

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

April 3, Regular Meeting

Noon

Montgomery-Watterson Boardroom, City Hall

Members Present:

Bill Sumner
Calvin Clifton
Wes Combs
Joe White

Members Absent:

Tracey Cleek

Staff Present:

Lori Pyatte
Ken Weems

Visitors:

Allison Winters	Randell Drayne
Andy Carrier	Melissa Justice
Michael Bare	

Chairman Bill Sumner called the meeting to order at 12:01pm.

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: BZA25-0051– The owner of property located at 2016 Netherland Inn Road, Control Map 045K, Group C, Parcel 030.00 requests a 41-foot maximum front yard variance to Sec. 114-189(5). The variance is to accommodate the construction of a new eight-unit townhome development. The property is zoned PVD, Planned Village District.

Michael Bare, the property owner, presented his case to the board, requesting a setback variance. Mr. Bare explained that he needed relief from the maximum setback requirement. Staff noted that while it is uncommon to receive requests for maximum setbacks, the Planned Village District (PVD) zone imposes a 10-foot maximum setback.

In this case, the proposed building is set back 51 feet from the road, requiring a 41-foot variance to comply. Mr. Bare is seeking the variance so the structure can align with the existing building along Netherland Inn Road.

The board asked how far the PVD zone extends. Staff responded that it runs from the circle on Industry Drive to the Ridgefields Bridge. Staff also noted that, due to the property's topography, meeting the maximum setback would be difficult.

The board raised concerns about access to the property. Staff clarified that Mr. Bare does have legal access from a road located at the rear of the property.

Staff also confirmed that no public comments or calls had been received regarding any of the items presented during the meeting.

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

Case: BZA25-0054– The owner of property located at 354 Shadowtown Road, Control Map 064, Parcel 0138.00 requests reinstatement of a nonconforming use for a free-standing sign pursuant to Sec. 114-8(1). The property is zoned B-3, Highway Oriented Business District.

Melissa Justice, a representative from Snyder Signs, presented the case to the board on behalf of the property owner. She explained that the owner wishes to update the existing signage by removing the current sign and replacing it with a new sign cabinet for an RV storage business.

Staff directed the board to the memo included in the meeting packet, noting that the proposed sign is slightly smaller and shorter than the existing nonconforming sign on the property. Specifically, the new sign would be reduced in height from 93 feet to 83 feet, and in size from 465 square feet to 437.5 square feet.

Staff explained that the intent of the proposal is to reduce the degree of nonconformance, referencing Part B of Section 114-8(1) of the zoning code. The board asked whether the old sign was still standing. Both staff and Ms. Justice confirmed that it is.

Staff noted that the sign should have been removed years ago when Carolina Pottery went out of business, but acknowledged that such removals do not always occur as they should. Staff went on to explain that the sign may have been conforming when originally installed; however, the property has since been rezoned to B-3, which only allows signage up to 100 square feet per side and a maximum height of 30 feet.

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

Case BZA25-0055 – The owner of property located at 1432 Brightridge Drive, Control Map 046K, Group H, Parcel 024.00 requests a 2-foot building separation variance from Sec. 114-133(2). The variance is sought to allow placement of an accessory structure behind an existing accessory structure. The property is zoned R-1A, Residential District.

Mr. Randell Drayne, the property owner, presented his case to the board. He explained that he is requesting a two-foot building separation variance in order to construct an additional accessory structure in his backyard, situated between two existing accessory structures. Mr. Drayne noted that he was advised to install fire-rated sheetrock on the wall closest to the existing structure to help prevent the spread of fire. Staff clarified that this recommendation was made by the City of Kingsport's Building Official.

Additionally, staff reported that no calls or objections were received from neighboring property owners.

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

Case: BZA25-0058 - The owner of property located at 401 Commerce Street, Control Map 046I, Group E, Parcel 033.00 requests a zoning interpretation of Sections 114-194(a)(1) and 114-194(d)(3) for the B-2

Central Business District. Specifically, the applicant seeks clarification on whether golf cart sales are considered an approved principle use within the B-2 zone.

Mr. Andy Carrier presented his case to the board, requesting clarification on the principle uses permitted within the B-2, Central Business District zoning designation. His request specifically pertains to the establishment of a golf cart sales business. Staff referred the board to the memo included in their meeting packets, which explained that while vehicles, boats, and trailers are considered principle uses in this zone, car dealerships are not. Staff expressed support for Mr. Carrier's request.

The board asked whether customers would be bringing golf carts to the site for service. Mr. Carrier clarified that this location would function solely as a sales center, and any repairs would be handled at a separate garage in Blountville. When asked how many golf carts would be present on-site at any given time, Mr. Carrier stated that up to 10 would be displayed in the showroom, and he has plans to enclose the rear portion of the building for secure overnight storage. He confirmed that no golf carts would be stored outside at night.

The board referenced Section 114-194(1)(a) of the zoning ordinance, which permits the sale of vehicles but explicitly prohibits car dealerships. They noted that while golf carts are classified as vehicles, they are not legally considered cars. The board also pointed out that a golf cart sales center is not a land-intensive use like a traditional car dealership.

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

BUSINESS:

Staff stated for record, the next application deadline is March 17, 2024 at noon, and meeting date Thursday, April 3, 2025 at noon.

MOTION: made by Mr. Wes Combs, seconded by Vice Chairman Calvin Clifton, to approve the Kingsport Board of Zoning Appeals minutes for March 6, 2025.

VOTE: 4-0 to approve the minutes.

Adjudication of Cases:

Case: BZA25-0051– The owner of property located at 2016 Netherland Inn Road, Control Map 045K, Group C, Parcel 030.00 requests a 41-foot maximum front yard variance to Sec. 114-189(5). The variance is to accommodate the construction of a new eight-unit townhome development. The property is zoned PVD, Planned Village District.

The board agreed it would be illogical to require the proposed townhome units to be moved closer to the road.

Chairman Sumner asked if there were any further comments or discussion. There were none.

MOTION: Made by Mr. Wes Combs and seconded by Mr. Joe White to approve the request as presented.

VOTE: 4-0 to approve the request.

Case: BZA25-0054– The owner of property located at 354 Shadowtown Road, Control Map 064, Parcel 0138.00 requests reinstatement of a nonconforming use for a free-standing sign pursuant to Sec. 114-8(1). The property is zoned B-3, Highway Oriented Business District.

The board expressed their appreciation for the improvements at the site and agreed that the new signage is a significant upgrade from what currently exists.

Chairman Sumner asked if there were any further comments or discussion. There were none.

MOTION: Made by Vice Chairman Calvin Clifton and seconded by Mr. Wes Combs to approve the request as presented.

VOTE: 4-0 to approve the request.

Case BZA25-0055 – The owner of property located at 1432 Brightridge Drive, Control Map 046K, Group H, Parcel 024.00 requests a 2-foot building separation variance from Sec. 114-133(2). The variance is sought to allow placement of an accessory structure behind an existing accessory structure. The property is zoned R-1A, Residential District.

The board clarified that the 5-foot separation is considered a fire separation, which staff confirmed.

Chairman Sumner asked if there were any further comments or discussion. There were none.

MOTION: Made by Mr. Wes Combs and seconded by Mr. Joe White to approve the request as presented with installation of fire-rated sheetrock.

VOTE: 4-0 to approve the request.

Case: BZA25-0058 - The owner of property located at 401 Commerce Street, Control Map 046I, Group E, Parcel 033.00 requests a zoning interpretation of Sections 114-194(a)(1) and 114-194(d)(3) for the B-2 Central Business District. Specifically, the applicant seeks clarification on whether golf cart sales are considered an approved principle use within the B-2 zone.

The board agreed that the size of the business is appropriate and that it is well-suited for a downtown location. They also confirmed that they do not consider a golf cart to be an automobile and noted that such a business would not require the same level of resources as a traditional car dealership.

Chairman Sumner asked if there were any further comments or discussion. There were none.

MOTION: Made by Vice Chairman Calvin Clifton and seconded by Mr. Wes Combs to recognize golf cart sales as an approved principle use in the B-2 zone.

VOTE: 4-0 to approve the request.

Chairman Sumner asked for any further public comments, there were none.

With no further business the meeting was adjourned at 12:22pm.

Respectfully Submitted,

Jessica McMurray

Jessica McMurray
Development Coordinator