

ArcGIS Web Map



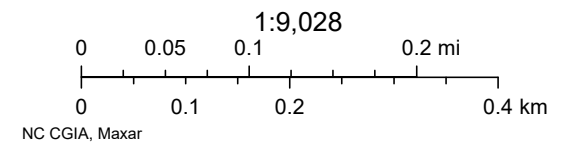
9/23/2024, 10:47:41 AM

Sullivan County Parcels Jan 2023 Hawkins County Parcels 2023 Jan

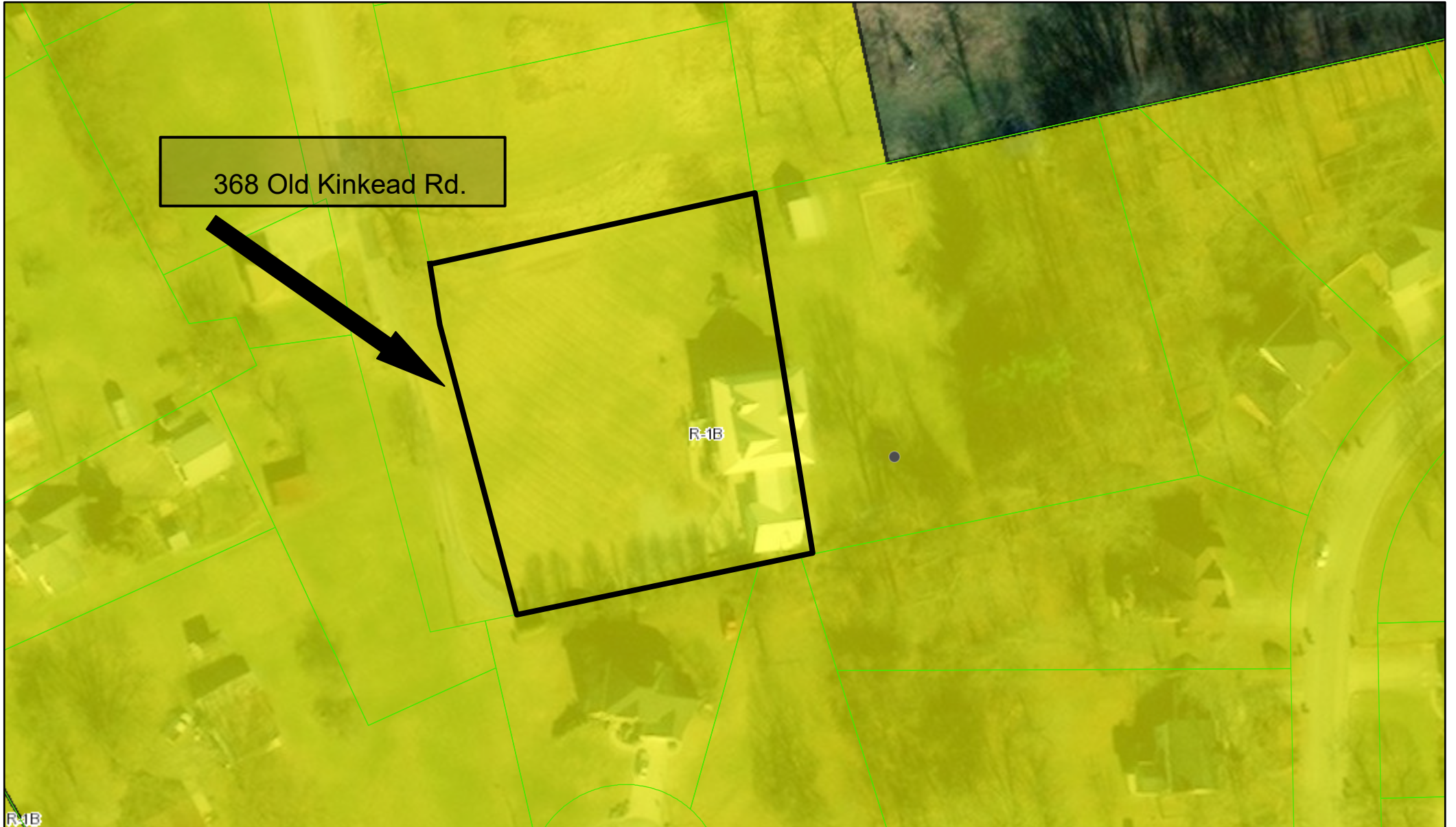
 Parcels

 Parcels

 Urban Growth Boundary

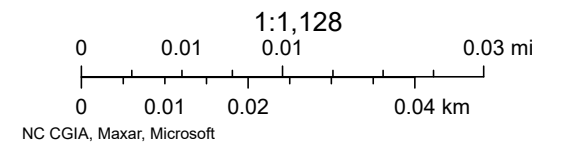


ArcGIS Web Map



9/23/2024, 10:38:01 AM

Hawkins County Parcels 2023 Jan	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: KINGSPORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: September 23, 2024

RE: 368 Old Kinkead Road

The Board is asked to consider the following request:

Case: BZA24-0204 – The owner of property located at 368 Old Kinkead Road, Control Map 022E, Group A, Parcel 007.00 requests a requests a 34 foot deviation from rear yard to Sec 114-133(1) for the purpose of constructing an accessory structure in the side yard. The property is zoned R-1B, Residential District.

Code reference:

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 Harris	First Jacob	M.I. M	Date 9/13/24
Street Address 368 Old Kinkead Rd		Apartment/Unit #	
City Kingsport	State TN	ZIP 37660	
Phone 423-863-4894	E-mail Address jmh_roadrunner@yahoo.com		

PROPERTY INFORMATION:

Tax Map Information	Tax map: 022E Group: A Parcel: ^{007.00} _{007.01} Lot: 26 & PO26
Street Address 368 Old Kinkead Rd	Apartment/Unit #
Current Zone Residential	Proposed Zone
Current Use Residential	Proposed Use

REPRESENTATIVE INFORMATION:

Last Name Same as applicant Harris	First Amy	M.I. R	Date 9/13/24
Street Address 368 Old Kinkead Rd		Apartment/Unit #	
City Kingsport	State TN	ZIP 37660	
Phone 423-863-4895	E-mail Address arh_dixie@yahoo.com		

REQUESTED ACTION:

Departure from rear yard, variance of 34ft.

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:  Date: **9/13/24**

Signed before me on this 13th day of September, 2024,
a notary public for the State of Tennessee
County of Sullivan

Notary Amy Denise Ward
My Commission Expires 7/26/2028



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.

We would like to locate a parking pavilion beside our house that will provide access from our circle driveway. The location selected is most advantageous from a topography perspective but also aesthetically given the nature of our home. The pavilion will provide offset and balance to the current garage on the other side of the house. This location ties in best to our driveway and also minimizes the excavation needed. There is not a good way for this structure to be placed elsewhere and function as a parking pavilion. We feel that the pavilion will add to our property aesthetically and should contribute to overall value. Location elsewhere would not have the same effect on overall value and would not provide the same proximity to the house. Given the amount of property we have available on that side of the house, there will be no impact for neighbors, and we believe that the structure will improve our property value and that of the neighborhood.

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

Location of the pavilion in the rear yard would not provide appropriate proximity to our house and would require us to build additional driveway. As a parking pavilion, the appropriate location provides reasonable access to our front door which would not be available from the rear yard. As previously mentioned, this location requires minimal excavation which would change dramatically if moved to the rear yard. Also, location elsewhere would not have the same overall accretive effect on the property value. Our rear yard also has an existing outbuilding and a garden area that limits available space.

over →

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.

Conditions are not any result of actions we have taken with the property.

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 project will improve the overall aesthetics and provide additional functionality/parking which will increase the overall value of our property and the surrounding neighborhood. As mentioned, given the land available, the location in no way impacts the safety or welfare of others individually or the neighborhood as a whole.

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.

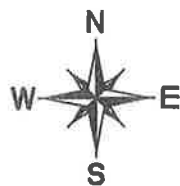
Hardship - There is no definition of a "hardship". Some guidelines, based on legal precedent, for applying the concept of unnecessary hardship are:

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.

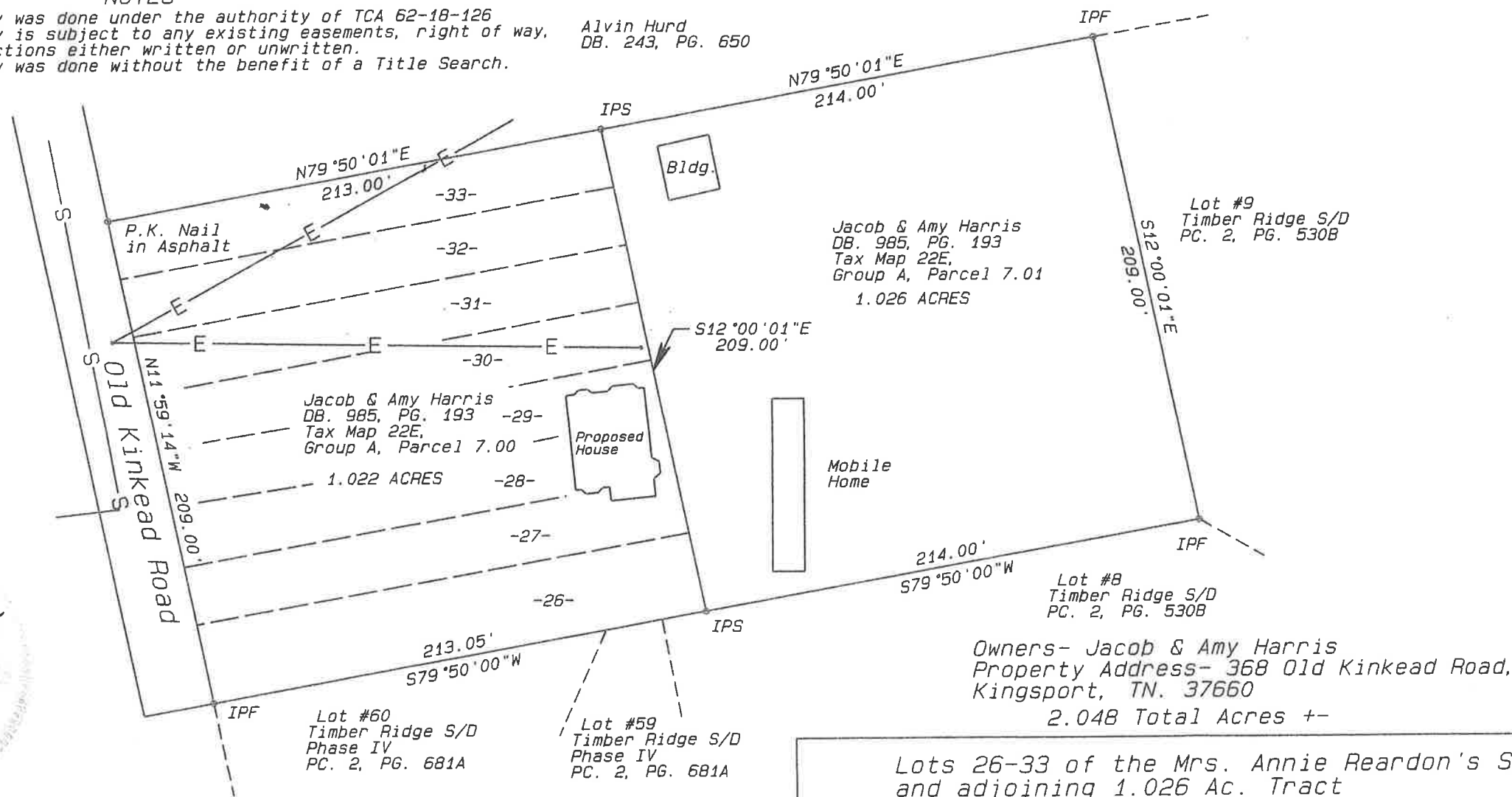
NOTES

-This survey was done under the authority of TCA 62-18-126
 -This survey is subject to any existing easements, right of way, and restrictions either written or unwritten.
 -This survey was done without the benefit of a Title Search.

Alvin Hurd
 DB. 243, PG. 650



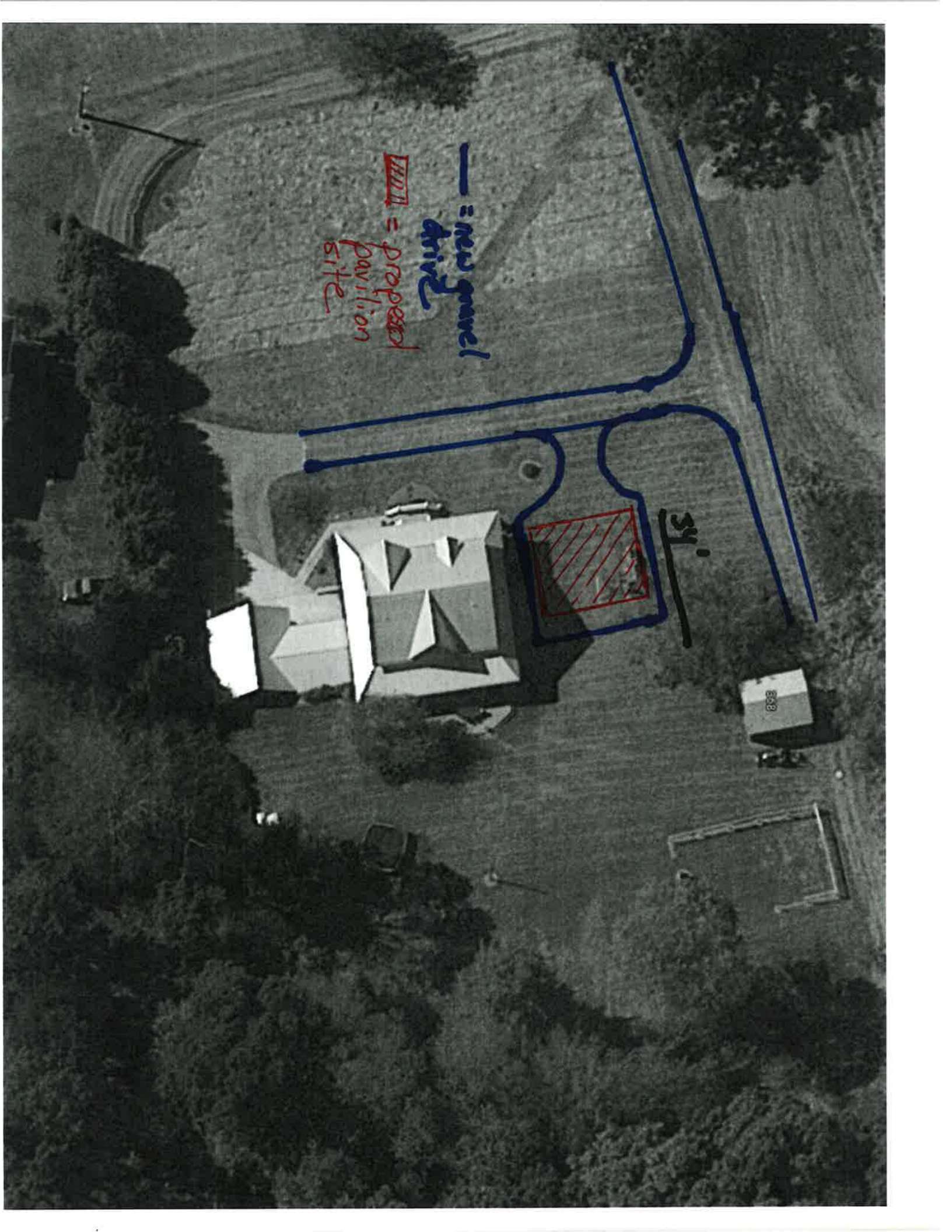
PC. 1,
 PG. 147A



Jonathan Wayne Willis
 (Land Surveyor #2385)
 170 Lakeview Lane
 Gray, TN. 37615
 (423) 202-8667

Owners- Jacob & Amy Harris
 Property Address- 368 Old Kinkead Road,
 Kingsport, TN. 37660
 2.048 Total Acres +-
 Lots 26-33 of the Mrs. Annie Reardon's S/D
 and adjoining 1.026 Ac. Tract

SCALE: 1" = 60'		APPROVED BY:	DRAWN BY J.W.
DATE: 4/20/2010		Willis Land Surveying	REVISED
Located in the 7th Civil District of Hawkins County, TN.			
Tax Map 022E, Group A, Parcels 007.00 & 007.01 DB. 985, Parcel 193, PC. 1, PG. 147A			DRAWING NUMBER 4-20-124-10



— = new gravel drive
▨ = proposed pavilion site

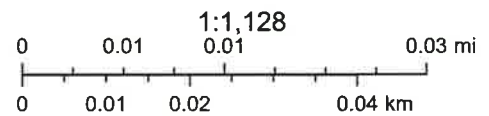
SY.

Hawkins County - Parcel: 022E A 007.01



Date: September 13, 2024

County: Hawkins
Owner: HARRIS JACOB M & AMY R
Address: OLD KINKEAD RD
Parcel Number: 022E A 007.01
Deeded Acreage: 0
Calculated Acreage: 1



State of Tennessee, Comptroller of the Treasury, Division of Property Assessments (DPA), Esri Community Maps Contributors, Tennessee STS GIS, VGIN, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

The property lines are compiled from information maintained by your local

Construction

- 40' x 24' Parking Pavilion
- Poured concrete floor, perimeter footer for posts initially with potential for walling in future if desired
- Treated 6x6 posts
- Hip style roof with metal to match house
- White Paint

Examples of similar construction



Photos of property and proposed location (in blue)



over →

