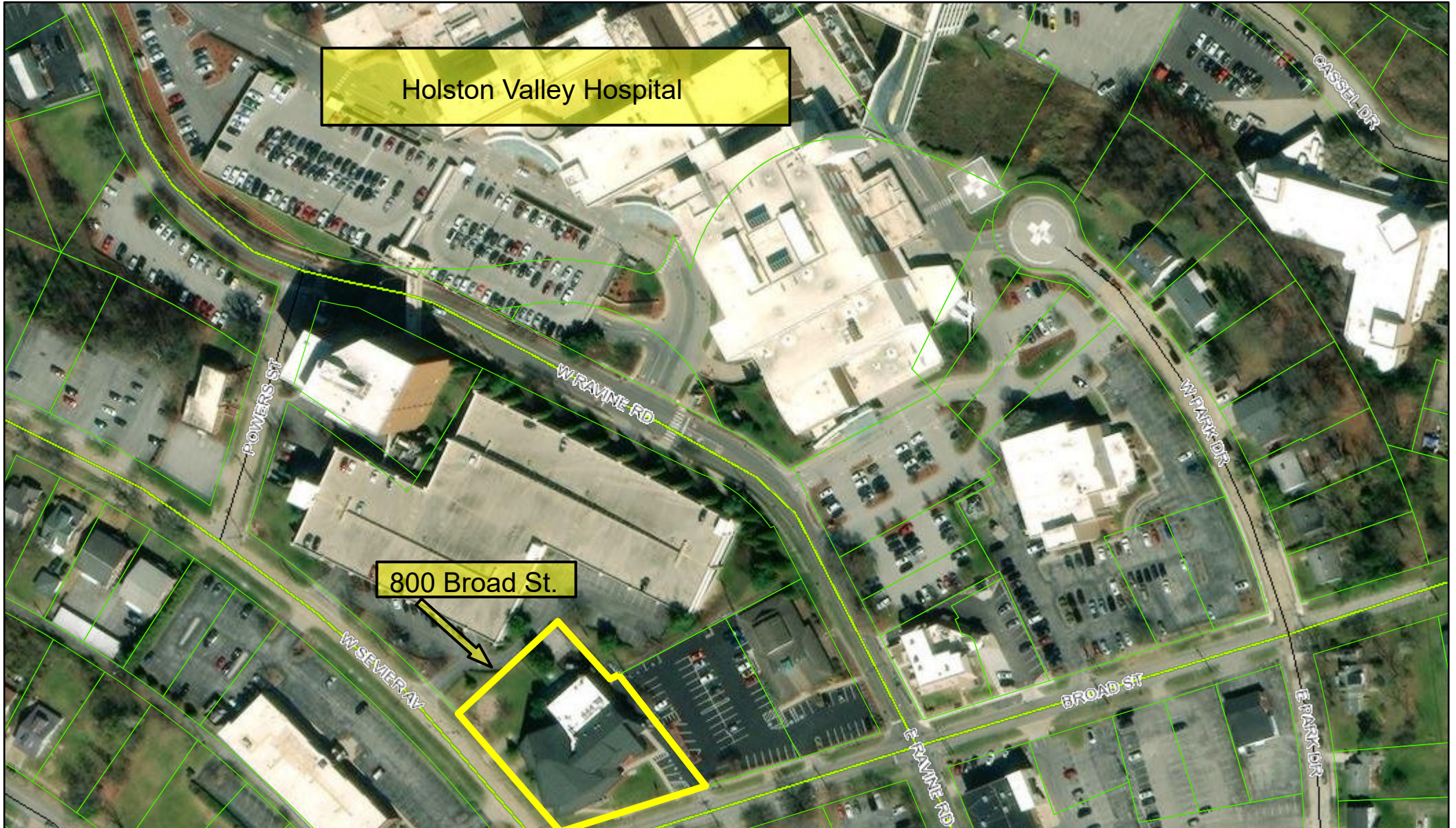


# ArcGIS Web Map



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Sullivan County Parcels Jan 2023

Parcels

Streets

Interstate

Expressway

Major Arterial

Minor Arterial

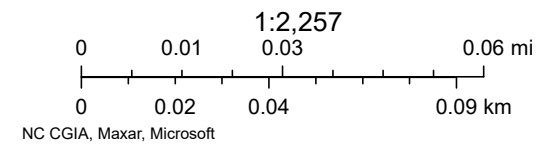
Collector Street

Local Street

Private Street

Ramp

Urban Growth Boundary

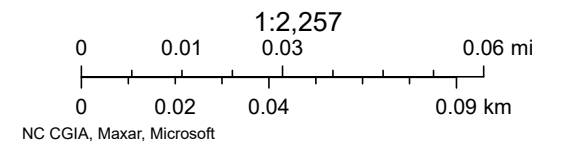


# ArcGIS Web Map



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Sullivan County Parcels Jan 2023	GC	B-2	BC	P-1	PMD-2	R-1C	Split
Parcels	B-2E	B-3	GC	P-D	PUD	R-2	TA
City Zoning	A-1	B-3	M-1	PBD-3	PVD	R-3	TA-C
<Null>	A-2	B-4	M-1R	PBD/*	R-1	R-3A	UAE
T/A/C	AR	B-4P	M-2	PD	R-1A	R-3B	Urban Growth Boundary
R-5	B-1	B-4P	MX	PMD-1	R-1B	R-4	





TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: September 20, 2024

RE: Case BZA24-0196, 800 Broad Street

The Board is asked to consider the following request:

**Case: BZA24-0196– The owner of property located at 800 Broad Street, Control Map 046G, Group F, Parcel 017.00** requests administrative review of Sec 114-535 to allow a new electronic message board to be integrated into the existing sign. The property is zoned P-1, Professional Offices District.

Sections 114-535 and 114-536 of the City’s zoning ordinance address the appropriate zones for freestanding signs that contain electronic message board components. Neither of the two code sections address the P-1 zone as eligible for an electronic message board component for their freestanding sign allowance. Excerpts from the two above referenced code sections are shown below to demonstrate staff’s decision to deny the electronic message board component for the proposed freestanding sign reconfiguration:

*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:*

*Sec. 114-536. - Electronic message board signs for public schools and churches.*

*Electronic message board signs are allowed in any residential district for public schools and churches as follows:*

The full Sections of Sec 114-535 and Sec 114-536 are contained in this report for full context.

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.
- (2) The electronic message board must be a part of the primary freestanding sign and must not exceed 50 percent of the total sign square footage permitted in the underlying zoning district.
- (3) The maximum height of the sign is as permitted in the zoning district.
- (4) Electronic message boards located within a Conservation or Gateway District shall conform to the Design Guidelines for that district.
- (5) Electronic message boards shall include an automatic dimmer. The maximum allowable brightness of an electronic message board shall not exceed 4,000 nits during the hours between sunrise and sunset and 1,000 Nits after sunset and before sunrise.
- (6) Electronic message board shall not interfere with traffic signal devices as determined by the city traffic engineer.
- (7) Electronic message boards shall not be used for off-premises advertising.
- (8) Signage shall be limited to text, images and still pictures only. Video or animation of any type is prohibited. Animated signs are prohibited.
- (9) Scrolling or flashing text shall be prohibited.
- (10) Any display on an electronic message board shall be for a minimum of five seconds in duration. Any message change shall be completed within one second, shall be simultaneous, and fixed in place for a minimum five seconds.
- (11) Electronic message boards shall not be allowed in any historic district as designated by the city.

(Code 1998, § 114-571; Ord. No. 5065, § IV, 11-5-2002; Ord. No. 5097, § II, 4-1-2003; Ord. No. 5616, § II, 11-6-2007; Ord. No. 6475, § III, 4-21-2015; Ord. No. 6980, § I, 12-21-2021)

Sec. 114-536. - Electronic message board signs for public schools and churches.

Electronic message board signs are allowed in any residential district for public schools and churches as follows:

- (1) Only one freestanding electronic message board to convey information by words, letters, or still pictures shall be permitted for each institution provided that at least one parcel within the development has a minimum road frontage of 150 feet located on a minor arterial or above as classified by the adopted Major Street and Road Plan and the electronic message board sign is located along that road.
- (2) The electronic message board must be a part of the primary freestanding sign with a maximum size of 50 square feet per side. The electronic message board portion of the freestanding sign must not exceed 50 percent of the total freestanding sign.
- (3) The maximum height of the sign is as permitted in the underlying zoning district.
- (4) Electronic message boards shall include an automatic dimmer. The maximum allowable brightness of an electronic message board shall not exceed 4,000 nits during the hours between sunrise and sunset and 1,000 Nits after sunset and before sunrise.
- (5) Hours of operation for electronic message boards located within a residential zone are from sunrise to 10:00 p.m. and must be turned off completely by 10:00 p.m. each night.
- (6) Electronic message boards shall not interfere with traffic signal devices as determined by the city traffic engineer.
- (7) Electronic message boards shall not be used for off-premises advertising.

(8) Signage shall be limited to text, images and still pictures only. Video or animation of any type is prohibited. Animated signs are prohibited.

(9) Scrolling or flashing text shall be prohibited.

(10) Any display on an electronic message board shall be for a minimum of five seconds in duration. Any message change shall be completed within one second, shall be simultaneous, and fixed in place for a minimum five seconds.

(11) Electronic message boards shall not be allowed in any historic district as designated by the city.

(Ord. No. 6360, § I, 11-19-2013)

**APPLICATION**  
Board of Zoning Appeals



**APPLICANT INFORMATION:**

Last Name Burkhalter First Scottie M.I. J. Date 09-04-2024  
Street Address 1216 Radcliffe Ave. Apartment/Unit #  
City Kingsport State TN ZIP 37664  
Phone 864-561-5700 E-mail Address httcpastorkpt@gmail.com

**PROPERTY INFORMATION:**

Tax Map Information Tax map 046G Group: F Parcel: 17 Lot: 6 & 7  
Street Address 800 Broad St. Apartment/Unit #  
Current Zone P-1 Proposed Zone  
Current Use Church Proposed Use

**REPRESENTATIVE INFORMATION:**

Last Name Mitchell First Laura M.I. Date 09-04-2024  
Street Address 6949 Lone Star Rd Apartment/Unit #  
City Kingsport State TN ZIP 37660  
Phone 732-245-1164 E-mail Address Laura.Mitchell1TN@gmail.com

**REQUESTED ACTION:**

Case of administrative review to allow a 2'x8' electronic message board to be integrated existing sign

**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: Leshly Burkhalter

Date: 09-04-2024

Signed before me on this 4th day of September 2024  
a notary public for the State of Tennessee  
County of Sullivan

Notary Lori L. Pyatte  
My Commission Expires 11-21-2026



## 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. **As a Church we want to be proactive in reaching out to the community to let them know when we have a Vacation Bible School, a healing service, a community event or other information. Our current signage makes this difficult as the lower portion of the sign must be scraped off and then new vinyl letters added which is not easy. The other area businesses do not have changing information as a Church does.**

b. The manner in which the strict application of this chapter would deprive the applicant of a reasonable use of the land. **Basically, the lack of a changeable sign makes it difficult to communicate with the community about changes we have going on. There are several other Churches in the area that do have electronic signs, so we thought this would not be an issue, but it seems we have a slightly different zoning in our area. That said, the lots across the street are vacant and used occasionally for parking. So, the sign should not have adverse impacts on our neighbors and will look better than the yard signs we typically employ.**

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. **Without the electronic sign, we have in the past, printed up yard signs, posted banners and used other means of communication. While we can continue with this it hinders timely communications. Compared to other offices in our immediate area, as a Church we are unique in having changing information we want to get the word out to the community.**

d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood. **We actually plan to keep most of our current sign. Please see the attached write up of what we propose. We will be no taller or wider as we plan to remove the tan message area at the bottom of our existing sign and insert a 2' x 6' electronic sign that in lower part of our existing sign. We are taking care to preserve the look and feel of the existing Church sign and cross we have now use. By having this we will no longer need to print up disposable yard signs we currently post for VBS, or like when we broadcasted our services during COVID.**

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.

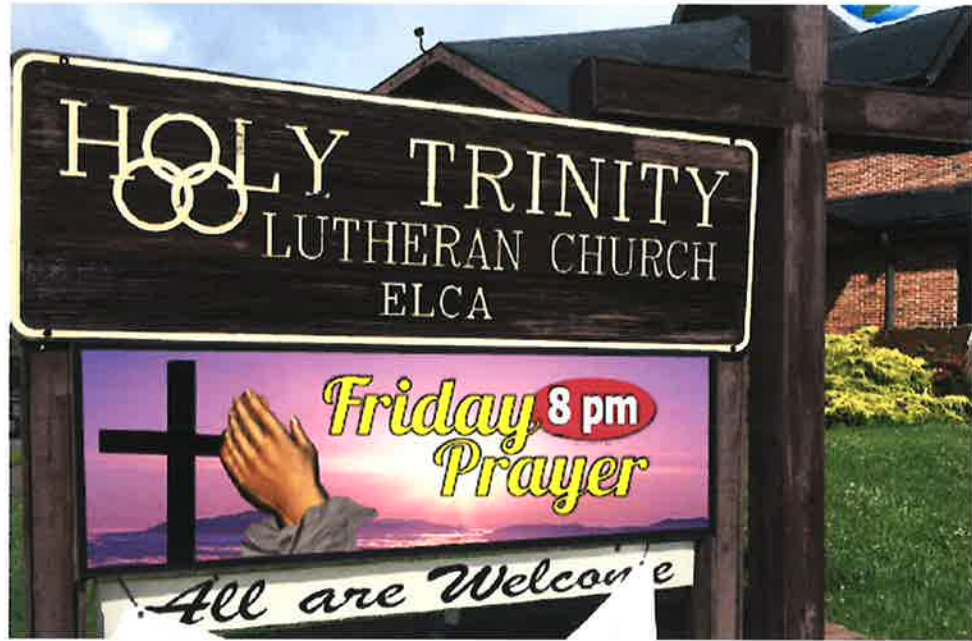


## Holy Trinity Lutheran Church Sign Upgrade for 800 Broad Street

I was asked to investigate a Church Sign update that would involve a programmable LED sign at the bottom, that would look better and be less maintenance than printing and placing special banners.

I investigated possible options from four vendors and below is a mockup of what the new sign will look like.

An inset sign that would fit between the main posts of our existing sign. I propose we widen the faces to 12" to accommodate the space needed for the LED insert. The inset digital sign size would be about 2' tall and 6' long. Costs run from \$12,500 to \$14,900.



The sign will be low to the ground with the top being 3.5-4.5' off the grass, varying with the slope. We plan to repaint and keep the top wooden portion of the sign so overall look will be very similar to what we have.

In discussions with Property and Pastor we think the inset sign would be the most appropriate for our Church. The variation in costs is mostly due to resolution. Pixel size runs from 6 mm to 20 mm. An example of a 20 mm sign is DB high school on Ft Henry Dr.

Assuming we need a minimum of 5 lines of text and 25 characters/line, we will need a higher 10 mm resolution sign or better. And a 6 mm will look much better from the sidewalk and accommodate graphics better so this is our current plan.

I would propose a \$14,900 6mm sign from Focus Digital. This is triple the resolution of what one would see at DB HS. The higher resolution not only allows us to put in more text (12 lines x 57 characters) but it will look far better from the sidewalk. One downside is the double-sided sign is 12" thick so frame will be redone. This is mostly a good thing as the current posts have a lot of age on them and will need replacing soon. So, with the new posts the LED portion will be flush with the current sign. We would program via a web-based app and the sign should run off our existing Wi-Fi system.

For some current pictures please see reverse side.

A picture of the Church with existing signage. The new electronic sign will replace the tan lower section that currently lists our pastor and out service times. We will likely have slow changing slides one of which will show the same information. But then a slide or two about upcoming programs people can participate in.



Here is an overhead view of the property we were asked to provide.

