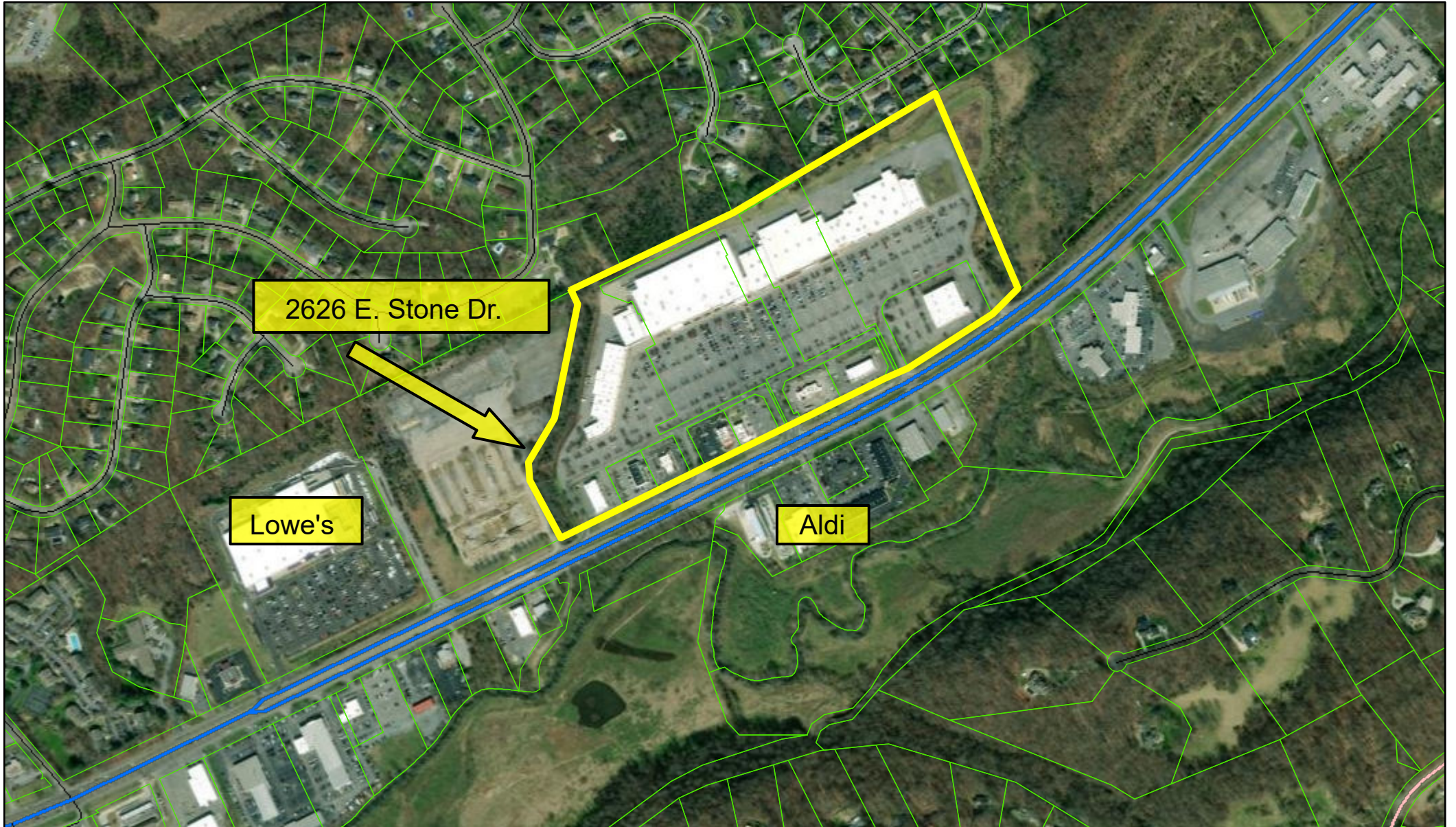


# ArcGIS Web Map



7/16/2024, 3:06:21 PM

Sullivan County Parcels Jan 2023

Parcels

Streets

Interstate

Expressway

Major Arterial

Minor Arterial

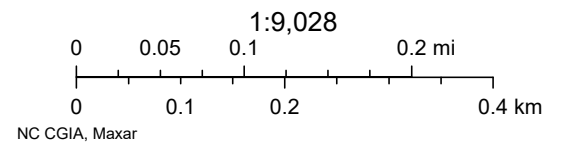
Collector Street

Local Street

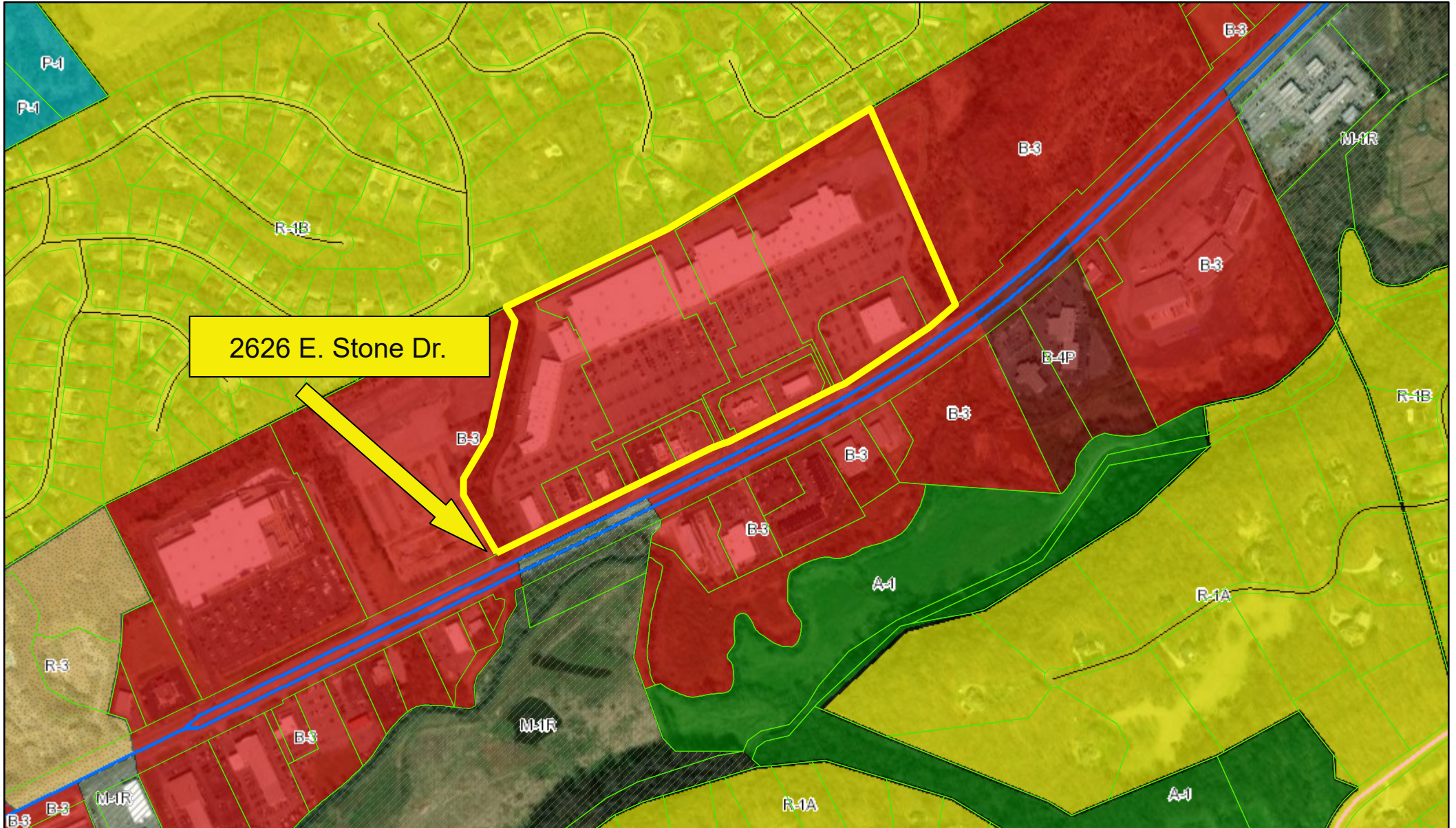
Private Street

Ramp

Urban Growth Boundary



# ArcGIS Web Map



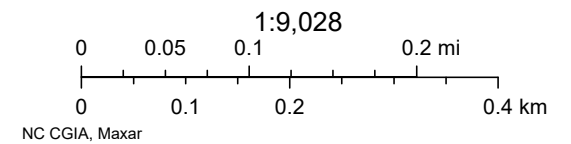
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Sullivan County Parcels Jan 2023

- Parcels
- Interstate
- Expressway

- Major Arterial
- Minor Arterial
- Collector Street
- Local Street
- Private Street
- Ramp
- City Zoning**
- <Null>

- |  |  |  |   |   |
|--|--|--|---|---|
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TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: July 25, 2024

RE: 2626 E. Stone Drive

The Board is asked to consider the following request:

**Case: BZA24-0146 – The owner of property located at 2626 East Stone Drive, Control Map 0471, Group A, Parcel 018.00** requests approval to Sec 114-533(8)a to permit one additional freestanding sign. The purpose of the request is to install a new multi-panel freestanding sign. The property is zoned B-3, Highway-Oriented Business District. The total sign square footage of the additional freestanding sign is 125.65 square feet. This exceeds the allowed 100 square feet of signage in a B-3 zone; however, the zoning code does not address size limits for additional freestanding signage. Please note BZA case no. 06-701-00030 was approved by the board allowing six additional out parcel signs limited to 40 square feet per side and no higher than 8 feet.

*Code reference:*

***Sec. 114-533. - On-premises signs.***

*(8) Highway Oriented Business District (B-3).*

*a. **Single-tenant business and multitenant centers are permitted one freestanding sign, provided:***

- 1. The sign surface area shall not exceed one square foot per lineal foot of frontage for the first 100 feet of frontage;*
- 2. The maximum sign surface area shall be 100 square feet per side or 200 square feet total of all sides;*
- 3. A lot with a multiple-street frontage, including a corner lot, uses only one street frontage for computing the sign surface area; and*
- 4. The height of the sign shall not exceed 30 feet above the ground.*

an electronic Sign in a B-3, General Business District, [Kingsport Code of Ordinances, Section 114-571(b)]. Mr. Kevin Bennett and Mr. James Warren presented the case to the Board. On a motion by Bob Winstead, seconded by Frank Oglesby, the Board voted unanimously, 4-0, to grant the variance as with the following stipulations: 1) the messages do not scroll. 2) The messages would not change quicker than every 30 seconds.

Case No. 06-701-00027: The property located at 1526 Bridgewater Lane. (Sullivan County tax map 47H, group A, parcel 6.01) requests a special exception to allow the installation of an electronic Sign in a B-3, General Business District, [Kingsport Code of Ordinances, Section 114-571(b)]. Mr. James Hayes presented the case to the Board. On a motion by Bob Winstead, seconded by Frank Oglesby, the Board voted unanimously, 4-0, to grant the variance as with the following stipulations: 1) the messages do not scroll. 2) The messages would not change quicker than every 30 seconds.

Case No. 06-701-00028: The property located at 1336 East Stone Drive. (Sullivan County tax map 46L, group B parcel 7) requests a special exception to allow the installation of an electronic Sign in a B-3, General Business District, [Kingsport Code of Ordinances, Section 114-571(b)]. Mr. James Leonard presented the case to the Board. On a motion by Bob Winstead, seconded by Frank Oglesby, the Board voted unanimously, 4-0, to grant the variance as with the following stipulations: 1) the messages do not scroll. 2) The messages would not change quicker than every 30 seconds.

Case No. 06-701-00029: The property located at 2354 Fort Henry Drive. (Sullivan County tax map 62I, group J parcel 4) requests a special exception to allow the installation of an electronic Sign in a B-3, General Business District, [Kingsport Code of Ordinances, Section 114-571(b)]. Mr. James Leonard presented the case to the Board. On a motion by Bob Winstead, seconded by Frank Oglesby, the Board voted unanimously, 4-0, to grant the variance as with the following stipulations: 1) the messages do not scroll. 2) The messages would not change quicker than every 30 seconds.

Case No. 06-701-00030: The property located at 2626 East Stone Drive (Sullivan County tax map 47, parcel 26) requests a dimensional variance in order to construct a free standing sign for a multi-tenant shopping center in a B-3, General Business District which requires a maximum height of (30)ft and a maximum sign surface area not to exceed (100)sq.ft. per side [Kingsport Code of Ordinances, Section 114-569(8) (a) (1) (2) (4)]. Mr. Matt Lukas presented the case to the Board. After a detailed discussion with the representative and on a motion by John Caldwell, seconded by Bob Winstead, the Board voted unanimously, 4-0, to grant the variance as presented taking into consideration that this property has 2,500 linear feet of road frontage and the development is in excess of 400,000 sq.ft. and the character of the highway is a four-lane divided highway with the following stipulation: 1)The 6 out parcels signage be limited to 40 sq.ft. per side and no be placed no higher than 8 ft.

# APPLICATION

Board of Zoning Appeals



<b>APPLICANT INFORMATION:</b>			
Last Name: Cann	First: Nathan	M.I.	Date: 06-25-2024
Street Address: 2626 E Stone Dr		Apartment/Unit #	
City: Kingsport	State: TN	ZIP	37660
Phone 7208366504	E-mail Address ncann@drycreekcp.com		

<b>PROPERTY INFORMATION:</b>			
<i>Tax Map Information</i>	Tax map: 047	Group:	Parcel: 025.00 Lot: 27.09
Street Address 2626 E Stone Dr, Kingsport TN 37660		Apartment/Unit #	
Current Zone	Proposed Zone		
Current Use	Proposed Use		

<b>REPRESENTATIVE INFORMATION:</b>					
Last Name	Wortmann, and Ziegler	First	Scott, and Aiden	M.I.	Date
Street Address 383 Inverness Parkway Suite 390		Apartment/Unit #			
City	Englewood	State	Colorado	ZIP	80112
Phone	720-836-6511	E-mail Address swortmann@drycreekcp.com, aziegler@drycreekcp.com			

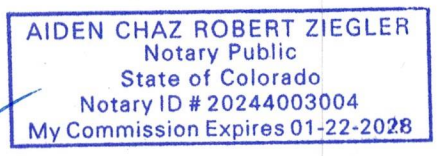
<b>REQUESTED ACTION:</b>	
<b>Seeking approval for a second freestanding sign. 25ft2 inches high and 8 ft 4 inches wide. With 150.67 Sqft.</b>	

### DISCLAIMER AND SIGNATURE

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

Signature:  Date:

Signed before me on this 15 day of July, 2024,  
a notary public for the State of Colorado  
County of Douglas  
Notary Aiden Ziegler  
My Commission Expires 01-22-28



## Variance Worksheet – Finding of Facts

*Variances.* Except as provided herein to hear and decide applications for variance from the terms of this chapter, because of exceptional narrowness, shallowness or shape of a specific piece of property which on June 16, 1981, was a lot of record or where, **because of exceptional topographic conditions or other extraordinary or exceptional situation or condition of a piece of property**, the strict application of this chapter would result in peculiar and exceptional practical difficulties to exception or undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purposes of this chapter. Before any variance is granted, the board must find all of the following, which shall be recorded, along with any imposed conditions or restrictions, in minutes and records and issued in written form to the applicant to constitute proof of the variance:

a. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

**Due to the large size of the shopping center, there are some tenants that do get the recognition and visibility they deserve. On the west wing of Kings Port Pavilion, the stores get less visibility from the road due to our parcel building blocking vision. The design of Kingsport was not built for some smaller tenants and was meant for large groups which is why the visibility is hindered by the out parcels it was expected to have a large Tenant.**

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

**The large amount of unseen buildings hurts our foot traffic since people do not know what is there and available to see. With a mini pylon on the corner, it will give that added site line for us.**

c. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption or amendment of this chapter.

**This is a unique circumstance since we already have a large Pylon we want to accompany it with a mini-  
pylon to give the shopping center a much better look. The adoption of this will result in positive feedback from the city and its people.**

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

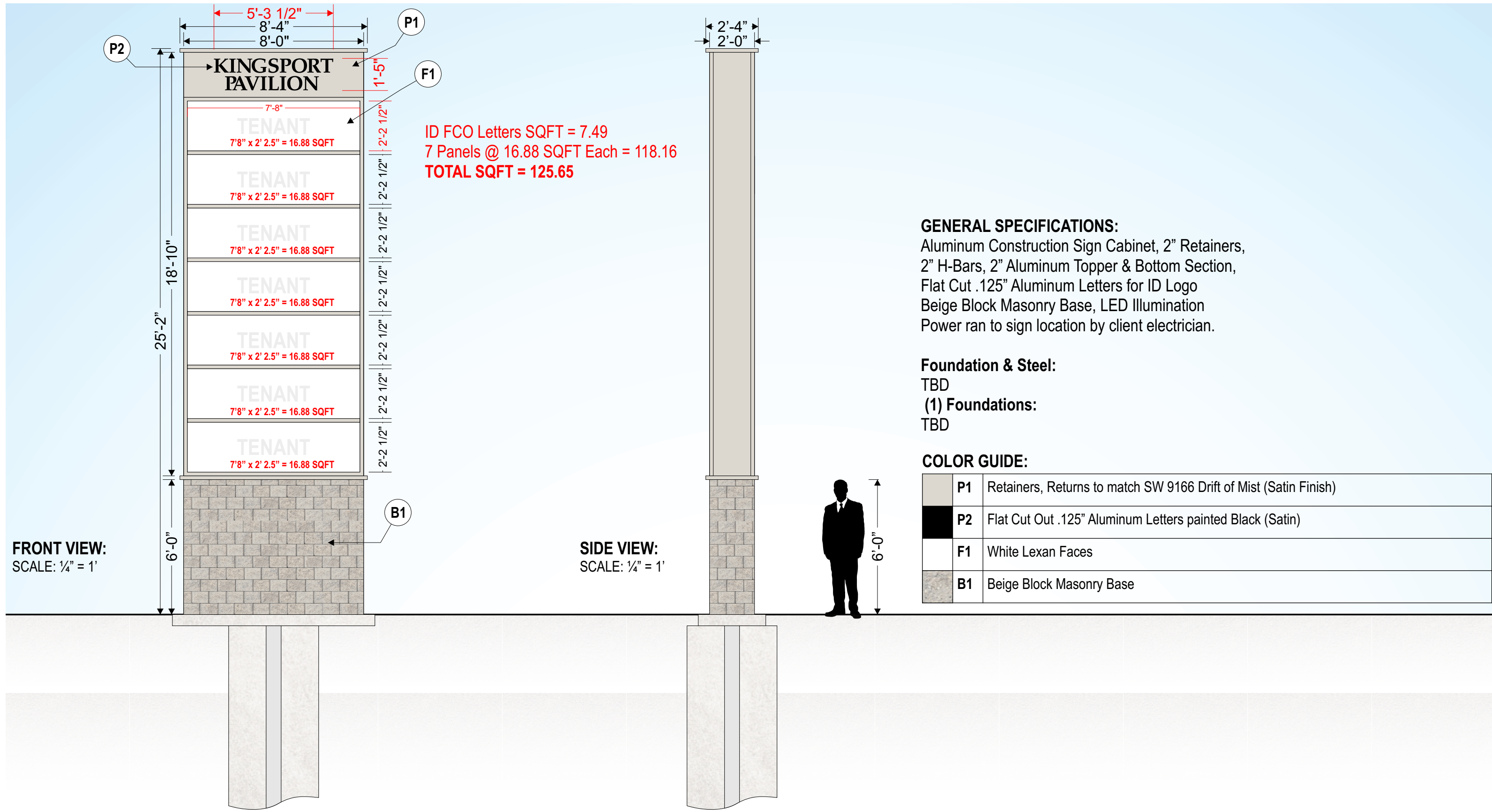
**It will be a reminder to the community that we do not forget the little guy or the unseen. Want to make sure the smaller places are able to get there sign. It will only take a few weeks of installation and that will be the most noise heard. We follow all the proper permits and safety protocols.**

Further, a variance may be granted only if the Board finds that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and this chapter. Variances shall not be granted permitting an increase in floor area or density above the maximum permitted by the zoning district; allowing a use other than those specifically authorized by this chapter in the applicable zoning district; or from the denial of a zoning permit when such denial is due to the fact that such lot has no frontage on a public street unless such lot was a lot of record on June 16, 1981.

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

1. The premises of cannot be used in a manner permitted by the Zoning Ordinance unless the variance is granted.
2. A strict application of the terms of the Zoning Ordinance precludes its use for any purpose to which the land is reasonably adopted.
3. Inability to put the property to its most profitable use DOES NOT constitute a "hardship".
4. Mere inconvenience to the applicant is not sufficient grounds for determining a "hardship". In granting a variance the BZA may not make any decision that is contrary to the purpose and intent of the Zoning Ordinance.

# DRY CREEK CAPITAL PARTNERS | PYLON SIGN



**GENERAL SPECIFICATIONS:**  
 Aluminum Construction Sign Cabinet, 2" Retainers, 2" H-Bars, 2" Aluminum Topper & Bottom Section, Flat Cut .125" Aluminum Letters for ID Logo  
 Beige Block Masonry Base, LED Illumination  
 Power ran to sign location by client electrician.

**Foundation & Steel:**  
 TBD  
**(1) Foundations:**  
 TBD

**COLOR GUIDE:**

P1	Retainers, Returns to match SW 9166 Drift of Mist (Satin Finish)
P2	Flat Cut Out .125" Aluminum Letters painted Black (Satin)
F1	White Lexan Faces
B1	Beige Block Masonry Base



# DRY CREEK CAPITAL PARTNERS | PYLON SIGN - LOCATION

GIS VIEW:  
SCALE: NTS  
SITE PLAN NEEDED



Possible Pylon Sign Location