

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

June 6, 2024, Regular Meeting

Noon

Montgomery-Watterson Boardroom, City Hall

Members Present:

Bill Sumner
Tracey Cleek
Joe White
Wes Combs

Members Absent:

Calvin Clifton

Staff Present:

Lori Pyatte
Ken Weems
Jessica McMurray

Visitors:

Les Harrell
Ricky Burke
Doneyette Jackson
David Slate
Bill Ward
Jasper Chin

Chairman Bill Sumner called the meeting to order at 12:00pm.

Chairman Sumner explained the meeting procedures.

Ms. Lori Pyatte conducted the swearing in ceremony for those wishing to speak during the regular meeting. All visitors were sworn in.

Public Hearing:

Case: BZA24-0080 – The owner of property located at 201 E. Stone Drive, Control Map 046B, Group G, Parcel 006.00 requests a 13.75 square foot variance to Sec 114-536(2) for the purpose of exceeding maximum sign size requirements, a 3% variance to Sec 114-536(2) to exceed electronic message board size requirements and a 5.5 foot variance to Sec 114-533(c)2 for the purpose of exceeding height requirements for a new electronic church sign and message board. The property is zoned R-1C, Residential District.

Mr. Les Harrell introduced himself and presented the case to the board. Mr. Harrell explained the request was to exceed maximum sign requirements in order to install a new freestanding sign with an electronic message board. Mr. Harrell stated the parcel is situated off E. Stone Drive and traffic moves quickly making it difficult to read the current sign. Mr. Weems noted the request is appropriate as the majority of parcels on E. Stone Drive have larger signs with electronic message boards. Mr. Weems stated no phone calls were received.

Chairman Sumner, seeing no one wishing to speak further on the item, closed the public hearing.

Case: BZA24-0086 – The owner of property located at 1007 Oak Street, Control Map 046O, Group K, Parcel 039.00 requests a 12 foot front yard variance to Sec 114-183(e)(1)c, a five foot side yard variance for both side yards to Sec 114-183(e)(1)d and a 26 foot rear yard variance to Sec 114-183(e)(1)e for the purpose of installing a new single family modular home. The property is zoned R-1B, Residential District.

Mr. Ricky Burke introduced himself and presented the case to the board. Mr. Burke explained the purpose of the request was to install a new modular home. Chairman Sumner questioned if the board heard this case before. Staff confirmed and noted the variances being requested today are completely different than the past request. Mr. Burke stated his initial intent was to construct a new single family home on-site but due to building code requirements and rising construction costs he has decided to install a new modular home. Mr. Burke continued explaining modular units come in a limited number of sizes and he has selected a 28 x 44 unit. Ms. Tracey Cleek noted the site plan submitted shows dimensions for a unit sized 22 x 44. Mr. Burke agreed and stated he would select a unit as sized on the site plan. Mr. Weems noted the city building official sent a negative recommendation as follows “per 2018 IRC Table 302.1 (1) & Table 302.1 (2) exterior walls less than 5' from property lines shall have a minimum fire-resistance rating of 1 hour or be equipped throughout with an automatic sprinkler system installed in accordance with Section P2904. Exterior openings (windows & doors) are not allowed for structures 3' or less from property lines.” Mr. Burke stated he was aware of the comments provided by the city building official and would follow all building code requirements. Mr. Weems stated no phone calls were received.

Chairman Sumner, seeing no one wishing to speak further on the item, closed the public hearing.

Case: BZA24-0091 – The owner of property located at 211 Wrenwood Court, Control Map 106I, Group A, Parcel 001.52 requests a 25 foot deviation from rear yard to Sec 114-133(1) for the purpose of locating a yard barn in the side yard. The property is zoned R-1B, Residential District.

Ms. Doneyette Jackson introduced herself and presented the case to the board. Ms. Jackson explained she recently learned that the yard barn located on her property was located partially on the abutting parcel. She went on to say the purpose of the request was to locate the yard barn entirely on her property and in order to do so she needed to move the yard barn into the side yard based on the irregular lot shape. Mr. Weems stated no phone calls were received.

Chairman Sumner, seeing no one wishing to speak further on the item, closed the public hearing.

Case: BZA24-0094 – The owner of property located at 2245 Lamont Street, Control Map 046F, Group C, Parcel 018.00 requests a ten foot front yard variance to Sec 114-182(e)(1)c for the purpose of constructing a new single family home. The property is zoned R-1A, Residential District.

Staff noted the request is a 17.8 foot variance not the 10 foot as noted above. Mr. Jasper Chin introduced himself and presented the case to the board. Mr. Chin explained the purpose of the request was to construct a new single family home. He stated due to the steep slope in the rear yard and storm drains in the side yard it was necessary to move the home into the front yard. Mr. Chin further explained moving the home forward aligns the home with other houses in the neighborhood. Mr. Weems stated no phone calls were received.

Chairman Sumner, seeing no one wishing to speak further on the item, closed the public hearing.

Case: BZA24-0099 – The owner of property located at 1487 Rock Springs Road, Control Map 105, Parcel 097.00 requests a 75 square foot variance to Sec 114-553(11)(a). The purpose of the request is to exceed maximum size requirements for an existing freestanding sign. The property is zoned M-1, Light Manufacturing District.

Mr. Bill Ward introduced himself and presented the case to the board. Mr. Ward explained the purpose of the request was to exceed maximum freestanding sign allotment. He noted the current sign was faded, small and difficult to read from the road. Mr. Weems stated no phone calls were received.

Chairman Sumner, seeing no one wishing to speak further on the item, closed the public hearing.

Case: BZA24-0102 – The owner of property located at 1800 East Stone Drive, Control Map 047I, Group A, Parcel 018.00 requests approval to Sec 114-533(8)a to permit one additional freestanding sign and a 20 foot variance to Sec 114-533(8)(a)4 to exceed maximum freestanding sign height requirements. The purpose of the request is to replace an existing, non-conforming freestanding sign. The property is zoned B-3, Highway-Oriented Business District.

Mr. David Slate introduced himself and presented the case to the board. Mr. Slate explained the purpose of the request was to replace panels and paint one of the two freestanding signs located on the property. Staff noted the freestanding sign is non-conforming requiring board approval to make any changes. Mr. Weems stated no phone calls were received.

Chairman Sumner, seeing no one wishing to speak further on the item, closed the public hearing.

Adjudication of Cases:

Case: BZA24-0080 – The owner of property located at 201 E. Stone Drive, Control Map 046B, Group G, Parcel 006.00 requests a 13.75 square foot variance to Sec 114-536(2) for the purpose of exceeding maximum sign size requirements, a 3% variance to Sec 114-536(2) to exceed electronic message board size requirements and a 5.5 foot variance to Sec 114-533(c)2 for the purpose of exceeding height requirements for a new electronic church sign and message board. The property is zoned R-1C, Residential District.

The board noted the hardship is distance of the sign from the main road.

MOTION: made by Wes Combs, seconded by Mr. Joe White, to approve the sign variances as requested.

VOTE: 4-0 to approve the request.

Case: BZA24-0086 – The owner of property located at 1007 Oak Street, Control Map 046O, Group K, Parcel 039.00 requests a 12 foot front yard variance to Sec 114-183(e)(1)c, a five foot side yard variance to Sec 114-183(e)(1)d and a 26 foot rear yard variance to Sec 114-183(e)(1)e for the purpose of installing a new single family modular home. The property is zoned R-1B, Residential District.

The board noted the hardship is the legal non-conforming lot size.

MOTION: made by Mr. Joe White, seconded by Ms. Tracey Cleek, to approve the 12 foot front yard variance, five foot side yard variance on both sides and the 26 foot rear yard variance as requested and as shown on the site plan presented to the board.

VOTE: 4-0 to approve the request.

Case: BZA24-0091 – The owner of property located at 211 Wrenwood Court, Control Map 106I, Group A, Parcel 001.52 requests a 25 foot deviation from rear yard to Sec 114-133(1) for the purpose of locating a yard barn in the side yard. The property is zoned R-1B, Residential District.

The board noted the hardship is the irregular lot shape.

MOTION: made by Mr. Wes Combs, seconded by Mr. Joe White, to approve the 25 foot deviation from rear yard as requested.

VOTE: 4-0 to approve the request.

Case: BZA24-0094 – The owner of property located at 2245 Lamont Street, Control Map 046F, Group C, Parcel 018.00 requests a ten foot front yard variance to Sec 114-182(e)(1)c for the purpose of constructing a new single family home. The property is zoned R-1A, Residential District.

The board noted the hardship is the irregular lot shape, steep slope in the rear yard and the storm drain in the side yard.

MOTION: made by Mr. Wes Combs, seconded by Mr. Joe White, to approve the 17.8 square foot front yard variance as revised by staff during the public hearing.

VOTE: 4-0 to approve the request.

Case: BZA24-0099 – The owner of property located at 1487 Rock Springs Road, Control Map 105, Parcel 097.00 requests a 75 square foot variance to Sec 114-553(11)(a). The purpose of the request is to exceed maximum size requirements for an existing freestanding sign. The property is zoned M-1, Light Manufacturing District.

The board noted the hardship is distance of the sign from the main road.

MOTION: made by Ms. Tracey Cleek, seconded by Mr. Wes Combs, to approve the 75 square foot freestanding sign variance as requested.

VOTE: 4-0 to approve the request.

Case: BZA24-0102 – The owner of property located at 1800 East Stone Drive, Control Map 047I, Group A, Parcel 018.00 requests approval to Sec 114-533(8)a to permit one additional freestanding sign and a 20 foot variance to Sec 114-533(8)(a)4 to exceed maximum freestanding sign height requirements. The purpose of the request is to replace an existing, non-conforming freestanding sign. The property is zoned B-3, Highway-Oriented Business District.

MOTION: made by Mr. Wes Combs, seconded by Ms. Tracy Cleek, to approve the non-confirming sign as requested.

VOTE: 4-0 to approve the request.

BUSINESS:

MOTION: made by Mr. Combs, seconded by Ms. Cleek, to approve the Kingsport Board of Zoning Appeals minutes for May 2, 2024.

VOTE: 4-0 to approve the minutes.

With no further business the meeting was adjourned at 12:51 p.m.

Respectfully Submitted,

Jessica McMurray

Jessica McMurray
Development Coordinator