

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

February 2, 2017

10:30 a.m.

Members Present:

Leland Leonard, Chairman
Frank Oglesby, Vice Chairman
Bill Sumner

Members Absent:

Bob Winstead, Jr.
Ashok Gala

Staff Present:

Ken Weems, AICP

At 10:30 a.m., the BZA departed the Development Services Building, 201 W. Market St. to conduct a driving tour of the property located at 1025 Maple Street. No official action was taken.

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

Respectfully Submitted,

Ken Weems, AICP
Zoning Administrator

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

February 2, 2017, Regular Meeting

Noon

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

Members Present:

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

Members Absent

Ashok Gala

Staff Present:

Ken Weems, AICP
Page Jeffers

Visitors:

Kenney Simpson
Forrest Hall, Jr.
Melissa Hall
Danny Karst
Carla Karst
Leola Campbell

Chairman Leonard called the meeting to order.

Chairman Leonard explained the meeting procedures.

Ms. Page Jeffers conducted the swearing in ceremony for those wishing to speak during the regular meeting. Kenney Simpson, Forrest Hall Jr., Leola Campbell, Melissa Hall, and Danny Karst were sworn in.

Public Hearing:

Case: 16-701-00028 – Property located at 1025 Maple Street, Control Map 46O, Group J, Parcel 032.00 requests a special exception for church accessory structure use in an R-1B zone to Sec 114-183(c); a 1,060 square foot variance for accessory structure size to Sec 114-133(2); and a 4.79% variance to lot coverage in a residential zone to Sec 114-133(2). The property is zoned R-1B, Residential District.

Mr. Forrest Hall, Jr. presented the case to the Board. Mr. Hall described the need for a fellowship hall to the Board. Mr. Hall stated that the new building would assist the church in conducting certain outreach efforts similar to other churches in the vicinity. Mr. Hall acknowledged the cramped location on the parcel due to such a small amount of property to build on. Mr. Hall noted that the church would match the new structure, appearance-wise, to the existing church.

Chairman Leonard opened the public hearing. Ms. Campbell asked if the new building would be constructed between her parcel and the Maple Street. Staff confirmed that the location of the

new construction would not be located in this area. Staff further directed Ms. Campbell to the proposal zoning development plan, which showed the new structure being built between the existing church and the alley that also serves Ms. Campbell's property. Staff stated that the planning department had not received any calls on the item.

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

Chairman Leonard, in conducting the business portion of the meeting, called for the approval of the February 2, 2017 driving tour and regular meeting minutes. On a motion by Mr. Sumner, seconded by Mr. Oglesby, the Board approved the February 2, 2017 driving tour minutes. On a motion by Mr. Sumner, seconded by Mr. Oglesby, the Board approved the February 2, 2017 regular meeting minutes.

The Board stated, for the record, that the next submittal deadline is February 15, 2017 at noon for the March 2, 2017 regular meeting.

Adjudication of Cases:

Case: 16-701-00028 – Property located at 1025 Maple Street, Control Map 46O, Group J, Parcel 032.00

Mr. Oglesby inquired as to the slope of the new parking lot proposal. The Board collectively agreed that the slope of the parking lot should remain at natural grade. The Board acknowledged that keeping the new parking lot at grade would best serve Ms. Campbell's property, especially since Ms. Campbell's steps will egress to the parking lot in the future. The Board acknowledged the tight conditions on the property due to the lot being very small. Additionally, the Board acknowledged adjacent church uses that are similarly configured to the proposal.

MOTION: made by Mr. Sumner, seconded by Mr. Winstead, Jr., to grant the 1,060 square foot variance to accessory structure size, 4.79% variance to lot coverage, and special exception for a church accessory structure in an R-1B zone with the following conditions: The proposed parking lot will be constructed at natural (existing) grade and the church accessory structure is to be constructed similar in appearance to the existing church building.

VOTE: 3-0 to approve the request due to extremely small lot size and a finding that the proposal does not negatively impact adjacent property.

PROOF PRESENTED:

1. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity. *The existing parcel configuration leaves very little room for the church to have amenities similar to adjacent church uses.*
2. The manner in which the strict application of this chapter would deprive the applicant of a reasonable use of the land. *The strict application of this chapter would deny the owners of a reasonable use of their property, whereas all surrounding similar uses are conducted on larger lots.*

3. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption or amendment of this chapter. *The existing property configuration is not a result of the applicant.*
4. Reasons that the variance will preserve not harm the public safety and welfare and will not alter the essential character of the neighborhood. *The variance will preserve the essential character of the neighborhood by allowing a church accessory use similar in size and amenities to those surrounding it.*

With no further business the meeting was adjourned at 12:17 p.m.

Respectfully Submitted,

Ken Weems, AICP
Zoning Administrator