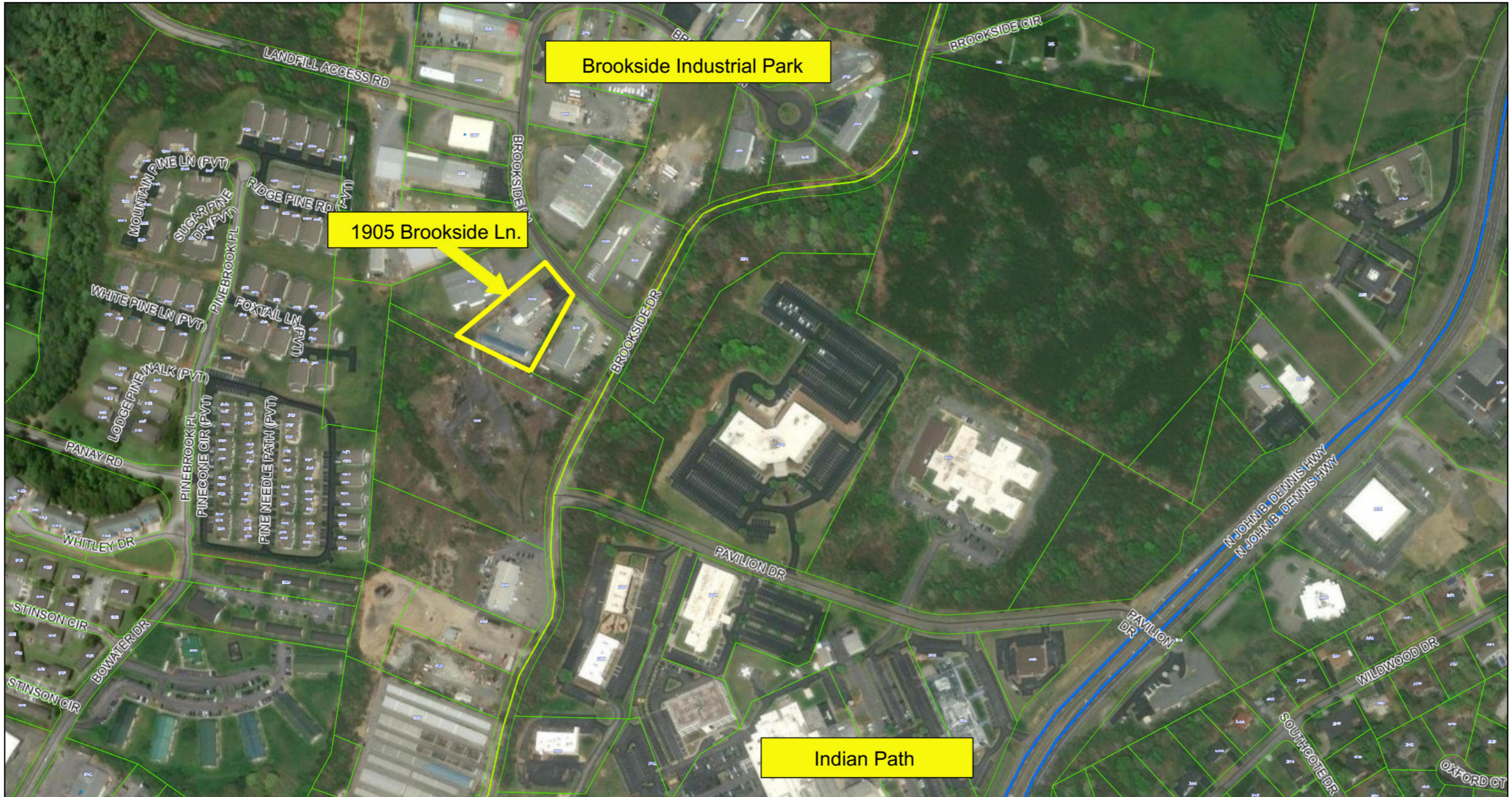


ArcGIS Web Map

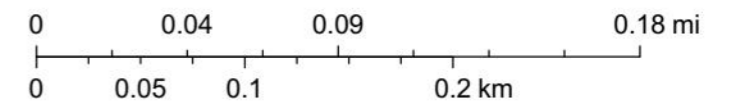


4/14/2026, 8:45:31 AM

Sullivan County Parcels Jan 2023 Streets

- Parcels
- Urban Growth Boundary
- Major Arterial
- Collector Street
- Local Street
- Private Street
- Kpt 911 Address

1:4,514



NC Collaboratory at UNCCH, Vantor



TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: April 15, 2026

RE: 1905 Brookside Lane

The Board is asked to consider the following request:

Case: BZA26-0084–The owner of property located at 1905 Brookside Lane, Control Map 047A, Group A, Parcel 09.30 requests a variance from Section 114-535(1) to reduce the minimum required lot frontage by 27.12 feet in order to install a freestanding sign with an electronic message board. The property is zoned M-1, Light Manufacturing District.

Code reference:

Sec. 114-535. - Electronic message board signs.

Except as otherwise provided in this section, electronic message boards are allowed only in the following zoning districts: M-1, Light Manufacturing District, M-1R, Light Manufacturing Restricted, District, M-2, General Manufacturing District, B-3, General Business District, BC, Business Conference Center District, B-4P, Planned Business District, and TA/C, Tourist Accommodation/Commerce District as follows:

(1) Only one freestanding electronic message board to convey information by words, letters, or still pictures shall be permitted for each development, provided that at least one parcel within the development has a minimum frontage of 150 feet and the electronic message board sign is mounted along the parcel front.

APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name Millsap
Street Address 1905 Brookside Ln
City Kingsport
Phone [REDACTED]

First Rick
State TN
E-mail Address [REDACTED]

M.I. J Date 3/24/26
Apartment/Unit #
ZIP 37660

PROPERTY INFORMATION:

Tax Map Information Tax map 047A Group: A
Street Address 1905 Brookside Ln
Current Zone
Current Use

Parcel 00930 Lot: 29
Proposed Zone
Proposed Use

Apartment/Unit #

REPRESENTATIVE INFORMATION:

Last Name Millsap
Street Address 1905 Brookside Ln
City Kingsport
Phone [REDACTED]

First Rick
State TN
E-mail Address [REDACTED]

M.I. J Date 3/24/26
Apartment/Unit #
ZIP 37660

REQUESTED ACTION:

The request is a variance from Section 114-555(1) to reduce the minimum required lot frontage by 27.12 feet in order to install freestanding sign with an electronic message board.

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: Rick Millsap

Date: 3/30/26

Signed before me on this 30th day of March 2026
a notary public for the State of Tennessee
County of Sullivan

Notary Margaret R. Ryans
My Commission Expires November 21, 2027



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.

Kingsport Heating and Air has operated at 1905 Brookside Lane since 1987. In those 39 years, I have seen the traffic density on the Stone Drive corridor increase significantly. My land has a unique natural upward slope—a 3.5-foot rise from the curb—and a building setback of over 100 feet, which is much deeper than newer developments. Because of this specific topography and the mature trees we have preserved for four decades, a standard sign is 'buried' in the landscape. Drivers often do not see our entrance until they have already passed the driveway, creating a safety hazard. This physical 'visual valley' is a hardship unique to my specific lot and is not shared by the flatter, street-adjacent properties in this vicinity.

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

Strict application of the current code would deprive me of the reasonable use of my land by rendering my business functionally invisible to the public. I understand that safe, clear identification is essential for any business to survive. Without the requested height to clear the 3' 6" elevation rise and the monument width to be seen from a distance, I am denied the same level of public access and safety that my neighbors enjoy. A sign that works for a flat lot simply does not provide a 'reasonable' level of visibility for a recessed, sloped lot like mine.

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

The unique conditions of this property are entirely natural and pre-date modern zoning. I have operated here since 1987, and the topography of the land—specifically the rising grade and deep setback—existed long before the current ordinance was adopted. Furthermore, the mature tree growth is a result of 40 years of natural growth, not a recent landscaping choice I made to create an obstruction. The hardship we face today is a result of the world changing around us—faster traffic and increased commercial noise—making our original 1980s visibility insufficient for modern safety standards.

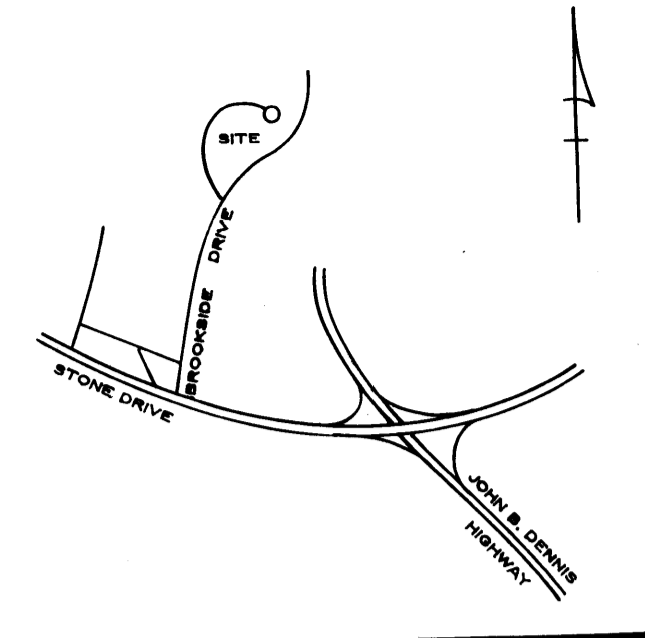
d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

This variance will actually improve public safety by providing clear, early identification for drivers, preventing the sudden braking and missed turns that currently occur at our entrance. We have been a good neighbor for 39 years; therefore, we have chosen a high-quality monument-style design that fits the professional character of Brookside Lane. We aren't changing the character of the district; we are simply ensuring a long-standing local employer remains visible and safe for the Kingsport community.

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.



LOCATION MAP 1" = 5 MI.

ADDENDUM TO
 CERTIFICATE OF OWNERSHIP AND DEDICATION

Alba C. Hays
 OWNER LOT 7

John L. McLean
 OWNER LOT 8

Fambrough Holding
 OWNER LOT 9

Fambrough Holding
 OWNER LOT 10

David M. Hays
 OWNER LOT 21

ALL LOTS SHOWN HEREON, WITH THE EXCEPTION OF LOTS 1 & 2, ARE PART OF TRACT 3 BROOKSIDE INDUSTRIAL PARK OF RECORD IN PLAT BOOK 20, PAGE 36 R.O.S.C.

BROOKSIDE INDUSTRIAL PARK RESTRICTIONS OF RECORD IN DEED BOOK 455C, PAGE 164 R.O.S.C.

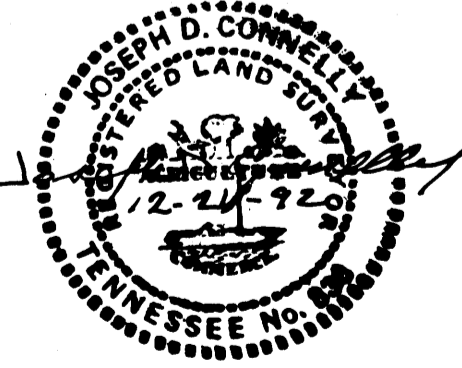
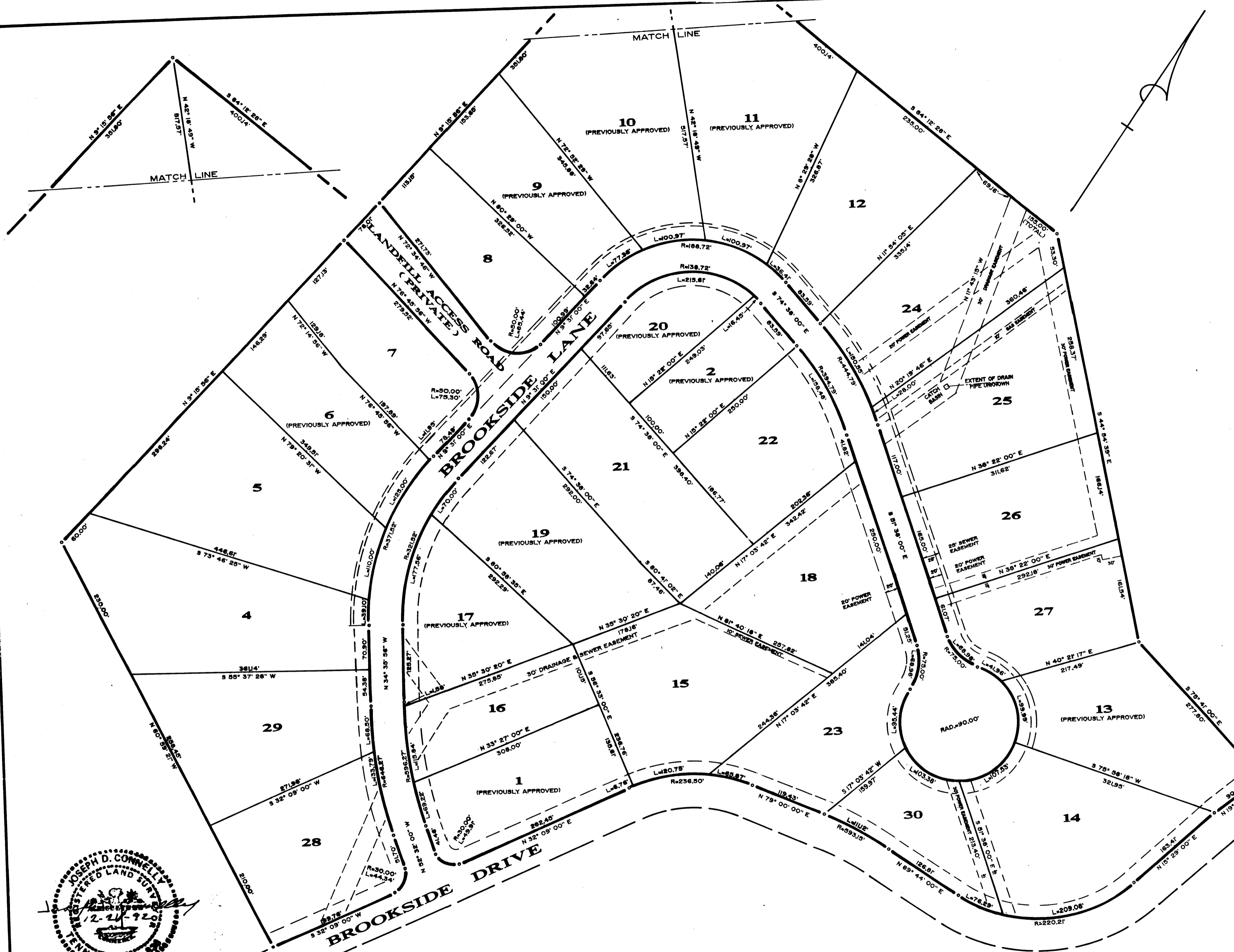
BUILDING SETBACK LINES TO CONFORM TO RESTRICTIONS AND ZONING ORDINANCE.

SURFACE DRAINAGE FOLLOWING NATURAL DRAINAGE PATTERNS BECOMES THE RESPONSIBILITY OF INDIVIDUAL LOT OWNERS.

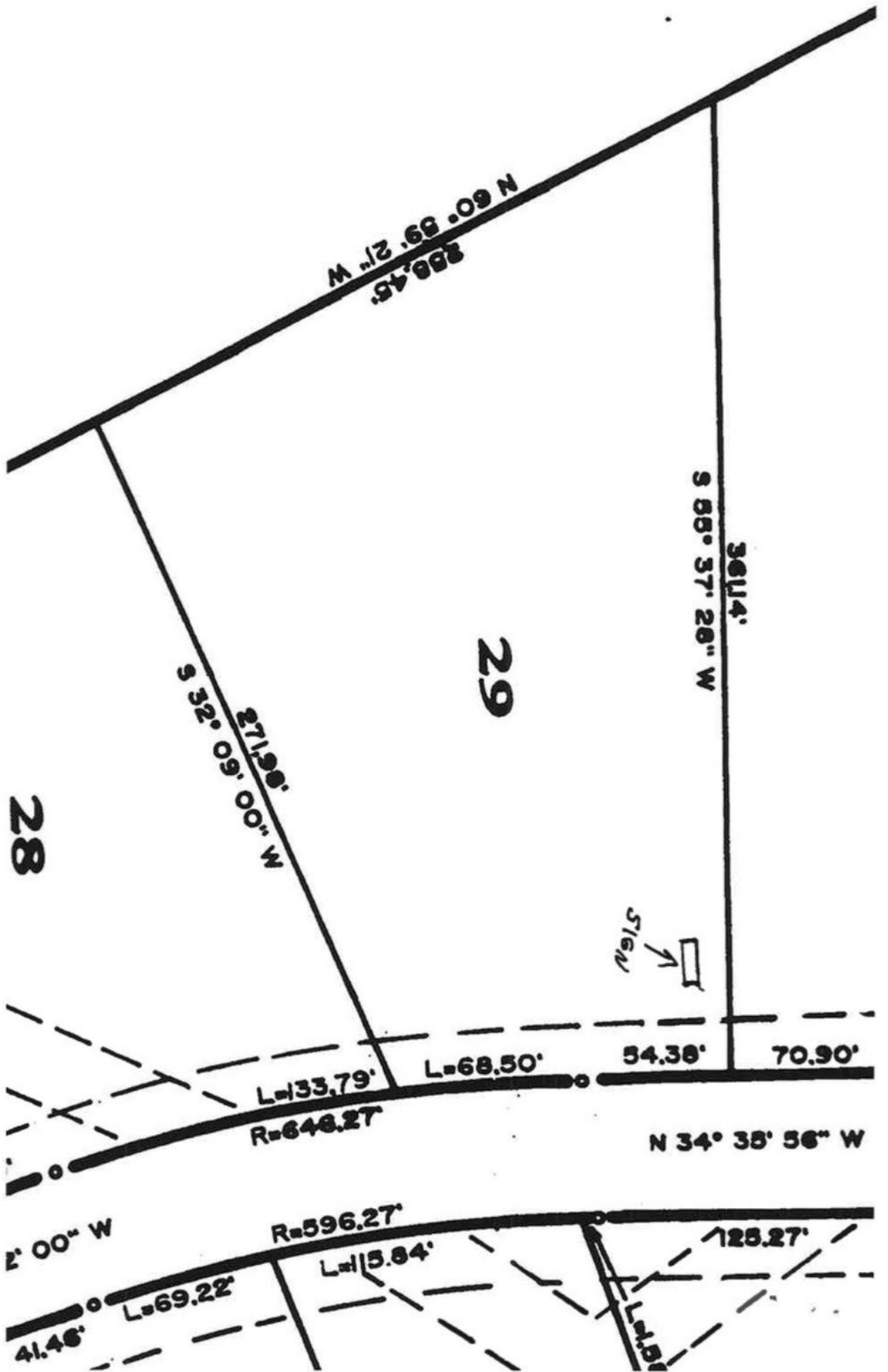
IRON PINS ON ALL CORNERS.

88257
 BK 37 PG 67

State of Tennessee, County of SULLIVAN
 Received for record the 21 day of
 SEPTEMBER 1993 at 10:20 AM. (REC# 46225)
 Recorded in Book 37 Pages 67- 67
 State Tax \$.00 Clerks Fee \$.00
 Recordings \$ 10.00, Total \$ 10.00.
 Register of Deeds MARY LOU DUNCAN
 Deputy Register REVONDA WISE



<p>CERTIFICATE OF OWNERSHIP AND DEDICATION</p> <p>(I/WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY(OUR) FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.</p> <p>(SEE ADDENDUM)</p> <p>Sept. 9 19 93 <i>W.E. King</i> OWNER</p>	<p>CERTIFICATE OF ACCURACY</p> <p>I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE <u>KINGSPORT</u> TENNESSEE REGIONAL PLANNING COMMISSION AND THAT THE MONUMENTS HAVE BEEN PLACED AS SHOWN HEREON.</p> <p>Dec. 21 19 92 <i>Joseph D. Connelly</i> REGISTERED ENGR. OR SURVEYOR</p>	<p>CERTIFICATION OF THE APPROVAL OF STREETS AND UTILITIES</p> <p>I HEREBY CERTIFY: (1) THAT STREETS, UTILITIES AND HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO CITY SPECIFICATIONS OR, (2) THAT A SECURITY BOND IN THE AMOUNT OF \$ _____ HAS BEEN POSTED WITH THE PLANNING COMMISSION TO GUARANTEE THE COMPLETION OF ALL REQUIRED IMPROVEMENTS IN CASE OF DEFAULT.</p> <p>DATE _____ 19 ____</p> <p>CITY ENGINEER OR COUNTY ROAD COMM.</p>	<p>CERTIFICATION OF THE APPROVAL OF WATER AND SEWERAGE SYSTEM</p> <p>I HEREBY CERTIFY THAT THE WATER SUPPLY AND/OR SEWAGE DISPOSAL UTILITY SYSTEM OR SYSTEMS INSTALLED, OR PROPOSED FOR INSTALLATION, FULLY MEET THE REQUIREMENTS OF THE TENNESSEE HEALTH DEPARTMENT, AND ARE HEREBY APPROVED AS SHOWN.</p> <p>15 Sept 19 93 <i>[Signature]</i> CITY ENGINEER OR HIS AUTHORIZED REP.</p>	<p>CERTIFICATE OF APPROVAL FOR RECORDING</p> <p>I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR <u>KINGSPORT</u> TENNESSEE, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE <u>Sullivan Co</u> REGISTER.</p> <p>Sept 21 19 93 <i>H.B. Murphy Jr.</i> SECRETARY, REGIONAL PLANNING COMMISSION</p>	<p>BROOKSIDE INDUSTRIAL PARK KINGSPORT REGIONAL PLANNING COMMISSION</p> <p>TOTAL ACRES <u>38.20</u> TOTAL LOTS <u>29</u> ACRES NEW ROAD <u>0</u> MILES NEW ROAD <u>0</u></p> <p>OWNER OF THE CITY OF KINGSPORT CIVIL DISTRICT <u>11th</u> SURVEYOR <u>JOSEPH D. CONNELLY</u> CLOSURE ERROR <u>NIL</u></p> <p>SCALE 1" = 100'</p>
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Approved _____ on: _____