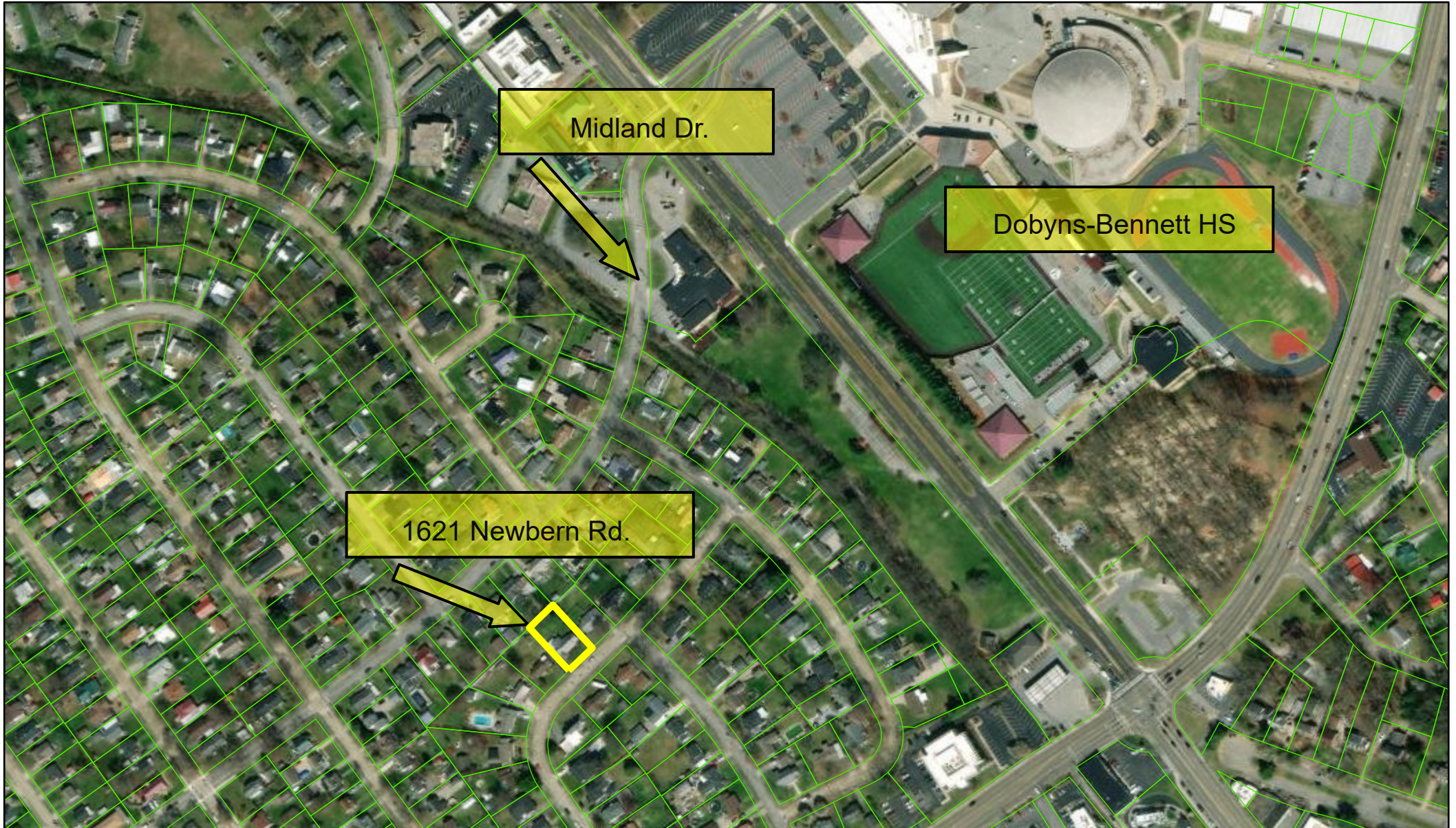


# ArcGIS Web Map

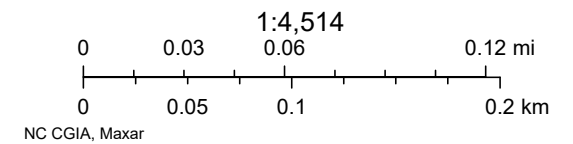


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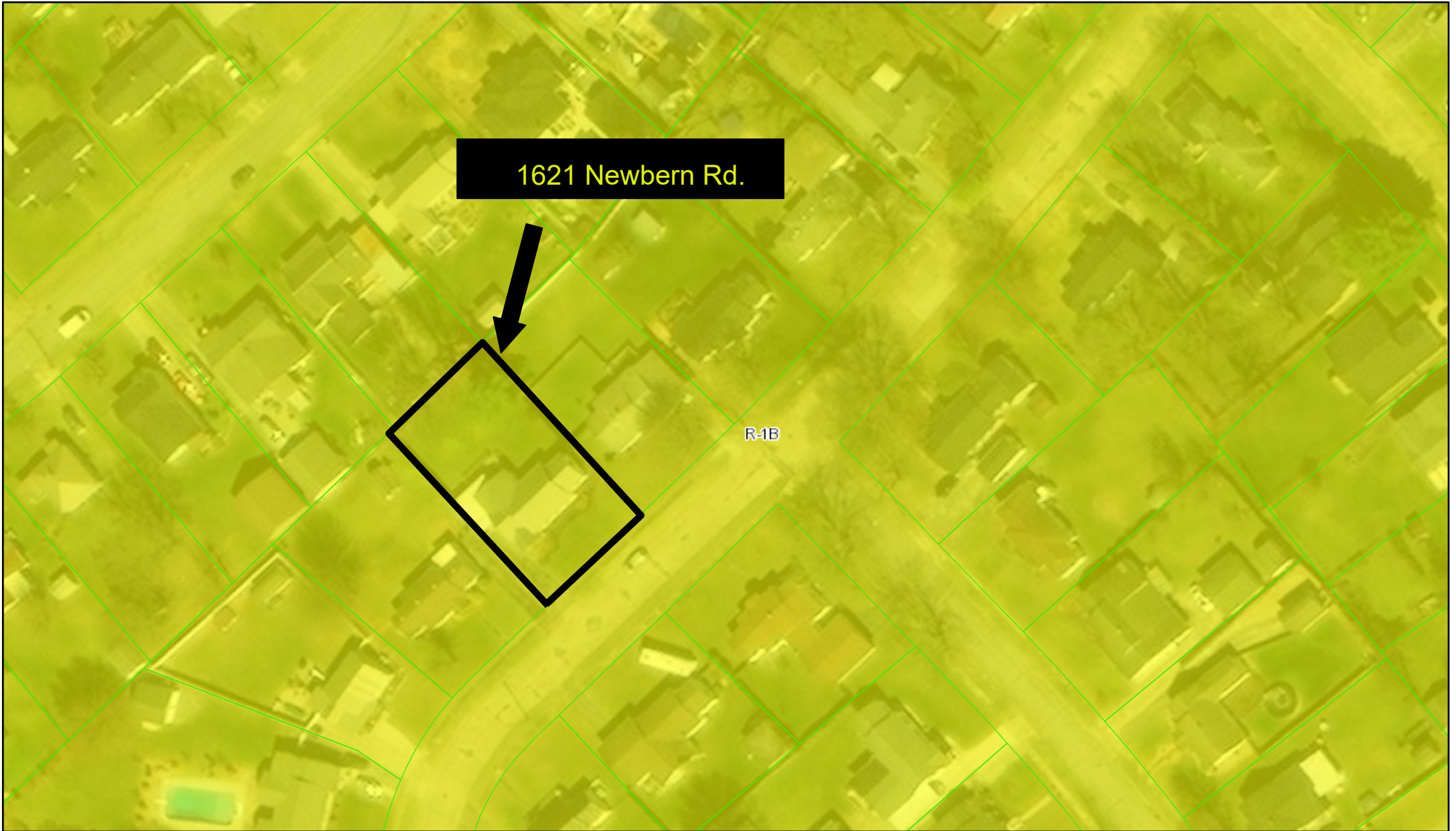
Sullivan County Parcels Jan 2023

 Parcels

 Urban Growth Boundary

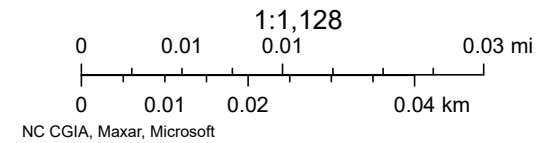


# ArcGIS Web Map



8/16/2024, 2:50:21 PM

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
TA/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: Jessica McMurray, Development Coordinator

DATE: July 18, 2024

RE: 1621 Newbern Road

The Board is asked to consider the following request:

**Case: BZA24-0171 – The owner of property located at 1621 Newbern Road, Control Map 061E, Group A, Parcel 006.00** requests a 6 foot side yard variance to Sec 114-183(e)(1)d for the purpose of constructing a new wooden carport for an existing home. The property is zoned R-1B, Residential District.

*Code reference:*

**Sec. 114-183. - R-1B, Residential District**

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

*(1)Minimum requirements.*

- a. Lot area, 7,500 square feet.*
- b. Lot frontage, 50 feet.*
- c. Front yard, 30 feet.*
- d. Each side yard, eight feet.***
- e. Rear yard, 30 feet.*
- f. Usable open space, not applicable.*

# APPLICATION

Board of Zoning Appeals



### APPLICANT INFORMATION:

Burell	Seale, Maryann	M.I.	Date	8/13/2024
Street Address 1621 Newbern Rd			Apartment/Unit #	
City Kingsport	Tn	ZIP3 7664		
Phone 423-967-2839	E-mail Address			

### PROPERTY INFORMATION:

<i>Tax Map Information</i>	Tax map: 061E	Group: A	Parcel: 006.0	Lot:18
Street Address	1621 Newbern Rd Kingsport TN 37664			Apartment/Unit #
Current Zone	Proposed Zone			
Current Use	Proposed Use			

### REPRESENTATIVE INFORMATION:

Last Name Freeman	First Mark	M.I.	Date	08/13/24
Street Address 1381 Skelton Bluff Rd			Apartment/Unit #	
City Kingsport	Tn	ZIP	37660	
Phone 423 646 1000	Mark@mfa-arch.com			

### REQUESTED ACTION:

**There is an aluminum awning to be removed that serves as a car parking cover and the request is to have a 6'-0" variance so that a new wooden carport can be constructed in the same approximate location to integrate with the house better.**

### 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: *D. Burell* Date: 8/13/24  
*Maryann Seale* Date: 8/13/24

Signed before me on this 13<sup>th</sup> day of August, 2024  
a notary public for the State of Tennessee  
County of Sullivan  
Notary Kelsey Webster



My Commission Expires May 2<sup>nd</sup>, 2021

**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

*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 older neighborhoods have narrow lots that with the existing structures, cannot accommodate covered parking conditions or garages. This residence has currently an aluminum pan awning in place. The residence is going through a significant upgrade on the exterior as well as an addition of a great room. The desire is to replace the aluminum awning with a more esthetically appropriate structure that will upgrade the neighborhood.

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

The strict application deprives the owners of the ability to enjoy a structure to protect their cars and provide a covered access from drive to interior.

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 applicants did not have any ability to affect the original structure on the property in a manner to provide the desired addition of the Carport to the existing structure and the addition to be built. The addition meets all requirements. Only the Carport aspect is an issue.

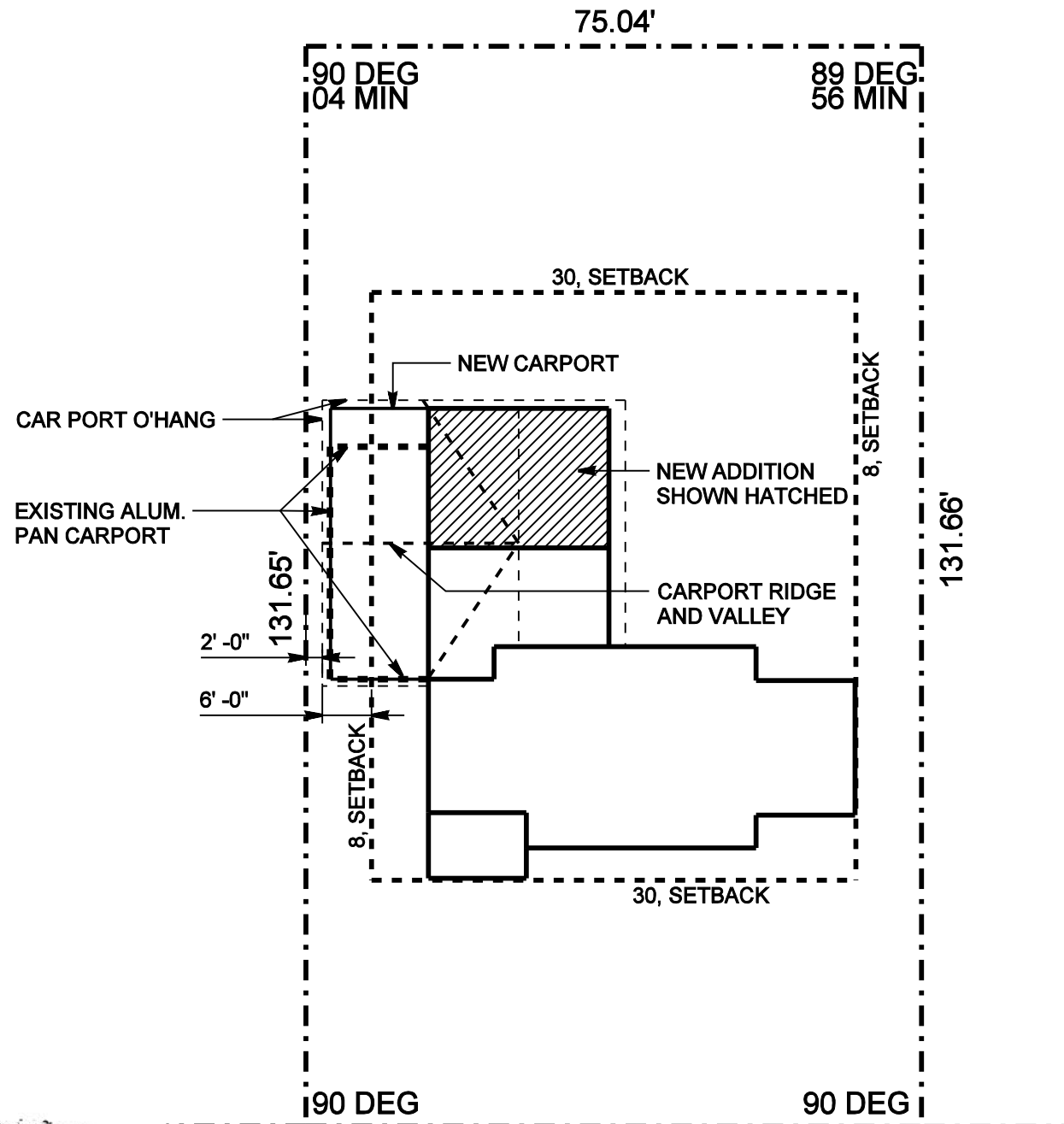
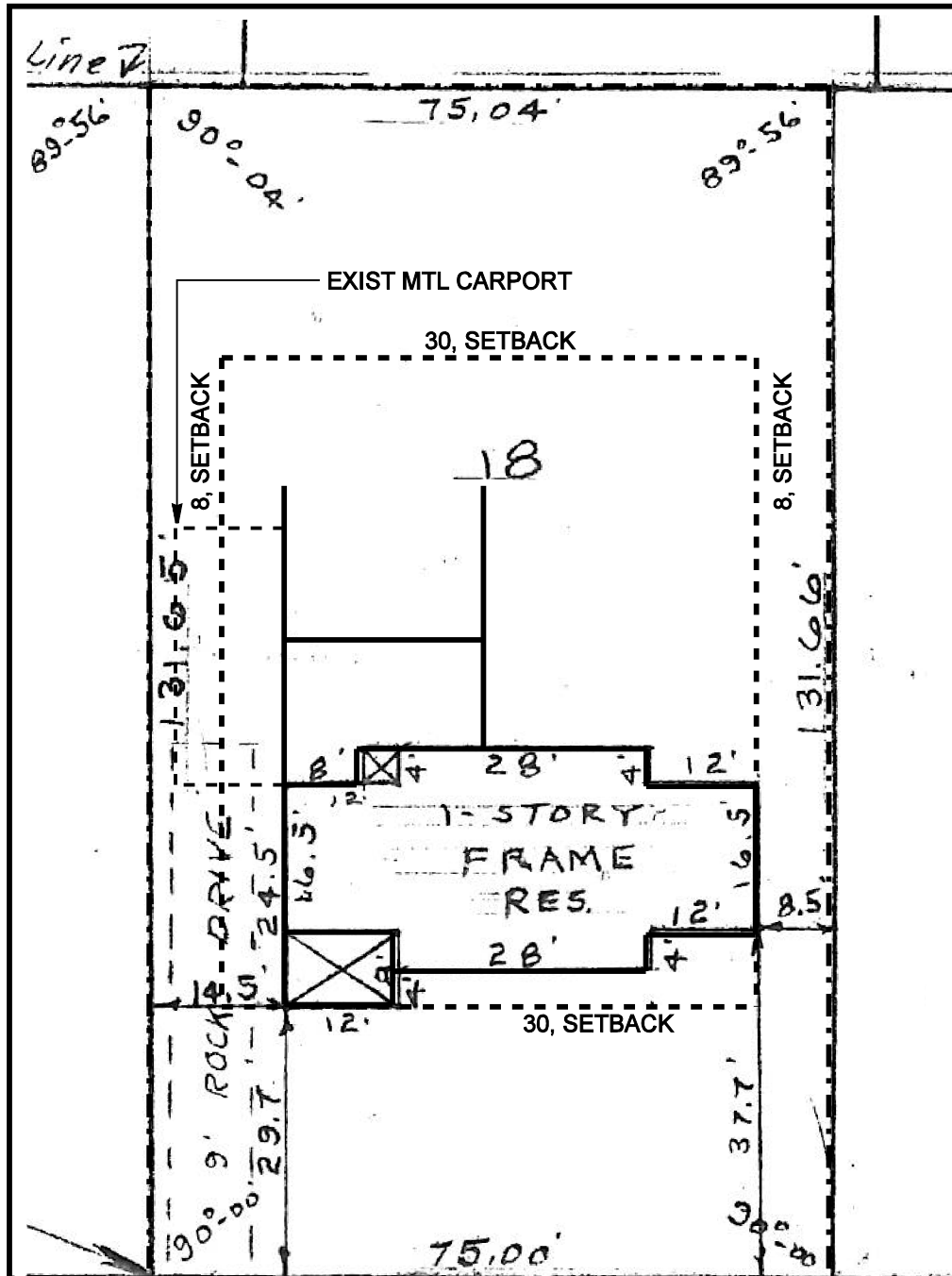
d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

The addition will enhance the neighborhood and allow for a more pleasing appearance while providing essential functionality for the occupants.

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.



Survey of  
 Lot 18 Block "H"  
 Greenfields Addition  
 Kingsport, Tenn.

NEWBERN ROAD

Scale "1"=30'

March 24, 1960

KING ENGINEERING COMPANY



NEWBERN ROAD

SURVEY OF  
 LOT 18 BLOCK H  
 GREENFIELDS ADDITION  
 KINGSFORT, TENNESSEE

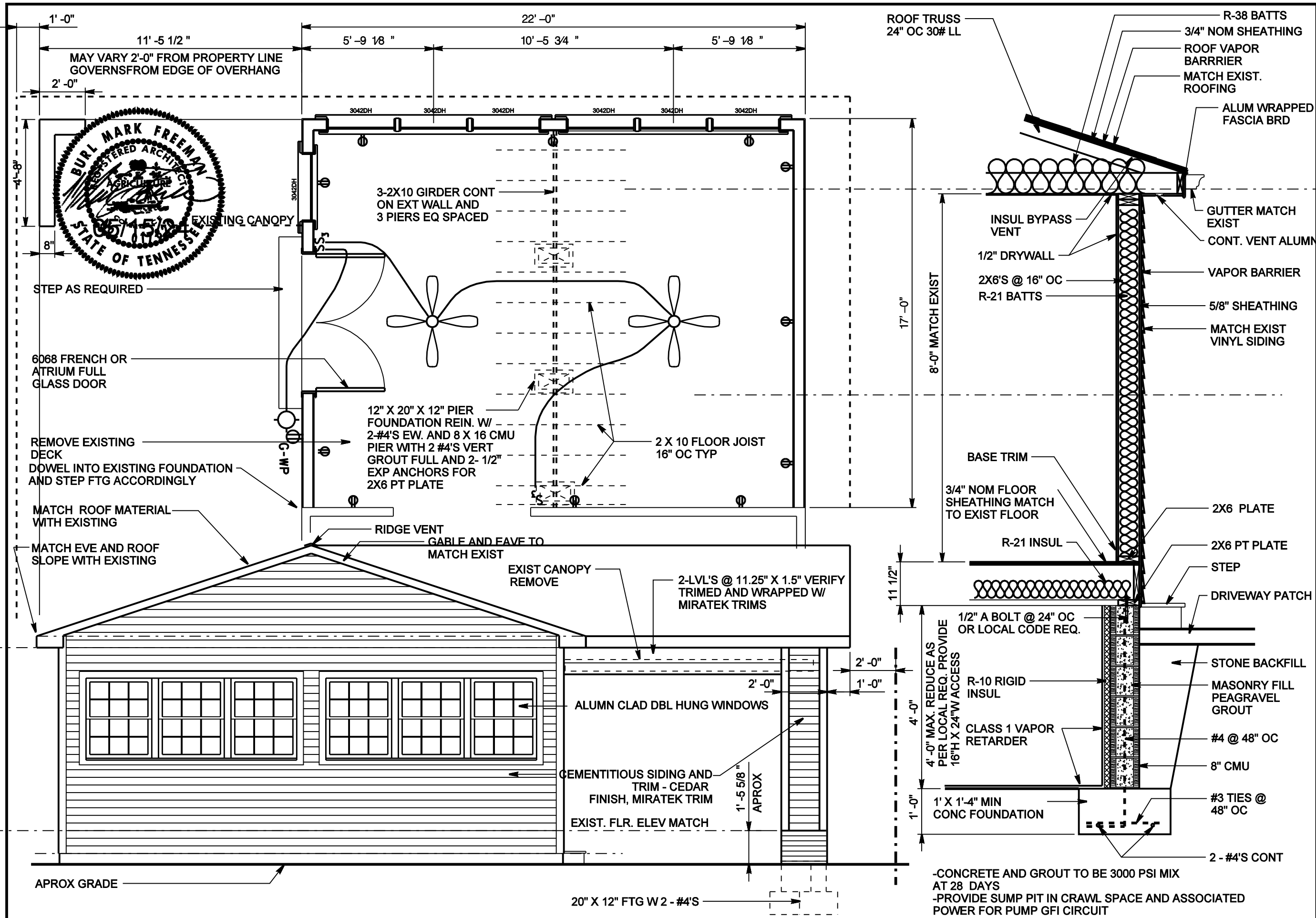
1621 NEWBERN RD.

ARCHITECTURE-PLANNING-INTERIOR DESIGN  
 TOTAL PROJECT MANAGEMENT  
 Mark Freeman Architecture PLLC  
 P. O. Box 6 - Kingsport - Tennessee - 37662  
 1381 Skellon Bluff Road - Kingsport - Tennessee - 37660  
 Ph. 423.646.1000 - mfreeman2004@hotmail.com - mfa-arch.com

PROJECT:  
**BRUELL RESIDENCE  
 ADDITION**  
 1621 NEWBERN RD.  
 KINGSFORT, TENNESSEE

SCALE: 1" = 20'-0"
DR. BY: M FREEMAN
DATE: 05/08/24
PROJECT NO.: MFA24-05-101
SHEET NO.: <b>C-1.0</b>





ARCHITECTURE-PLANNING-INTERIOR DESIGN  
TOTAL PROJECT MANAGEMENT

Mark Freeman Architecture PLLC

P.O. Box 6 - Kingsport - Tennessee - 37662  
1381 Skellon Bluff Road - Kingsport - Tennessee - 37660  
Ph. 423.646.1000 - mfreeman2004@hotmail.com - mfa-arch.com

PROJECT:  
**BRUELL RESIDENCE  
ADDITION**

1621 NEWBURN RD.  
KINGSPORT, TENNESSEE

SCALE:  
1/4" = 1'-0"

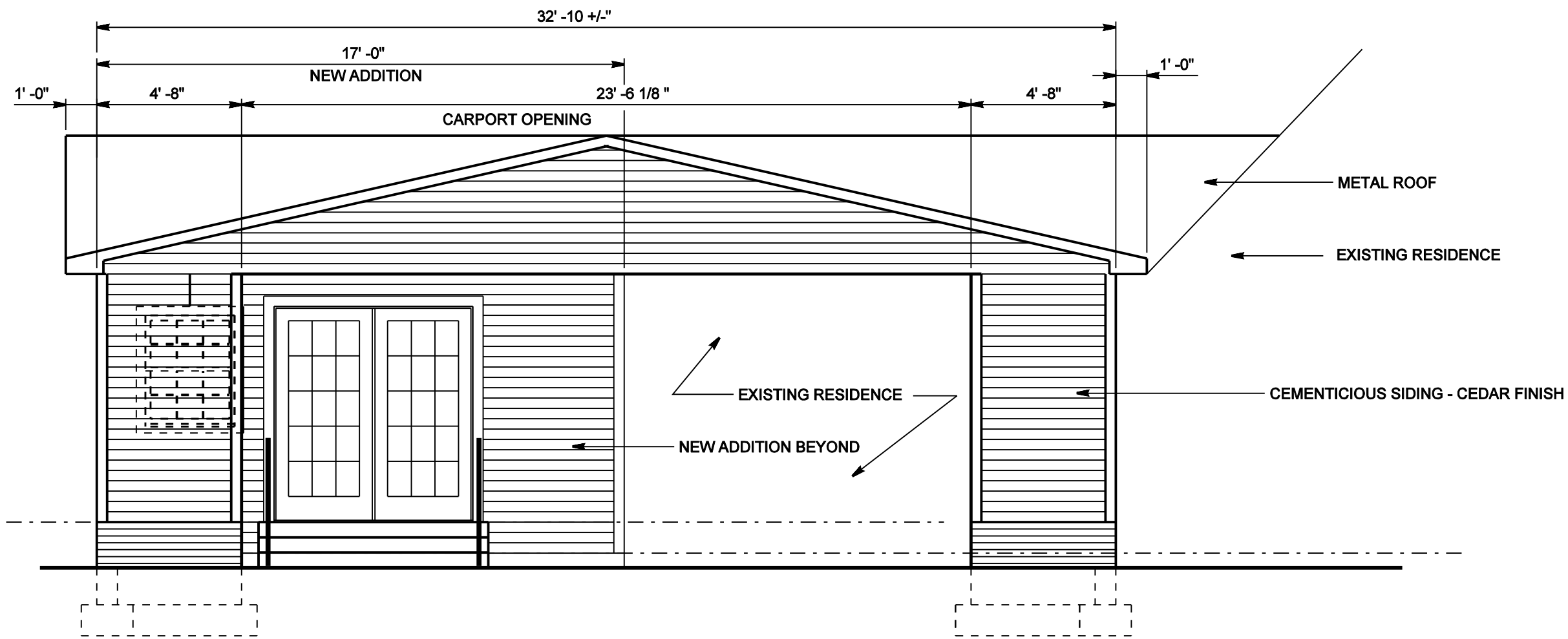
DR. BY:  
M FREEMAN

DATE:  
05/08/24

PROJECT NO.:  
MFA24-05-101

SHEET NO.:  
**A-1.0**

-CONCRETE AND GROUT TO BE 3000 PSI MIX AT 28 DAYS  
-PROVIDE SUMP PIT IN CRAWL SPACE AND ASSOCIATED POWER FOR PUMP GFI CIRCUIT



ELEVATION ADJACENT TO SETBACK

ARCHITECTURE-PLANNING-INTERIOR DESIGN  
TOTAL PROJECT MANAGEMENT

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P. O. Box 6 - Kingsport - Tennessee - 37662  
1381 Skelton Bluff Road - Kingsport - Tennessee - 37660  
Ph. 423.646.1000 - mfreeman2004@hotmail.com - mlc-arch.com

PROJECT:  
**BRUELL RESIDENCE  
ADDITION**  
1621 NEWBERN RD.  
KINGSPORT, TENNESSEE

SCALE:  
1/4" = 1'-0"

DR. BY:  
M FREEMAN

DATE:  
08/14/24

PROJECT NO.:  
MFA24-05-101

SHEET NO.:

**A-1.1**