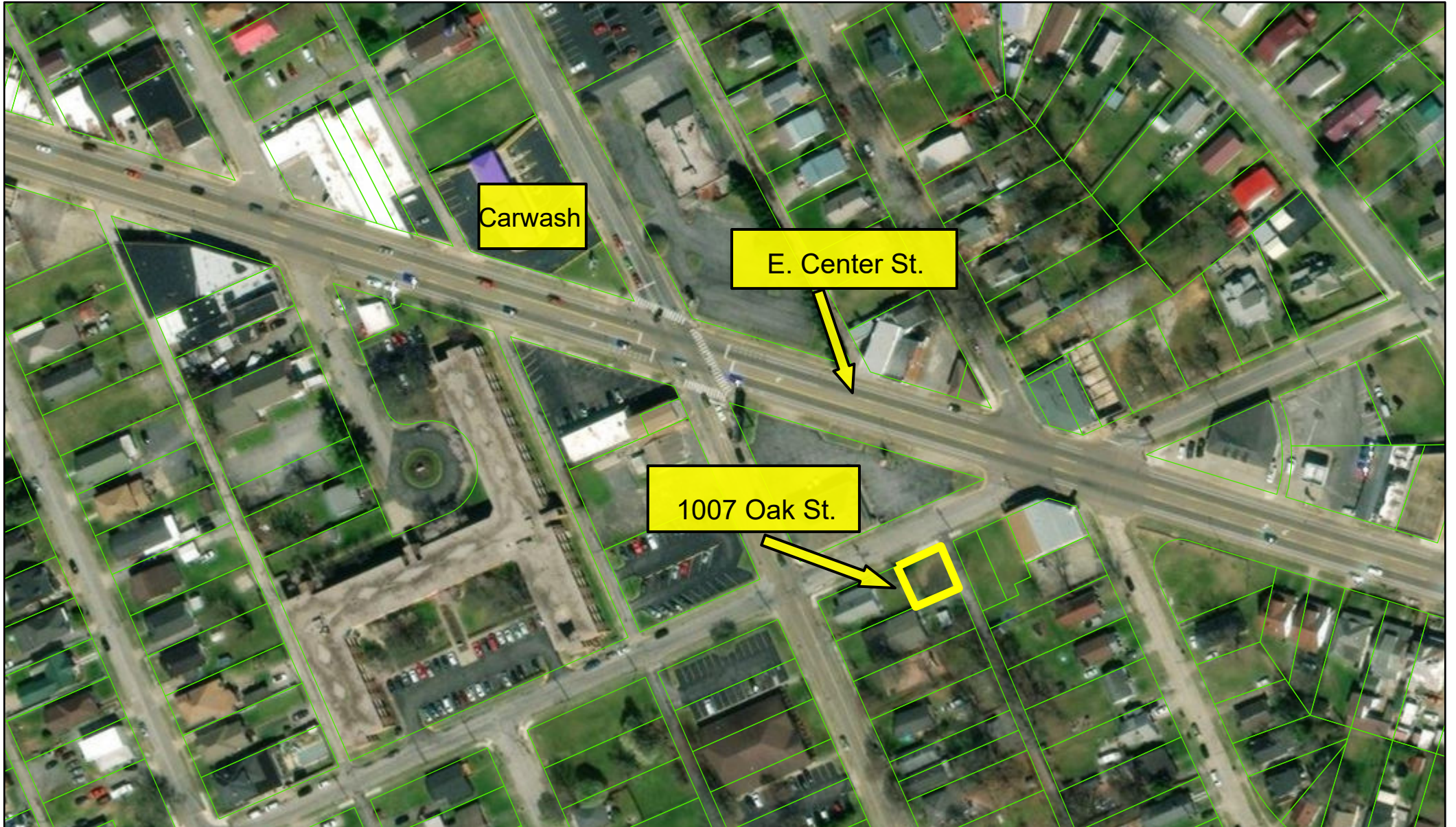


# ArcGIS Web Map

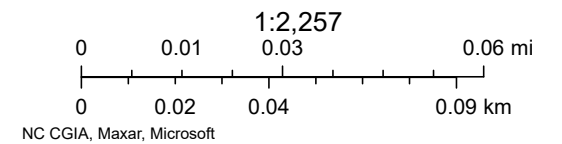


5/21/2024, 1:45:36 PM

Sullivan County Parcels Jan 2023

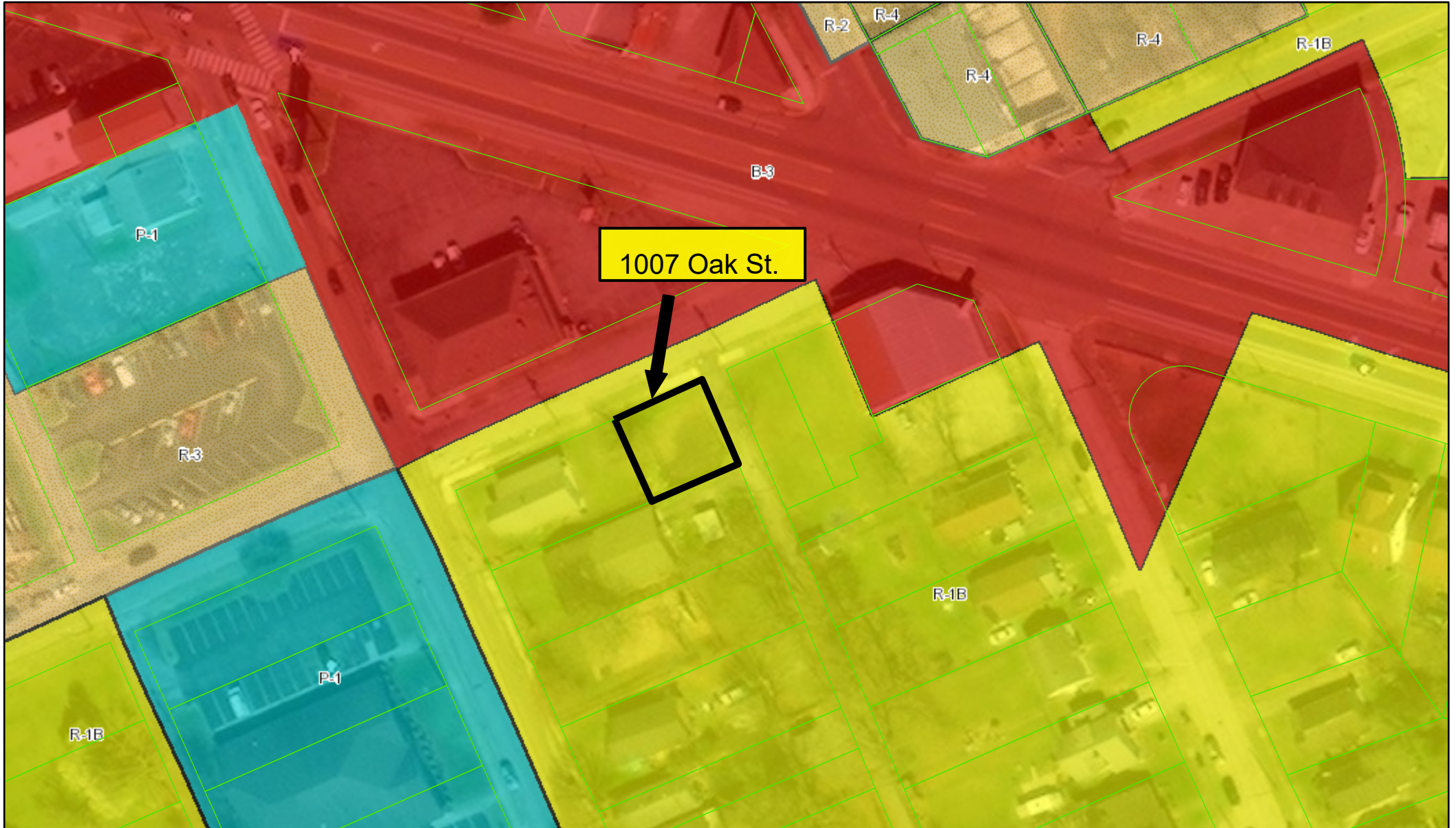
 Parcels

 Urban Growth Boundary





# ArcGIS Web Map



5/21/2024, 1:39:33 PM

Sullivan County Parcels Jan 2023

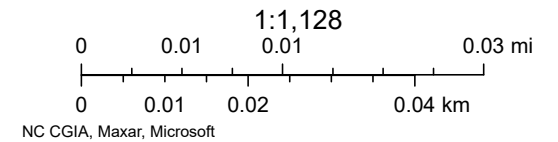
Parcels

City Zoning

<Null>

TAC

R-5	A-2	B-3	B-4P	M-1R	P-D	PMD-1
GC	AR	B-3	BC	M-2	PBD-3	PMD-2
B-2E	B-1	B-4	GC	MX	PBD/*	PUD
A-1	B-2	B-4P	M-1	P-1	PD	PVD





TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: May 21, 2024

RE: 201 East Stone Drive

The Board is asked to consider the following request:

**Case: BZA24-0086 – The owner of property located at 1007 Oak Street, Control Map 0460, Group K, Parcel 039.00** requests a 12 foot front yard variance to Sec 114-183(e)(1)c, a five foot side yard variance to Sec 114-183(e)(1)d and a 26 foot rear yard variance to Sec 114-183(e)(1)e for the purpose of installing a new single family modular 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:**

Last Name Burke First Rickay M.I. \_\_\_\_\_ Date 5/2/2024  
 Street Address 190 Burdock Dr. Box 172 Apartment/Unit # \_\_\_\_\_  
 City Nickelsville State VA ZIP 241271  
 Phone 276-690-8790 E-mail Address rsburke73@gmail.com

**PROPERTY INFORMATION:**

Tax Map Information Tax map: 466 Group: \_\_\_\_\_ Parcel: K Lot: 341  
 Street Address N/A Apartment/Unit # \_\_\_\_\_  
 Current Zone R-1B Proposed Zone same zone no change  
 Current Use vacant Proposed Use single family

**REPRESENTATIVE INFORMATION:**

Last Name Same as applicant First \_\_\_\_\_ M.I. \_\_\_\_\_ Date \_\_\_\_\_  
 Street Address \_\_\_\_\_ Apartment/Unit # \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 Phone \_\_\_\_\_ E-mail Address \_\_\_\_\_

**REQUESTED ACTION:**

A front yard variance of 12 feet  
 Two 5 foot side yard variances  
 and a 26 foot Rear yard variance  
 All for the purpose of building a new single family home

**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: Rickay W Burke Date: 05.05.2024

Signed before me on this 5th day of May, 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

*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.

This is the smallest lot in the area. The existing R-1B setbacks would not allow a home of any size to be constructed.

- 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 would prevent any structure to be located on the lot due to its size.

- 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 lot was this size when I purchased it.

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

Granting The variance will allow a small home,  
not unlike the surrounding homes to be built on  
that lot of record.

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.

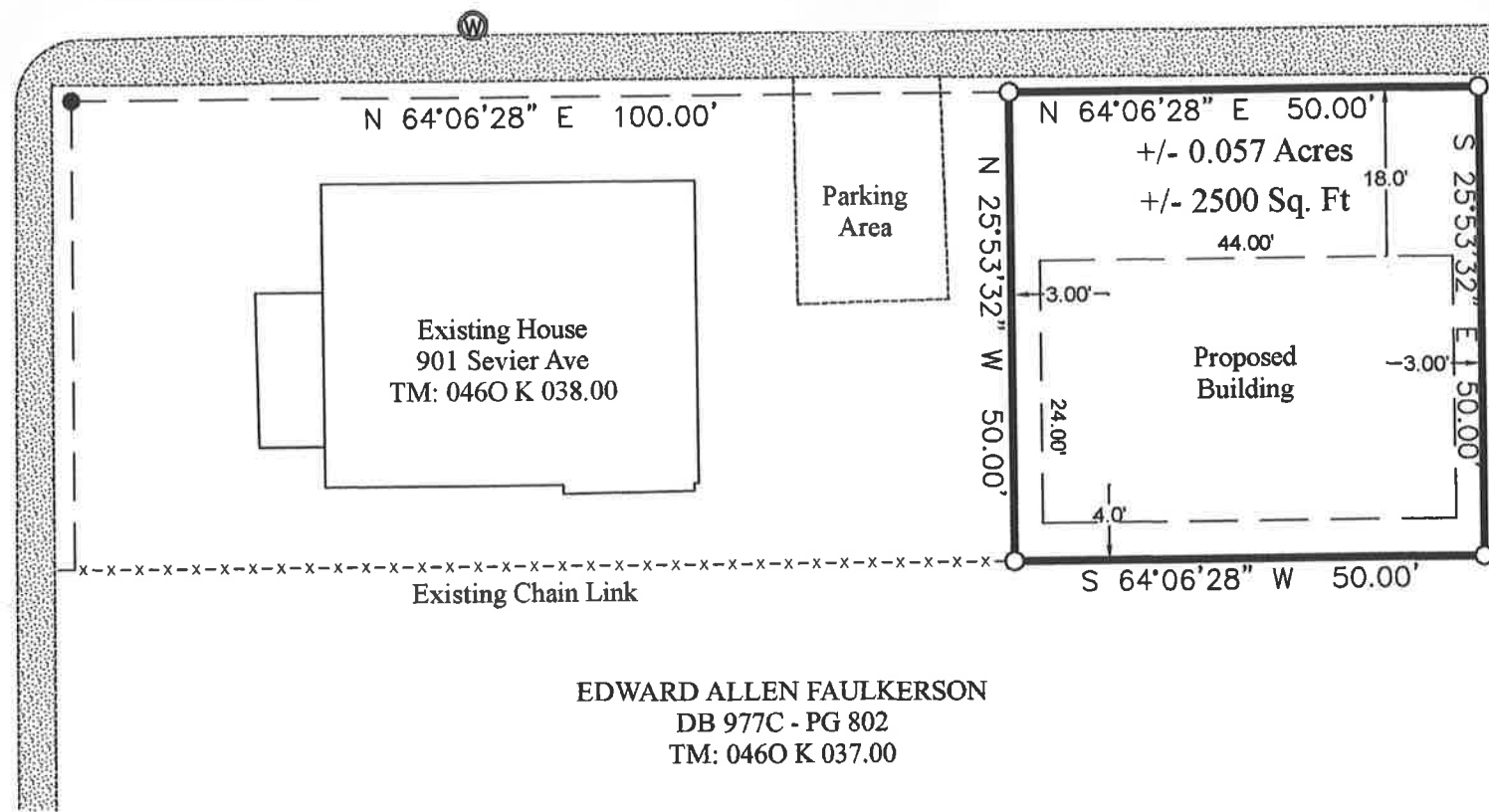
Hardship - There is no definition of a "hardship". Some guidelines, based on legal precedent, for applying the concept of unnecessary hardship are:

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.

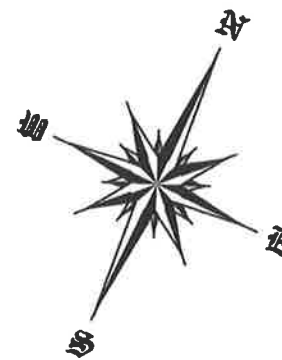
OAK STREET (50')

E SEVIER AVE (50')

UNNAMED ALLEY



EDWARD ALLEN FAULKERSON  
DB 977C - PG 802  
TM: 0460 K 037.00



TN State Plane



BOUNDARY IS BASED ON A CURRENT FIELD SURVEY

- Legend**
- denotes Rebar Found
  - denotes Rebar Set
  - ⊙ denotes Calculated Point Unless otherwise Noted
  - denotes Highway Marker
  - ▲ denotes RailRoad Spike
  - ⊕ denotes Water Meter
  - denotes Pavement
  - ▨ denotes Sidewalk

- Notes**
1. Deed Reference: DB 3213 - PG 1836
  2. TAX MAP: 0460 K 039.00

SITE PLAN FOR:		<b>RICKY BURKE</b>	
Date	File:burke-r.DWG	Scale:	
02-09-2023	Drawn By: NLC	1" = 20'	
11th (Eleventh) Civil District		Sullivan County, TN	
Culbertson Surveying P.O. Box 190, Nickelsville VA 24271 (276) 479-3093		Drawing Number 7887	



# Tempo



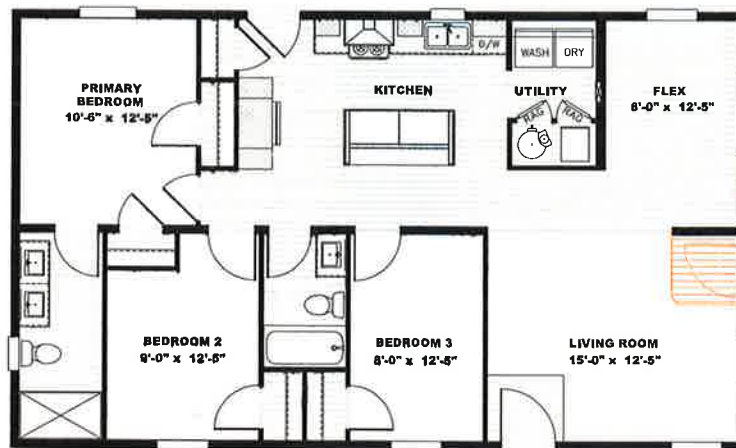
## Beautiful Morning

*\*Available as Modular*

TEM28443A | 3 beds | 2 baths | 1,173 sq. ft.

🎵 Alternate Door Location Available

28x44



- Full Drywall Throughout
- Frigidaire® Stainless Steel Appliances
- ecobee® Smart Thermostat
- DuraCraft® Cabinets
- Craftsman Style Front Door
- Carrier® Furnace



The home series and floor plans indicated will vary by retailer and state. Your local Home Center can quote you on specific prices and terms of purchase for specific homes. Clayton Home Building Group invests in continuous product and process improvement. All home series, floor plans, specifications, dimensions, features, materials, availability, and starting prices shown on this website are artists renderings or estimates and are subject to change without notice. Dimensions are nominal and length and width measurements are from exterior wall to exterior wall.

REV: 08/2023