

ArcGIS Web Map



11/18/2024, 9:13:34 AM

Sullivan County Parcels Jan 2023

Parcels

Streets

Interstate

Expressway

Major Arterial

Minor Arterial

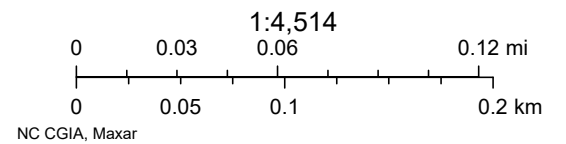
Collector Street

Local Street

Private Street

Ramp

Urban Growth Boundary





TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: November 18, 2024

RE: 1657 Belmeade Drive

The Board is asked to consider the following request:

Case: BZA24-0258 – The owner of property located at 1657 Belmeade Drive, Control Map 046N, Group E, Parcel 017.00 requests a 3-inch side yard variance from Section 114-182(e)(1)(d)1 to facilitate a home addition, and a 27.4-foot rear yard deviation from Section 114-133(1) to allow for the construction of a detached garage in the side yard. The property is zoned R-1A, Residential District.

Code reference:

Sec. 114-182. - R-1A, Residential District.

(e)Dimensional requirements. The minimum and maximum dimensional requirements for the R-1A district are as follows:

- (1)Minimum requirements.
 - a. Lot area, 10,000 square feet.
 - b. Lot frontage, 60 feet.
 - c. Front yard, 40 feet.
 - d. Each side yard:
 1. Ten feet for one or two stories;
 2. 15 feet for three stories;
 3. Plus 50 percent on the street side yard.
 - e. Rear yard, 30 feet.
 - f. Usable open space, not applicable.

Sec. 114-133. - Accessory building location and height.

Under this chapter, the following shall apply to the location and height of accessory buildings:

- (1) *Yards.* No accessory building shall be erected in any required court or yard other than a rear yard with exceptions as provided in subsection (3) of this section.

APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name	Wheeler	First	Billy	M.I.	M	Date	11/06/24
Street Address	1613 Belmeade Drive, Kingsport TN			Apartment/Unit #			
City	Kingsport	State	TN	ZIP	37664		
Phone	423-276-6104	E-mail Address	marshwheel@chartertn.net				

PROPERTY INFORMATION:

Tax Map Information Tax map: 046N Group: E Parcel: 017.00 Lot: 6

Street Address	1657 Belmeade Drive, Kingsport TN 37664	Apartment/Unit #	
Current Zone	R1-A	Proposed Zone	Same as before
Current Use	Residential	Proposed Use	Same as before

REPRESENTATIVE INFORMATION:

Last Name	Stone	First	Mike	M.I.	A	Date	11/3/24
Street Address	2141 Mocassin Street South			Apartment/Unit #			
City	Kingsport	State	TN	ZIP	37660		
Phone	423-418-3333	E-mail Address	mike@mikestonearchitect.com				

REQUESTED ACTION:

Item #1: A variance to allow a side setback encroachment of 3" to allow a rear 8ft long addition to align with the existing house.

Item #2: A departure from rear yard variance to allow the garage to reside in the side yard 27'-4". The existing lot is odd-shaped making this garage location the best place from an accessibility standpoint.

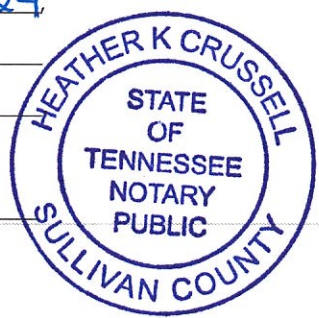
DISCLAIMER AND SIGNATURE

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: Billy M. Wheeler Date: 11/6/24

Signed before me on this 6th day of November, 2024
 a notary public for the State of Tennessee
 County of Sullivan

Notary Heather K Crussell



My Commission Expires May 28, 2025

CITY PLANNING OFFICE

Received Date:

Received By:

Application Fee Paid:

Board of Zoning Appeals Meeting Date:

Section of Applicable Code:

Building/Zoning Administrator Signature:

Date:

Completed Site Plans Received:

Previous requests or file numbers:

Signature of
City Planner:

Date:

Variance Worksheet – Finding of Facts

Variations. 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.

1) The existing building wall siding encroaches approximately 3” into the side setback, despite the foundation wall being right on the setback line per the survey in the location of the tie-in. The existing foundation wall steps out further .

2) Garage: This is a uniquely shaped lot that narrows considerably toward the rear, meaning a detached structure in the rear yard would require a very long driveway which would generate additional stormwater runoff and would require a longer walk from the garage to the house. Attaching the garage to the house would be impractical due to the existing rooflines.

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

1) It would require the house to have yet another step in the side of the house vs. an addition that is a continuation of the existing structure.

2) It would not allow the applicant to have a garage that is within a reasonable distance of the house from a functional standpoint.

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.

They are not. This house was built in 1947 and added onto in 1956.

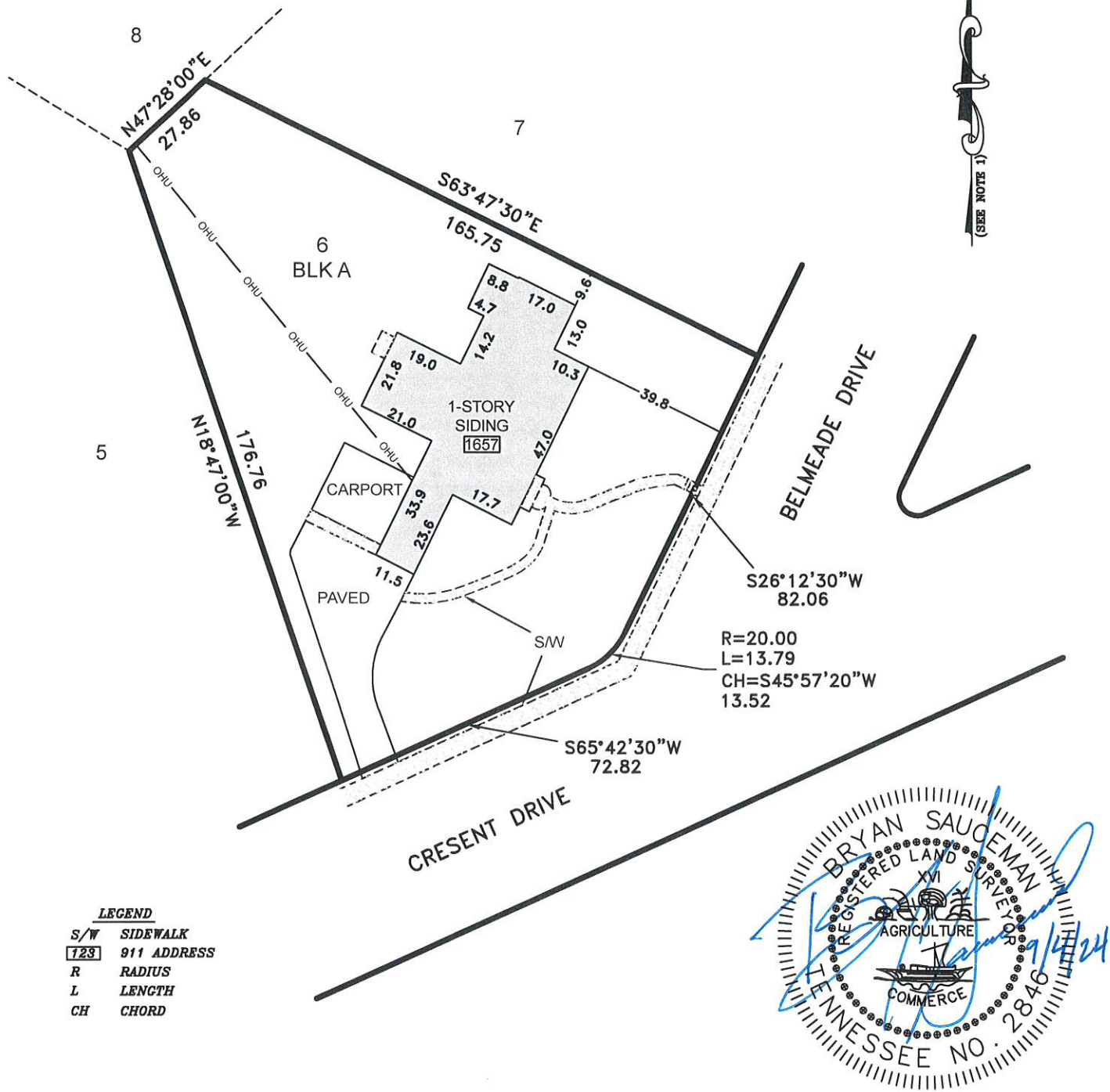
d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

The applicant is making a major improvement to this home that will add value to the neighborhood and while not common, other homes on Belmeade and other neighboring streets have garages that face the road in similar configurations. The most common existing scenario seems to be the detached garage in the rear, but most lots are more rectangular allowing the garage to sit in the rear with a straight driveway while this is not feasible due to the shape of this lot.

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.

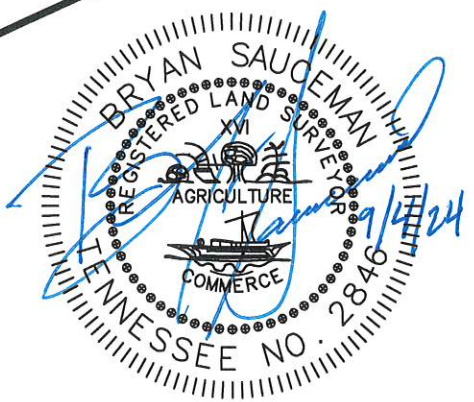
Hardship - There is no definition of a "hardship". Some guidelines, based on legal precedent, for applying the concept of unnecessary hardship are:

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.



LEGEND

S/W	SIDEWALK
123	911 ADDRESS
R	RADIUS
L	LENGTH
CH	CHORD



- NOTES:
- 1) NORTH BASED ON REFERENCED PLAT.
 - 2) PROPERTY IS ZONED R-1A
 - 3) SETBACKS TO CONFORM TO ZONING DESIGNATION
 - 4) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL FLOOD INSURANCE ADMINISTRATION BOUNDARY MAP 47163C0045D EFFECTIVE DATE SEPTEMBER 29, 2006 AND FOUND THAT THE ABOVE PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.
 - 5) FIELD INFORMATION ELECTRONIC DATA COLLECTED
 - 6) THIS PLAT IS TO SHOW IMPROVEMENTS ON THE PROPERTY FOR VARIANCE PURPOSES.
 - 7) BOUNDARY INFORMATION SHOWN IS BASED ON THE CURRENT DEED AND DOES NOT REPRESENT A CURRENT BOUNDARY SURVEY.

MAP OF: LOT 6, BLOCK A, FAIRACRES ADDITION

OWNER: BILLY MARSHALL WHEELER, JR.

CIVIL DISTRICT: 11TH COUNTY: SULLIVAN

STATE: TENNESSEE TAX MAP 046M "E" PARCEL 017.00

SCALE: 1 INCH = 40' DATE: SEPTEMBER 4, 2024

REFERENCE: PLAT BOOK 1, PAGE 99

24-13524 FB/PG: N/A

FOR: OWNER

ALLEY & ASSOCIATES, INC.
 422 E Market Street
 Kingsport, Tennessee 37660
 E-mail:bsauceman@alleyassociates.com

LEGEND

- PROPERTY LINE (THIS PROJECT)
- PROPERTY LINE (OTHER)
- SETBACK / EASEMENT
- PROPOSED ADDITION
- EXISTING STRUCTURE
- EXISTING CONTOUR MINOR
- EXISTING CONTOUR MAJOR
- NEW CONTOUR MINOR
- NEW CONTOUR MAJOR
- EXISTING PAVEMENT
- NEW ASPHALT PAVEMENT

- SMALL TREE | SHRUB | LOW GROWTH

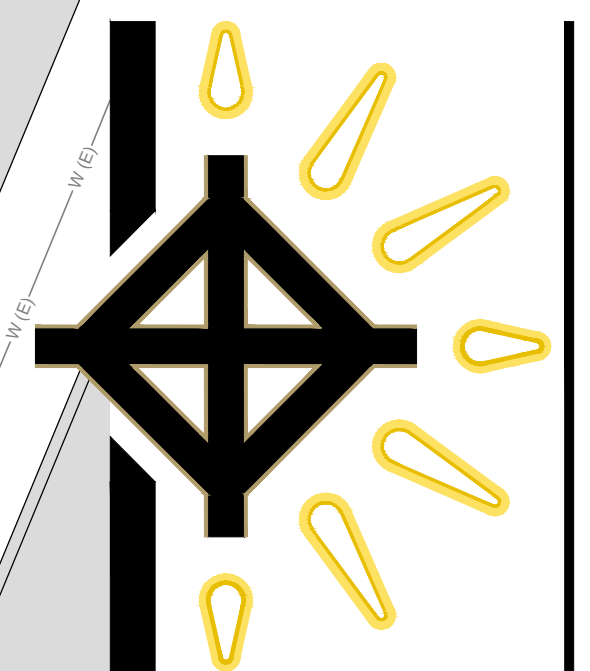
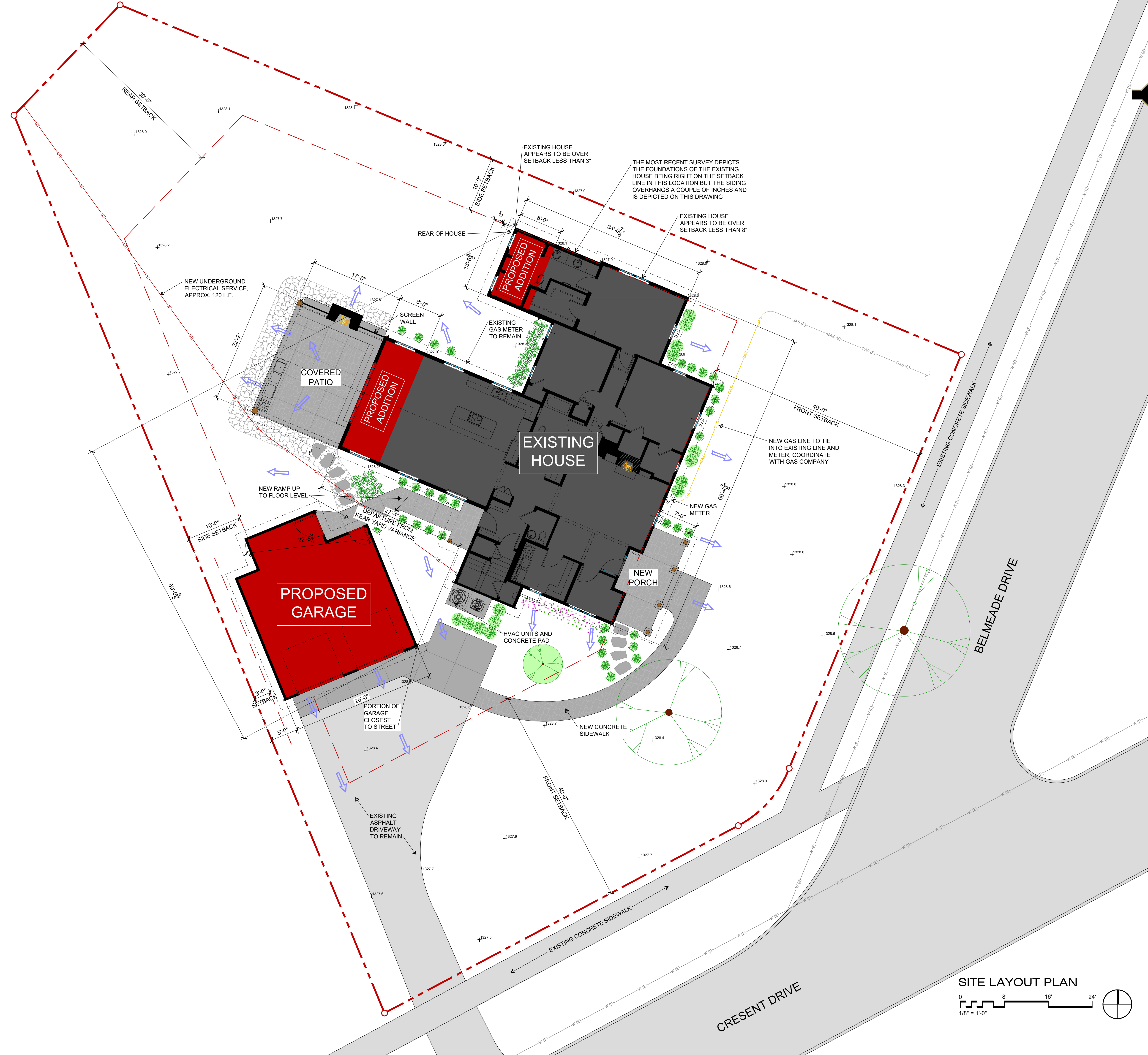
- | | |
|-----------------------------|-----|
| EXISTING | NEW |
| SANITARY SEWER | SAN |
| STORM SEWER | ST |
| WATER LINE | W |
| UNDERGROUND ELECTRICAL | UE |
| GAS LINE | GAS |
| CHAIN LINK FENCE | |
| POWER POLE | |
| LIGHT POLE | |
| CLEAN OUT | CO |
| MAN HOLE | |
| GAS VALVE | |
| FIRE HYDRANT | |
| WATER METER | WM |
| DIRECTION OF SURFACE RUNOFF | |

SITE NOTES

- THIS DRAWING WAS CREATED FOR REFERENCE FROM A SURVEY BY ALLEY & ASSOCIATES.
- CONTRACTOR SHALL REFERENCE THE ORIGINAL BOUNDARY SURVEY PRIOR TO LAYOUT OF NEW HOME.
- CONFIRM EXACT LOCATION OF EXISTING UNDERGROUND UTILITIES AND ROAD CURBS.

GRADING NOTES

- FILL MATERIAL SHALL BE COMPACTED AND SHALL GAIN THE APPROVAL OF A GEOTECHNICAL ENGINEER PRIOR TO PLACING THE FOOTINGS OR SLAB.
- PROVIDE POSITIVE DRAINAGE TO ALL LOW POINTS TO PREVENT PONDING OF SURFACE RUN-OFF.
- IT SHALL BE THE CONTRACTORS' RESPONSIBILITY TO LEAVE THE SITE ADEQUATELY PROTECTED AGAINST EROSION, SEDIMENTATION, OR ANY DAMAGE TO ANY ADJACENT PROPERTY AT THE END OF EACH DAY'S WORK.
- THE CONTRACTOR IS RESPONSIBLE FOR ADEQUATELY CLEANING EQUIPMENT PRIOR TO LEAVING CONSTRUCTION SITE, SO AS NOT TO TRACK MUD, ASPHALT, ETC., ONTO PUBLIC RIGHT-OF-WAY. THE CONTRACTOR IS RESPONSIBLE FOR ANY CLEAN-UP OPERATIONS ON ADJACENT PROPERTY OR PUBLIC RIGHT-OF-WAY DUE TO MUD, ASPHALT, ETC., THAT IS TRACKED FROM THE CONSTRUCTION SITE.
- ALL STREETS, STORM SEWER PIPES, DROP INLETS, AND CURB INLETS SHALL BE CLEANED OF DEBRIS AND ERODED MATERIAL DURING THE FINAL STAGE OF CONSTRUCTION.



MIKE STONE ARCHITECT, P.C.
423.418.3333
mike@mikestonearchitect.com

no.	date	revision	by

Additions and Renovations for:
Marshall Wheeler
1657 Belmeade Drive - Kingsport, TN 37664

REVIEW PRINT
11/4/2024
NOT FOR CONSTRUCTION

ISSUE DATE
DRAWN BY
DRAWING NAME
SITE LAYOUT PLAN

C1.1

