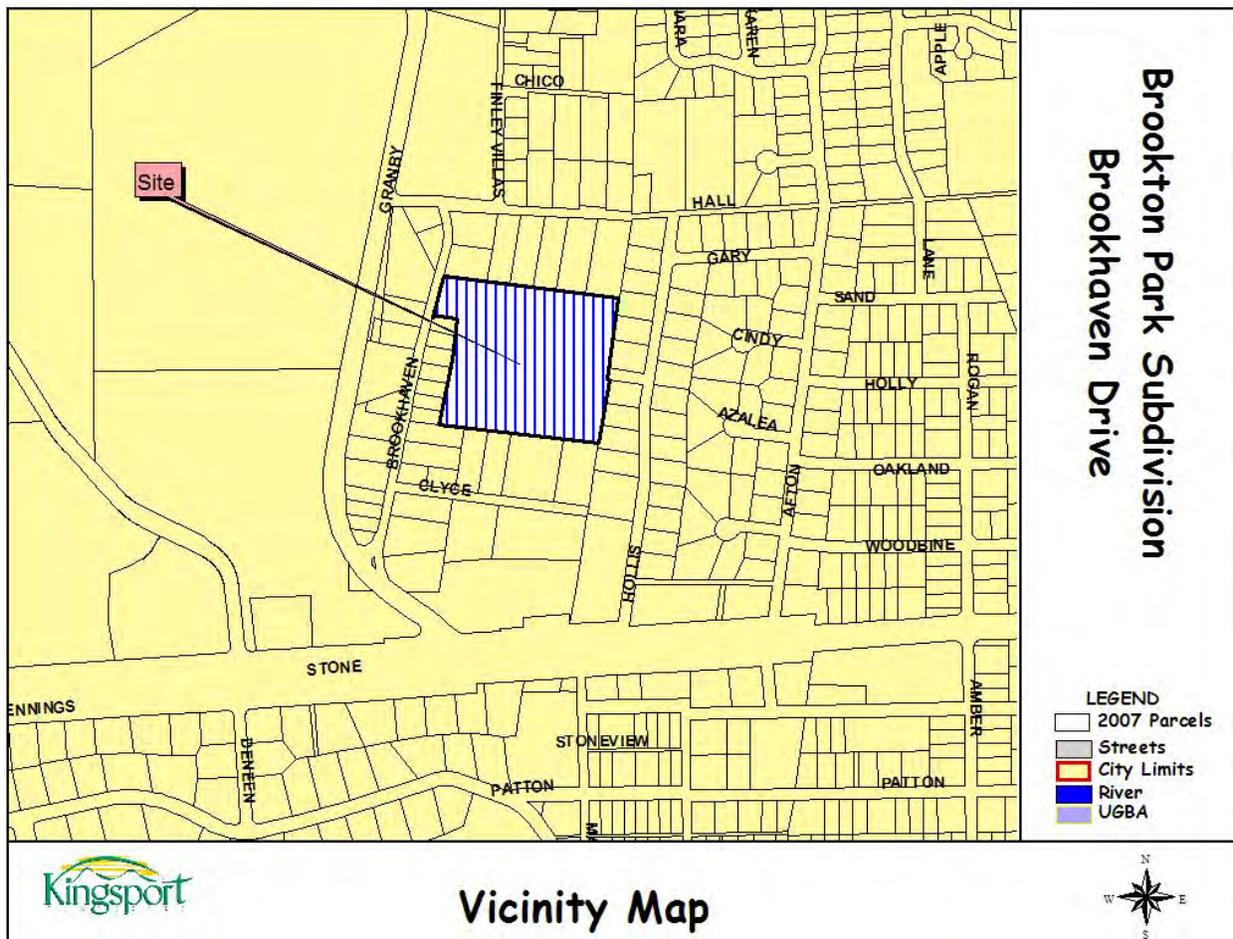
**REPRESENTATIVE**

**PHONE** (423) 247-3580

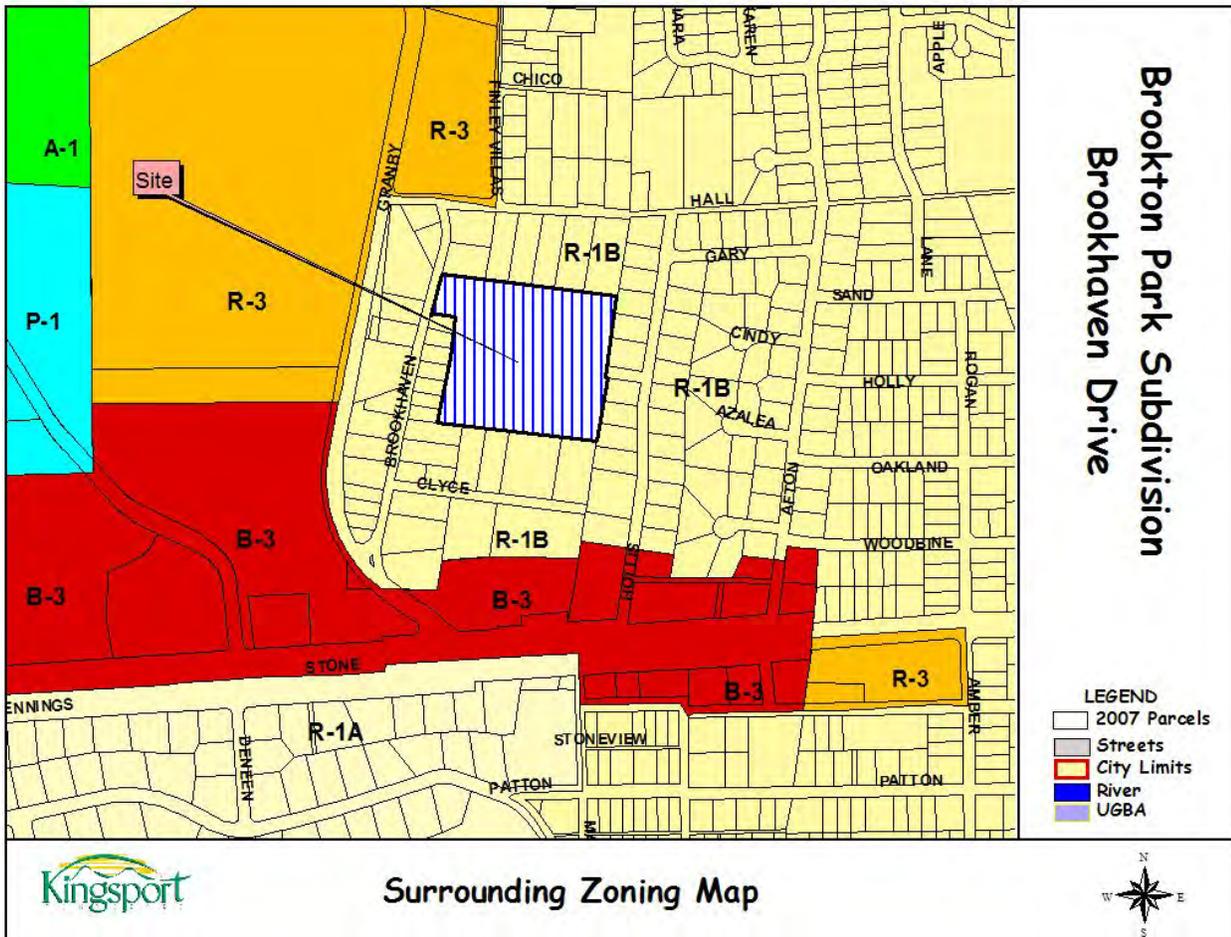
**INTENT**

*To rezone from R-1B to R-1C in order to allow single family subdivision development, consistent with the style of single family home that can take advantage of more lenient R-1C setback restrictions.*

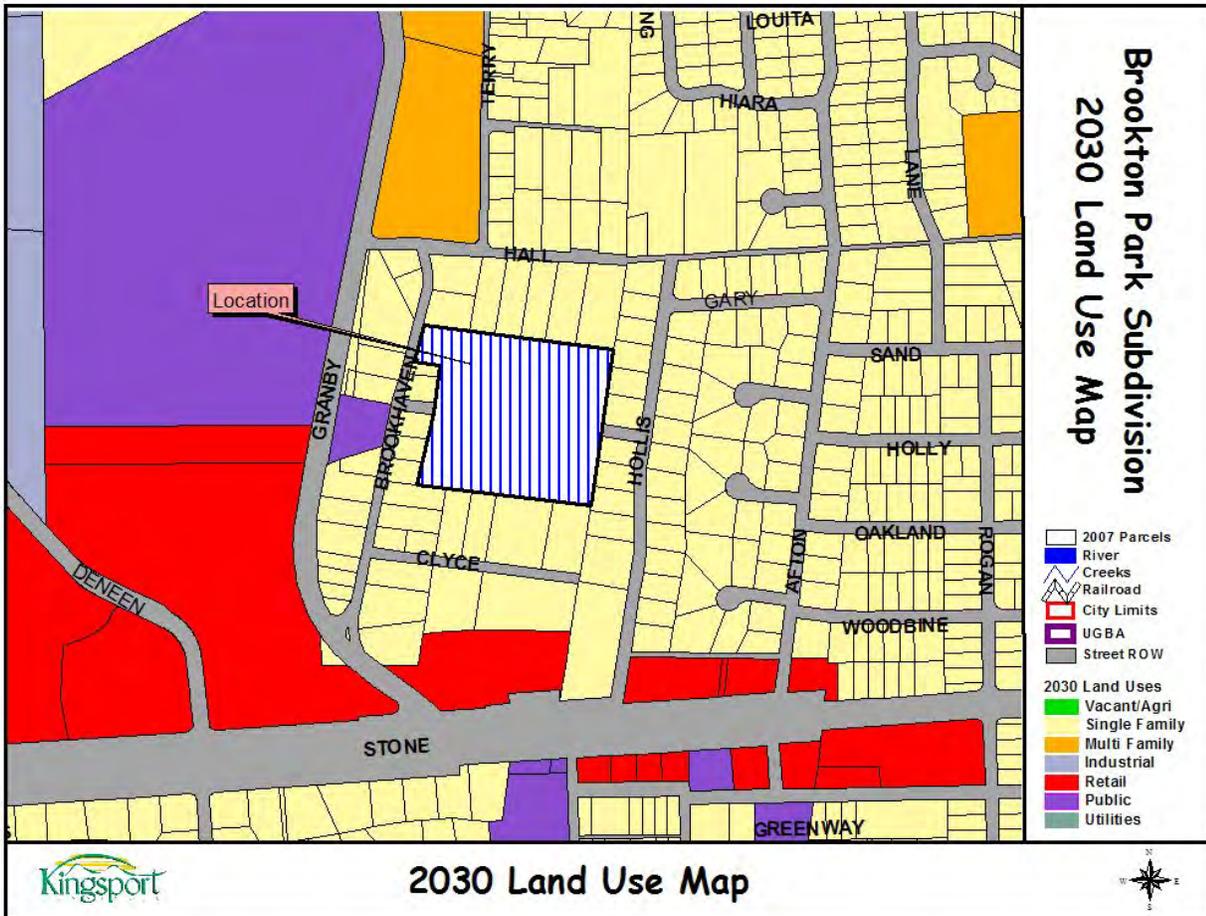
Vicinity Map



Surrounding Zoning Map



Future Land Use Plan 2030



Aerial



North View



East View



West View



South View



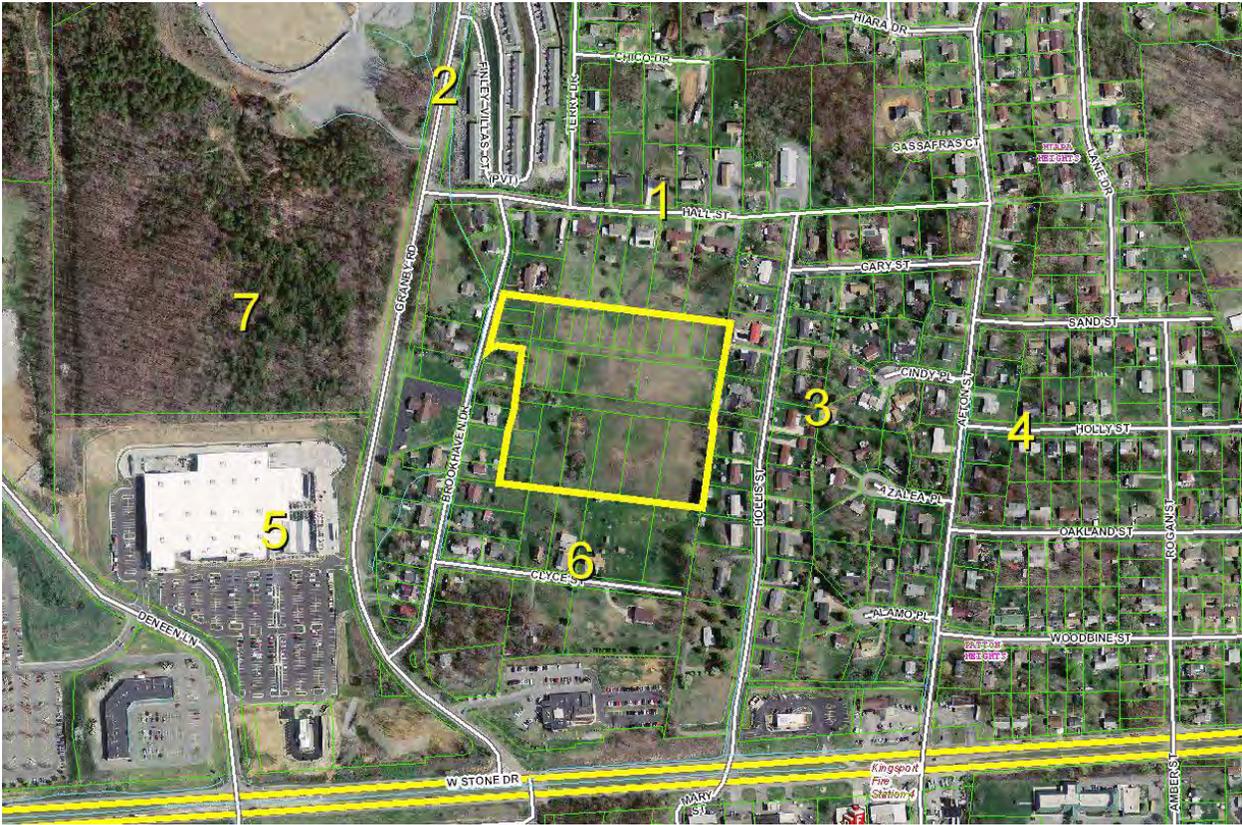
Kingsport Regional Planning Commission  
Rezoning Report

File Number 13-101-00005

## Existing Land Uses

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North, East, Northwest	1	<u>Zone: City R-1B</u> Use: single family	None known
Further North and Northwest	2	<u>Zone: City R-3 east of Granby Road;</u> <u>City B-3 east of Granby Road</u> Use: multifamily east of Granby Road; Hunter Wright Stadium west of Granby Road	The portion west of Granby Road, containing Hunter Wright Stadium was rezoned, effective June 2013 to B-3
East	3	<u>Zone: City R-1B</u> Use: single family	None known
Further East	4	<u>Zone: City R-1B</u> Use: single family	None known
Southeast and South	5	<u>Zone: City B-3</u> Use: Lowes Home Improvement	None known
Further South	6	<u>Zone: City R-1B</u> Use: single family	None known
West	7	<u>Zone: City R-3</u> Use: vacant; borders Dogwood Park	None known

EXISTING USES LOCATION MAP



## Kingsport Regional Planning Commission

## Rezoning Report

File Number 13-101-00005

**Standards of Review**

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 10, below, as well as any other factors it may find relevant.

1. **Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby Property?** The proposal will permit the same use as the surrounding property, which is single family.
2. **Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** The proposal will not adversely affect the existing use or usability of the adjacent or nearby property. The proposal is the same use as the adjacent or nearby property, with the focus of change being the more lenient setback restrictions.
3. **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** The property has a reasonable economic use as currently zoned. There is also a recognized market for the proposed single family use.
4. **Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?** The proposal will allow the same type of use as currently afforded to the property, therefore having no adverse impact to the use of existing streets, transportation facilities, utilities, or public schools.
5. **Whether the proposal is in conformity with the policies and intent of the land use plan?**

**Future Land Use Plan Map:** proposed as appropriate for single family use

**Proposed use/density:** single family/ density consistent with the current zoning designation of R-1B

**The Future Land Use Plan Map recommends** single family use

## Kingsport Regional Planning Commission

## Rezoning Report

File Number 13-101-00005

6. **Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposal?** The change is a reflection of the specific characteristics of the proposed single family development, requiring the more lenient setbacks to accommodate the covered deck proposed to be constructed as part of the future single family house types. The area is a stable single-family neighborhood with commercial and multi-family limited to the main throughfares.
7. **Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Kingsport?** There are no adverse uses proposed. The uses are the same as the current zoning designation.
8. **Whether the change will create an isolated district unrelated to similar districts:** The proposal will be consistent with similar districts existing in the area.
9. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** The present district boundaries are logically drawn in relation to existing conditions.
10. **Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** The change will allow the same use as enjoyed by all surrounding property to the proposed rezoning area.

CONCLUSION

Staff recommends APPROVAL to rezone from R-1B to R-1C in order to allow single family subdivision development, consistent with the style of single family home that can take advantage of more lenient R-1C setback restrictions.

# Memorandum

---

**To:** Kingsport Regional Planning Commission  
**From:** Forrest Koder, Planning Division  
**Date:** 5/31/2013  
**Re:** Process to call ILOC – Netherland Villas  
**Case:** 06-201-00055

The Kingsport Regional Planning Commission approved a six-month extension for the Irrevocable Letter of Credit for Netherland Villas Subdivision during the December 2012 meeting. Additionally this was the last extension the Planning Commission was willing to grant due to the length of time this ILOC has been outstanding.

In the event the developer is unsuccessful in completing the required infrastructure by the expiration date of July 15, 2013, staff is requesting permission to call the ILOC. The ILOC is in the amount of \$84,840 and is drawn on First Bank and Trust Company by the developer Mitch Cox.

**BOND ESTIMATE**  
 FOR  
**VILLAS AT NETHERLAND LANE**  
 Bond Estimate Revision: December 6, 2012

ITEM NO.	QUAN	UNIT	DESCRIPTION	UNIT COST	TOTAL COST
1	760	SY	CONCRETE SIDEWALK	\$ 55.00	\$ 41,800.00
2	220	TON	ASPHALT TOPPING	\$ 120.00	\$ 26,400.00
3	1	EA	AS-BUILT RECORD DRAWINGS	\$ 2,000.00	\$ 2,000.00
CONSTRUCTION TOTAL					\$ 70,200.00
CONTINGENCIES (6%)					\$ 4,220.00
ENGINEERING (14%)					\$ 10,420.00
					\$ 84,840.00



**Chris Alley, P.E.**  
**Civil Engineer**  
**City of Kingsport**

December 6, 2012



<b>PROPERTY INFORMATION</b>	<b>Wheatley Subdivision</b>
<b>ADDRESS</b>	<b>Walker St. and Franklin St.</b>
<b>DISTRICT, LAND LOT</b>	<b>13<sup>th</sup> Civil District, Portion of Parcel 45.09 of Tax Map 31 Final Plat Request</b>
<b>OVERLAY DISTRICT</b>	<b>N/A</b>
<b>EXISTING ZONING</b>	<b>R-3, Low Density Apartment</b>
<b>PROPOSED ZONING</b>	<b>R-3, Low Density Apartment</b>
<b>ACRES</b>	<b>Approximately 1.76 acres – 4 lots proposed – Minor Subdivision</b>
<b>EXISTING USE</b>	<b>Vacant</b>
<b>PROPOSED USE</b>	<b>Multifamily Residential</b>

**PETITIONER** Tim Lingerfelt  
**ADDRESS** 243 E. Market Street, Kingsport, TN 37660

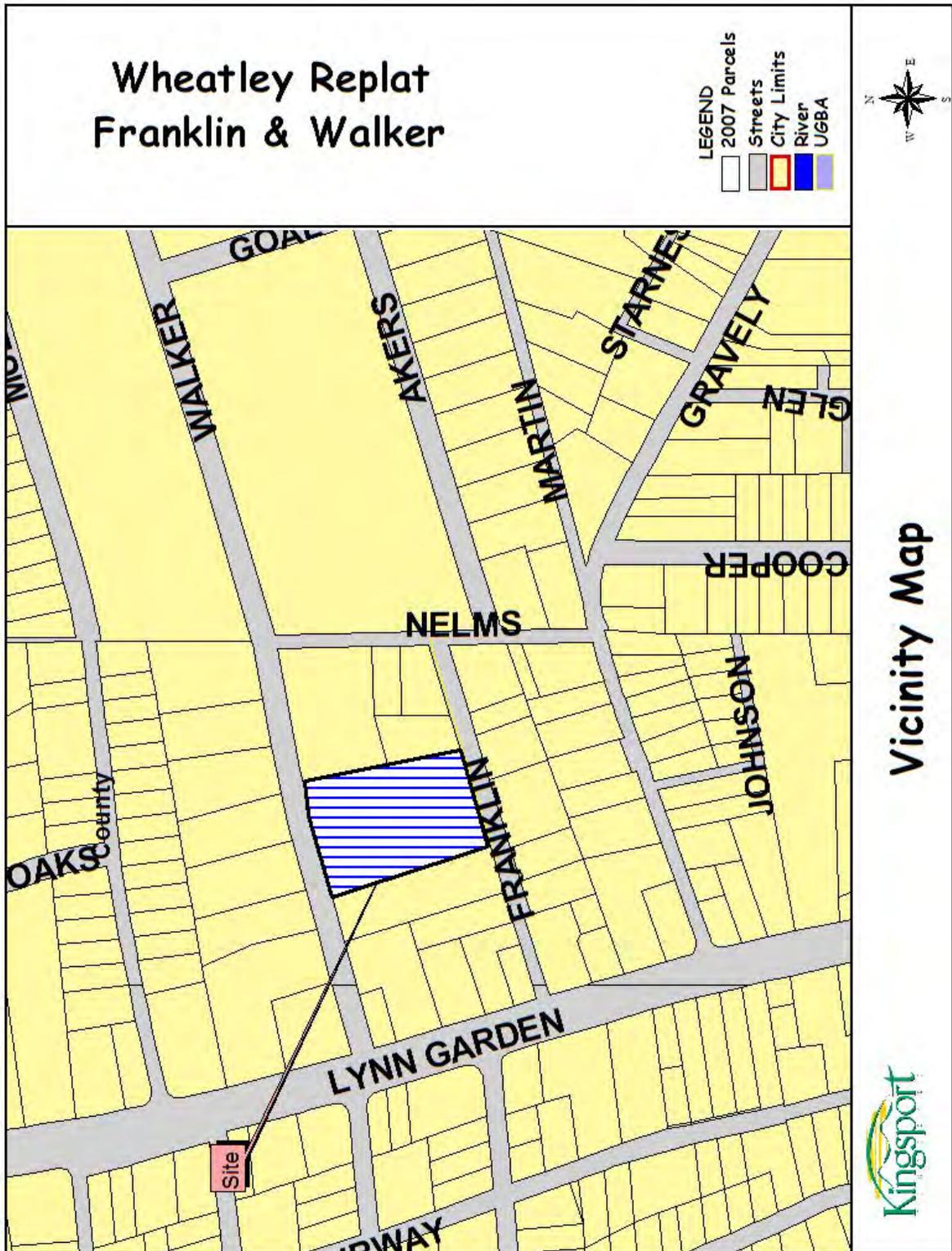
**REPRESENTATIVE** Tim Lingerfelt  
**PHONE** 423-392-8896

**INTENT**

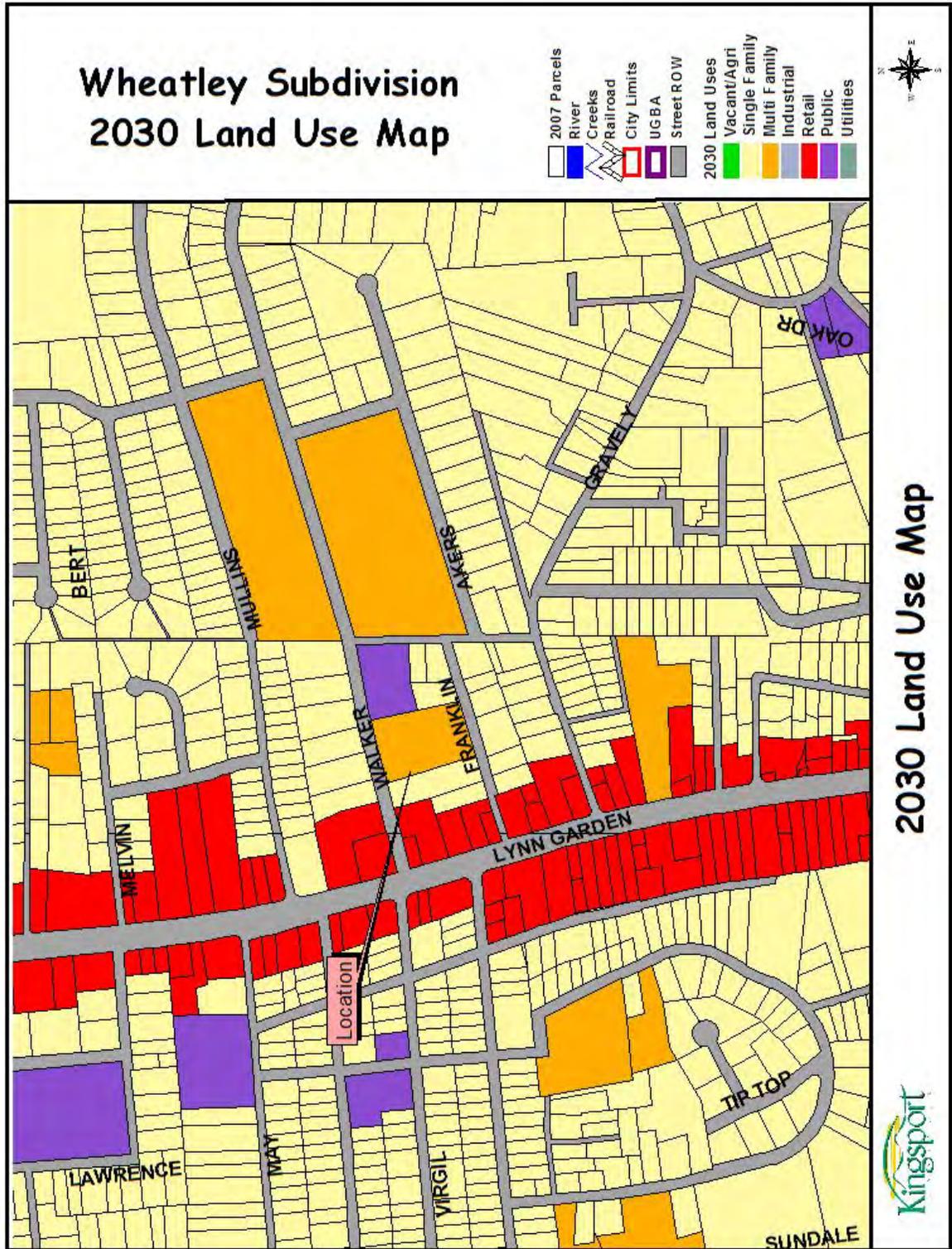
The applicant is requesting approval of a final subdivision plat for a four (4) lot subdivision with two lots having frontage on Walker St. and the other two on Franklin St. respectively. All infrastructure (utilities) is in place with a two (2) inch water lines on both streets and an eight (8) inch sanitary sewer line on both streets serving the properties. Lot 1 will have an eight unit apartment complex as will Lot 2. Lot 3 will have two single family units as will Lot 4. The purpose of this request is to divide the properties for the heirs to enable separation of ownership and possible future sale. It should be noted the ingress/egress drive for the apartment units runs on both sides of Lots 1 & 2 as does the parking. Staff has requested that all lots have right of ingress/egress and cross parking to one another. Lot 3, Unit 135 only has ingress/egress via crossing Lot 1 or Lot 2. Parking for Unit 135 is located on Lot 3 with the unit. Note #10 on the plat allows for cross access, parking and ingress/egress between all lots.

No variances have been requested and the plat meets the minimum subdivision requirements.

**Staff recommends approval of the Final Plat for Wheatley Property.**







2030 Land Use Map







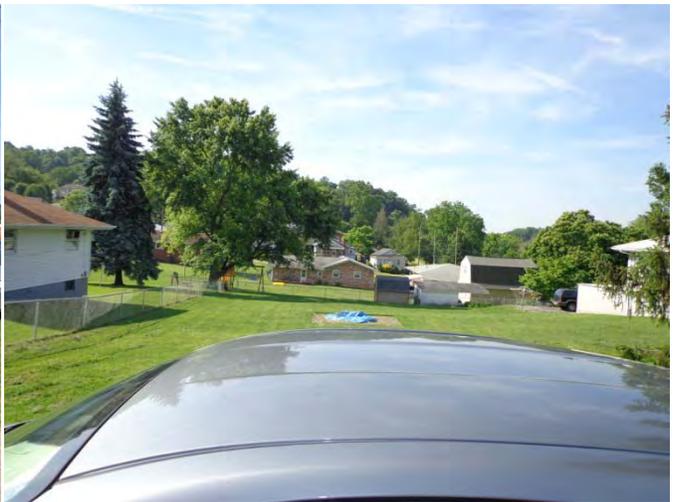
**Looking East down Franklin St.**



**Looking North from Franklin St.**



**Looking West on Franklin St.**



**Looking South on Franklin St.**



**Looking South on Walker St.**



**Looking West on Walker St.**



**Looking North on Walker St.**

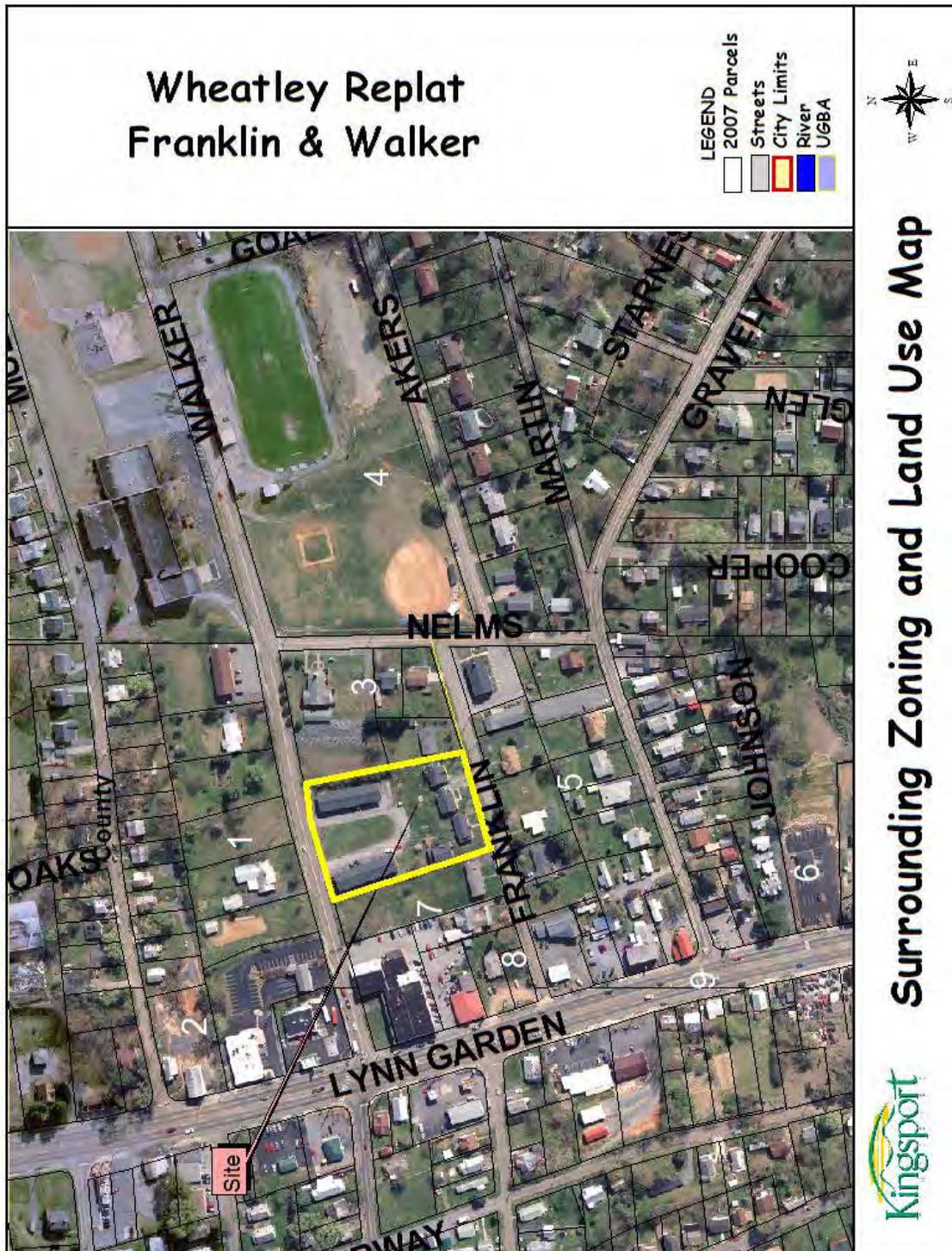


**Looking East on Walker St.**

Location	Parcel / Zoning Petition	Zoning / Name
North, East, Northwest	<b>1</b>	Abuts residential lots in the City zoned R-1B.
Further North and Northwest	<b>2</b>	Additional City residential uses and zoned R-1B while there are commercial uses to the NW abutting Lynn Garden Drive.
East	<b>3</b>	City residential uses and zoned R-1B that abut a City of Kingsport school stadium.
Further East	<b>4</b>	Same as above
Southeast and South	<b>5</b>	All City zoned R-1B, with residential uses, mostly single family.
Further South	<b>6</b>	All City zoned R-1B, with residential uses, mostly single family. Those properties fronting on Lynn Garden are commercial in use and zoned B-3.
West	<b>7</b>	City Commercial uses zoned B-3.
West Further	<b>8</b>	City Commercial on both sides of Lynn Garden Drive, zoned B-3 with City R-1B residential uses further west.
Southwest	<b>9</b>	City residential uses and zoned R-1B, neighborhood subdivisions.

### EXISTING USES AND LOCATION

The majority of the parcels in this area are used as residential property either in the form of single family or multi family.



**EXISTING USES LOCATION MAP**

Prepared by Kingsport Planning Department for the  
Kingsport Regional Planning Commission Meeting on June 20, 2013

**CONCLUSION**

**Staff recommends approval of the Final Plat for the Wheatley Property as it meets the minimum regulations and no variances have been requested.**



<b>PROPERTY INFORMATION</b>	<b>Brookton Park Subdivision – Phase 2</b>
<b>ADDRESS</b>	<b>Off Brookhaven Drive</b>
<b>DISTRICT, LAND LOT</b>	<b>12<sup>th</sup> Civil District, Approximately 20 parcels of Tax Map 45B &amp; G Preliminary Plat</b>
<b>OVERLAY DISTRICT</b>	<b>N/A</b>
<b>EXISTING ZONING</b>	<b>R-1B, Single family residential</b>
<b>PROPOSED ZONING</b>	<b>R-1C, Single family residential</b>
<b>ACRES</b>	<b>Approximately 4.396 acres – 17 lots proposed – Major Subdivision</b>
<b>EXISTING USE</b>	<b>Vacant</b>
<b>PROPOSED USE</b>	<b>Single family Residential</b>

**PETITIONER** Edwin and Mary Ann McCall  
**ADDRESS** Kingsport, TN 37660

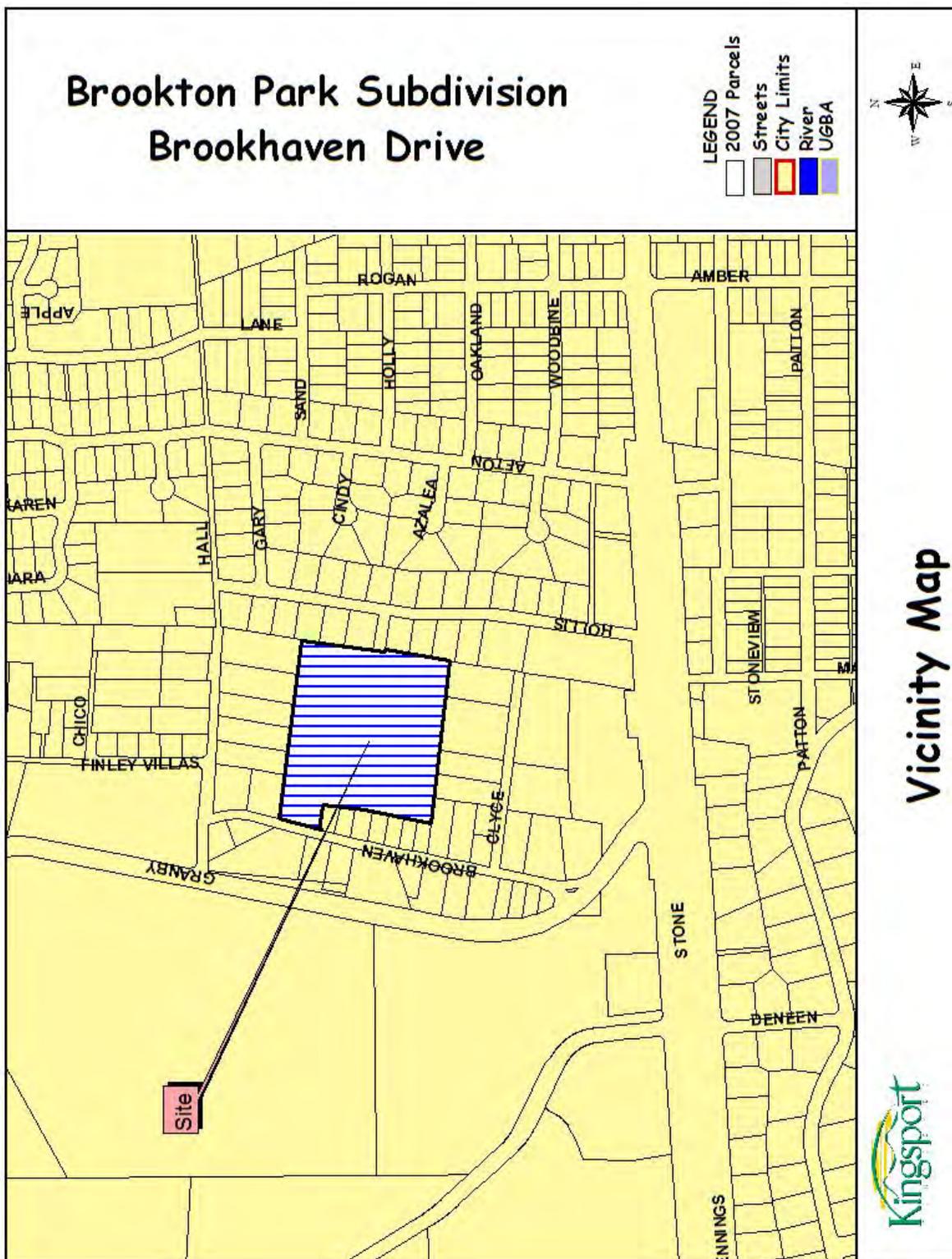
**REPRESENTATIVE** Edwin McCall  
**PHONE** 423-956-3591

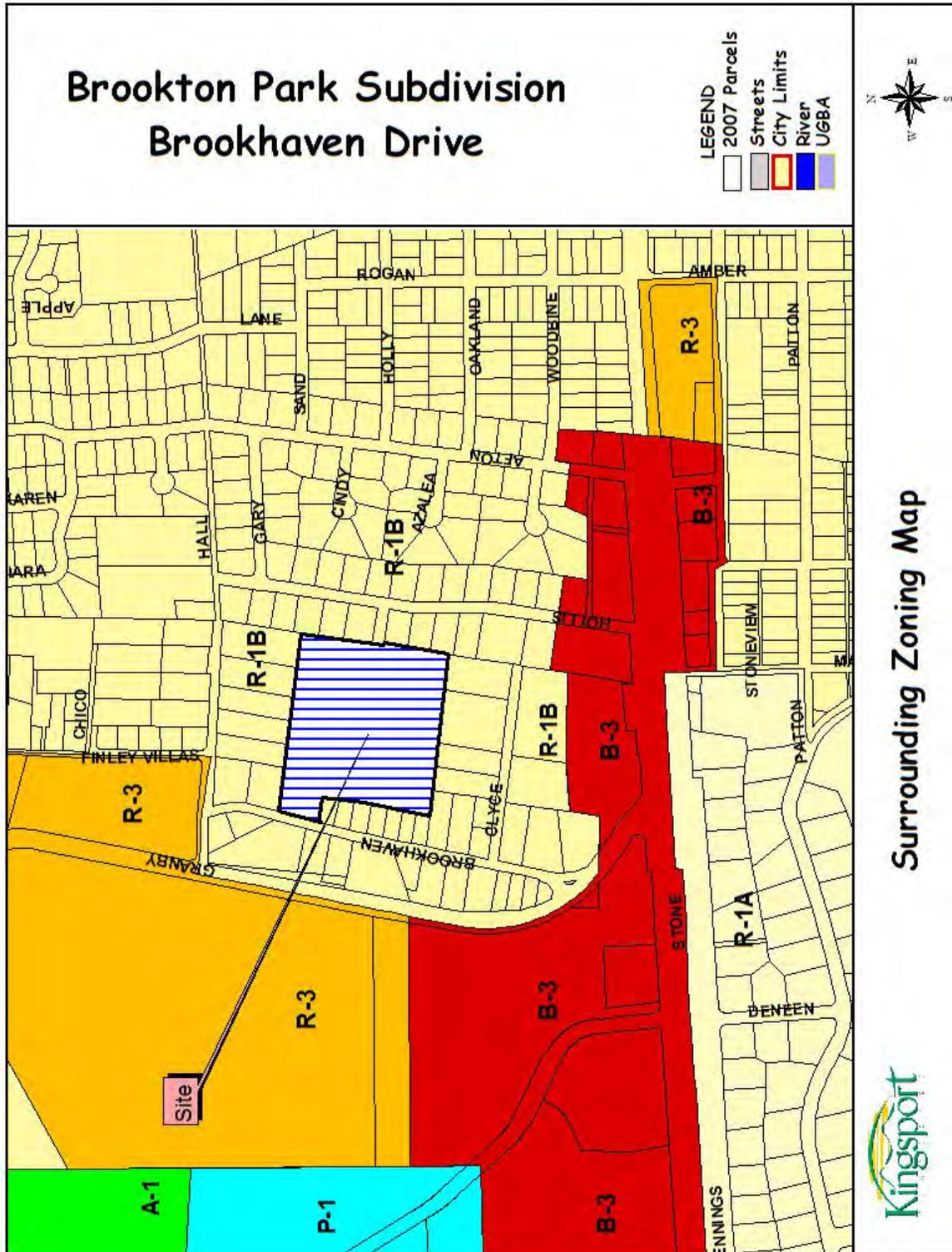
### INTENT

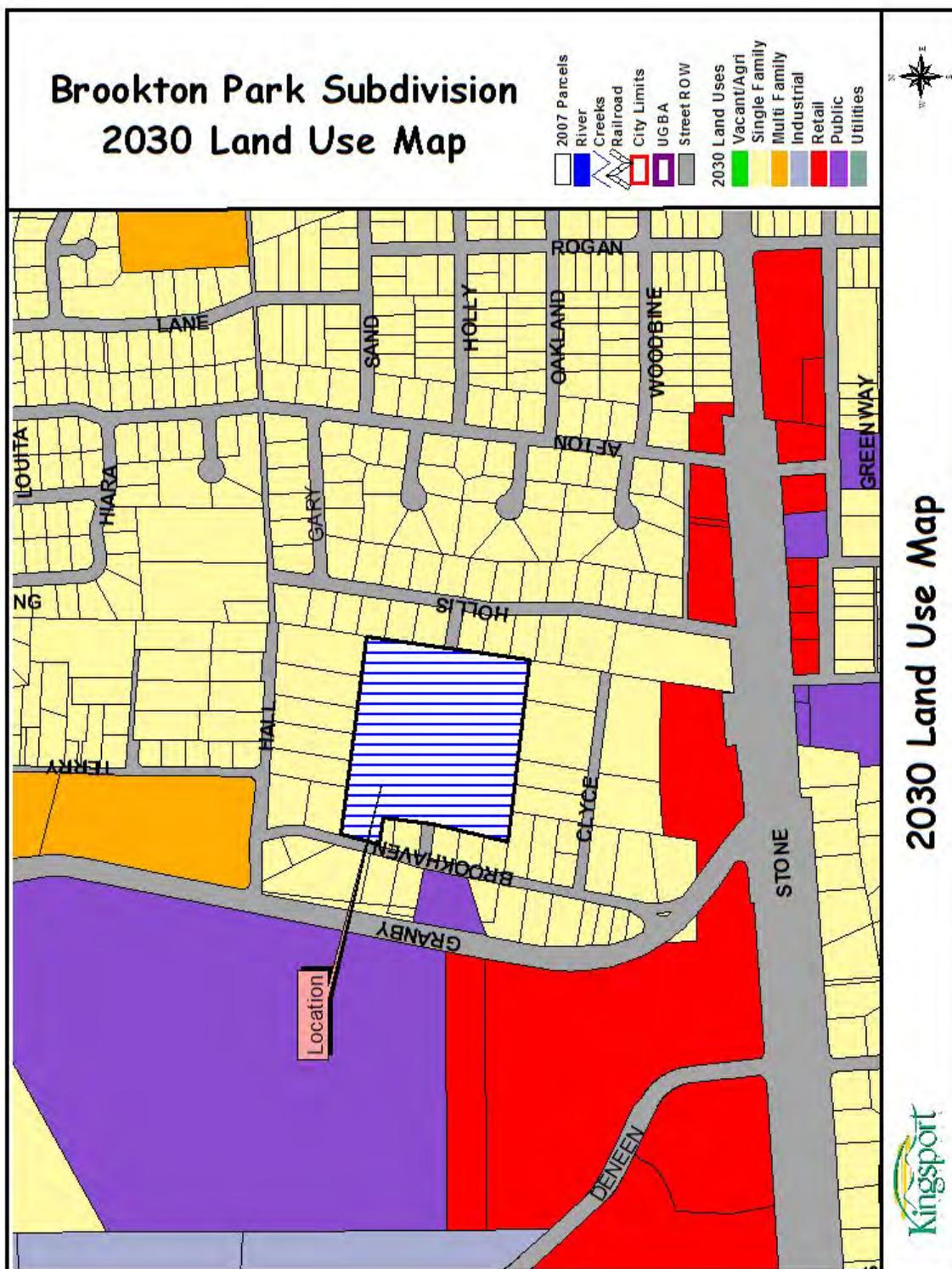
The applicant is requesting preliminary plat approval for Phase 2 of Brookton Park Subdivision a seventeen (17) lot subdivision with all lots having internal road frontage. All lots meet the minimum square footage and lot frontage requirement for this phase. Utility extensions will be required for both water and sewer. These will come off Brookhaven Drive via a six (6) inch water line and an eight (8) inch sanitary sewer line. The construction documents for this phase have been submitted to Engineering for review and approval. At this time the developers will probably begin building infrastructure improvements with Planning Commission approval of the Preliminary Plat and bring a request for Final Plat in phases should they have a potential sale for a lot. At that time staff will bring an amended plat before the Commission for the portion of Phase 2 the developer is requesting for final approval.

No variances have been requested and the plat meets the minimum subdivision requirements.

**Staff recommends APPROVAL of the Preliminary Plan for Brookton Park – Phase 2 contingent upon Engineering’s approval of the construction documents.**











**Looking East**



**Looking West**



**Looking North**



**Looking South**

Location	Parcel / Zoning Petition	Zoning / Name
North, East, Northwest	<b>1</b>	Abuts residential lots in the City zoned R-1B.
Further North and Northwest	<b>2</b>	Additional City, currently being rezoned to a B-3 status, commercial for Hunter Wright Stadium (HWS). Across Granby is a multi-unit Apartment complex that is zoned City R-3.
East	<b>3</b>	Across the street is City R-1B zoning with uses as single family.
Further East	<b>4</b>	City zoned R-1B with residential uses and some vacant parcels, but residential subdivisions.
Southeast and South	<b>5</b>	City zoned R-1B with residential uses and commercial fronting on Stone Drive, City zoning of B-3.
Further South	<b>6</b>	City zoning of B-3 with a commercial use adjacent to Stone Dr. and across Stone Drive is SF residential zoned R-1A.
West	<b>7</b>	Public use as a church and single family residential all zoned City R-1B.
West Further	<b>8</b>	Large vacant parcel split zoned B-3 and R-3 with the R-3 portion belonging to the City, southern portion of property HWS is located on.
Southwest	<b>9</b>	This is property that fronts on the north side of Stone Drive and is zoned B-3 and is used for commercial purposes with a large portion still vacant.

### EXISTING USES AND LOCATION

The majority of the parcels in this area are used as residential property and the actual proposed subdivision is surrounded by existing residential subdivisions especially to the east and north. Across Granby (west side) and south to Stone Drive is a mix of mostly commercial zoning and multi-family zoning. The multi-family portion is city owned park property while the commercial has some commercial uses, a rather large portion of the B-3 zoned parcel is still vacant. Across Stone Drive (south side) is all single family residential in zoning and uses. This is unique but there is a secondary roadway that acts as a service road and separates the residential homes from backing up to Stone Drive.



**EXISTING USES LOCATION MAP**

Prepared by Kingsport Planning Department for the  
Kingsport Regional Planning Commission Meeting on June 20, 2013

## CONCLUSION

Staff recommends APPROVAL of the Preliminary Plat for Brookton Park – Phase 2 contingent upon meeting Engineering’s approval of the construction documents.



**PROPERTY INFORMATION**

<b>ADDRESS</b>	<b>Preston Park Drive</b>
<b>SUBDIVISION NAME</b>	<b>The Summit at Preston Park - Preliminary Plat</b>
<b>DISTRICT, TMP</b>	<b>Civil District: 11<sup>th</sup>, 2011 Sullivan County Tax Maps as TM 47, Parcel 37.00</b>
<b>OVERLAY DISTRICT</b>	<b>Not Applicable</b>
<b>EXISTING ZONING</b>	<b>R-1A, City Single Family</b>
<b>PROPOSED ZONING</b>	<b>No Change</b>
<b>ACRES</b>	<b>33.89 – 18 lots</b>
<b>EXISTING USE</b>	<b>Vacant</b>
<b>PROPOSED USE</b>	<b>Single family Residential</b>

**PETITIONER** State of Franklin Bank  
**ADDRESS**

**REPRESENTATIVE** Tim Lingerfelt – Land Surveyor – Alley & Associates  
**PHONE** 423-392-8896

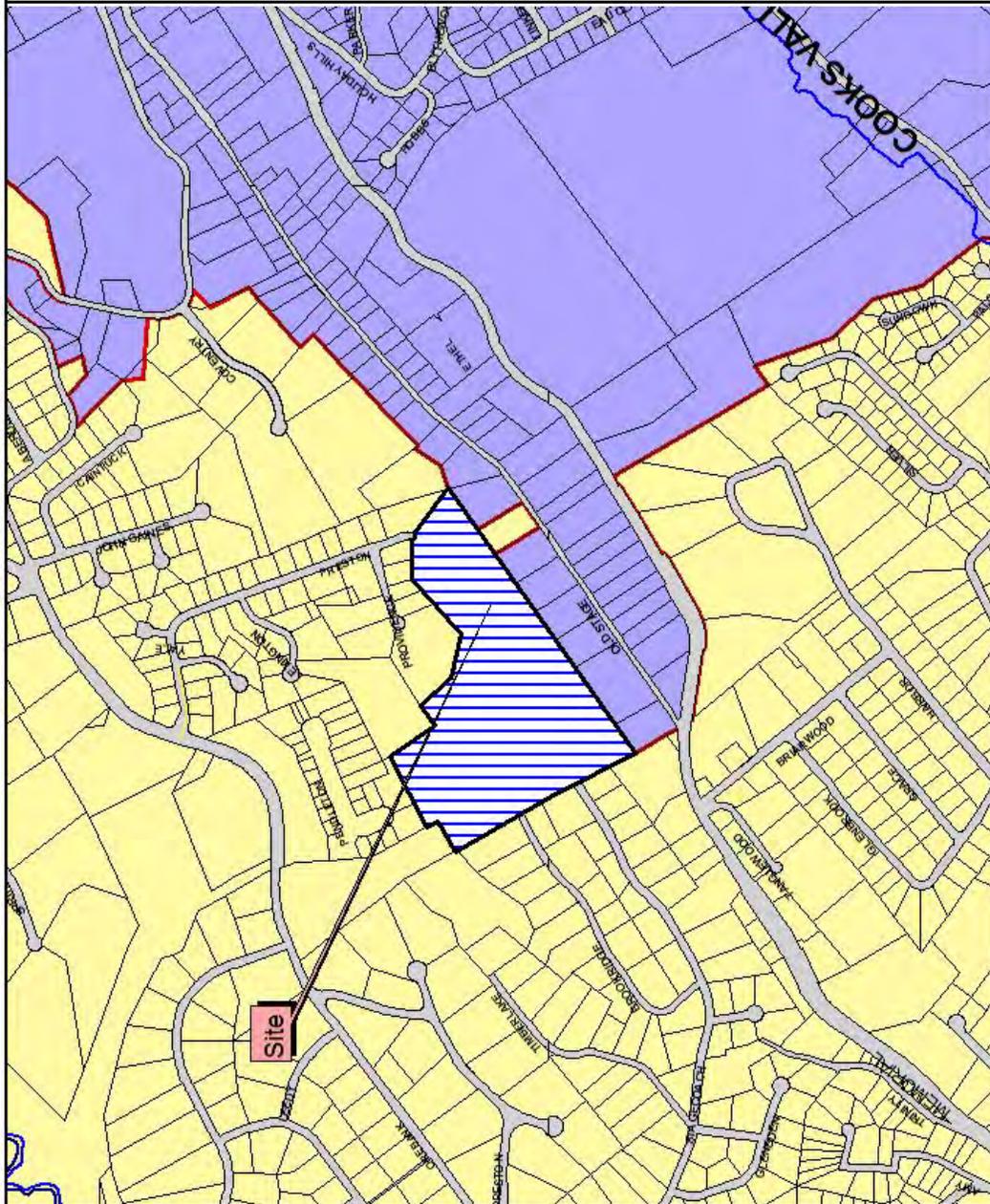
**INTENT**

During the Planning Commission meeting of October 18, 2012 an amended concept plan was approved by the Planning Commission. The parent parcel is identified as parcel 37.00 of Tax Map 47 and the property is currently zoned R-1A, single family residential. The amended plan was approved with a total of 18 lots which was a reduction of 11 lots from the previously approved plan. Variances were granted in the past to allow a 40 foot wide street right-of-way and length of street ending in a cul-de-sac. Additionally the placement of a sidewalk on one side of the street was waived if the previous developer paid for the connector sidewalk at the Exchange Place and staff has researched this and it has been completed per the terms established by the City.

The request at this time is for preliminary plat approval from the Planning Commission. There have been no changes from the previously approved concept plan and the construction documents have been submitted to the Engineering Department for review and acceptance. At this time, staff is not sure if the intentions of the developer are to build all infrastructure or a portion and bond the remaining. The developer is fully aware that lots cannot be sold until final plat has been presented and approved by the Planning Commission.

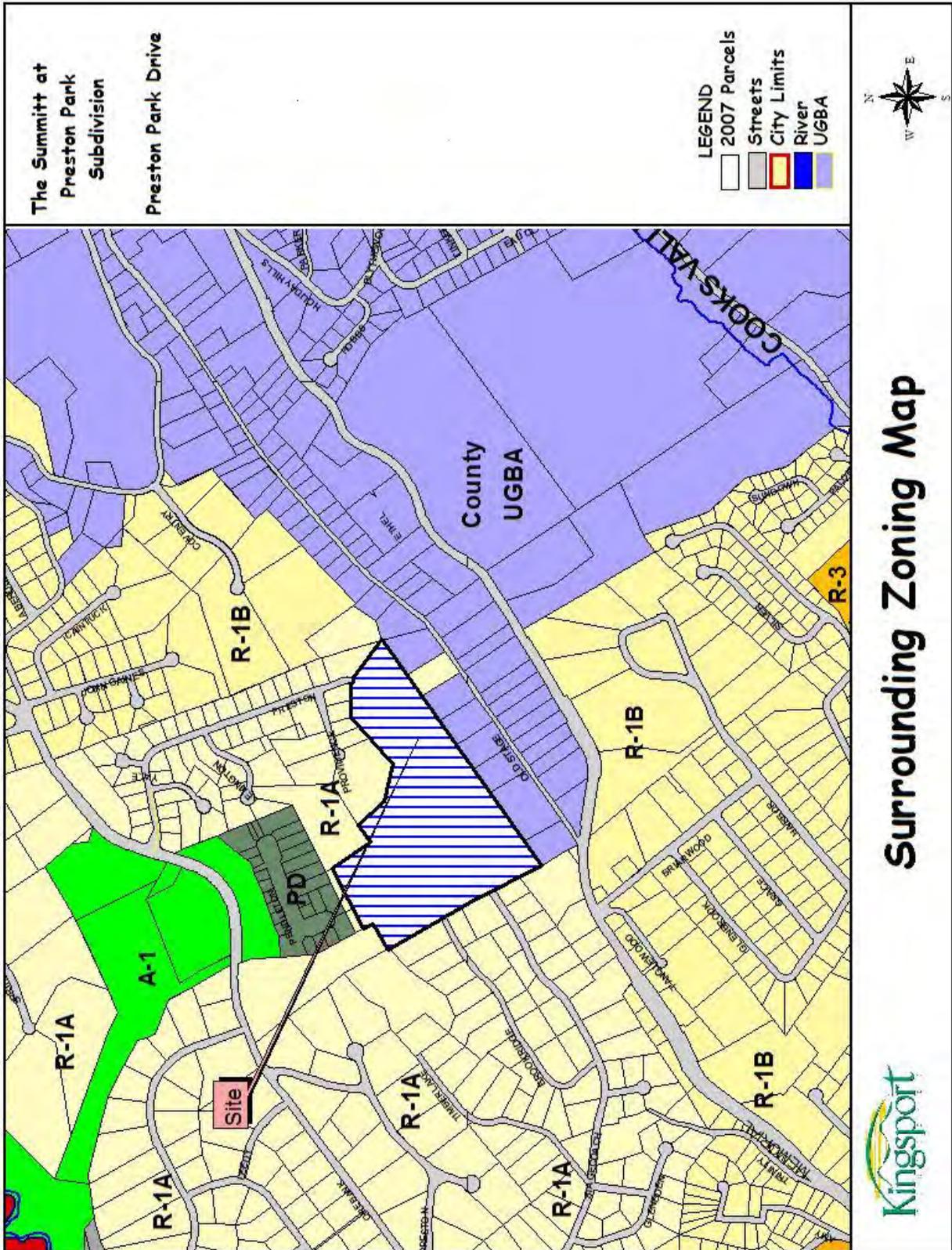
# The Summitt at Preston Park Subdivision Preston Park Drive

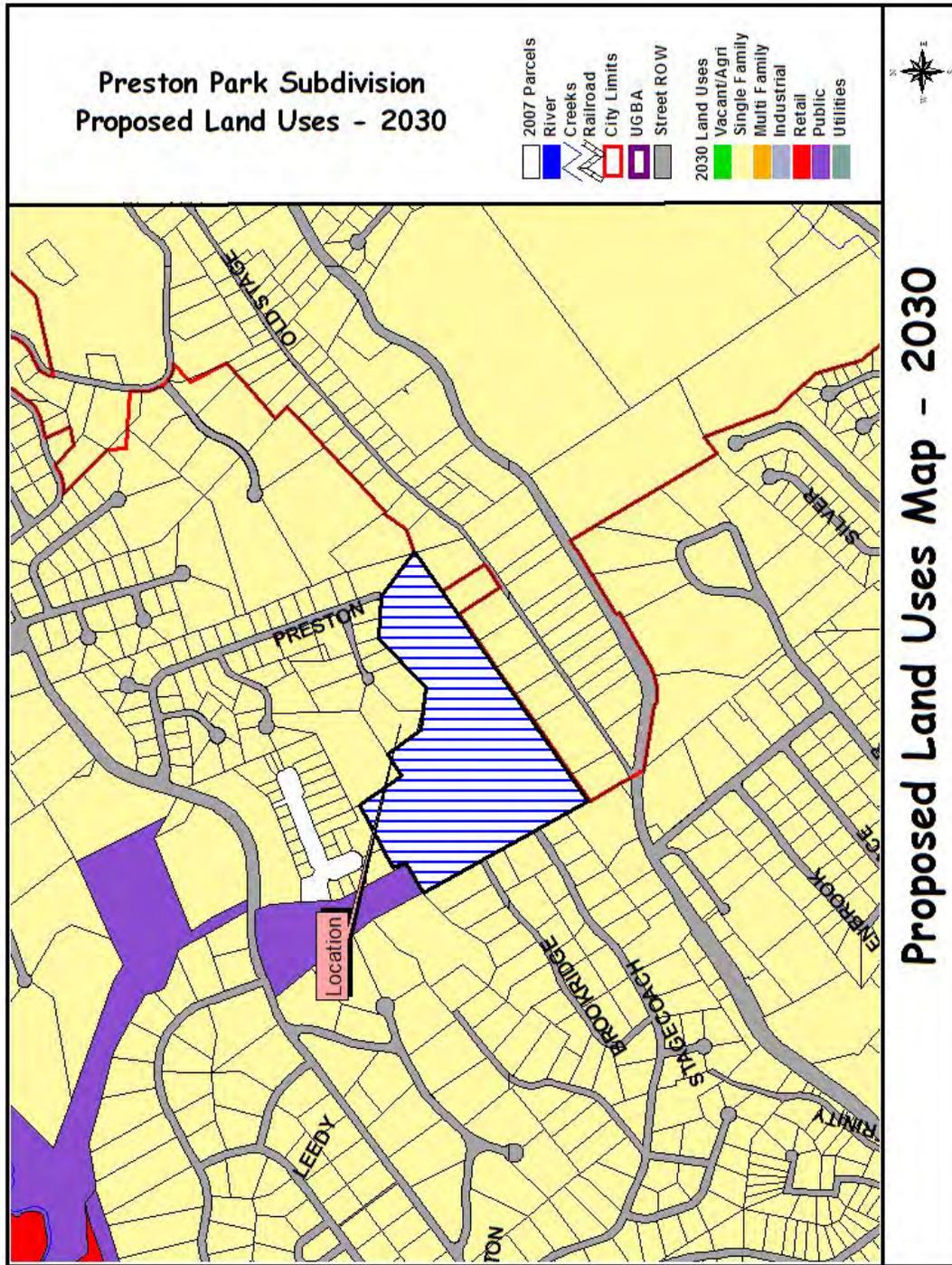
- LEGEND**
- 2007 Parcels
  - Streets
  - City Limits
  - River
  - UGBA

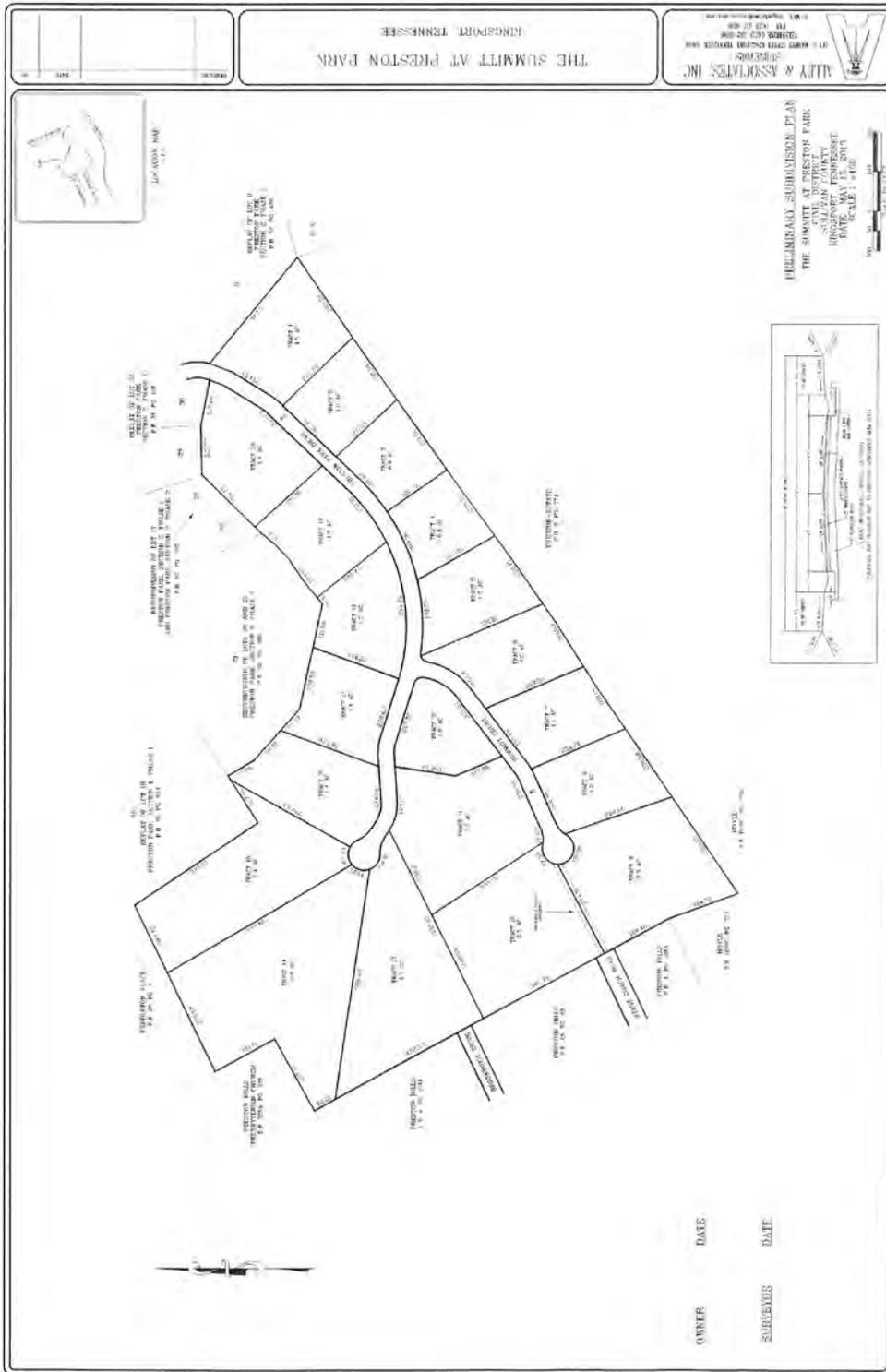


Vicinity Map











**View Looking East**



**View looking South**



**View Looking West**



**View looking North**

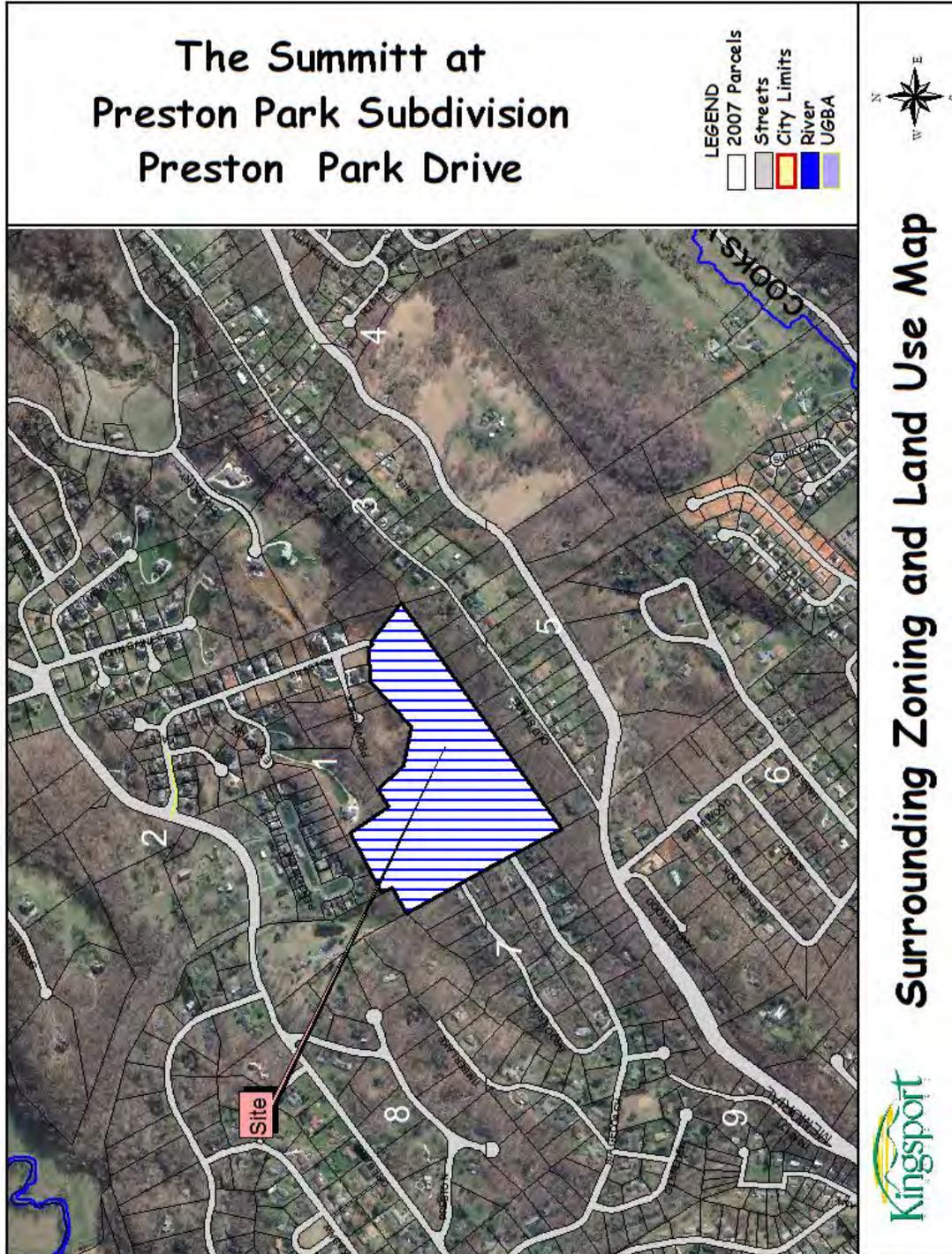
**EXISTING USES AND LOCATION**

The area surrounding these parcels is predominantly residential uses and vacant parcels in both the City and County. Utilities will require extension to the proposed lots. Both water and sanitary sewer are available from the existing Preston Park right-of-way. The subdivision only has access via Orebank Road. By design the two stub-out connecting streets were not allowed to connect due to the adjacent neighborhood residents' objections.

**EXISTING USES LOCATION KEY**

Location	Parcel / Zoning Petition	Zoning / Name
North, East, Northwest	<b>1</b>	City zoning of R-1A and A-1 and Pendleton Place Subdivision.
Further North and Northwest	<b>2</b>	Additional city zoning of A-1, R-1A and R-1B. Existing single family (SF) residential and vacant with The Exchange Place.
East	<b>3</b>	Directly adjacent is a city parcel zoned R-1B, vacant and SF further east.
Further East	<b>4</b>	County Parcels zoned R-1 along Old Stage Road with SF residences.
Southeast and South	<b>5</b>	County parcels zoned R-1 with SF uses along Old Stage Rd.
Further South	<b>6</b>	City subdivision known as Mystic Hills zoned R-1B with SF uses.
West	<b>7</b>	All City parcels zoned R-1B with single family uses.
Further West	<b>8</b>	Same as above, but beginning to get into some R-3 - multi-family along Memorial Blvd.
Southwest	<b>9</b>	All City SF uses and zoned R-1B.

EXISTING USES LOCATION MAP  
(with numbers corresponding from previous page)



**SUBJECT SITE:**

The property in question has extreme topography issues and a long history of erosion and sedimentation control problems requiring extensive care and thought as it pertains to drainage. This has been a problem since the initial development of this property and must continue to be addressed to eliminate a repeat of flooding adjoining properties.

The initial subdivision, Preston Park Phase 1, Sections I & II both received preliminary plat approval in November of 1993. Stipulations were granted on Section II (the upper section) pertaining to connection to the adjacent neighborhood streets. In May 1994, the Planning Commission granted final plat approval for Section I. (the lower section) In July 1996, the Planning Commission, at the request of the owner, voided the preliminary approval granted to Section II (the upper section). The owner determined that the maximum grade of 15% would not be appropriate for the development. Nothing was proposed until 2005 when it was brought before the Planning Commission for concept plan approval. It is noted in the analysis that previously a sidewalk variance had been granted, but staff has been unable to locate any variance request on sidewalks in the past. The variance on sidewalks was contingent upon the developer submitting funds to the City for a pedestrian connector along Orebank Road to the Greenbelt. The developer requested two additional variances for this property. One was for the length of road ending in cul-de-sac (dead end street) and the other was to allow both roads to end in a cul-de-sac and not connect to the adjacent neighborhood streets. Both variances were granted by the Planning Commission. However the Commission decided that an easement is required to provide emergency vehicles access to connect the subdivisions only and no street was to be constructed for the connection. The developer at that time agreed to the stipulation.

The current plan reduces density while leaving the previously approved road system intact. The old plan would have allowed a total density of 29 lots. If approved, the new density would be 18 lots or a reduction of 11 lots. No other changes will occur with this amended plat and no variances have been requested in addition to those already granted. The next step, if approved, would be the submittal of the final plat to the Commission for approval with infrastructure completed or bonded. No additional variances have been requested and the preliminary plan meets the requirements of the minimum subdivision regulations.

**CONCLUSION**

**RECOMMENDATION: Staff recommends APPROVAL of the Preliminary Plat for the Final Phase of Preston Park Subdivision aka "The Summit" noting the previous variances granted by the Planning Commission.**

**Variance 1 – To not require the connection to the adjacent neighborhood street stub-outs for interconnectivity but an emergency ingress/egress would be required from Summit Court to Stagecoach Road.**

**Variance 2 – To allow the length of street ending in a cul-de-sac exceed the 1250 linear foot limit due to the dead end streets.**



# MURRELL WEEMS LAND SURVEYING

06-08

4325 Highway 66 South  
P.O. Box 304  
Rogersville, Tn. 37857  
Phone: (423) 272-6608  
Fax: (423) 921-9336

To:  
Kingsport, TN. Regional Planning Commission;

At the request of the property owner, we are requesting a variance to Section 4-3 LOTS, subsection 3.3 Conformance to Zoning which requires all lots to front on a public street with a minimum of 50 feet of lot frontage. Robin, Wembeck and Arley are all existing County public roads that abut the proposed Goad Subdivision with an existing right-of-way width of 40 feet. Since the County will allow a minimum right-of-way width of 25 feet and this is in direct conflict with the City's subdivision regulations, we feel it necessary to request a variance to lots 8, 9 and 10. This would allow these three lots to have lot frontage of 40 feet on a public road rather than 50 feet of as required by the City's subdivision regulations. Thank you for your consideration.

Thank you,  
Murrell Weems, RLS # 285

*Murrell Weems*

P.O. Box 304

Rogersville, TN. 37857

423-272-6608

[mweems285@bellsouth.net](mailto:mweems285@bellsouth.net)

<b>PROPERTY INFORMATION</b>	<b>Goad Subdivision</b>
<b>ADDRESS</b>	<b>Memorial Blvd.</b>
<b>DISTRICT, LAND LOT</b>	<b>10<sup>th</sup> Civil District, Parcel 95.10 of Tax Map 48</b>
	<b>Final Plat Request</b>
<b>OVERLAY DISTRICT</b>	<b>N/A</b>
<b>EXISTING ZONING</b>	<b>County R-1, Single Family</b>
<b>PROPOSED ZONING</b>	<b>County R-1, Single Family</b>
<b>ACRES</b>	<b>Approximately 26.16 acres – 10 lots proposed – Major Subdivision</b>
<b>EXISTING USE</b>	<b>Vacant and two existing houses fronting on Memorial Blvd.</b>
<b>PROPOSED USE</b>	<b>Single Family Residential</b>

**PETITIONER** Mr. David Goad - Owner  
**ADDRESS** 5040 Memorial Blvd., Kingsport, TN 37664

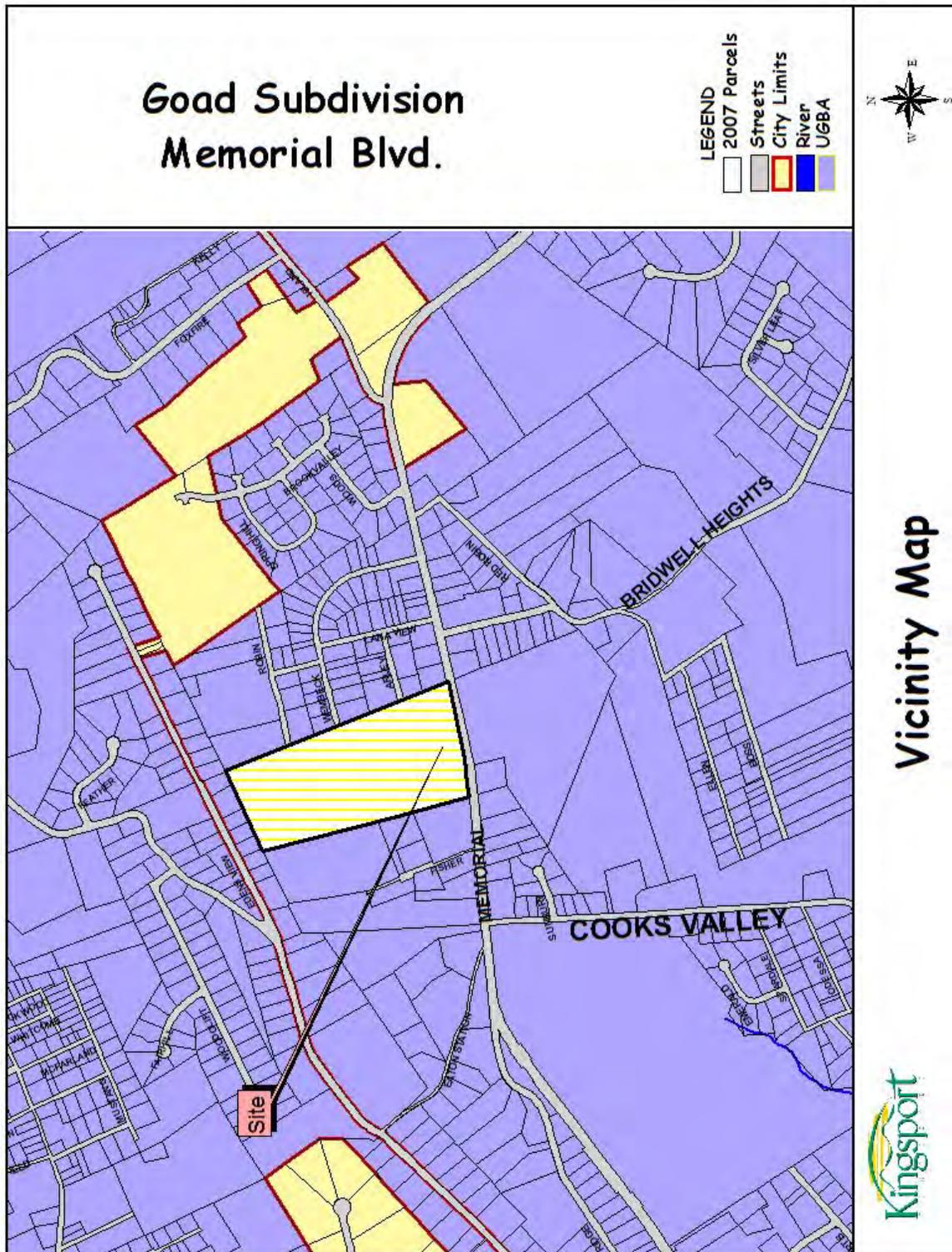
**REPRESENTATIVE** Murrell Weems – Land Surveyor  
**PHONE** 423-272-6608

**INTENT**

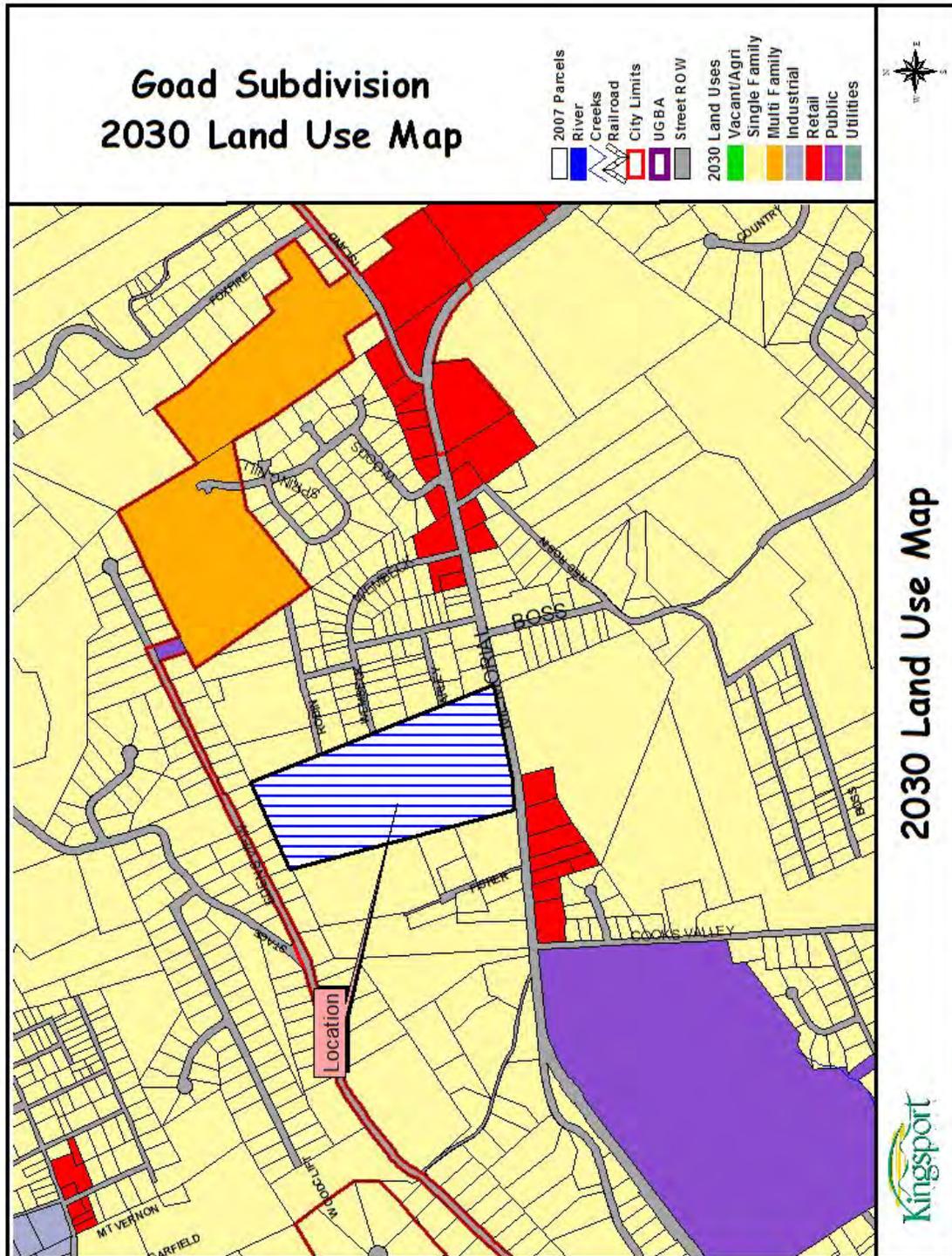
The applicant is requesting approval of a final subdivision plat for a ten (10) lot subdivision with seven (7) lots having frontage on Memorial Blvd. and the other three on various interior County streets. Utilities in the form of water is available to the seven lots fronting on Memorial Blvd. with a twelve (12) and an eight (8) inch water line serving those lots. The three lots that front off the County streets will be served via a 1", ¾" and a 2" line respectively. A water line extension will be required and instead of bonding the water line extension, the owners will pay the City for 90 LF 2" PVC @ \$7.00/LF = \$630.00 on Robin Street. Sanitary sewer is not available to the property and all lots will require septic systems. Our office has requested the proposed parcels be verified that they can accommodate septic systems prior to the recording of the plat. Should the lots not perk, then the plat cannot be recorded.

No variances have been requested and the plat meets the minimum subdivision requirements.

**Staff recommends approval of the Final Plan for the Goad Subdivision contingent upon meeting Engineering’s requirement for payment of the water line extension and the local TDEC office requirement for septic disposal for each lot.**











**Looking North**



**Looking West**



**Looking East**

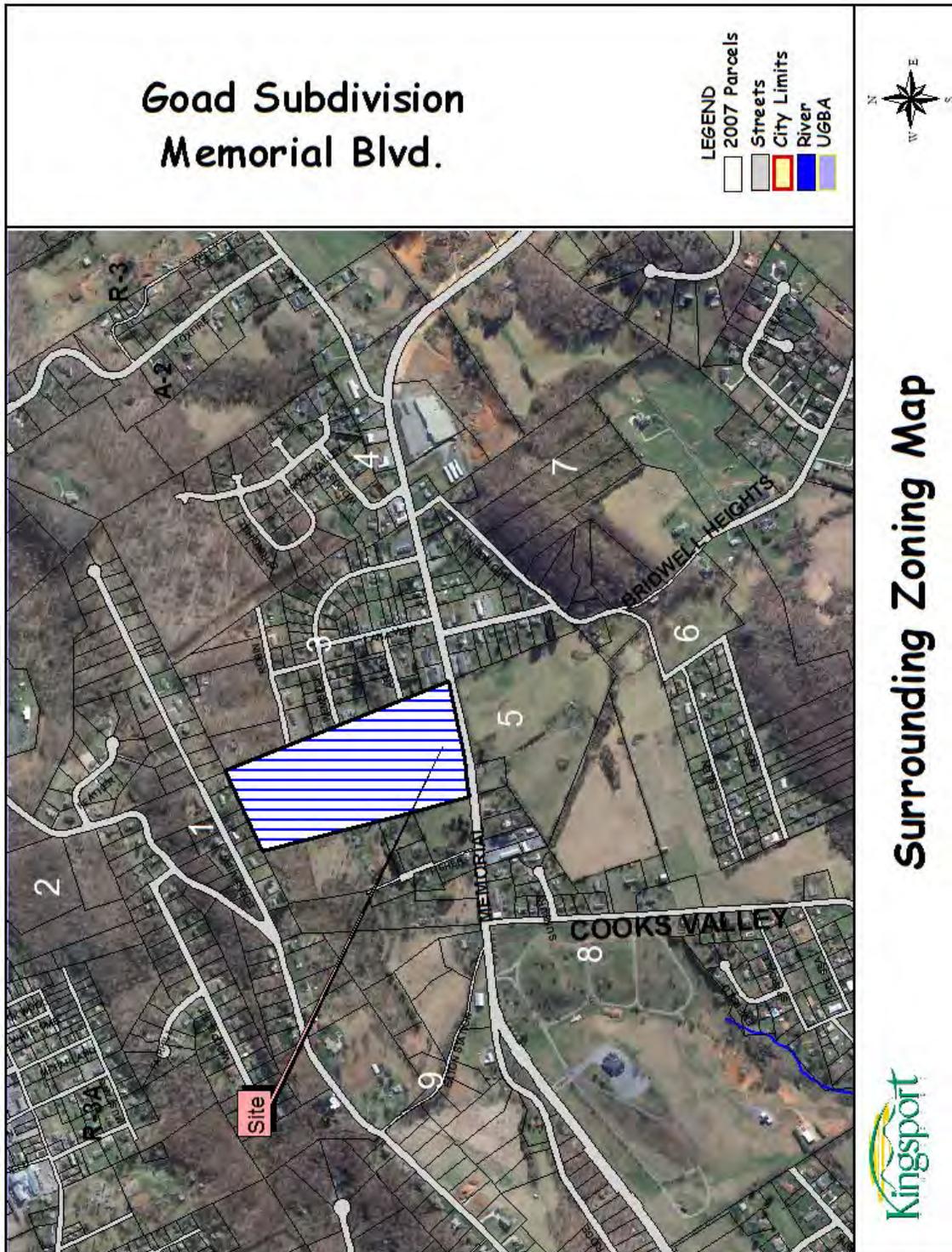


**Looking South**

Location	Parcel / Zoning Petition	Zoning / Name
North, East, Northwest	<b>1</b>	Abuts residential lots in the County zoned R-1, a subdivision known as Guy R. Kinney.
Further North and Northwest	<b>2</b>	Additional County residential uses and zoned R-1, single family subdivisions known as Orebank Heights, Old Stage Road Sub. and Spring Hill Subdivision.
East	<b>3</b>	County residential subdivision known as A N Bridwell Subdivision and zoned R-1.
Further East	<b>4</b>	County residential subdivision called Greenwood Hills and zoned R-1.
Southeast and South	<b>5</b>	All County zoned R-1, with single family residential uses, A N Bridwell Subdivision.
Further South	<b>6</b>	Across Memorial Blvd. are large vacant parcels in the County zoned R-1 and R-2A.
West	<b>7</b>	Large single family residential parcels zoned R-1.
West Further	<b>8</b>	County zoning of R-1, scattered single family residential with some parcels vacant and wooded.
Southwest	<b>9</b>	County B-4 zone for East Lawn Memorial Park

### EXISTING USES AND LOCATION

The majority of the parcels in this area are used as residential property. Pretty much all the territory surrounding the Goad property is used for residential purposes. There is a portion of the territory to the west and east that is used for commercial purposes and fronts on Memorial Blvd. This particular subdivision is outside the corporate limits but within the city's urban growth boundary area.



**EXISTING USES LOCATION MAP**

Prepared by Kingsport Planning Department for the  
Kingsport Regional Planning Commission Meeting on June 20, 2013

**CONCLUSION**

**Staff recommends approval of the Final Plan for the Goad Subdivision as it meets the minimum regulations and no variances have been requested.**



Kingsport Regional Planning Commission

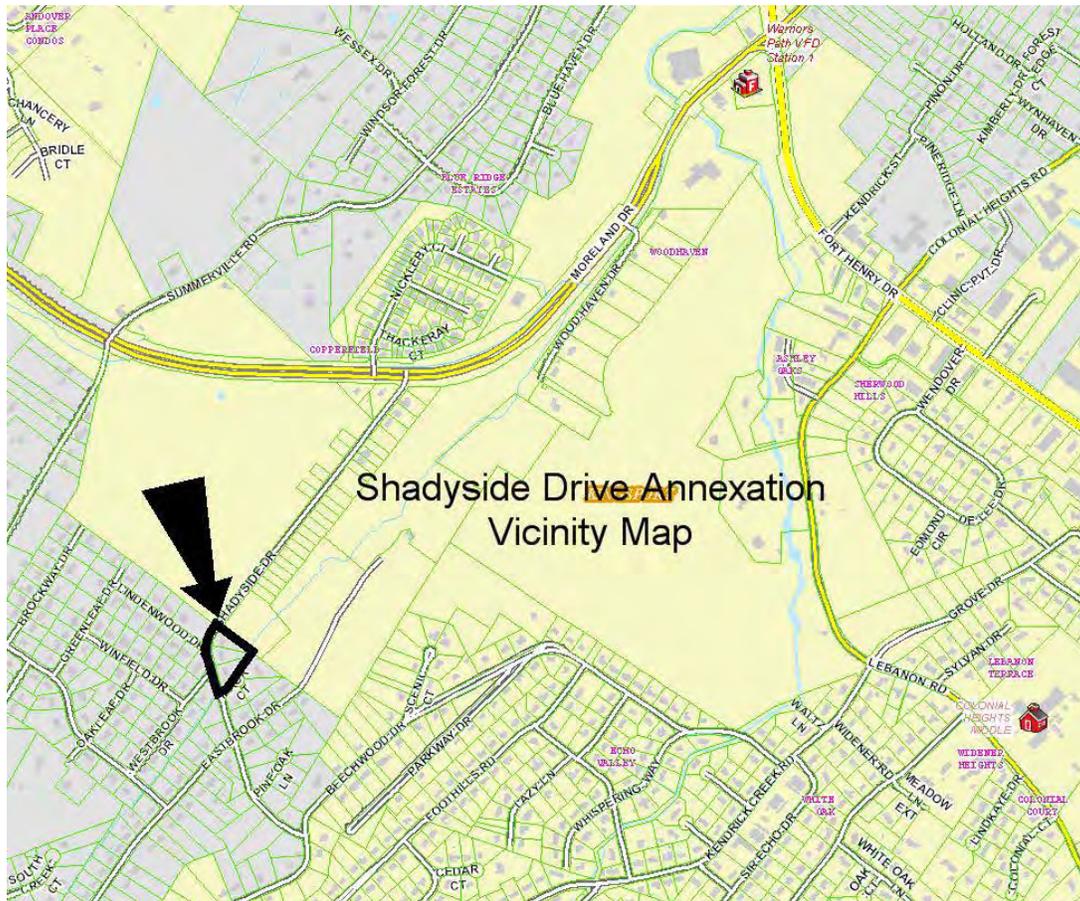
Annexation Report

File Number 13-301-00004

**Alderman. The Board of Mayor and Alderman passed the annexation on 1<sup>st</sup> and 2<sup>nd</sup> reading, leading to an eventual effective date of June 7, 2013. Due to new state legislation concerning annexation moratorium retroactive to April 15, 2013, this annexation is being brought back to the Planning Commission. As advised by the City Attorney, this time the annexation is coming before the Planning Commission with a full accounting of the names of owners and residents residing in the petitioned parcels, an aspect lacking from the previous consideration. To the best of our knowledge from tax records and interaction with the residents of the area the petition represents a majority of the owners and residents in the proposed annexation area.**

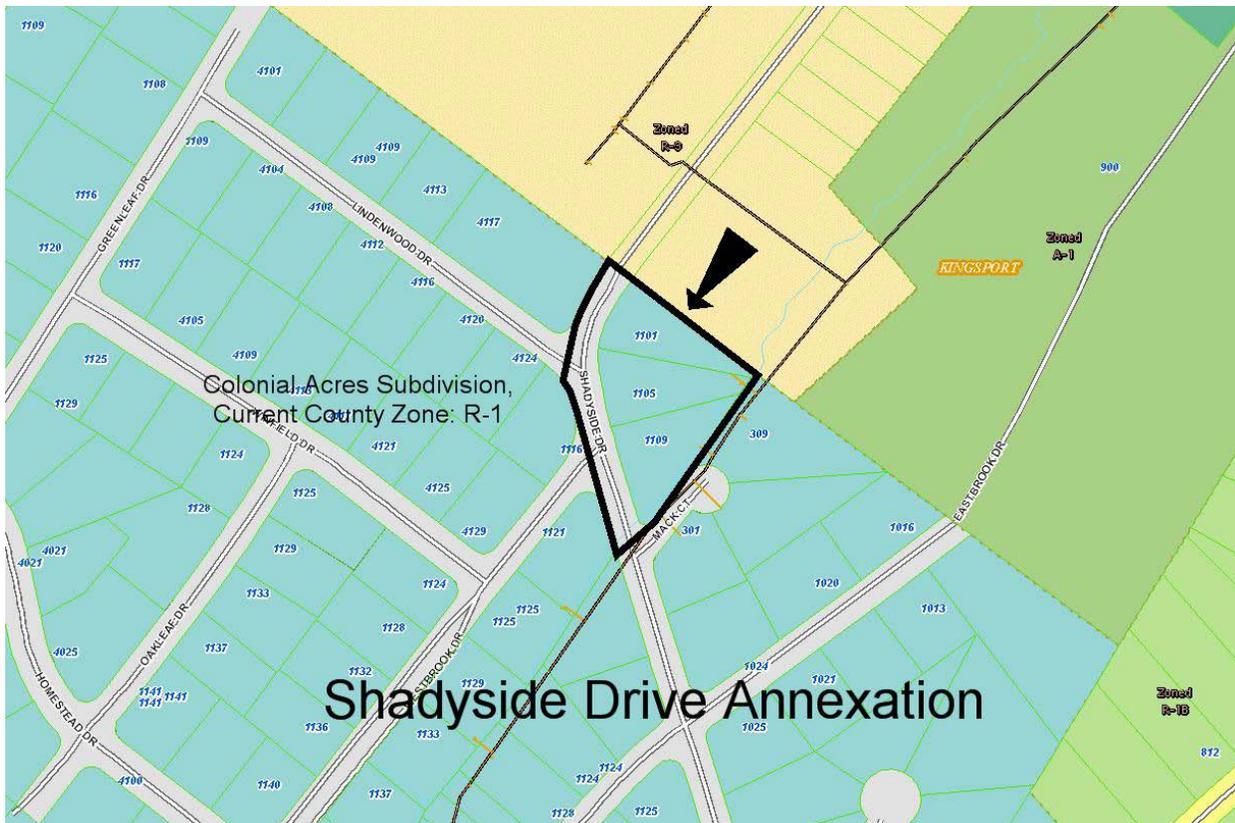
Planner:	Ken Weems	Date:	June 3, 2013
<b>Planning Commission Action</b>		<b>Meeting Date:</b>	<b>June 20, 2013</b>
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

Area Map

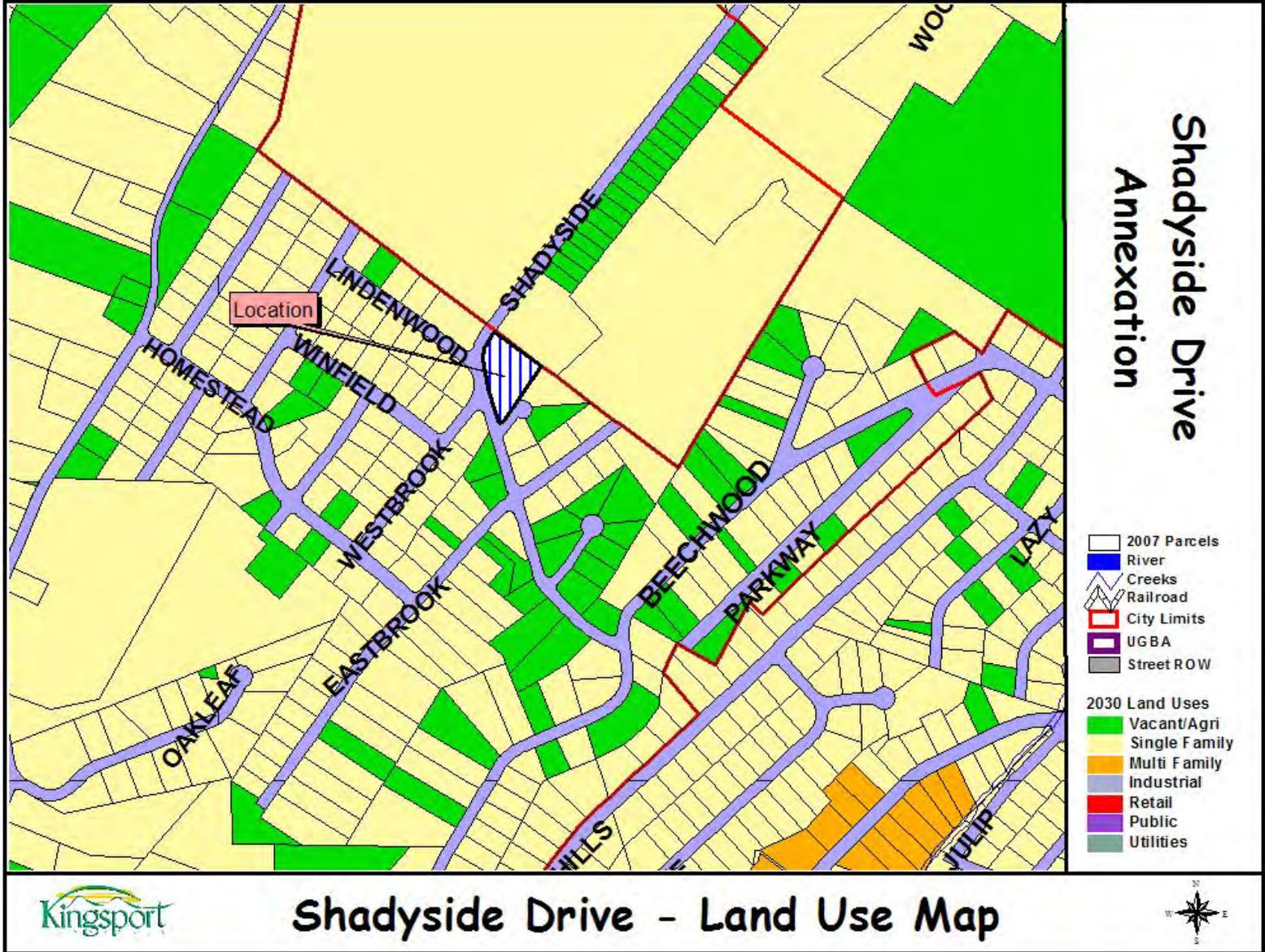


Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on June 20, 2013

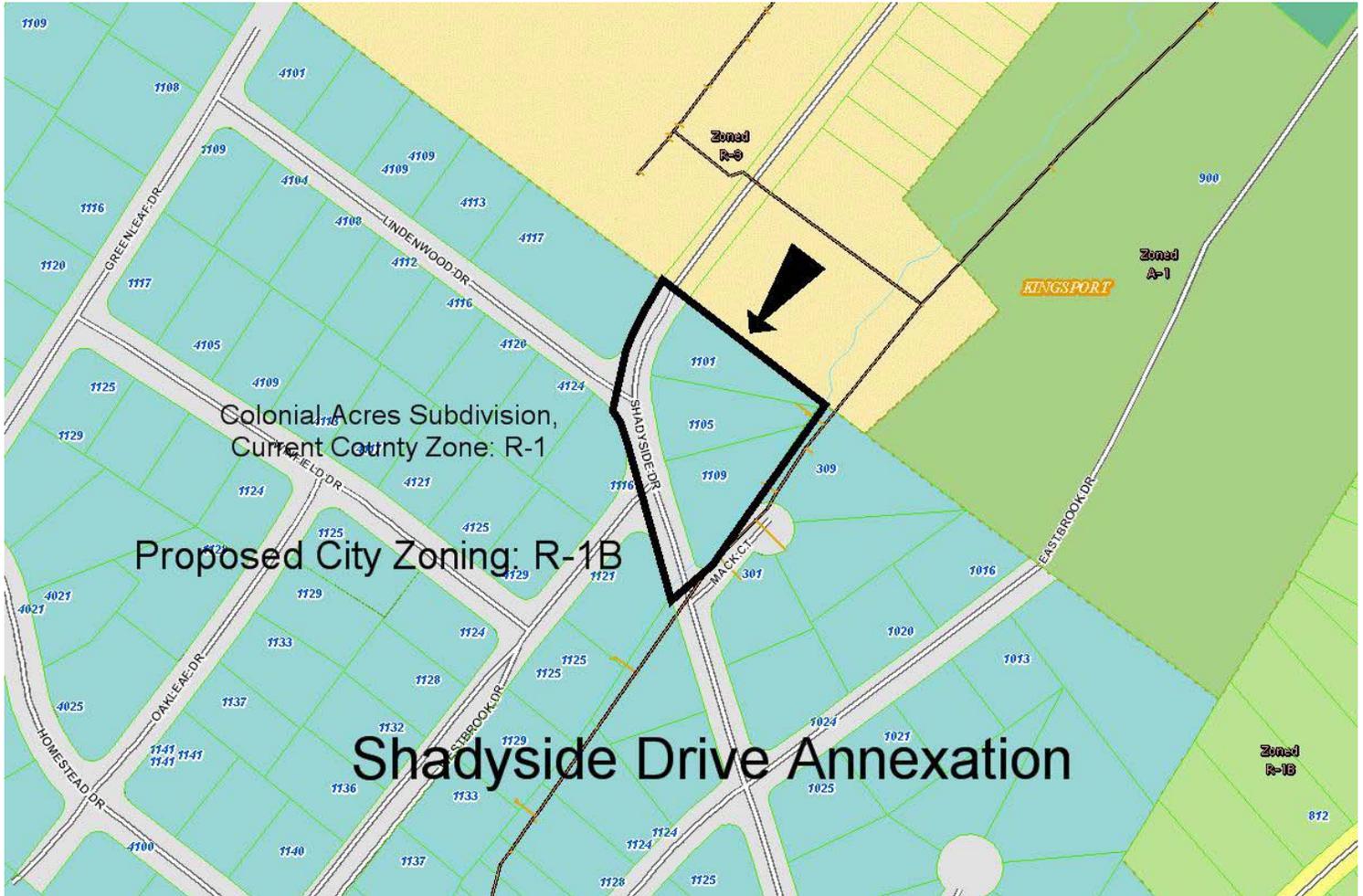
Current Zoning Map



Future Land Use Map



Proposed Zoning Map



Kingsport Regional Planning Commission

Annexation Report

File Number 13-301-00004

Cost

**Shadyside Drive Annexation Area**  
**COST ESTIMATE/ tax records as of 25 February 2013**

Revenues	One Time	Reoccurring (annual)	
Property Taxes	X	\$1,724.00	
State Shared	X	\$624.00	6 residents (X\$104 estimated)
Sewer Tap Fees	X	\$0.00	area already served with sewer
Water & Sewer Rev (loss)	X	-\$1,188.00	
<b>Total</b>	<b>\$0.00</b>	<b>\$1,160.00</b>	
Expenses	One Time	Reoccurring (annual)	
<b>Operating Budget</b>			
Police & Fire Service	0.00	0.00	minimal extra area
Transit Service	0.00	37.00	
Street Lighting	1,000.00	127.00	
Traffic Controls	1,950.00	15.00	
Streets & Sanitation	0.00	1,248.00	
Subtotal	2,950.00	1,427.00	
<b>Capital Budget</b>			
Water	0.00	0.00	adequate
Sewer	0.00	0.00	adequate
Streets	3,160.00	0.00	
Subtotal	3,160.00	0.00	
<b>Grand Total</b>	<b>\$6,110.00</b>	<b>\$1,427.00</b>	

Existing Surrounding Land Uses



## Kingsport Regional Planning Commission

## Annexation Report

File Number 13-301-00004

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North	1	<u>Zone: County R-1</u> Use: Single family residential, Colonial Acres subdivision	No prior action known
Further North	2	<u>Zone: City R-3</u> Use: Undeveloped future phase of Hunt's Crossing	Initial residential development began in 2005
East	3	<u>Zone: City R-3</u> Use: Undeveloped future phase of Hunt's Crossing	Initial residential development began in 2005
Southeast	4	<u>Zone: County R-1</u> Use: Single family residential, Colonial Acres subdivision	No prior action known
South	5	<u>Zone: County R-1</u> Use: Single family residential, Colonial Acres subdivision	No prior action known
West	6	<u>Zone: County R-1</u> Use: Single family residential, Colonial Acres subdivision	No prior action known

CONCLUSION

The Kingsport Planning Division recommends approval for the following reasons:

- *The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.*
- *It is reasonably necessary for the welfare of the residents and property owners of the affected territory.*
- *The City of Kingsport can provide services through its Plan of Services that the County cannot provide to the residents of the area.*
- *Annexation spurs economic growth by providing basic services at a reasonable cost and allows those costs to be spread fairly to all who enjoy those services.*
- *It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.*

Aerial Photo



South View



West View



North View



Petitions (2)



CITY OF KINGSPORT, TENNESSEE  
Petition for Annexation

We, the property owners of record, hereby petition the City of Kingsport to be annexed.

1.	Name: <i>Carlton S. Purvis Jr.</i>	Address: <i>1105 SHADYSIDE DR.</i>
	Parcel # (if known): <i>Carlton S. Purvis Jr.</i>	Phone:
	Email Address:	# In Household & Ages:
	Signature: <i>Carlton S. Purvis</i>	

2.	Name: <i>Joan S. Purvis</i>	Address: <i>1105 Shady Side Dr.</i>
	Parcel # (if known):	Phone:
	Email Address:	# In Household & Ages:
	Signature: <i>Joan S. Purvis</i>	

3.	Name:	Address:
	Parcel # (if known):	Phone:
	Email Address:	# In Household & Ages:
	Signature:	

4.	Name:	Address:
	Parcel # (if known):	Phone:
	Email Address:	# In Household & Ages:
	Signature:	

5.	Name:	Address:
	Parcel # (if known):	Phone:
	Email Address:	# In Household & Ages:
	Signature:	

Kingsport Regional Planning Commission

Annexation Report

File Number 13-301-00004



CITY OF KINGSPORT, TENNESSEE  
Petition for Annexation

We, the property owners of record, hereby petition the City of Kingsport to be annexed.

1.	Name: <i>GREG F. McDAVID</i>	Address: <i>1109 SHAOYSIDE DR.</i>
	Parcel # (if known):	Phone:
	Email Address:	# In Household & Ages:
	Signature: <i>Greg F. McDavid</i>	

2.	Name: <i>Thelma P. McDAVID</i>	Address: <i>1109 ShaoySide Dr.</i>
	Parcel # (if known):	Phone:
	Email Address:	# In Household & Ages:
	Signature: <i>Thelma P. McDavid</i>	

3.	Name:	Address:
	Parcel # (if known):	Phone:
	Email Address:	# In Household & Ages:
	Signature:	

4.	Name:	Address:
	Parcel # (if known):	Phone:
	Email Address:	# In Household & Ages:
	Signature:	

5.	Name:	Address:
	Parcel # (if known):	Phone:
	Email Address:	# In Household & Ages:
	Signature:	

**RESOLUTION NO.**

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE  
SHADYSIDE DRIVE ANNEXATION OF THE CITY OF  
KINGSPORT, TENNESSEE

WHEREAS, before any territories may be annexed under Tennessee Code Annotated §6-51-102, the governing body shall have previously adopted a plan of services setting forth the identification and timing of municipal services; and

WHEREAS, before any such plan of services shall have been adopted, it must have been submitted to the local planning commission for study and a written report; and

WHEREAS, a plan of services for the proposed Shadyside Drive annexation was submitted to the Kingsport Regional Planning Commission on June 20, 2013, for its consideration and a written report; and

WHEREAS, prior to the adoption of a plan of services, the City shall hold a public hearing; and

WHEREAS, a public hearing was held July 9, 2013; and

WHEREAS, notice of the time and place of the public hearing shall be published in a newspaper of general circulation in the municipality a minimum of seven (7) days prior to the hearing; and

WHEREAS, notice of the time and place of the public hearing was published in the Kingsport Times-News on June 24, 2013; and

WHEREAS, the City of Kingsport, pursuant to the provisions of Tennessee Code Annotated, §6-51-102 has endeavored to annex a portion of the 13<sup>th</sup> Civil District of Sullivan County, Tennessee, commonly known as the Shadyside Drive Annexation, said area being bounded and further described as follows:

BEGINNING at a point, said point being the eastern corner of parcel 1, Tax Map 92P; thence in a northerly direction, crossing the right-of-way of Shadyside Drive, approximately 305 feet to a point, said point lying on the boundary of parcel 17; thence in a southerly direction, in an arc, following the western right-of-way of Shadyside Drive, approximately 480 feet to a point, said point lying on the boundary of parcel 15; thence in an easterly direction, crossing the right-of-way of Shadyside Drive, approximately 50 feet to a point, said point being the southern corner of parcel 20; thence in a northeasterly direction, approximately 320 feet to the point of BEGINNING, and being all of parcels 1, 2, and 3, as well as a portion of Shadyside Drive, approximately 150 feet in length, Tax Map 92P, as shown on the March 2011 Sullivan County Tax Maps.

AND WHEREAS, the City of Kingsport deems it advisable to adopt a Plan of Services for the proposed annexation area. Now, therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF KINGSFORT, TENNESSEE, AS FOLLOWS:

SECTION I. That a Plan of Services for the Shadyside Drive Annexation as bounded and described above is hereby adopted, subject to an enactment of an annexation ordinance for the annexation area, the said Plan of Services to be as follows:

**Shadyside Drive Annexation  
Plan of Services**

**1. Police Protection**

- A. On the date of annexation the Kingsport Police Department will respond to all calls for service for police protection, including criminal calls, traffic accidents and traffic related occurrences, and other prevention and interdiction calls for service.
- B. Effective with annexation, all resources currently available within the Kingsport Police Department will become available to the citizens of the area. The Kingsport Police Department has an authorized accredited force of 116 police officers and approximately 60 civilian personnel to provide services 24-hours per day, 365 days a year.
- C. The Kingsport Police Department is accredited with the Commission on Accreditation for Law Enforcement Agencies and has met 358 mandatory and 72 other-than mandatory standards in order to attain this status. Kingsport Police Department was only the third accredited department in the State of Tennessee and the first in northeast Tennessee.
- D. Upon annexation, existing police department personnel will be utilized to provide services by expanding the contiguous patrol sections to include the newly incorporated area. Existing police personnel and equipment will be shifted to provide needed coverage of the area. Each section will be patrolled by units of the Kingsport Police Department and will be augmented by other departments and units such as investigators, specialized assigned details etc.
- E. When needed, the Kingsport Police Department will hire additional police officers to provide more response to annexed areas. The officers will undergo 450 hours of basic recruit training before being certified as a police officer. Upon completion of the classroom training, the officers will undergo 480 hours of field officer training where they will work and be trained by designated training officers.
- F. The Kingsport Police Department will provide upon request crime prevention programs, traffic safety education programs, drug education/awareness programs including D.A.R.E. to the citizens of the area. Additional programs include department personnel to address groups on law enforcement topics or concerns, home and business security checks and establishing and maintaining neighborhood watch programs.

- G. The Kingsport Police Department currently maintains an approximate 5 minute average response time to emergency and urgent calls within the corporate limits.

## **2. Fire Protection**

- A. On the operative date of annexation, the City of Kingsport will answer all calls for service for fire, disaster, hazardous materials, special rescue and medical first responder. The Kingsport Fire Department goes beyond the basic fire services required of a City Government.
- B. The City of Kingsport Fire Department is an Internationally Accredited Agency, one of only three in the State of Tennessee. We operate 8 fire stations, housing fire suppression, hazardous materials, rescue and other emergency equipment. Staffed by 106 full-time professional firefighters, 24 hours a day, 365 days a year to provide service. The City of Kingsport maintains a Class 3 insurance rating saving its residents the most possible on their insurance rates. Our response time average is approximately 4 minutes, 35 seconds after we receive the call from our dispatch center.
- C. Free fire safety inspections will be available upon request on the effective date of annexation. Water lines will be upg rated within five (5) years after the effective date of annexation to provide needed fire flow to protect the properties.
- D. All structures must be brought into compliance with the City-wide smoke detector ordinance within thirty (30) days of the effective date of annexation. This is strictly to provide residents with the best fire protection service available.
- E. The City of Kingsport Fire Department has a Hazardous Materials Response Team, which has state-of-the-art equipment to handle all calls of an emergency nature dealing with incidents relating to hazardous chemicals. The department also has a Technical Rescue Team that has specialized rescue capabilities and equipment for all types of hazards.
- F. The City of Kingsport Fire Department provides First Responder emergency medical services to all life-threatening medical emergencies resulting from serious illness or injury. We provide advanced life support (paramedics) for victims until ambulance service arrives for transport.

## **3. Water**

- A. Water will be billed at in City rates rather than out of City rates, which will result in a reduction in water rates for annexed citizens already receiving City water. Those not currently receiving City water will be required to obtain a water-tap in order to obtain City water.
- B. The City of Kingsport Water Department operates and maintains a 28 MGD water filtration plant, 22 water storage tanks, 15 water booster station and over 750 miles of waterlines. The water treatment plant is staffed by state certified operators 24 hours a day, 365 days a year to provide safe drinking water to our customers.

- C. The City of Kingsport Water Department meets or exceeds water quality standards set forth by the State of Tennessee and the United States Environmental Protection Agency. The plant was the recipient of the 2005 Julian Fleming Award for Outstanding Water Treatment Plants.
- D. The Kingsport Water Treatment Plant has a capacity of 28 MGD and an average daily demand of 15 MGD leaving a surplus capacity of approximately 18 MGD for increased demand.
- E. The Water Distribution Division is managed with a professional staff who are members of key professional organizations such as: American Water Works Association, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff also hold certificates and licenses in the operations of a distribution system in the State of Tennessee.

#### 4. Electricity

Electric service in this area is currently under the jurisdiction of Johnson City Power Board and is currently available.

#### 5. Sanitary Sewer

- A. City of Kingsport sanitary sewer currently serves the annexation area.
- B. Sanitary sewer fees are based on usage of water and are a direct reflection of the amount of water used by the resident.
- C. The City of Kingsport operates and maintains a 12.4 MGD wastewater treatment plant, 88 sewer lift stations and approximately 525 miles of sanitary sewer collection lines to provide sewer service to our customers.
- D. The City of Kingsport Wastewater Treatment Plant recently experienced over 21 million dollars of improvements to provide a reliable and dependable infrastructure.
- E. The wastewater treatment plant is staffed with State Certified Operators 24 hours a day, 365 days a year. Treatment plant operators exceed State of Tennessee training requirements.
- F. The Sewer Collection Division is managed with a professional staff who are members of key professional organizations such as: Water Environment Federation, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff also hold certificates and licenses in the operations of a collection system in the State of Tennessee.

#### 6. Solid Waste Disposal

Sanitation garbage (routine household refuse), trash (grass clippings, tree trimmings, bulky items), and recycling collection will be provided to the annexed area on the same basis as that received by properties located within the existing City Limits. Collection will

begin within thirty (30) days following the effective date of annexation. Members of the collection crews receive ongoing training in their fields. The City of Kingsport also owns and operates a demolition landfill that residents can use for a fee. That landfill is supervised by a SWANA certified Manager of Landfill Operations. This supervisor also holds other certifications from SWANA and TDEC.

## **7. Public Road/Street Construction & Repair**

- A. Emergency and routine maintenance of streets and street signs, pavement markings and other traffic control devices will begin on the operative date of annexation. Emergency pot hole repairs are generally made within 24 hours of notification. Crews are available on a 24 hour basis for major emergency call-outs.
- B. Cleaning of streets of snow and ice clearing will begin on the operative date of annexation on the same basis as now provided within the present City limits. This includes major thoroughfares, State highways and emergency route to hospitals as first priority, with secondary/collector streets and finally residential streets in that order as priority II. Snow removal crews receive yearly training to help keep them up to date with changes in procedures and techniques. Snow removal crews also respond on a 24 hour emergency call in basis.
- C. Streets affected by utility construction will be repaired as soon as possible after the utility construction is completed.
- D. Routine Right of Way maintenance is also provided on the effective date of annexation. These crews include a certified Arborist, certified Pesticide Applicators, and other trained personnel to respond to emergencies and routine maintenance requests.
- E. The Streets and Sanitation Division is managed and supervised by a professional staff who are members in good standing of several Professional Organizations such as the Tennessee Chapter of the American Public Works Association, the national chapter of the American Public Works Association, the Volunteer Chapter of the Solid Waste Association of North America, the national chapter of the Solid Waste Association of North America, the Tennessee Urban Forestry Council, the Tennessee Nursery and Landscape Association, National Arbor Day Association, Tennessee Vegetation Management Association, and the Keep Kingsport Beautiful Council. The staff receives ongoing training through these Professional Organizations. Members of the staff are active in their respective organizations. Members of the staff also serve as trainers and instructors for various training venues.

## **8. Recreational Facilities**

- A. Residents of the annexed area may use existing City recreational facilities, programs, parks, etc. on the effective date of annexation at City rates rather than out of City rates.
- B. Residents of the annexed area may use all existing library facilities and will be exempt from the non-residential fee on the effective date of annexation.

- C. Residents of the annexed area (50 years or older) will be eligible to use the Senior Citizens Center with no non-residential fees and with transportation provided on the effective date of annexation.
- D. The Department of Parks and Recreation has more than 4,800 acres of city-owned land to provide parks and recreation programs to all our citizens. The amenities and programs offered by many of the parks and recreation areas through the Leisure Services Department include playing fields for baseball and softball, basketball courts, play grounds, volleyball, tennis courts, a skate park and concession areas and restrooms to serve these facilities. Other amenities offered include General meeting areas, multi-function areas, Community Centers, senior programs, Theater and Cultural Arts programs. Many of the parks have walking and hiking trails and Bays Mountain, the City's largest park, includes animal habitats, a farm area, camping sites, and a Planetarium.

## 9. Street Lighting

Within five years of the operative date of annexation the City will take over responsibility (including payment) for dusk-to-dawn lights presently in place that meet City standards. The City will request that Johnson City Power Board install additional streetlights on collector-class and lower streets in accordance with the policy on roadway lighting within five (5) years of the effective date of annexation. Lighting on minor and major arterials will be installed per prevailing City policy.

## 10. Zoning Services

- A. The area will be zoned R-1B (Residential District).
- B. The Kingsport Regional Planning Commission is the comprehensive planning agency and administers zoning and land subdivision regulations for the City of Kingsport as provided in State law. The Kingsport Regional Planning Commission consists of nine (9) commissioners appointed by the Mayor of the City of Kingsport.
- C. The Kingsport Regional Planning Commission will exercise planning and zoning activities for the area being annexed upon the operative date of annexation.
- D. Appeals to the Zoning regulations are heard by the Board of Zoning Appeals and variances are granted if the request meets the criteria established for granting variances under Tennessee Code Annotated.

## 11. Schools

- A. Upon annexation, children currently attending County schools will be allowed to attend City of Kingsport schools or remain in County schools per the prevailing County policy at the time.
- B. Tuition paid by non-city residents now attending City schools will cease upon the effective date of annexation and those students may continue to attend City schools without charge until graduation.

- C. Children at all grade levels may attend City schools tuition-free. Transportation will be provided for students, whose homes are more than 1.5 miles from their designated school, beginning with the school year following annexation.

---

The previous sections are titled and listed in the order prescribed by Tennessee Code Annotated 6-51-102(b) (2). The following sections are provided by the City of Kingsport in addition to the minimum requirements.

---

## **12. Traffic Control**

The City will verify all street name signs and traffic control devices in accordance with the Manual on Uniform Traffic Control Devices.

## **13. Inspection Services**

All inspection services now provided by the City on a fee basis (building, electrical, plumbing, gas, housing, sanitation, etc.) will begin in the annexed area on the effective date of annexation. A free safety inspection of plumbing vents will be required at the time sewer connections are made to make sure that proper protection is available to prevent sewer gas from entering houses.

## **14. Animal Control**

Animal control service equivalent to that presently provided within the City will be extended to the annexed area on the effective date of annexation.

## **15. Storm Sewers**

The installation of any needed storm sewers will be accomplished in accordance with existing standards and engineering principles provided for by present City policies. Maintenance of existing storm sewer and drainage systems is also provided on an as needed basis. Response to emergency storm drainage calls is also provided on a 24 hour call in basis.

## **16. Leaf Removal**

The City will collect loose leaves with the vacuum truck between October 15 and January 15, and it will be provided to the annexation area on the same basis as it is currently provided to other City residents beginning on the effective date of annexation. Bagged leaves are collected year round. Leaves are transported to the City's Demolition Landfill where they are composted and used as an amendment to existing dirt stockpiles. This enhanced dirt is then used on City Projects for backfill and topsoil applications.

## **17. Litter Control**

The City's litter control program will be extended to the area on the effective date of annexation. It is provided on a regular schedule along major routes and on an "as needed" basis throughout the City.

**18. Graffiti Control**

The City's graffiti control program, which is aimed at eliminating graffiti on public rights-of-way such as bridge abutments, street signs, railroad underpasses, and the like, will be extended to the area on the effective date of annexation. It is provided on an "as needed/on call" basis. Response time for "offensive" graffiti removal is generally within 48 hours.

**19. Other Services**

All other services not classified under the foregoing headings such as Executive, Judicial, Legal, Personnel, Risk Management, Fleet Maintenance, Finance and Administration and other support services will be available upon the effective date of annexation.

SECTION II. This Resolution shall be effective from and after its adoption, the public welfare requiring it.

ADOPTED this the 9th day of June 2013.

ATTEST:

\_\_\_\_\_  
DENNIS R. PHILLIPS, Mayor

\_\_\_\_\_  
JAMES H. DEMMING  
City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, City Attorney

## Kingsport Regional Planning Commission Annexation Report

File Number 13-301-00006

<b>Property Information</b>	Bennett Annexation		
<b>Address</b>	Memorial Drive		
<b>Tax Map, Group, Parcel</b>	048,036.10		
<b>Civil District</b>	7 <sup>th</sup>		
<b>Overlay District</b>	n/a		
<b>Land Use Plan Designation</b>	Single Family Residential		
<b>Acres</b>	8.8 +/-		
<b>Existing Use</b>	Commercial	<b>Existing Zoning</b>	County B-3
<b>Proposed Use</b>	Commercial	<b>Proposed Zoning</b>	City B-3
<b>Owner /Applicant Information</b>			
<b>Name:</b> Jefferson Bennett <b>Address:</b> 1 Potters Lane <b>City:</b> Savannah <b>State:</b> GA <b>Zip Code:</b> 31411 <b>Email:</b> jeffersonbennett@comcast.net  <b>Phone Number:</b> 912-308-1856		<b>Intent:</b> Annexation by request.	
<b>Planning Department Recommendation</b>			
<p><b>RECOMMENDATION: Approval to recommend the Annexation, Zoning, and Plan of Services to the BMA</b></p> <p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> <li>• <i>The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.</i></li> <li>• <i>It is reasonably necessary for the welfare of the residents and property owners of the affected territory.</i></li> <li>• <i>The City of Kingsport can provide services through its Plan of Services that the County cannot provide to the residents of the area.</i></li> <li>• <i>Annexation spurs economic growth by providing basic services at a reasonable cost and allows those costs to be spread fairly to all who enjoy those services.</i></li> <li>• <i>It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.</i></li> </ul> <p><b>Staff Field Notes and General Comments:</b> This is a property owner initiated annexation, as well a commercial annexation. Therefore, this annexation is not prohibited by public chapter 441 (recently approved annexation moratorium).</p> <p><b>Utilities:</b> Both City of Kingsport water and sanitary sewer currently serve the annexation area. The petitioned parcel has requested annexation due to the desire to develop a mix of retail and office space. The annexation area is currently undeveloped but some prior grading and stripping has taken place.-</p>			
<b>Planner:</b>	Corey Shepherd	<b>Date:</b>	May 13, 2013

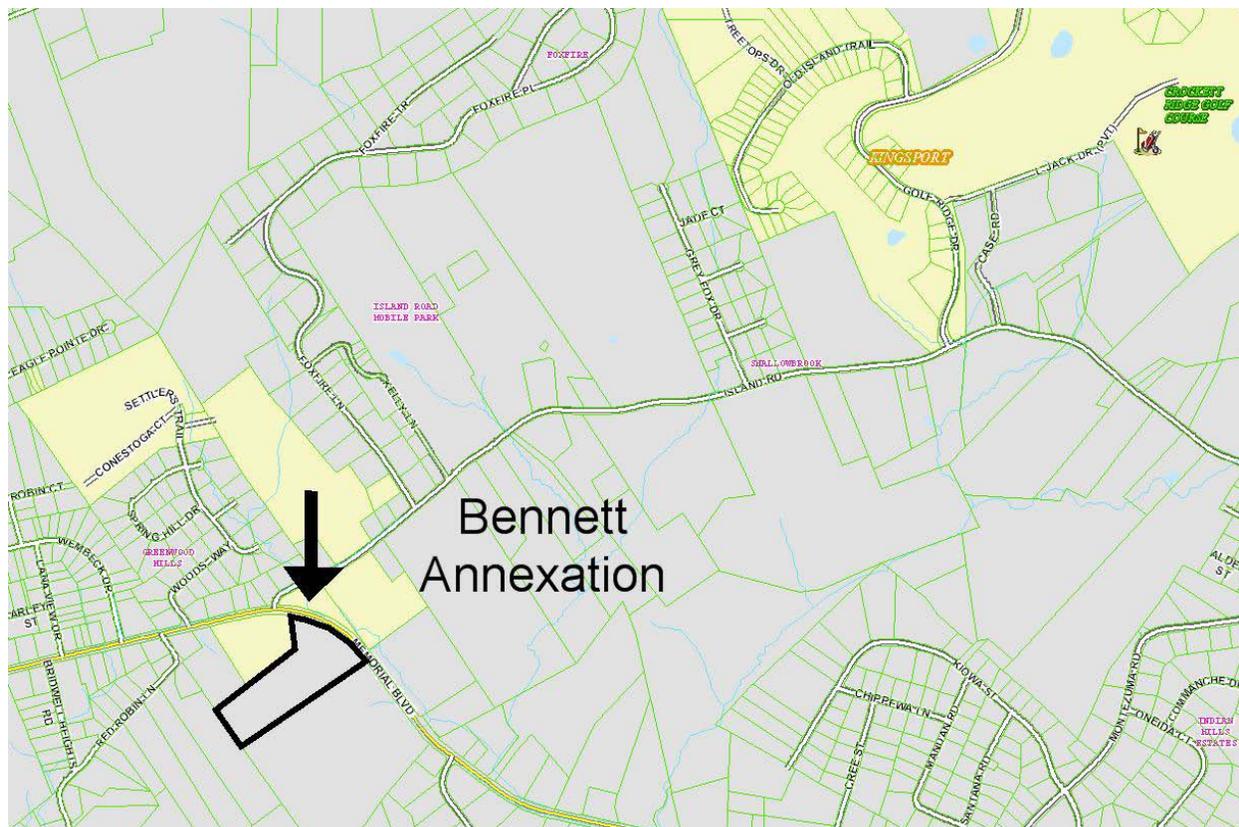
Kingsport Regional Planning Commission

Annexation Report

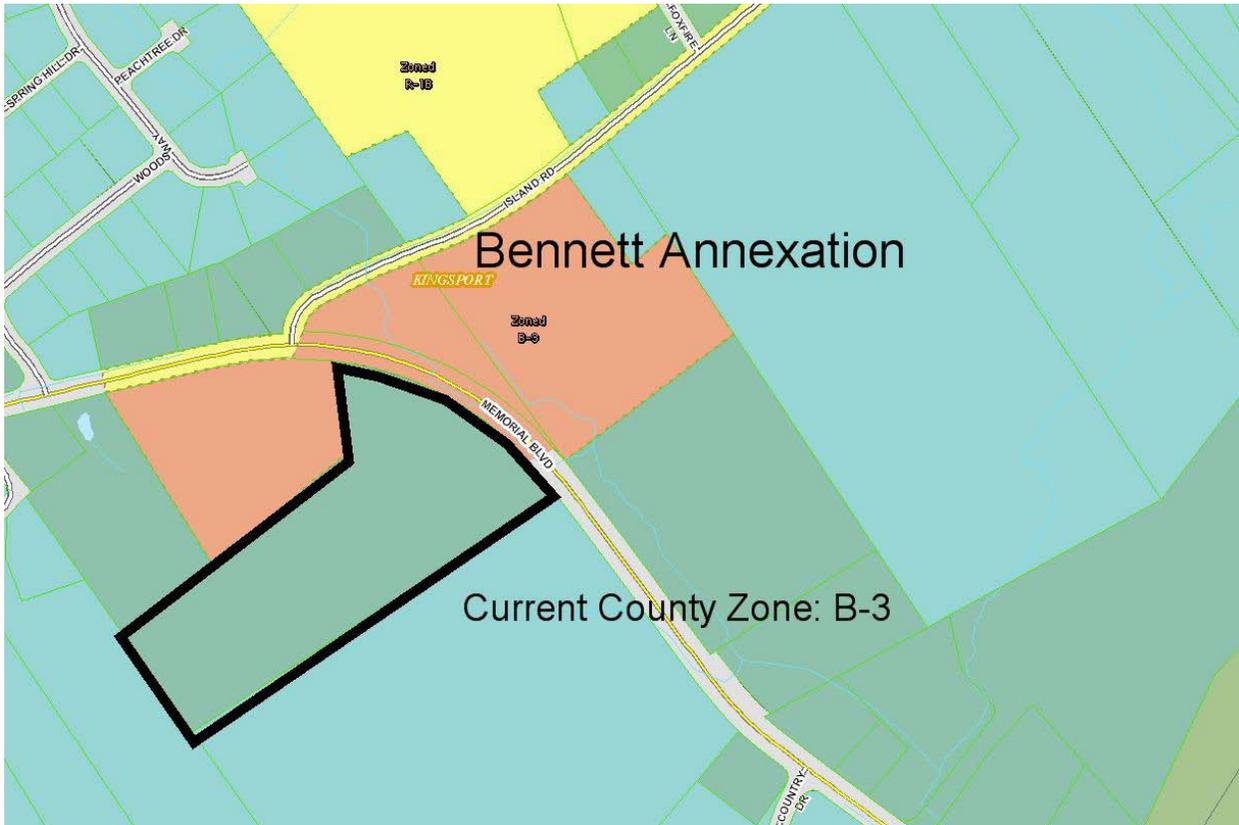
File Number 13-301-00006

Planning Commission Action		Meeting Date:	June 20, 2013
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

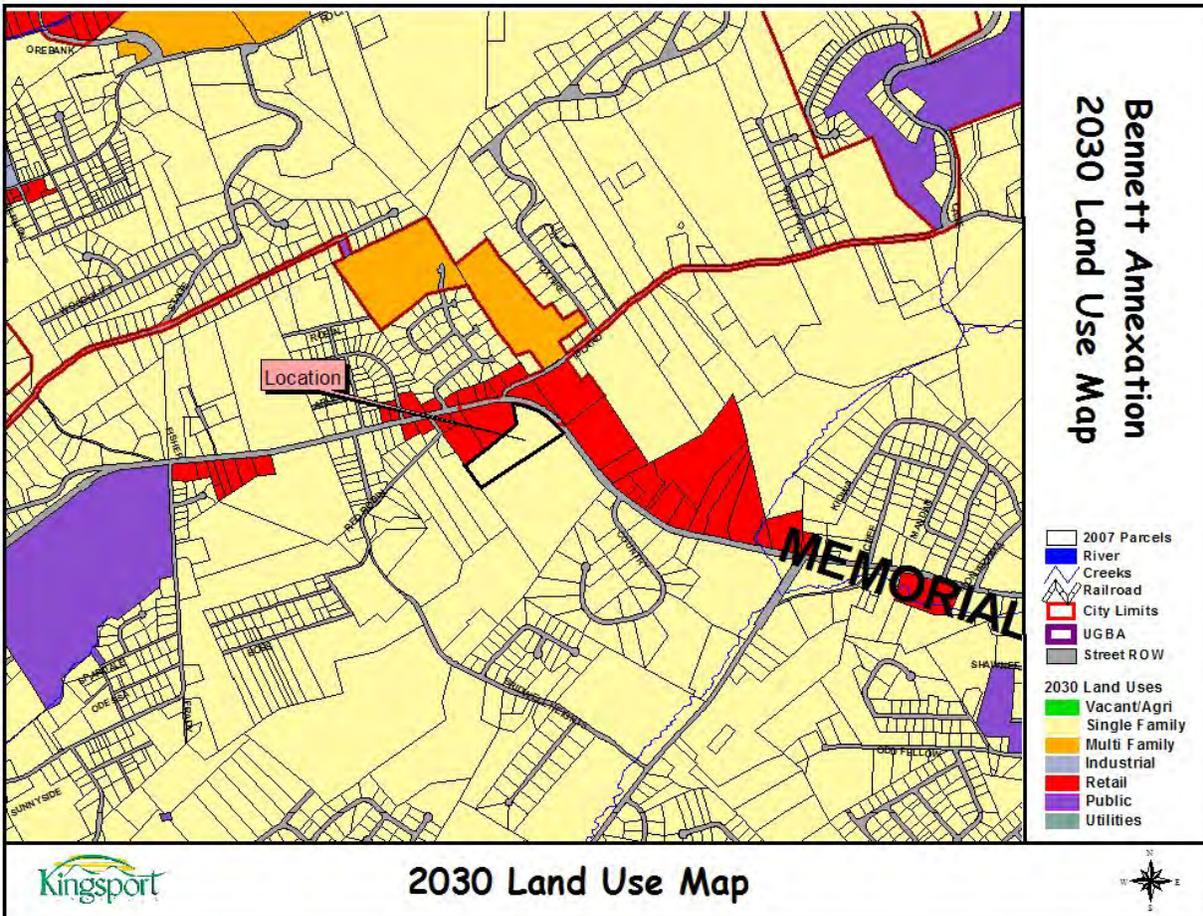
Area Map



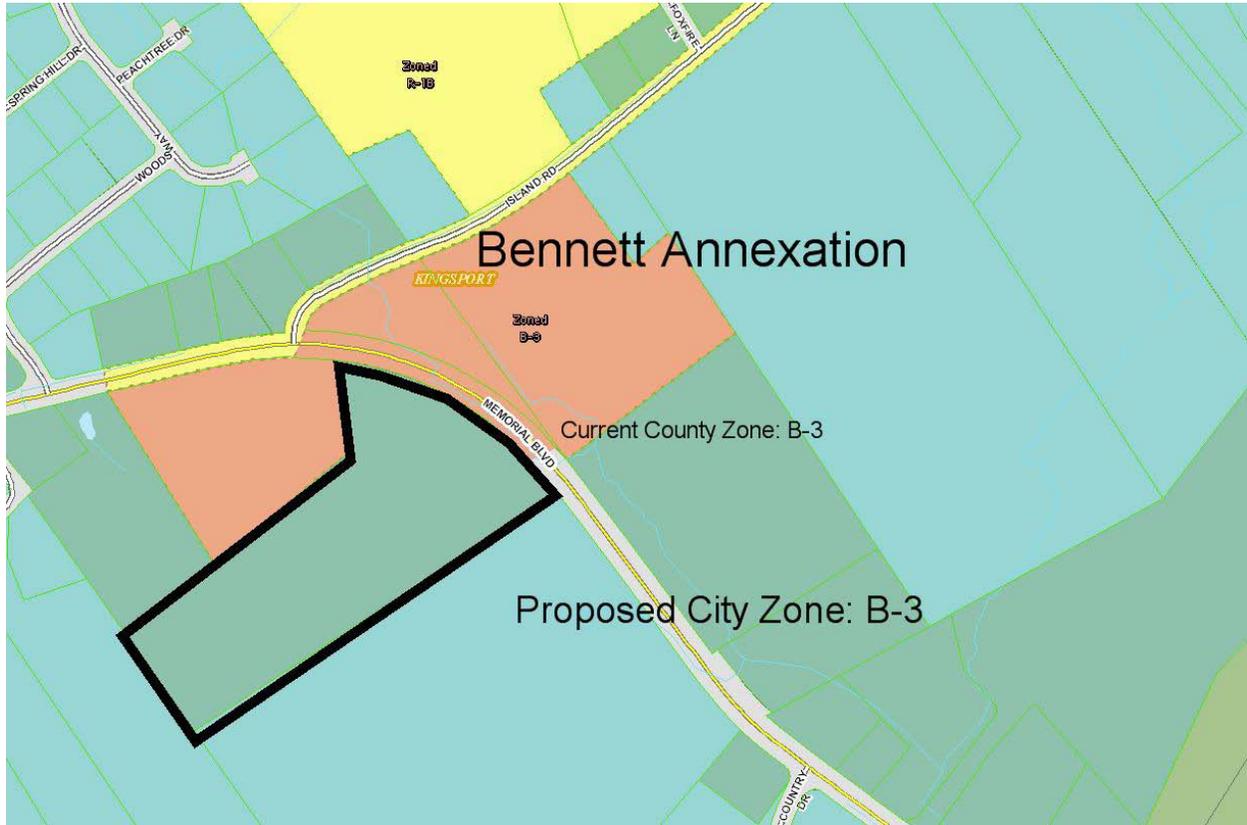
Current Zoning Map



Future Land Use Map



Proposed Zoning Map



Kingsport Regional Planning Commission

Annexation Report

File Number 13-301-00006

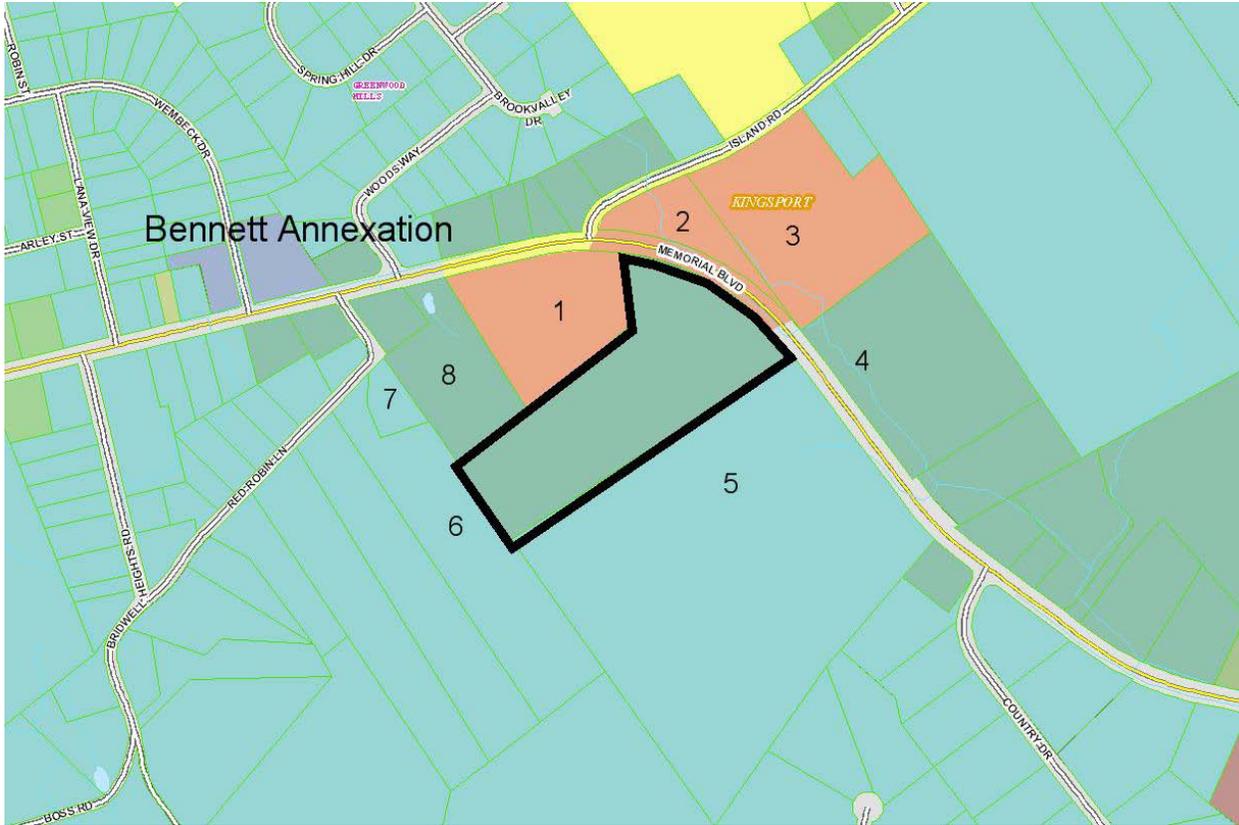
Cost

**Bennett Annexation**

**Cost Estimate/ tax records as of 1 May 2013**

Revenues	One Time	Reoccurring (annual)	
Property Taxes	X	\$568.35	
State Shared	X	\$0.00	non-residential use
Sewer Tap Fees	X	\$0.00	future taps dependent upon use
Water & Sewer Rev (loss)	X	\$0.00	
<b>Total</b>	<b>\$0.00</b>	<b>\$568.35</b>	
Expenses	One Time	Reoccurring (annual)	
<b>Operating Budget</b>			
Police & Fire Service	0.00	0.00	minimal extra area
Transit Service	0.00	0.00	
Street Lighting	0.00	0.00	
Traffic Controls	0.00	0.00	
Streets & Sanitation	0.00	0.00	
Subtotal	0.00	0.00	
<b>Capital Budget</b>			
Water	2,500.00	0.00	installation of fire hydrant
Sewer	0.00	0.00	adequate
Streets	0.00	0.00	
Subtotal	2,500.00	0.00	
<b>Grand Total</b>	<b>\$2,500.00</b>	<b>\$0.00</b>	

Existing Surrounding Land Uses



**Kingsport Regional Planning Commission**  
**Annexation Report**

**File Number 13-301-00006**

<b>Location</b>	<b>Parcel / Zoning Petition</b>	<b>Zoning / Name</b>	<b>History Zoning Action Variance Action</b>
North	<b>1</b>	<u>Zone: City B-3</u> Use: Indian Springs Shopping Center	Annexed 2007 as part of the Old Island Annexation
Northeast	<b>2</b>	<u>Zone: City B-3</u> Use: Undeveloped highway oriented business district	Annexed 2007 as part of the Old Island Annexation
East	<b>3</b>	<u>Zone: City B-3</u> Use: Large garage with a few pieces of equipment parked on the property	Annexed 2007 as part of the Old Island Annexation
Southeast	<b>4</b>	<u>Zone: County B-3</u> Use: Undeveloped highway oriented business district	No prior action known
South	<b>5</b>	<u>Zone: County R-1</u> Use: Undeveloped single family residential	No prior action known
West	<b>6</b>	<u>Zone: County R-1</u> Use: Undeveloped single family residential	No prior action known
Northwest	<b>7</b>	<u>Zone: County R-1</u> Use: Single family home	No prior action known
North	<b>8</b>	<u>Zone: County B-3</u> Use: Island Storage	No prior action known

CONCLUSION

The Kingsport Planning Division recommends approval for the following reasons:

- *The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.*
- *It is reasonably necessary for the welfare of the residents and property owners of the affected territory.*
- *The City of Kingsport can provide services through its Plan of Services that the County cannot provide to the residents of the area.*
- *Annexation spurs economic growth by providing basic services at a reasonable cost and allows those costs to be spread fairly to all who enjoy those services.*
- *It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.*

Aerial Photo



South (View of Memorial Blvd)



North (View of Indian Springs Shopping Center)



West (Rear portion of parcel)



West



Petition



CITY OF KINGSPORT, TENNESSEE  
Petition for Annexation

We, the property owners of record, hereby petition the City of Kingsport to be annexed.

1.	Name: <i>Jefferson Bennett Dev. Corp</i>	Address: <i>5217 Memorial Blvd</i>
	Parcel # (if known): <i>048 036.10</i>	Phone: <i>912.348-1856</i>
	Email Address: <i>JEFFERSONBENNETT@comcast.net</i>	# In Household & Ages: <i>0</i>
	Signature: <i>[Handwritten Signature]</i>	

2.	Name:	Address:
	Parcel # (if known):	Phone:
	Email Address:	# In Household & Ages:
	Signature:	

3.	Name:	Address:
	Parcel # (if known):	Phone:
	Email Address:	# In Household & Ages:
	Signature:	

4.	Name:	Address:
	Parcel # (if known):	Phone:
	Email Address:	# In Household & Ages:
	Signature:	

5.	Name:	Address:
	Parcel # (if known):	Phone:
	Email Address:	# In Household & Ages:
	Signature:	

**RESOLUTION NO.**

**A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE  
BENNETT ANNEXATION OF THE CITY OF KINGSPORT,  
TENNESSEE**

WHEREAS, before any territories may be annexed under Tennessee Code Annotated §6-51-102, the governing body shall have previously adopted a plan of services setting forth the identification and timing of municipal services; and

WHEREAS, before any such plan of services shall have been adopted, it must have been submitted to the local planning commission for study and a written report; and

WHEREAS, a plan of services for the proposed Bennett annexation was submitted to the Kingsport Regional Planning Commission on June 20, 2013, for its consideration and a written report; and

WHEREAS, prior to the adoption of a plan of services, the City shall hold a public hearing; and

WHEREAS, a public hearing was held July 9, 2013; and

WHEREAS, notice of the time and place of the public hearing shall be published in a newspaper of general circulation in the municipality a minimum of seven (7) days prior to the hearing; and

WHEREAS, notice of the time and place of the public hearing was published in the Kingsport Times-News on June 24, 2013; and

WHEREAS, the City of Kingsport, pursuant to the provisions of Tennessee Code Annotated, §6-51-102 has endeavored to annex a portion of the 7th Civil District of Sullivan County, Tennessee, commonly known as the Bennett annexation, said area being bounded and further described as follows:

BEGINNING at a point, said point being the southwestern corner of parcel 36.10, Tax Map 48K; thence in a northerly direction, approximately 318 feet to a point; said point being the northwestern corner of parcel 36.10; thence in a easterly direction, approximately 950 feet to a point, said point being in common with the southwestern right-of-way of Memorial Boulevard thence in a southeasterly direction; following the southwestern right-of-way of Memorial Boulevard approximately 670 feet to a point, said point being the eastern corner of parcel 36.10; thence in a westerly direction, approximately 1,094 feet to a point, said point being the BEGINNING, and being all of 36.10, Tax Maps 48F and 48K, as shown on the October 2011 Sullivan County Tax Maps.

AND WHEREAS, the City of Kingsport deems it advisable to adopt a Plan of Services for the proposed annexation area. Now, therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF KINGSPORT, TENNESSEE, AS FOLLOWS:

SECTION I. That a Plan of Services for the Bennett Annexation as bounded and described above is hereby adopted, subject to an enactment of an annexation ordinance for the annexation area, the said Plan of Services to be as follows:

## **Bennett Annexation Plan of Services**

### **1. Police Protection**

- A. On the date of annexation the Kingsport Police Department will respond to all calls for service for police protection, including criminal calls, traffic accidents and traffic related occurrences, and other prevention and interdiction calls for service.
- B. Effective with annexation, all resources currently available within the Kingsport Police Department will become available to the citizens of the area. The Kingsport Police Department has an authorized accredited force of 116 police officers and approximately 60 civilian personnel to provide services 24-hours per day, 365 days a year.
- C. The Kingsport Police Department is accredited with the Commission on Accreditation for Law Enforcement Agencies and has met 358 mandatory and 72 other-than mandatory standards in order to attain this status. Kingsport Police Department was only the third accredited department in the State of Tennessee and the first in northeast Tennessee.
- D. Upon annexation, existing police department personnel will be utilized to provide services by expanding the contiguous patrol sections to include the newly incorporated area. Existing police personnel and equipment will be shifted to provide needed coverage of the area. Each section will be patrolled by units of the Kingsport Police Department and will be augmented by other departments and units such as investigators, specialized assigned details etc.
- E. When needed, the Kingsport Police Department will hire additional police officers to provide more response to annexed areas. The officers will undergo 450 hours of basic recruit training before being certified as a police officer. Upon completion of the classroom training, the officers will undergo 480 hours of field officer training where they will work and be trained by designated training officers.
- F. The Kingsport Police Department will provide upon request crime prevention programs, traffic safety education programs, drug education/awareness programs including D.A.R.E. to the citizens of the area. Additional programs include department personnel to address groups on law enforcement topics or concerns, home and business security checks and establishing and maintaining neighborhood watch programs.
- G. The Kingsport Police Department currently maintains an approximate 5 minute average response time to emergency and urgent calls within the corporate limits.

## 2. Fire Protection

- A. On the operative date of annexation, the City of Kingsport will answer all calls for service for fire, disaster, hazardous materials, special rescue and medical first responder. The Kingsport Fire Department goes beyond the basic fire services required of a City Government.
- B. The City of Kingsport Fire Department is an Internationally Accredited Agency, one of only three in the State of Tennessee. We operate 8 fire stations, housing fire suppression, hazardous materials, rescue and other emergency equipment. Staffed by 106 full-time professional firefighters, 24 hours a day, 365 days a year to provide service. The City of Kingsport maintains a Class 3 insurance rating saving its residents the most possible on their insurance rates. Our response time average is approximately 4 minutes, 35 seconds after we receive the call from our dispatch center.
- C. Free fire safety inspections will be available upon request on the effective date of annexation. Water lines will be upg rated within five (5) years after the effective date of annexation to provide needed fire flow to protect the properties.
- D. All structures must be brought into compliance with the City-wide smoke detector ordinance within thirty (30) days of the effective date of annexation. This is strictly to provide residents with the best fire protection service available.
- E. The City of Kingsport Fire Department has a Hazardous Materials Response Team, which has state-of-the-art equipment to handle all calls of an emergency nature dealing with incidents relating to hazardous chemicals. The department also has a Technical Rescue Team that has specialized rescue capabilities and equipment for all types of hazards.
- F. The City of Kingsport Fire Department provides First Responder emergency medical services to all life-threatening medical emergencies resulting from serious illness or injury. We provide advanced life support (paramedics) for victims until ambulance service arrives for transport.

## 3. Water

- A. Water will be billed at in City rates rather than out of City rates, which will result in a reduction in water rates for annexed citizens already receiving City water. Those not currently receiving City water will be required to obtain a water-tap in order to obtain City water.
- B. The City of Kingsport Water Department operates and maintains a 28 MGD water filtration plant, 22 water storage tanks, 15 water booster station and over 750 miles of waterlines. The water treatment plant is staffed by state certified operators 24 hours a day, 365 days a year to provide safe drinking water to our customers.
- C. The City of Kingsport Water Department meets or exceeds water quality standards set forth by the State of Tennessee and the United States Environmental Protection

Agency. The plant was the recipient of the 2005 Julian Fleming Award for Outstanding Water Treatment Plants.

- D. The Kingsport Water Treatment Plant has a capacity of 28 MGD and an average daily demand of 15 MGD leaving a surplus capacity of approximately 18 MGD for increased demand.
- E. The Water Distribution Division is managed with a professional staff who are members of key professional organizations such as: American Water Works Association, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff also hold certificates and licenses in the operations of a distribution system in the State of Tennessee.

#### **4. Electricity**

Electric service in this area is currently under the jurisdiction of American Electric Power and is currently available.

#### **5. Sanitary Sewer**

- A. City of Kingsport sanitary sewer currently serves the annexation area.
- B. Sanitary sewer fees are based on usage of water and a direct reflection of the amount of water used by the resident.
- C. The City of Kingsport operates and maintains a 12.4 MGD wastewater treatment plant, 88 sewer lift stations and approximately 525 miles of sanitary sewer collection lines to provide sewer service to our customers.
- D. The City of Kingsport Wastewater Treatment Plant recently experienced over 21 million dollars of improvements to provide a reliable and dependable infrastructure.
- E. The wastewater treatment plant is staffed with State Certified Operators 24 hours a day, 365 days a year. Treatment plant operators exceed State of Tennessee training requirements.
- F. The Sewer Collection Division is managed with a professional staff who are members of key professional organizations such as: Water Environment Federation, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff also hold certificates and licenses in the operations of a collection system in the State of Tennessee.

#### **6. Solid Waste Disposal**

Sanitation garbage (routine household refuse), trash (grass clippings, tree trimmings, bulky items), and recycling collection will be provided to the annexed area on the same basis as that received by properties located within the existing City Limits. Collection will begin within thirty (30) days following the effective date of annexation. Members of the collection crews receive ongoing training in their fields. The City of Kingsport also owns

and operates a demolition landfill that residents can use for a fee. That landfill is supervised by a SWANA certified Manager of Landfill Operations. This supervisor also holds other certifications from SWANA and TDEC.

## **7. Public Road/Street Construction & Repair**

- A. Emergency and routine maintenance of streets and street signs, pavement markings and other traffic control devices will begin on the operative date of annexation. Emergency pot hole repairs are generally made within 24 hours of notification. Crews are available on a 24 hour basis for major emergency call-outs.
- B. Cleaning of streets of snow and ice clearing will begin on the operative date of annexation on the same basis as now provided within the present City limits. This includes major thoroughfares, State highways and emergency route to hospitals as first priority, with secondary/collector streets and finally residential streets in that order as priority II. Snow removal crews receive yearly training to help keep them up to date with changes in procedures and techniques. Snow removal crews also respond on a 24 hour emergency call in basis.
- C. Streets affected by utility construction will be repaired as soon as possible after the utility construction is completed.
- D. Routine Right of Way maintenance is also provided on the effective date of annexation. These crews include a certified Arborist, certified Pesticide Applicators, and other trained personnel to respond to emergencies and routine maintenance requests.
- E. The Streets and Sanitation Division is managed and supervised by a professional staff who are members in good standing of several Professional Organizations such as the Tennessee Chapter of the American Public Works Association, the national chapter of the American Public Works Association, the Volunteer Chapter of the Solid Waste Association of North America, the national chapter of the Solid Waste Association of North America, the Tennessee Urban Forestry Council, the Tennessee Nursery and Landscape Association, National Arbor Day Association, Tennessee Vegetation Management Association, and the Keep Kingsport Beautiful Council. The staff receives ongoing training through these Professional Organizations. Members of the staff are active in their respective organizations. Members of the staff also serve as trainers and instructors for various training venues.

## **8. Recreational Facilities**

- A. Residents of the annexed area may use existing City recreational facilities, programs, parks, etc. on the effective date of annexation at City rates rather than out of City rates.
- B. Residents of the annexed area may use all existing library facilities and will be exempt from the non-residential fee on the effective date of annexation.

- C. Residents of the annexed area (50 years or older) will be eligible to use the Senior Citizens Center with no non-residential fees and with transportation provided on the effective date of annexation.
- D. The Department of Parks and Recreation has more than 4,800 acres of city-owned land to provide parks and recreation programs to all our citizens. The amenities and programs offered by many of the parks and recreation areas through the Leisure Services Department include playing fields for baseball and softball, basketball courts, play grounds, volleyball, tennis courts, a skate park and concession areas and restrooms to serve these facilities. Other amenities offered include General meeting areas, multi-function areas, Community Centers, senior programs, Theater and Cultural Arts programs. Many of the parks have walking and hiking trails and Bays Mountain, the City's largest park, includes animal habitats, a farm area, camping sites, and a Planetarium.

## 9. Street Lighting

Within five years of the operative date of annexation the City will take over responsibility (including payment) for dusk-to-dawn lights presently in place that meet City standards. The City will request that Johnson City Power Board install additional streetlights on collector-class and lower streets in accordance with the policy on roadway lighting within five (5) years of the effective date of annexation. Lighting on minor and major arterials will be installed per prevailing City policy.

## 10. Zoning Services

- A. The area will be zoned B-3 (Highway-Oriented Business District).
- B. The Kingsport Regional Planning Commission is the comprehensive planning agency and administers zoning and land subdivision regulations for the City of Kingsport as provided in State law. The Kingsport Regional Planning Commission consists of nine (9) commissioners appointed by the Mayor of the City of Kingsport.
- C. The Kingsport Regional Planning Commission will exercise planning and zoning activities for the area being annexed upon the operative date of annexation.
- D. Appeals to the Zoning regulations are heard by the Board of Zoning Appeals and variances are granted if the request meets the criteria established for granting variances under Tennessee Code Annotated.

## 11. Schools

- A. Upon annexation, children currently attending County schools will be allowed to attend City of Kingsport schools or remain in County schools per the prevailing County policy at the time.
- B. Tuition paid by non-city residents now attending City schools will cease upon the effective date of annexation and those students may continue to attend City schools without charge until graduation.

- C. Children at all grade levels may attend City schools tuition-free. Transportation will be provided for students, whose homes are more than 1.5 miles from their designated school, beginning with the school year following annexation.

---

The previous sections are titled and listed in the order prescribed by Tennessee Code Annotated 6-51-102(b) (2). The following sections are provided by the City of Kingsport in addition to the minimum requirements.

---

## **12. Traffic Control**

The City will verify all street name signs and traffic control devices in accordance with the Manual on Uniform Traffic Control Devices.

## **13. Inspection Services**

All inspection services now provided by the City on a fee basis (building, electrical, plumbing, gas, housing, sanitation, etc.) will begin in the annexed area on the effective date of annexation. A free safety inspection of plumbing vents will be required at the time sewer connections are made to make sure that proper protection is available to prevent sewer gas from entering houses.

## **14. Animal Control**

Animal control service equivalent to that presently provided within the City will be extended to the annexed area on the effective date of annexation.

## **15. Storm Sewers**

The installation of any needed storm sewers will be accomplished in accordance with existing standards and engineering principles provided for by present City policies. Maintenance of existing storm sewer and drainage systems is also provided on an as needed basis. Response to emergency storm drainage calls is also provided on a 24 hour call in basis.

## **16. Leaf Removal**

The City will collect loose leaves with the vacuum truck between October 15 and January 15, and it will be provided to the annexation area on the same basis as it is currently provided to other City residents beginning on the effective date of annexation. Bagged leaves are collected year round. Leaves are transported to the City's Demolition Landfill where they are composted and used as an amendment to existing dirt stockpiles. This enhanced dirt is then used on City Projects for backfill and topsoil applications.

## **17. Litter Control**

The City's litter control program will be extended to the area on the effective date of annexation. It is provided on a regular schedule along major routes and on an "as needed" basis throughout the City.

**18. Graffiti Control**

The City's graffiti control program, which is aimed at eliminating graffiti on public rights-of-way such as bridge abutments, street signs, railroad underpasses, and the like, will be extended to the area on the effective date of annexation. It is provided on an "as needed/on call" basis. Response time for "offensive" graffiti removal is generally within 48 hours.

**19. Other Services**

All other services not classified under the foregoing headings such as Executive, Judicial, Legal, Personnel, Risk Management, Fleet Maintenance, Finance and Administration and other support services will be available upon the effective date of annexation.

SECTION II. This Resolution shall be effective from and after its adoption, the public welfare requiring it.

ADOPTED this the 9<sup>th</sup> day of July 2013.

ATTEST:

\_\_\_\_\_  
DENNIS R. PHILLIPS, Mayor

\_\_\_\_\_  
JAMES H. DEMMING  
City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, City Attorney

**BY-LAWS  
KINGSPORT REGIONAL PLANNING COMMISSION**

ARTICLE I

Objective

The objectives, powers, duties, and membership of the Kingsport Regional Planning Commission shall be as set forth in Sections 13-3-102 thru 13-3-104 and 13-4-101 thru 13-4-103 of the Tennessee Code Annotated, and amendments and supplements thereto.

The Planning Commission shall act in accordance with the above mentioned laws and such other laws as are applicable.

ARTICLE II

Officers

Section 1. The officers of the Planning Commission shall be Chairman, Vice Chairman, and Secretary. The Chairman and Vice-Chairman shall be appointive members of the Commission. The Planning Director shall serve as a non-voting Secretary of the Commission.

Section 2. The Chairman shall preside at all meetings and hearings and shall have the duties common to parliamentary usage of that office. The Chairman may vote on and enter the discussion on all matters before the Commission.

Section 3. The Vice Chairman shall act for the Chairman in his absence.

Section 4. The Secretary shall validate the minutes and records of the Commission and perform other duties common to this office. Should the Secretary be unavailable, the Chairman shall perform all duties of the Secretary.

Section 5. Officers shall be elected by majority vote at the annual organization meeting in July of each year. Nominations may be made by a committee of three Planning Commission members appointed by the Chairman in June of each year, or nominations may be made from the floor.

Section 6. The Chairman and Vice Chairman shall be elected for one year terms and may succeed themselves up to four (4) consecutive terms. Vacancies in office shall be filled immediately for the unexpired term by regular election procedure.

ARTICLE III

Meetings

Section 1. Regular meetings shall be held on the third Thursday of each month.

Section 2. Five members of the Planning Commission shall constitute a quorum. A quorum must be present for any business to be transacted.

By-Laws  
Kingsport Regional Planning Commission

Section 3. All meetings and hearings shall be open to the public.

Section 4. Robert's Rules of Order shall govern meetings. However, the Commission shall establish procedures of the Planning Commission which shall delineate how the business of the Commission shall be conducted, other than Robert's Rules of Order.

Section 5. Special meetings may be called by the Chairman. In addition, the Chairman will call a special meeting when requested to do so in writing by a majority (5) of the Planning Commission members. The staff shall attempt to notify all members at least five (5) days in advance of the proposed meeting. The notice shall specify the purpose(s) of the meeting and no other business will be considered except by unanimous consent of the members in attendance.

#### ARTICLE IV

##### Amendments

These BY-LAWS may be amended by the affirmative vote of 2/3 of the entire Planning Commission membership.



## CITY OF KINGSPORT, TENNESSEE

June 4, 2013

Mr. Dennis Ward, Chairman  
Kingsport Regional Planning Commission  
225 W. Center Street  
Kingsport, TN 37660

Dear Mr. Ward:

This letter is to inform you that I, as Secretary for the Kingsport Regional Planning Commission, certify that the resubdivision of the Roy Bailey Subdivision on John B. Dennis Highway, surveyed by Tim Lingerfelt RLS, meets the Minimum Standards for Subdivision Development of Minor Subdivision Within the Kingsport Planning Region. The staff certifies the plat is acceptable to be signed by the Secretary of the Planning Commission for recording purposes.

Sincerely,



Lynn Tully  
Planning Manager

C: Kingsport Regional Planning Commission







## CITY OF KINGSPORT, TENNESSEE

May 22, 2013

Mr. Dennis Ward, Chairman  
Kingsport Regional Planning Commission  
225 W. Center Street  
Kingsport, TN 37660

Dear Mr. Ward:

This letter is to inform you that I, as Secretary for the Kingsport Regional Planning Commission, certify that the resubdivision of the Mabel Ford Todd Subdivision on Pactolus Road, surveyed by Danny Carr RLS, meets the Minimum Standards for Subdivision Development of Minor Subdivision Within the Kingsport Planning Region. The staff certifies the plat is acceptable to be signed by the Secretary of the Planning Commission for recording purposes.

Sincerely,

Lynn Tully  
Planning Manager

C: Kingsport Regional Planning Commission







## CITY OF KINGSPORT, TENNESSEE

May 24, 2013

Mr. Dennis Ward, Chairman  
Kingsport Regional Planning Commission  
225 W. Center Street  
Kingsport, TN 37660

Dear Mr. Ward:

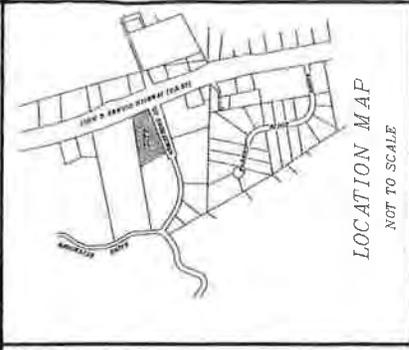
This letter is to inform you that I, as Secretary for the Kingsport Regional Planning Commission, certify that the resubdivision of the Hood and Simpson Subdivision on John B. Dennis Highway, surveyed by Joe Connelly RLS, meets the Minimum Standards for Subdivision Development of Minor Subdivision Within the Kingsport Planning Region. The staff certifies the plat is acceptable to be signed by the Secretary of the Planning Commission for recording purposes.

Sincerely,

Lynn Tully  
Planning Manager

C: Kingsport Regional Planning Commission

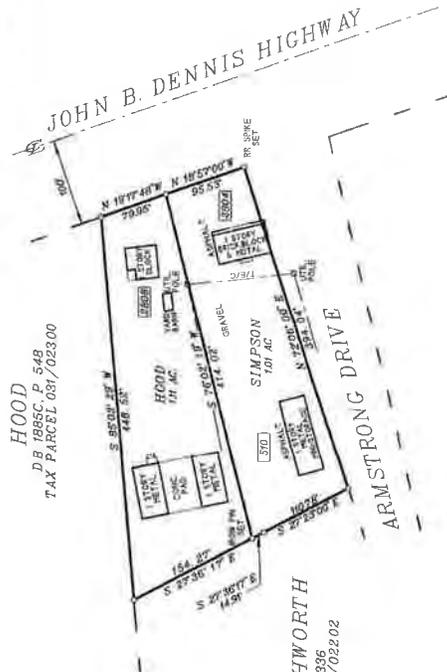




LOCATION MAP  
NOT TO SCALE



HOOD  
D.B. 1885C, P. 548  
TAX PARCEL 031/02300



WEBB & ASHWORTH  
D.B. 383A, P. 396  
TAX PARCEL 031/02202

AFTER RESUBDIVISION

NOTES:

1. PROPERTIES ARE ZONED B-3  
SETBACKS:  
30' FRONT  
5' REAR  
5' EACH SIDE OF COMMON INTERIOR LINE  
SETBACKS TO CONFORM TO ZONING DESIGNATION
2. THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL FLOOD INSURANCE ADMINISTRATION BUREAU AND DETERMINED THAT THE SUBJECT PROPERTIES ARE NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.
3. IRON PINS FOUND ON ALL CORNERS UNLESS OTHERWISE NOTED
4. 7.5' UTILITY AND DRAINAGE EASEMENT ALONG SIDE AND REAR LOT LINES, IS ALONG FRONT OF LOTS
5. RECORD DOCUMENTS:  
HOOD PROPERTY DEED BOOK 2487C, PAGE 421, TAX MAP 031, PARCEL 02210  
SIMPSON PROPERTY DEED BOOK 2903C, PAGE 358, TAX MAP 031, PARCELS 02206 & 02207  
PLAT OF DIVISION OF SHIVLEY PROPERTY, PLAT BOOK 52, PAGE 676
6. [ ] INDICATES SH ADDRESS

RESUBDIVISION OF HOOD AND SIMPSON PROPERTIES	
KINGSFORD REGIONAL PLANNING COMMISSION	TOTAL ACRES - 2.12 AC.±
TOTAL LOTS - 7	MILES NEW ROAD - 0
CIVIL DISTRICT - 1118	CLOSURE ERROR 0.10
SURVEYOR - JOSEPH O. CONNELLY	
SCALE 1" = 100'	

CERTIFICATE OF APPROVAL FOR RECORDING  
I HEREBY CERTIFY THAT THE SUBDIVISION PLAT IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE PLANNING COMMISSION AND THE CIVIL DISTRICT AND IS HEREBY APPROVED FOR RECORDING.  
DATE: \_\_\_\_\_  
KINGSFORD MUNICIPAL / REGIONAL PLANNING COMMISSION

CERTIFICATION OF APPROVAL OF PUBLIC WATER SYSTEM  
I HEREBY CERTIFY THAT THE PUBLIC WATER UTILITY SYSTEM INSTALLED OR PROPOSED FOR INSTALLATION FULLY MEETS THE REQUIREMENTS OF THE PLANNING COMMISSION AND THE CIVIL DISTRICT AND IS HEREBY APPROVED FOR RECORDING.  
DATE: \_\_\_\_\_  
KINGSFORD MUNICIPAL / REGIONAL PLANNING COMMISSION

CERTIFICATION OF THE APPROVAL OF STREETS  
I HEREBY CERTIFY THAT THE STREETS HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO THE REQUIREMENTS OF THE PLANNING COMMISSION AND THE CIVIL DISTRICT AND IS HEREBY APPROVED FOR RECORDING.  
DATE: \_\_\_\_\_  
KINGSFORD MUNICIPAL / REGIONAL PLANNING COMMISSION

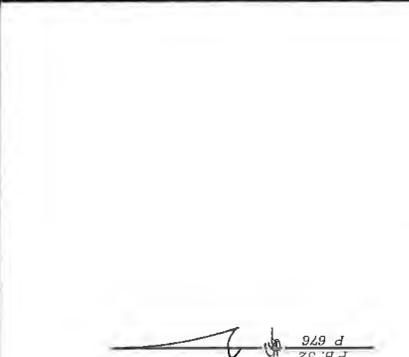
CERTIFICATE OF ACCURACY  
I HEREBY CERTIFY THAT THE PLAN SHOWING AND DESCRIBED HEREIN IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORDS AND THAT THE INFORMATION CONTAINED THEREIN IS TRUE AND CORRECT.  
DATE: \_\_\_\_\_  
KINGSFORD MUNICIPAL / REGIONAL PLANNING COMMISSION

CERTIFICATE OF OWNERSHIP AND DEDICATION  
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREIN AND I HEREBY DEDICATE THE SAME TO THE PUBLIC FOR THE USE AND ENJOYMENT OF THE PEOPLE OF THE CITY OF KINGSFORD, TENNESSEE.  
DATE: \_\_\_\_\_  
KINGSFORD MUNICIPAL / REGIONAL PLANNING COMMISSION

CERTIFICATION OF THE APPROVAL FOR THE ADDRESSING ASSIGNMENT  
I HEREBY CERTIFY THAT THE ADDRESSES AS NOTED ON THE FINAL PLAT ARE APPROVED AS ASSIGNED.  
DATE: \_\_\_\_\_  
CITY, CLS DIVISION OF COUNTY DIRECTOR OF ADDRESSING OR NEIGHBOR AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL OF SWAGE SYSTEM  
I HEREBY CERTIFY THAT THE SWAGE OVERSIGHT SYSTEM INSTALLED OR PROPOSED FOR INSTALLATION FULLY MEETS THE REQUIREMENTS OF THE PLANNING COMMISSION AND THE CIVIL DISTRICT AND IS HEREBY APPROVED AS SHOWN.  
DATE: \_\_\_\_\_  
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

CERTIFICATE OF OWNERSHIP AND DEDICATION  
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREIN AND I HEREBY DEDICATE THE SAME TO THE PUBLIC FOR THE USE AND ENJOYMENT OF THE PEOPLE OF THE CITY OF KINGSFORD, TENNESSEE.  
DATE: \_\_\_\_\_  
KINGSFORD MUNICIPAL / REGIONAL PLANNING COMMISSION



LOCATION MAP  
NOT TO SCALE



HOOD  
D.B. 1885C, P. 548  
TAX PARCEL 031/02300



WEBB & ASHWORTH  
D.B. 383A, P. 396  
TAX PARCEL 031/02202

BEFORE RESUBDIVISION

CONNELLY LAND SURVEYING  
P.O. BOX 276  
KINGSFORD, TENNESSEE 37662  
PHONE: (423) 246-8640



## CITY OF KINGSPORT, TENNESSEE

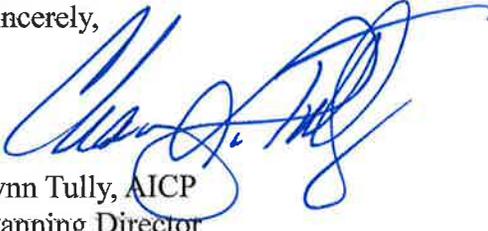
May 13, 2013

Mr. Dennis Ward, Chairman  
Kingsport Regional Planning Commission  
225 W. Center Street  
Kingsport, TN 37660

Dear Mr. Ward:

This letter is to inform you that I, as Interim Secretary for the Kingsport Regional Planning Commission, certify that the resubdivision of the Taylor Property Replat on Memorial Blvd., surveyed by Tim Lingerfelt, RLS, meets the Minimum Standards for Subdivision Development of Minor Subdivision Within the Kingsport Planning Region. The staff certifies the plat is acceptable to be signed by the Secretary of the Planning Commission for recording purposes.

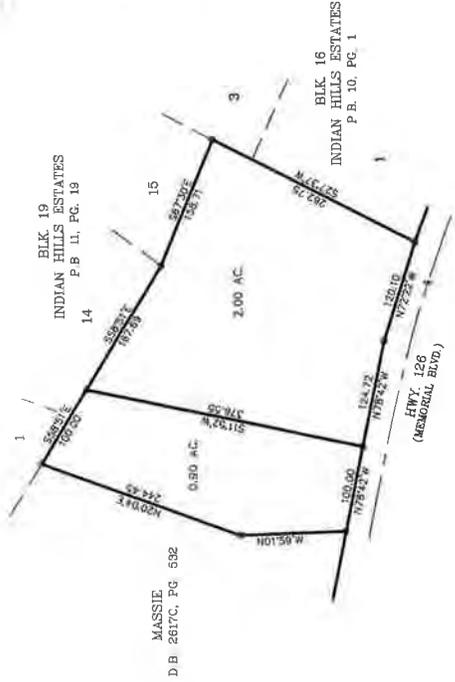
Sincerely,



Lynn Tully, AICP  
Planning Director

C: Kingsport Regional Planning Commission

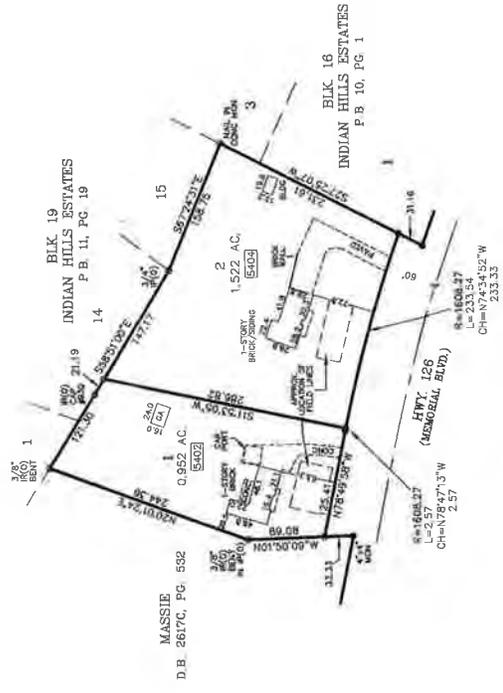




**BEFORE**

**NOTES:**

- 1) 7.5' DRAINAGE AND UTILITY EASEMENT ALONG SIDE AND REAR LOT LINES.
- 2) IRON RODS ON ALL CORNERS UNLESS NOTED.
- 3) BUILDING SETBACKS TO CONFORM WITH ZONING.
- 4) PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.
- 5) JOB NO. 93-2563.
- 6) TAX MAP 48-L "D" PARCEL 33.
- 7) BEARINGS BASED ON S88°51'E INDIAN HILL ESTATES P.B. 37, PG. 62



**AFTER**

**NOTES:**

- 1) NORTH BASED ON PRIOR RECORDED PLAT
- 2) PROPERTY IS ZONED R-1  
SETBACKS:  
FRONT 30'  
REAR 30'  
SIDE 12'
- 3) SETBACKS TO CONFORM TO ZONING DESIGNATION  
THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL FLOOD  
INSURANCE ADMINISTRATION BOUNDARY MAP 47163000700.  
EFFECTIVE DATE SEPTEMBER 28, 2006 AND FOUND THAT THE ABOVE  
PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.
- 4) JOB NO. 13-9286
- 5) ACAD FILE 13-9286 TAYLOR.DWG
- 6) FIELD INFORMATION ELECTRONIC DATA COLLECTED
- 7) TAX MAP 48-L "D" PARCELS 33 AND 33.10
- 8) DEED REFERENCE: D.B. 388A, PAGE 514 AND D.B. 1009C, PAGE 501
- 9) PRIOR PLAT REFERENCE: PLAT BOOK 39, PAGE 36
- 10) 5/8" IRON RODS SET ON ALL CORNERS UNLESS OTHERWISE NOTED.

- LEGEND**
- IR(O) IRON ROD, OLD
  - IP(O) IRON PIPE, OLD
  - CONC CONCRETE
  - CONC CONC
  - HWY HIGHWAY
  - D.B. DEED BOOK
  - P.C. PAGE
  - P.B. PLAT BOOK
  - E. EASEMENT
  - ACC ACCESS
  - BLDG BUILDING
  - GA GARAGE
  - R. RADIUS
  - L. LENGTH
  - CH. CHORD
  - C.S. CURVES
  - [23] 911 ADDRESS



06/10/2013 - 03:34:26 PM	
13009004	
PLAT BOOK 134	
PAGE 130-135	
DATE	13.00
PLAT FEE	3.00
ARC FEE	0.05
TOTAL	16.05
STATE OF TENNESSEE, CLERK OF COURT	
BART LONG	
COUNTY CLERK	

<p><b>CERTIFICATE OF OWNERSHIP AND REDUCTION</b></p> <p>I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN AND I HAVE REVIEWED THE PLAN AND THE SURVEY TO THE ACCURACY REQUIRED BY THE TENNESSEE SUBDIVISION ACT AND I HAVE DECIDED TO PUBLIC OR PRIVATE USE AS NOTED.</p> <p>DATE: 05/07/13</p> <p>OWNER: ALLEY &amp; ASSOCIATES, INC.</p>	<p><b>CERTIFICATE OF APPROVAL</b></p> <p>I HEREBY CERTIFY THAT THE PLAN SHOWN AND SURVEY TO THE ACCURACY REQUIRED BY THE TENNESSEE SUBDIVISION ACT AND I HAVE DECIDED TO PUBLIC OR PRIVATE USE AS NOTED.</p> <p>DATE: 05/07/13</p> <p>TOWN: KINGSFORD</p> <p>COMMISSIONER: [Signature]</p>
<p><b>CERTIFICATE OF THE APPROVAL OF THE ADDRESSING ASSOCIATION</b></p> <p>I HEREBY CERTIFY THAT THE ADDRESSES AS NOTED ON THE FINAL PLAT ARE APPROVED AS ASSIGNED.</p> <p>DATE: 05/06/13</p> <p>ADDRESSING DIRECTOR: [Signature]</p>	<p><b>CERTIFICATE OF THE APPROVAL OF THE SEWERAGE SYSTEM</b></p> <p>HAS NOT BEEN EVALUATED PURSUANT TO THE PLAT REVIEW FOR THE KINGSFORD WATER UTILITY SYSTEM AND IS HEREBY APPROVED.</p> <p>DATE: 05/07/13</p> <p>SEWERAGE ENGINEER: [Signature]</p>

**ALLEY & ASSOCIATES, INC.**  
SURVEYORS  
248 E. MARKET STREET, KINGSFORD, TENNESSEE 37060  
TELEPHONE (629) 392-8088  
FAX: (629) 392-8988  
E-MAIL: taylor@alleyassociates.com



**DIVISION OF TAYLOR PROPERTY**

**KINGSFORD REGIONAL PLANNING COMMISSION**

TOTAL ACRES: 2.474 TOTAL LOTS: 2

ACRES NEW ROAD: 0 MILES NEW ROAD: 0

OWNER: CLAUDE TAYLOR, et al. CDTL DISTRICT 7TH

SURVEYOR: ALLEY & ASSOCIATES, INC. CLASSIFIER: BRADY, 1310.000

SCALE: 1" = 100'

**CERTIFICATE OF APPROVAL FOR RECORDATION**

I HEREBY CERTIFY THAT THIS INSTRUMENT HAS BEEN REVIEWED BY THE KINGSFORD REGIONAL PLANNING COMMISSION AND THAT THE INSTRUMENT IS IN ACCORDANCE WITH THE PLANNING COMMISSION'S POLICY AND THAT THE INSTRUMENT IS IN ACCORDANCE WITH THE PLANNING COMMISSION'S POLICY AND THAT THE INSTRUMENT IS IN ACCORDANCE WITH THE PLANNING COMMISSION'S POLICY.

DATE: 05/07/13

COMMISSIONER: [Signature]



## CITY OF KINGSPORT, TENNESSEE

May 13, 2013

Mr. Dennis Ward, Chairman  
Kingsport Regional Planning Commission  
225 W. Center Street  
Kingsport, TN 37660

Dear Mr. Ward:

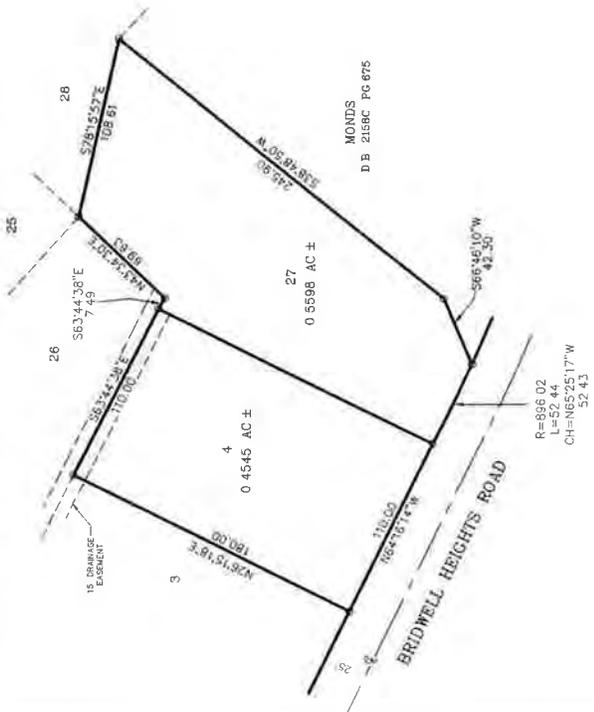
This letter is to inform you that I, as Interim Secretary for the Kingsport Regional Planning Commission, certify that the resubdivision of the Meadowwood Estates Subdivision on Bridwell Heights Road, surveyed by Tim Lingerfelt, RLS, meets the Minimum Standards for Subdivision Development of Minor Subdivision Within the Kingsport Planning Region. The staff certifies the plat is acceptable to be signed by the Secretary of the Planning Commission for recording purposes.

Sincerely,

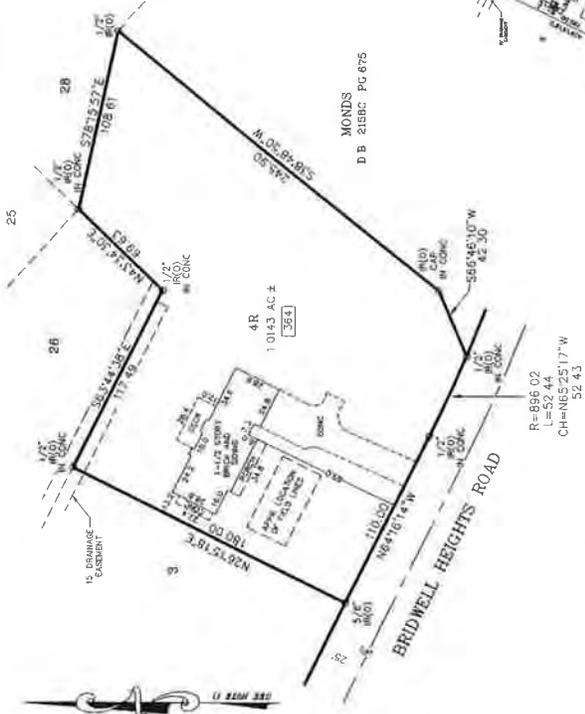
Lynn Tully, AICP  
Planning Director

C: Kingsport Regional Planning Commission





BEFORE



AFTER

NOTES

- 1) 7'5" DRAINAGE AND UTILITY EASEMENT ALONG ALL INTERIOR AND REAR LOT LINES
- 2) OTHER EASEMENTS AS NOTED
- 3) MINIMUM SETBACKS REFER TO APPLICABLE ZONING REGULATIONS FOR REQUIRED
- 4) LOTS 1-4 FORMERLY KNOWN AS PEACE HAVEN ESTATES PLAT BOOK 15 PAGE 47
- 5) SEPTIC SYSTEMS APPROVED FOR A THREE BEDROOM HOUSE

NOTES

- 1) NORTH BASED ON PRIOR RECORDED PLAT
- 2) PROPERTY IS ZONED R-1
- 3) SETBACKS TO CONFORM TO ZONING DESIGNATION
- 4) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL FLOOD INSURANCE ADMINISTRATION BOUNDARY MAP 4716 SC065D AND DETERMINED THAT THE PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.
- 5) JOB NO 13-9317
- 6) ACAD FILE 13-9317\_BOSTIC.DWG
- 7) PLOTTED ON 9/11/13
- 8) PLOTTED ON 9/11/13
- 9) PRIOR PLAT REFERENCE PLAT BOOK 40 PAGE 59
- 10) DEED REFERENCE D.B. 2485C PAGE 162



ADVANCE COPY

<p>CERTIFICATE OF DIVERSITY AND DESIGNATION</p> <p>I HEREBY CERTIFY THAT I AM ONE OF THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT I AND OTHER OWNERS HAVE AGREED TO THE INSTALLATION OF AN EXISTING PUBLIC UTILITY SYSTEM AND TO THE INSTALLATION OF A NEW PUBLIC UTILITY SYSTEM AS SHOWN ON THE PLAT.</p> <p>DATE: _____</p> <p>SIGNATURE OF ALL ADDRESSORS: _____</p>	<p>CERTIFICATE OF APPROVAL FOR REVISION</p> <p>I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREIN IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE PLANNING COMMISSION AND THAT IT HAS BEEN APPROVED BY THE PLANNING COMMISSION AND THAT IT HAS BEEN APPROVED BY THE SURVEYOR OF THE SULLIVAN COUNTY REGISTER HAS BEEN REVIEWED WITH THE KINGSPORT REGIONAL PLANNING COMMISSION TO DETERMINE IF ALL REQUIRED PRECONDITIONS TO BE MET BY SUCH A PLAT.</p> <p>DATE: _____</p> <p>SIGNATURE OF SURVEYOR: _____</p>
<p>CERTIFICATE OF THE APPROVAL FOR STREETS</p> <p>I HEREBY CERTIFY THAT THE ADDRESS AS SHOWN ON THE FINAL PLAT ARE APPROVED AS SHOWN</p> <p>DATE: _____</p> <p>SIGNATURE OF HIGHWAYS: _____</p>	<p>CERTIFICATE OF APPROVAL FOR SEWERAGE SYSTEM</p> <p>I HEREBY CERTIFY THAT THE SEWERAGE SYSTEM SHOWN ON THE PLAT HAS BEEN EVALUATED AND FOUND TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SEWERAGE SYSTEM ACT AND IS HEREBY APPROVED AS SHOWN</p> <p>DATE: _____</p> <p>SIGNATURE OF SEWERAGE: _____</p>

**ALLEY & ASSOCIATES, INC.**  
 SURVEYORS  
 243 E MARKET STREET  
 KINGSPORT, TENNESSEE 37650  
 TELEPHONE (423) 392-6686  
 FAX (423) 392-6686  
 E-MAIL: [lingertell@alleysurveyors.com](mailto:lingertell@alleysurveyors.com)

LEGEND

IR(O)	IRON ROD(OLD)
D.B	DEED BOOK
P.C	PAGE
R	RADIUS
L	LENGTH
CH	CHORD
AC	ACRES
CONC	CONCRETE
CE	CENTERLINE
(35)	911 ADDRESS



DESUBDIVISION OF LOT 4 AND LOT 27	
MEADOWOOD ESTATES/REPLAT PEACE HAVEN ESTATES	
KINGSPORT REGIONAL PLANNING COMMISSION	
TOTAL ACRES	1.0143 ±
TOTAL LOTS	1
ACRES NEW ROAD	0
MILES NEW ROAD	0
CIVIL DISTRICT	7TH
CLOSURE ENCLOSURE	110.000
SURVEYOR	ALLEY & ASSOCIATES, INC.
OWNER	WILLIAM R. JORDAN
SCALE	1" = SEE ABOVE



CITY OF KINGSPORT, TENNESSEE

June 7, 2013

Mr. Dennis Ward, Chairman  
Kingsport Regional Planning Commission  
225 W. Center Street  
Kingsport, TN 37660

Dear Mr. Ward:

This letter is to inform you that I, as Secretary for the Kingsport Regional Planning Commission, certify that the resubdivision of the Bruce Graves Property, Lot 4 on Shady View Road, surveyed by Tim Lingerfelt of Alley & Associates, RLS, meets the Minimum Standards for Subdivision Development of Minor Subdivision Within the Kingsport Planning Region. The staff certifies the plat is acceptable to be signed by the Secretary of the Planning Commission for recording purposes.

Sincerely,

Lynn Tully  
Planning Manager

C: Kingsport Regional Planning Commission





**MINUTES KINGSPORT BOARD OF ZONING APPEALS (BZA)**

**Thursday April 4, 2013**

**NOON**

**Bob Clear Conference Room, on the first floor of the Development Services Building**

**MEMBERS PRESENT:**

Leland Leonard, Chairman  
 Frank Oglesby, Vice Chairman  
 Bob Winstead Jr  
 Bill Sumner  
 Diane Hills

**MEMBERS ABSENT:**

**STAFF PRESENT:**

Karen Combs

**VISITORS:**

Lynn Cole  
 Robert Darter  
 Dorothy Clayman  
 Phillip McManus  
 Wayne Noal  
 Brenda Walters  
 Hank Carr  
 Ray Blevins  
 Barbara Fitch

Eric Stidham  
 William Clayman  
 Jo Ellen Olinger  
 Barry Walton  
 Suzie Noal  
 Pinky Horton  
 Lindsey Harris  
 Katherine Hyde  
 William Alton

Chairman Leonard called the meeting to order.

Chairman Leonard then explained the meeting procedures.

Chairman Leonard was notified that a petitioner wanted to pull an item for consideration. Mr. McManus addressed the Board and asked that item number 13-701-00005 – Properties located at 1401, 1405 Prospect Street and 1308 Post Street be pulled for consideration at this time. Mr. McManus stated that he was still in negotiations with the church and that this item will be presented at a later date when all information could be presented. Chairman Leonard then pulled the item for consideration and told individuals that were attending the meeting for this item that it would not be heard nor would there be any decision made regarding this item. Those in the audience were free to leave.

**Public Hearing:**

**Case: 13-701-00003 – Property located at 3720 Brandywine Road Control Map 22M, Group F, Parcel 13** Requested a front yard variance of 16 feet to [Sect.114-182 (e)(1)(c)] in order to construct an addition at this location. The property is located in a R-1A, Single Family Residential District that requires an 40 foot front yard setback. Mr. Eric Stidham was sworn in by Karen Combs. Mr. Stidham presented the case to the Board. In his presentation he stated that he wanted to construct an addition onto the existing house. Mr. Stidham told the Board the due to steep topography the addition could not be placed in the rear of the house. The Board noted that the house sat on a cul-de-sac and the addition would

be permitted without any variance if the right-of-way were straight and not curved. No one spoke for or against this item.

**Case: 13-701-00004 – Property located at 1455 East Center Street Control Map 61C, Group C, Parcel 2.00** Requested a variance to [Sect.114-600 (d)(2)] in order to use the required perimeter landscaping strip for parking at this location. The property is located in a B-3, General Business District that requires a 10 foot landscaped strip on the perimeter of property abutting a public street. Mr. Phillip McManus was sworn in by Karen Combs. Mr. McManus presented the case to the Board. Mr. McManus told the Board that this property was unique in that it fronted two public roads. The main entrance facing Center Street with the property extending to Waverly Road; Mr. McManus asked the Board for a variance to the landscaping (ten foot buffer) on the Waverly Road side so that parking could be used. This road is a minor roadway. Also during the discussion, staff pointed out that the parking ratio was not met by the design presented. Mr. McManus also requested a variance on the number of parking spaces required for the size of the building he proposed stated that the second floor would be used for storage and a break room with no commercial sales. No one spoke for or against this item.

**Case: 13-701-00006 – Property located at 2300 Pavilion Drive Control Map 47A, Group , Parcel 28.60** Requested a Special Exception as allowed in [Sect.114-191(c)(2)] to establish a skilled nursing home facility (nursing home) in a P-1, Professional Office District. Ms. Lindsey Harris was sworn in by Karen Combs and presented the case to the Board. In her presentation she stated that Mountain States Health Alliance would like to use an old building on their compound for a skilled nursing health facility. The old use was also medical but specifically was used as a psychiatric ward and under the special exception use the specific use had changed. She presented a plan in which a small addition would be constructed but the main part of the building would remain the same. Parking was adequate. Mr. Ray Blevins spoke to clarify that the facility was not a drug treatment center but a facility that would help individuals recover from physical traumas. He stated that it was similar to a nursing home facility for individuals that needed care but were not eligible for a hospital setting and were too injured to be on their own a home. Hank Carr also spoke in favor of this item. No one spoke against this item.

Seeing no one else wishing to speak, Chairman Leonard closed the Public Hearing

#### **Other Business:**

On a motion by Diane Hills, the Board voted unanimously to approve the March 7, 2013 minutes as mailed.

The BZA stated for the public record the next application deadline on April 15, 2013 at noon and that the next meeting date would be on May 2, 2013.

Staff had no report this month. The Board did ask if there had been any progress on the Planned Development Ordinance and Sign Ordinance. Staff stated that the Planned Development Ordinance amendment would be going to the Planning Commission in April. Staff said that a copy of that ordinance would be placed in the Board's April agenda packet for their review but that no action from this Board was required. Staff also stated that the sign ordinance was in the City Attorney's office for legal review. The Board asked if staff had addressed the issues brought by this Board in that amendment. Staff related that they had indeed addressed the issues concerning this Board in the amendment but that we needed legal's approval to carry the amendment forward.

**Adjudication of Cases:****Case: 13-701-00003 – Property located at 3720 Brandywine Road Control Map 22M, Group F, Parcel 13**

During discussion of this item it was noted that the property did have steep topography in the rear that limited the placement of the addition and had a cul-de-sac in the front that threw the addition out of compliance with the front yard setback.

**MOTION:** made by Bill Sumner; seconded by Bob Winstead – To grant a variance of 16 feet to the front yard setback on property located at 3720 Brandywine Road.

**VOTE:** 4-0 to grant the request as presented because of topographical conditions and the presence of the cul-de-sac.

**Case: 13-701-00004 – Property located at 1455 East Center Street Control Map 61C, Group C, Parcel 2.00**

After a long discussion concerning the roadway and parking issues, the Board decided to give a variance to the landscaping requirement on the side fronting Waverly Road due to the limited traffic and the fact that no other property fronting that road had adhered to this requirement. The parking ratio was discussed at length. Since the Owner stated the second floor would not be used as retail and just for storage, the Board decided to grant a variance for the number of parking spaces limited the requirement to a one story building.

**MOTION:** made by Bill Sumner; seconded by Bob Winstead – To grant a variance to the landscaping requirement of 10ft buffer strip abutting a public road on the Waverly Road side of the property located at 1455 East Center Street.

**VOTE:** 4-0 to grant the request as presented.

**MOTION:** made by Frank Oglesby; seconded by Bill Sumner – To grant a variance of 31 parking spaces bringing the number of required spaces for a drug store located on the property located at 1455 East Center Street to 46 spaces.

**VOTE:** 4-0 to grant the request as presented.

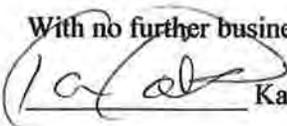
**Case: 13-701-00006 – Property located at 2300 Pavilion Drive Control Map 47A, Group, and Parcel 28.60**

A brief discussion was held on way this item was brought to the Board again, if the property already had a special exception use permit. Staff related to the Board that a special exception use permit was not like a variance in that the permit does not run with the property forever and that when the specific use changes the petitioner must reapply to the Board. Staff felt that this item was really a housekeeping matter but to err on the side of caution we brought the use back to the Board for review.

**MOTION:** made by Diane Hills; seconded by Bob Winstead – To grant the special exception use of a skilled nursing facility on property located at 2300 Pavilion Drive.

**VOTE:** 4-0 to grant the request as presented.

With no further business the meeting was adjourned.



Karen B. Combs, Principal Planner

**MINUTES KINGSPORT BOARD OF ZONING APPEALS (BZA)**

**Thursday April 4, 2013**

**10:30 a.m.**

**Tour of property at 1455 East Center Street**

**MEMBERS PRESENT:**

**Leland Leonard, Chairman  
Frank Oglesby, Vice Chairman  
Bill Sumner  
Diane Hills**

**MEMBERS ABSENT:**

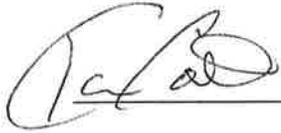
**Bob Winstead Jr**

**STAFF PRESENT:**

**Karen Combs**

---

Chairman Leonard, Vice Chairman Oglesby and Board Members Sumner and Hills visited the site at 1455 East Center Street. The Board members took the concept plan with them and studied the parking ration issues. There was no discussion concerning this case. The Board drove through the neighborhood in the rear of the property looking at the next case regarding a parking lot in the residential zone. The Board then drove to have lunch at Henry's restaurant, no items were discussed. The Board arrived at the Development Services building for the scheduled meeting at noon.



**Karen B. Combs, Principal Planner**

**MINUTES KINGSPORT BOARD OF ZONING APPEALS (BZA)**

**Thursday ~~April~~ 4, May 2, 2013**

10:30 a.m.

Tour of property at 1455 East Center Street

**MEMBERS PRESENT:**

Leland Leonard, Chairman  
Frank Oglesby, Vice Chairman  
Diane Hills

**MEMBERS ABSENT:**

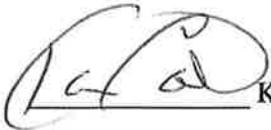
Bob Winstead Jr  
Bill Sumner

**STAFF PRESENT:**

Karen Combs

---

Chairman Leonard, Vice Chairman Oglesby and Board Member Hills visited all sites on the agenda. During the drive to 311 Rock Valley Drive, Chairman Leonard commented on the beautiful landscaping at a house on Rock Springs Road. The other members also commented on the beautiful pieces of property located along Rock springs Road and how the area got its name; being all rock and wet weather springs. Chairman Leonard also commented on the old school building and asked what was there now. Staff informed him that it was now a very active community center. On the way back into town the Board discussed where to go eat since time was short. The Board decided to go to the new Burger King, no items were discussed. The Board arrived at the Development Services building for the scheduled meeting at noon.



Karen B. Combs, Principal Planner

**MINUTES KINGSPORT BOARD OF ZONING APPEALS (BZA)**

Thursday ~~April 4~~, May 2 2013

NOON

Bob Clear Conference Room, on the first floor of the Development Services Building

**MEMBERS PRESENT:**

Leland Leonard, Chairman  
 Frank Oglesby, Vice Chairman  
 Bob Winstead Jr  
 Bill Sumner  
 Diane Hills

**MEMBERS ABSENT:**

**STAFF PRESENT:**

Karen Combs

**VISITORS:**

Ed McCall  
 Eugene Yerke  
 Larry Bishop  
 Darryl Zeh  
 Timothy Warren

Mary Ann McCall  
 Jonathan Henderson  
 Karen Bailey

Chairman Leonard called the meeting to order.

Chairman Leonard then explained the meeting procedures.

**Public Hearing:**

**Case: 13-701-00007 – Property located at 724 Brookhaven Drive Control Map 45B, Group C, Parcel 4.00** Requested a to [Sect.114-133 (1)(2)] in order to construct a garage in the front yard at this location. Mr. Jonathan Henderson was sworn in by Karen Combs. Mr. Henderson presented the case to the Board. In his presentation he stated that he wanted to construct a 30x40garage on his property. Mr. Henderson told the Board the due to topography the garage could not be placed in the rear of the house. The Board noted that the garage could be placed closer to the house and in the rear with some excavation. The slope was not too steep. No one spoke for this item. Mr. Ed McCall spoke against this item stating that the steel post garage in front of the property would line up with the entrance to his new subdivision. Mr. McCall has been redeveloping the neighborhood and stated that the type and size of the building would be out of character in the neighborhood. Mr. Henderson agreed that no other building of this type existed in the neighborhood. Mr. Larry Bishop spoke on this item stating that the City put the neighbors in a bad position and that they (the neighbors) did not want to take sides but that this home would be a starter home for Mr. Henderson and his family and would be eventually sold. Mr. McCall has been spending quite a bit of money to improve the neighborhood through redevelopment. Seeing no one else to speak Chairman Leonard moved to the next item.

**Case: 13-701-00008 – Property located at 311 Rock Valley Drive Control Map 105P, Group B, Parcel 12.00 lot 12** Requested a variance of 340 square feet to [Sect.114-133(2)] in order to increase the size of an accessory structure at this location. The allowed square footage for an accessory structure is

1,100 square feet. Mr. Eugene Yerke was sworn in by Karen Combs. Mr. Yerke presented the case to the Board. Mr. Yerke told the Board that his property was recently annexed and that he wanted to add onto his existing accessory building. After much discussion the Board concluded that the current building was 1280 square feet and that the addition would be 1280 square feet putting this accessory building out of compliance by 1460 square feet. The request was changed to reflect the correct math. Mr. Yerke stated that the addition would match the existing building in all respects, material and structure. He stated that he had a little over one acre of property. The Board noted that the building was in a great location and would meet all other setback requirements. No one spoke for or against this item.

**Case: 13-701-00009 – Property located at 633 Branch Street Control Map 46H, Group H, Parcel 7.00** Requested a variance of 7 feet to [Sect.114-187(e)(1)(d) and a lot coverage percent increase to (e)(2)] in order to construct a carport on this property. The property is zoned R-4, Medium Density Apartment District with a side yard setback of 10 feet and a lot coverage maximum of 30 percent.

Mr. Darryl Zeh was sworn in by Karen Combs and presented the case to the Board. In his presentation he stated that his client would like to place a carport on their property, attaching it to the garage and the house. The carport would be a wooden structure and materials would match the house. The roof would have a 6 to 12 pitch from the garage to the house and then would be a hip roof at the house. The Board question where the property line was located and had concerns over water runoff. It was stated that the water could not be run onto the adjacent property. There were also concerns that through the design discussed that water would run towards the house and that the owner needed to be aware of this. The Board noted that the property seems to narrow towards the road and wanted to make the owner aware that if the carport was built it would especially tight and still wouldn't cover all vehicles. The owner acknowledged these facts. Ms. Karen Bailey spoke in favor of this item.

Seeing no one else wishing to speak, Chairman Leonard closed the Public Hearing

**Other Business:**

On a motion by Bill Sumner, the Board voted unanimously to approve the April 4, 2013 minutes as mailed.

The BZA stated for the public record the next application deadline on May15, 2013 at noon and that the next meeting date would be on June 6, 2013. Staff stated that they may not be able to attend the meeting and if any items came in could a called meeting be hold at a later date in the month of June. Chairman Leonard said that he may not be able to make the June 6 meeting as well due to a surgical procedure. All members agreed to have a called meeting if any items came in before the 15<sup>th</sup> of April.

**Adjudication of Cases:**

**Case: 13-701-00007 – Property located at 724 Brookhaven Drive Control Map 45B, Group C, Parcel 4.00**

During discussion of this item it was noted that the property did not have steep topography in the rear that limited the placement of the garage and that in fact the garage could be moved closer to the house thus negating any variance.

**MOTION:** made by Frank Oglesby; seconded by Diane Hills – To deny a variance request

**VOTE:** 4-0 to deny the request as presented because there was no hardship presented and the garage could be built closer to the house and need no variances.

**Case: 13-701-00008 – Property located at 311 Rock Valley Drive Control Map 105P, Group B, Parcel 12.00 lot 12**

After a long discussion concerning the exact amount of variance needed, the Board and petitioner agreed that a request of 1460 square feet was the correct calculation.

**MOTION:** made by Bob Winstead; seconded by Diane Hills – To grant a variance of 1460 square feet to the accessory building size requirement of 1100 square feet.

**VOTE:** 4-0 to grant the request as presented because the size of the lot could keep the 30 percent lot coverage requirement and no other variances were needed.

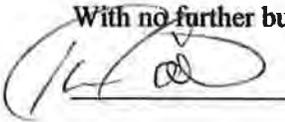
**Case: 13-701-00009 – Property located at 633 Branch Street Control Map 46H, Group H, Parcel 7.00**

A brief discussion was held on the size and roof line of the proposal. The Board questioned the fact that no plan was presented. Staff informed them that a plan would be required that addressed the Board's concerns.

**MOTION:** made by Diane Hills; seconded by Bob Winstead– To grant a variance of 7 feet to the side yard setback requirement of 10 feet due to topographical issues with the following conditions: 1. A survey be supplied to staff establishing the exact lot line on the right side of the house. 2. Guttering be installed to keep the water from running onto the adjacent property. The motion also contains an increase on the lot coverage requirement which is not to exceed 35%.

**VOTE:** 4-0 to grant the request as presented.

With no further business the meeting was adjourned.



Karen B. Combs, Principal Planner

## New Businesses - City of Kingsport,

Apr-13

Business Name	Address	Owners Name	Mail Address 1	Mail Address 2	City	State	Zip	Area Code	Phone Number	Open Date
A HELPING HAND MOBILE AUTO DET	854 LAMONT ST	COLLINS, SARAH	854 LAMONT ST		KINGSPORT	TN	37664	423	4831715	130401
ALEXANDER CONSTRUCTION	1001 E STONE DR	ALEXANDER, GARY	1001 E STONE DR STE A		KINGSPORT	TN	37660	423	8172757	130415
BAILEY'S ASPHALT SEALCOATING	213 UNION ST	BAILEY, TYLER	%TYLER BAILEY	213 UNION ST	KINGSPORT	TN	37660	423	6773505	130425
BAKER TRAVEL & COMPANY	1567 N EASTMAN RD # 9	BATES, ANITA	1567 N EASTMAN RD # 9		KINGSPORT	TN	37664	423	3921111	130429
BOMANITE OF EAST TN	BTA OUT OF TOWN ADDRESS	KILLINGSWORTH, JIM	1716 N SIXTH AVE		KNOXVILLE	TN	37917	865	9711750	130425
BOND ELECTRIC	383 DUNBAR ST	BOND, TIM	%TIMOTHY BOND	383 DUNBAR STREET	KINGSPORT	TN	37660	574	5493080	130409
COURTYARD RESTAURANT LLC, THE	201 E NEW ST	DAVIS, VICKI	201 E NEW ST		KINGSPORT	TN	37660	423	2455914	130401
CREAMANATOR	5008 ELLEN ST	ANDERS, ZACH	C/O ZACH ANDERS	5008 ELLEN ST	KINGSPORT	TN	37664	423	2921067	130401
ESTATE SALES	2745 E STONE DR	DRAKOS, ANTHONY	%ANTHONY D DRAKOS	1441 VALLEY ST	KINGSPORT	TN	37660	423	9637809	130408
FIELDS, PAUL	BTA OUT OF TOWN ADDRESS	FIELDS, PAUL	1341 APPLE ORCHARD ROAD		GATE CITY	VA	24251	423	3843696	130416
FRANKLIN GLASS SERVICE, INC.	BTA OUT OF TOWN ADDRESS	SWIFT, WILLIAM B	PO BOX 1055		FRANKLIN	NC	28744	828	5248208	130415
HARRIS MILLWORKS	BTA OUT OF TOWN ADDRESS	HARRIS, JONATHAN	%JONATHAN HARRIS	818 COUNTY RD 384	DUTTON	AL	35744	256	6574412	130408
HARRISON TILE CO., INC.	BTA OUT OF TOWN ADDRESS	SHELTON, CHARLOTTE HARRISON	PO BOX 37		SNOW HILL	NC	28580	252	7472663	130404
J AND J CUTLERY	2745 E STONE DR	VARNEY, JANET	%JANET VARNEY	6742 W CARTERS VALLEY RD LOT 8	CHURCH HILL	TN	37642	423	7829329	130413
J K B CONTRACTORS	BTA OUT OF TOWN ADDRESS	VOCCOLA, MICHAEL	620 W 2ND NORTH STREET		MORRISTOWN	TN	37814	423	3270413	130425
J.R.'S MOWING SERVICE	542 BAYS VIEW CT	CARTER, RAY	542 BAYS VIEW CT		KINGSPORT	TN	37660	423	2920331	130429
JAN MAR BBQ	114 BROAD ST	WOOD, RANDY	114 BROAD ST		KINGSPORT	TN	37660	423	2926970	130410
KINGSPORT BARGAIN HUNTER	2125 BONAIRE RD	DROKE, KRISTI	KRISTI M DROKE	2125 BONAIRE RD	KINGSPORT	TN	37660	423	3843466	130404
KUTTING EDGE LAWN CARE	278 HIALEAH DR	JOHNSON, ANTONIA	278 HIALEAH DR		KINGSPORT	TN	37660	423	2763987	130415
LIFE PATH LLC	2005 VENTURE PARK		2005 VENTURE PARK		KINGSPORT	TN	37660	423	5348652	130405
LITTLE CAKE	231 BROAD ST	RUTLEDGE, JACK F	C/O J FLANAGANS LLC	231 BROAD ST	KINGSPORT	TN	37660	423	4137744	130401
MACK'S AFFORDABLE PAINTING ETC	141 WILLOWBROOK DR	MCLENDON, LARRY E	C/O LARRY E MCLENDON	141 WILLOWBROOK DR	KINGSPORT	TN	37660	423	7829943	130401
MEDITERRANEAN GARDEN 2	105 W STONE DR	DOGANGUZEL, SENGUL	EMPIRE MANAGEMENT, LLC	1019 JUSTUS DR	JOHNSON CITY	TN	37604	423	3287685	130401
ORALEE'S PURSES & PEARLS	3432 FORT HENRY DR	LESTER, LAURA E	3432 FORT HENRY DR		KINGSPORT	TN	37664	276	3951080	130401
PAL'S SUDDEN SERVICE # 2	1316 LYNN GARDEN DR	ROARK JR, CHARLES T	1316 LYNN GARDEN DR		KINGSPORT	TN	37665	0	0	130401

## New Businesses - City of Kingsport,

Apr-13

Business Name	Address	Owners Name	Mail Address 1	Mail Address 2	City	State	Zip	Area Code	Phone Number	Open Date
PEACE LOVE PAWS PHOTOGRAPHY	4534 RONALD DR	MORTON, TAMMY CHARLENE	4534 RONALD DR		KINGSPORT	TN	37664	423	5717528	130405
PROTOTYPE PERFORMANCE & RACING	630 PEACH ORCHARD DR	HERRING, JONATHAN E	630 PEACH ORCHARD DR		KINGSPORT	TN	37665	423	4293893	130417
R. L. HANEY CONSTRUCTION	BTA OUT OF TOWN ADDRESS	HANEY, RANDY	5555 N LEE HWY SUITE 1		CLEVELAND	TN	37312	423	7901311	130426
RODRIGUEZ, JESUS MEDINA	BTA OUT OF TOWN ADDRESS	RODRIGUEZ, JESUS MEDINA	156 RIDGEWAY ST		WINDER	GA	30680	678	3164102	130410
SAVY CHIC WITH FLAIR	1563 FULLER ST	STALLARD, DEBORAH	%DEBORAH STALLARD	2253 NETHERLAND INN TERRACE	KINGSPORT	TN	37660	423	5794101	130401
SCRAP ASSET MANAGEMENT, LLC	1505 ARDMORE PL		1505 ARDMORE PL		KINGSPORT	TN	37664	423	3406066	130410
SIGNS UNLIMITED	BTA OUT OF TOWN ADDRESS	WALKER, MICHAEL	MICHAEL WALKER	320 W MAIN BLVD	CHURCH HILL	TN	37642	423	3020551	130405
SOUTHERN DWELLINGS	2420 E CENTER ST		2420 E CENTER ST		KINGSPORT	TN	37664	423	3434118	130401
SOUTHERN ENVIRONMENTAL SERVICE	BTA OUT OF TOWN ADDRESS	WASSON, TOM	1059 TRIAD CT STE 12		MARIETTA	GA	30062	770	9330005	130404
STICKERS 4 ME	2745 E STONE DR	CLARK, WILMA	%WILMA CLARK	1512 KENTUCKY AV	BRISTOL	TN	37620	423	4080938	130423
SUNSHINE	2745 E STONE DR	ROBINSON, HEATHER	1522 MILLER ST		KINGSPORT	TN	37664	423	2762420	130413
SYLVIA'S COLLECTIBLES	2745 E STONE DR	BEGLEY, SYLVIA	1912 OAKWOOD RD		KINGSPORT	TN	37664	423	7656493	130409
THE ORIGINAL WOODSTONE	3500 FORT HENRY DR	JONES, JEREMY	%J.A. JONES INVESTMENTS	3521 CRESTWOOD DR	KINGSPORT	TN	37664	943	2411914	130404
TRENT EXCAVATING LLC	BTA OUT OF TOWN ADDRESS		2474 MULLINS ROAD		RUSSELLVILLE	TN	37860	423	2355987	130415
TRI-CITIES SNAP BACKS	1828 NETHERLAND INN RD	BEATTY, PATRICK	1828 NETHERLAND INN RD		KINGSPORT	TN	37660	423	9670049	130410
TRI-CITIES YOUTH SPORTS TRAINI	2513 CLOISTER LN (PVT)	HENRY, TOMMY T	2513 CLOISTER LN (PVT)		KINGSPORT	TN	37660	423	7827211	130411
TROPIC TANZ	4307 FORT HENRY DR STE 3	MCCRAY, TIM	4307-C FORT HENRY DR		KINGSPORT	TN	37663	423	2390600	130401
UPTOWN SALON AND DAY SPA	218 E CHARLEMONT AV	AUSTIN, CELIA D	%CELIA D AUSTIN	2101 EASTWOOD AVE	KINGSPORT	TN	37664	423	2462218	130409
WHITE CONTRACTING INC.	BTA OUT OF TOWN ADDRESS		451 LANE DRIVE		FLORENCE	AL	35630	256	7647221	130416

## New Businesses - City of Kingsport, Tennessee

May 2013

Business Name	Address	Owners Name	Mail Address 1	Mail Address 2	City	State	Zip	Area Code	Phone Number	Open Date
GRANDSCAPES	1553 GREENFIELD AV	LUE, NICHOLAS	1553 GREENFIELD AV		KINGSPORT	TN	37664	423	6770218	130531
VISION PRODUCTIONS LAMPLIGHT T	140 BROAD ST	ARRINGTON, BILLY WAYNE	140 BROAD ST		KINGSPORT	TN	37660	423	2451551	130531
REYNOLDS ELECTRICAL CONTRACTIN	BTA OUT OF TOWN ADDRESS		1171 TIDWELL SWITCH ROAD		DICKSON	TN	37055	615	4412888	130529
PRIMAX CONSTRUCTION INC	BTA OUT OF TOWN ADDRESS		293 OLMSTED BLVD, STE 11		PINEHURST	NC	28374	910	2951846	130528
TNT CONSTRUCTION	1205 EASTBROOK DR	YOKLEY, TODD	1205 EASTBROOK DR		KINGSPORT	TN	37663	423	9141868	130524
HEIRLOOM GALLERIES	200 E CENTER ST	TRIMM, JOSHUA	200 E CENTER ST		KINGSPORT	TN	37660	423	9630819	130523
SIGN SERVICES INTERNATIONAL IN	BTA OUT OF TOWN ADDRESS		2009 BLYTHE AVE SE		CLEVELAND	TN	37312	473	3390896	130523
SOUTHSTAR DEVELOPMENT & CONSTR	BTA OUT OF TOWN ADDRESS		510 PINE VALLEY RD		MARIETTA	GA	30067	404	9250636	130523
ELBOW ROOM	1063 LYNN GARDEN DR	HENRY, JOY ALICIA	241 VIRGINIA STREET		KINGSPORT	TN	37665	423	4167753	130522
MADISON INVESTMENTS LLC	640 E MAIN ST	BROCK, CHRISTOPHER J	12416 ANGEL FALLS RD		RALEIGH	NC	27614	423	3672575	130521
THE DECK STORE, INC.	BTA OUT OF TOWN ADDRESS		152 WOODWAY CIRCLE		BLUFF CITY	TN	37618	423	4160685	130520
WILSON ROOFING INC.	BTA OUT OF TOWN ADDRESS		30 BEAR ROCK RD		HENDERSONVILLE	NC	28739	828	2439262	130520
SNAP FITNESS	2626 E STONE DR STE 20	AMERICAN FITNESS & HEALTH	C/O AMERICAN FITNESS & & HEALTH	1430 VOLUNTEER PKWY #10	BRISTOL	TN	37620	423	3435145	130518
MIX-TECH INC.	2209 KINGS BAY DR	BELLAMY, MARK	2209 KINGS BAY DR		KINGSPORT	TN	37660	423	2456812	130517
HIGHPOINT CLASSIC CARRIERS	BTA OUT OF TOWN ADDRESS	HYATT, JOHNNY	%HYATT, JOHNNY	8545 HUDSON JAMES RD	SUMMERFIELD	NC	27358	336	3399712	130515
SUPERIOR ROOFING	BTA OUT OF TOWN ADDRESS	OXBOROUGH, RICK	7391 HWY 66N		ROGERSVILLE	TN	37857	423	2720048	130514
HOLT'S HEATING & AIR LYNN GARDEN FURNITURE & APPLIA	1012 WALNUT AV 900 LYNN GARDEN DR	HOLT, SHAWN A CAREY, JODI	%SHAWN HOLT 900 LYNN GARDEN DR	1012 WALNUT AVE	KINGSPORT	TN	37660	276	7918581	130510
MR. SIGNS	BTA OUT OF TOWN ADDRESS	RAWLINS, MICHAEL	1561 N AVONDALE CR		MACON	GA	31216	478	7840010	130510
MR. SIGNS	BTA OUT OF TOWN ADDRESS	RAWLINS, MICHAEL	1561 N AVONDALE CR		MACON	GA	31216	478	7840010	130510

## New Businesses - City of Kingsport, Tennessee

May 2013

Business Name	Address	Owners Name	Mail Address 1	Mail Address 2	City	State	Zip	Area Code	Phone Number	Open Date
SIMMONS CONSTRUCTION	BTA OUT OF TOWN ADDRESS	SIMMONS, MARRIN	PO BOX 1770		NEW TAZEWELL	TN	37825	423	6264518	130510
CANDITO CONSTRUCTION CORP.	BTA OUT OF TOWN ADDRESS	CANDITO, JERRY	145 KELLI CLARK COURT SE		CARTERSVILLE	GA	30121	770	5299971	130509
LONG'S ROOFING & REPAIR	1193 WARD PL (PVT)	LONG, MARTIN	1193 WARD PL (PVT)		KINGSPORT	TN	37660	423	8952684	130509
RAY & LUCILLE STALLARD BUILDIN	3879 ROCKY HILL LN		NG, CONCRETE	3879 ROCKY HILL LANE	KINGSPORT	TN	37660	423	7549900	130509
TECHNICALLY AESTHETIC, LLC	BTA OUT OF TOWN ADDRESS	MITCHELL, TYRONE	2119 SPENCER LANE		JOHNSON CITY	TN	37604	423	20233294	130508
JOHN BOUCHARD & SONS CO	BTA OUT OF TOWN ADDRESS		1024 HARRISON ST		NASHVILLE	TN	37203	615	2560112	130507
O'NEILL BUILDING	BTA OUT OF TOWN ADDRESS	ONEILL, TIM	3101 BROWNS MILL RD STE 6		JOHNSON CITY	TN	37601	423	7914012	130507
FANDL CONSTRUCTION	BTA OUT OF TOWN ADDRESS	FANDL, DAVID	%DAVID FANDL	1671 E SHIPLEY FERRY	KINGSPORT	TN	37663	423	3238163	130506
ONE WAY MARKET PLACE	128 OLD MILL CT	WHITTEN, JOAN M	128 OLD MILL CT		KINGSPORT	TN	37664	423	3237222	130505
KADOODLE KREATIONS	2601 N JOHN B DENNIS HWY	GLOVER, KATHLEEN	2601 N JOHN B DENNIS HWY	APT 707	KINGSPORT	TN	37660	919	5265806	130504
DENVERS LANDSCAPING	250 BAYS MOUNTAIN TR	BERNARD, DENVER	250 BAYS MOUNTAIN TR		KINGSPORT	TN	37660	423	5792014	130501
MAULTBAY BREAD DISTRIBUTION, I	114 REGIONAL PARK	MAULTBAY, MATTHEW	114 REGIONAL PARK		KINGSPORT	TN	37660	423	5794442	130501
PINOT AND PABLO	124 COMMERCE ST	COLE, LISA	%LISA COLE	808 MIMOSA DRIVE	KINGSPORT	TN	37660	423	2920666	130501
THE WORLD OF MASONRY INC	BTA OUT OF TOWN ADDRESS	GONZALEZ, MARTIN	235 JEFFERSON STREET		NEWMAN	GA	30263	770	5029218	130501

**Building Division Monthly Report**

<b>May-13</b>	<b>Count</b>	<b>Value</b>
ACCESSORY BUILDINGS-CARPORT		
ACCESSORY-DECK	6	\$38,650
ACCESSORY-GARAGE	6	\$109,805
ACCESSORY-POOL	2	\$52,000
ACCESSORY PATIO		
ACCESSORY-PORCH	2	\$5,850
ACCESSORY UTILITY BLDG	12	\$27,135
ADDITION-RESIDENTIAL	5	\$102,957
ALTERATIONS-RESIDENTIAL	10	\$88,855
NEW CONDO		
ROOF RESIDENTIAL	7	\$23,059
NEW SINGLE-FAMILY DWELLING	12	\$2,249,525
NEW MULTI-FAMILY DWELLINGS		
ADDITION/ALTERATION SCHOOL	3	\$380,650
ADDITION/ALTERATION CHURCH	1	\$8,000
ADDITIONS-COMMERCIAL		
ALTERATIONS-COMMERCIAL	9	\$1,038,019
FOUNDATION (ONLY)		
NEW HOTEL/MOTEL		
NEW SCHOOL, LIBRARY, MUSEUM		
NEW SOCIAL, RECREATIONAL, AMUSE		
NEW PROFESSIONAL OFF/MED/BANK/		
NEW RETAIL/RESTAURANTS/MALL/WA	1	\$525,000
NEW NON RESIDENTIAL BARNS/JAILS/POST O		
NEW OTHER NON-HOUSEKEEPING SHE		
NEW HOSPITAL/INSTITUTION/NURSING HOME		
NEW PUBLIC WORKS/UTILITY BUILDINGS		
NEW INDUSTRIAL		
NEW CHURCHES OR RELIGIOUS CTR		
NEW PARKING GARAGE		
NEW SERVICE STATION/GARAGE		
ROOF COMMERCIAL	2	\$37,000
UNDERGROUND TANK REMOVAL		
COMMUNICATION TOWER		
GRADING	1	\$120,000
<b>TOTAL</b>	<b>79</b>	<b>\$4,806,505</b>
<b>OTHER NON-STRUCTURAL PERMITS</b>		
Banners	2	
Demolitions		
Signs	13	
Tents	2	
<b>TOTAL PERMITS ISSUED</b>	<b>96</b>	
<b>**ESTIMATED CONSTRUCTION COST ***</b>		<b>\$38,142,658</b>
<b>Calendar Y-T-D</b>		