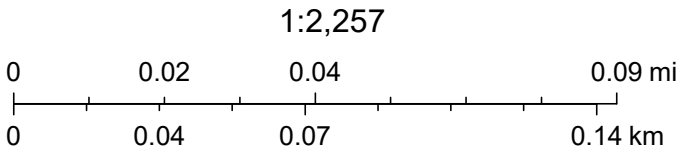


ArcGIS Web Map



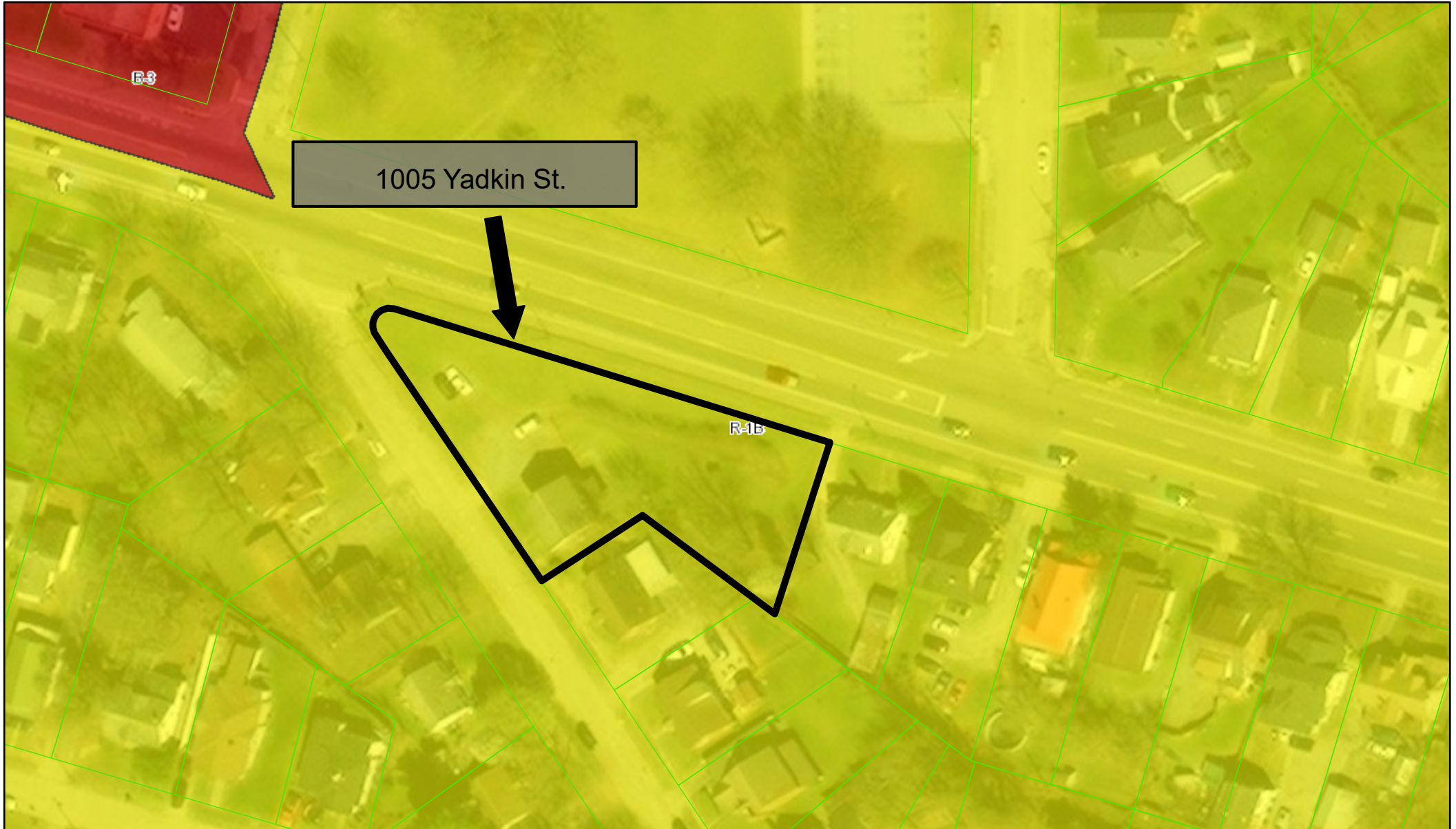
4/22/2025, 1:24:30 PM  
Sullivan County Parcels Jan 2023  
Parcels  
Urban Growth Boundary



NC CGIA, Maxar, Microsoft



# ArcGIS Web Map



4/22/2025, 1:14:31 PM

Sullivan County Parcels Jan 2023

Parcels

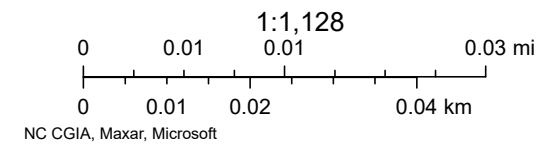
City Zoning

<Null>

TA/C

R-5

GC	B-2	BC	P-1	PMD-2	R-1C	Split
B-2E	B-3	GC	P-D	PUD	R-2	TA
A-1	B-3	M-1	PBD-3	PVD	R-3	TA-C
A-2	B-4	M-1R	PBD/*	R-1	R-3A	UAE
AR	B-4P	M-2	PD	R-1A	R-3B	Urban Growth Boundary
B-1	B-4P	MX	PMD-1	R-1B	R-4	





TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: April 22, 2025

RE: 1005 Yadkin Street

The Board is asked to consider the following request:

**Case: BZA25-0100– The owner of property located at 1005 Yadkin Street, Control Map 046N, Group L, Parcel 023.00** requests approval for a variance to allow a 12-foot 4-inch front porch projection, exceeding the maximum permitted 8-foot projection as outlined in Sec. 114-140(1). The variance is sought to accommodate the extension of an existing front porch. The property is zoned R-1B, Residential District.

*Code reference:*

**Sec. 114-140. – Projections**

Under this chapter, the following shall apply to projections:

- (1) *Porches, etc.* Porches, stairways, terraces or other similar features that are uncovered or unenclosed may project into a required front, side or rear yard not more than eight feet, provided that such porches, stairways, terraces or other similar features conform to subsection (4) of this section.
- (2) *Fire escapes, stairs.* Fire escapes may extend not more than three feet into any required court or side yard, and fire escapes or outside stairways may extend not more than five feet into any required rear yard.
- (3) *Chimneys, etc.* Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters and the like may extend not more than 24 inches into any required yard.
- (4) *Limitations.* Notwithstanding any other subsection of this section, no projection shall extend into any required side yard more than one-third the width of such yard or into any required court more than one-fourth the width of such court or within ten feet of the front or rear lot line or within three feet of any accessory building. The limitations of this subsection shall not apply to terraces and steps rendered necessary in side yards due to topographic situations or to loading docks or tailboards required in a side yard in connection with an industrial use in an industrial district because of topographic constraints.

# APPLICATION

Board of Zoning Appeals



## APPLICANT INFORMATION:

Last Name	HOLLARS	First	Ted	M.I.	W	Date	4/18/25
Street Address	32 SOUTHWICHE DR.			Apartment/Unit #			
City	ARDEN	State	NC	ZIP 28704			
Phone	828-265-6447			E-mail Address tj.tpillc@gmail.com			

## PROPERTY INFORMATION:

Tax Map Information	Tax map: 046N	Group: L	Parcel: 23.00	Lot: 1 & 28
Street Address	1005 Yadkin Street			Apartment/Unit #
Current Zone	R-1B	Proposed Zone	R-1B	
Current Use	<del>Single Family</del> Apartments		Proposed Use Apartments	

## REPRESENTATIVE INFORMATION:

Last Name	Stone	First	Mike	M.I.	A	Date	18 April 2025
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:

A variance to allow an 8ft deep covered front porch to be built onto the front of the existing house. The existing porch is 4ft plus 4 ft of stairs. This will encroach an additional 12'-4" beyond the 8ft distance that porches are typically allowed to be in front of the front setback. This will leave 9'-8" from yard. (2" buffer including in this language vs the drawings)

## 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: Ted W. Hollars Date: 4/21/25

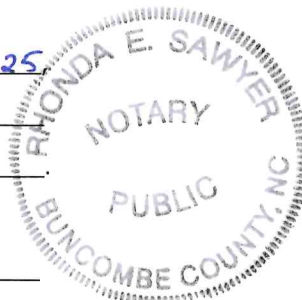
Signed before me on this 21st day of April, 2025

a notary public for the State of North Carolina

County of Buncombe

Notary Rhonda E. Sawyer

My Commission Expires 11/29/2029





## 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.

**The existing house and the existing front porch already encroach.**

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

**A smaller porch for a four-unit apartment is not nearly as useful, and the 8ft porch will serve the occupants better.**

- 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 existing house and existing porch that are to be removed already encroach into the front setback.**

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

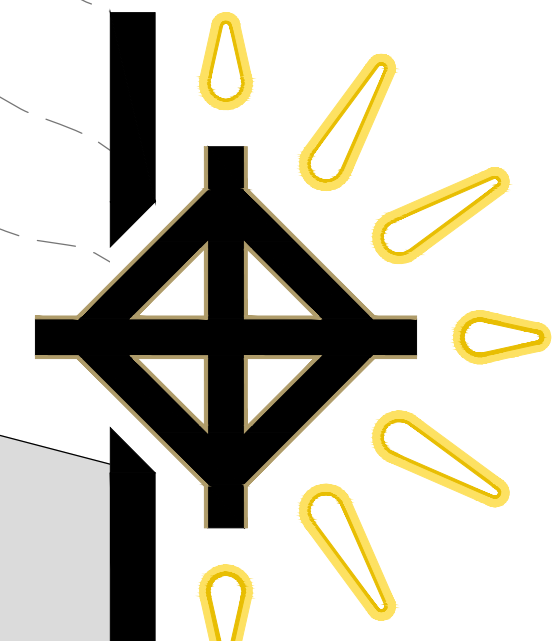
**Other houses and porches encroach in this neighborhood encroach into the front setback.**

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.



[illegible]

1005 Yarkin

## C1.1

Genetic map of the 1200.0 cM region on chromosome 1p31. The map shows a series of markers: ST, WT, CH, UE, SP, GAS, and a series of markers from 1200.0 to 1200.0. The markers are represented by colored lines and symbols. A large blue arrow points to the right, indicating the direction of the genetic map.

**SITE LAYOUT PLAN**

0 10' 20' 30'

1" = 10'-0"

The site layout plan shows a cross-section of a site. The scale bar indicates a distance of 30 feet, with markings at 0, 10, 20, and 30 feet. The scale is 1 inch = 10 feet. A north arrow is located to the right of the scale bar, pointing upwards.



