

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

May 2, 2024, Regular Meeting

Noon

Montgomery-Watterson Boardroom, City Hall

Members Present:

Tracey Cleek
Joe White
Wes Combs

Members Absent:

Bill Sumner
Calvin Clifton

Staff Present:

Lori Pyatte
Ken Weems
Jessica McMurray

Visitors:

Diane Caldwell
Ben Herrick
Rhonda Morris
Debby Range
Chris Ketron
Lily Franklin
Melissa Justice

Mr. Ken Weems called the meeting to order at 12:00p.

Mr. Ken Weems 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: BZA24-0065 – The owner of property located at 1672 Redwood Drive, Control Map 061F, Group D, Parcel 037.00 requests a special exception to Sec 114-183(c) for the purpose of starting an in-home childcare facility. The property is zoned R-1B, Residential District.

Ms. Franklin introduced herself and presented her case to the board. She stated the purpose of her request is to open an in-home childcare facility. She went on to say she intended to care for up to 12 children ages six weeks to five years. Staff noted two phone calls were received citing concern for safety and lack of parking and fencing. Members of the board noted fencing and safety were a concern for them as well. Ms. Franklin explained there is a large parking area in the rear of the home and a six foot privacy fence will be installed around the perimeter of the home.

Mr. Ken Weems, seeing no one wishing to speak further on the item, closed the public hearing.

Case: BZA24-0067 – The owner of property located at 100 Netherland Inn Road, Control Map 022, Parcel 077.00 requests an 81 square foot variance to Sec 114-533(3)a for the purpose of exceeding maximum size requirements for wall signage for an existing nursing home facility. The property is zoned R-3, Low Density Apartment District.

Ms. Melissa Justice presented the case to the board. Ms. Justice stated she is employed by Synder Signs and her company is hired to install new signage for The Waters. She explained the purpose of the request is due to the need for additional visibility for the general public and EMS personnel accessing the facility. Staff noted no phone calls were received.

Mr. Ken Weems, seeing no one wishing to speak further on the item, closed the public hearing.

Case: BZA24-0068 – The owner of property located at TBD N. Eastman Road, Control Map 061D, Group E, Parcel 023.10 requests special exception to Sec 114-191(c)4 for the purpose of constructing a new cell tower. The property is zoned P-1, Professional Offices District.

Mr. Ben Herrick presented the case to the board. Mr. Herrick explained the purpose of the request is to construct a new Verizon cell tower in the P-1, Professional Office zone. Mr. Herrick stated after extensive research it was determined this particular location is best suited to meet demand for cellular usage in the area. Mr. Herrick explained the tower will be contained inside protective fencing and appropriate signage installed. Mr. Combs inquired about the design and height of the tower. Mr. Herrick stated the tower is a freestanding monopole, approximately 150 feet tall. Mr. Herrick further explained by using a monopole tower other carriers can access the pole. He went on to say if a stealth tower is installed only one carrier could access the pole due to additional design and limited space on the pole.

Diane Caldwell and Rhonda Morris addressed the board. Ms. Caldwell and Ms. Morris both stated they live in the neighborhood abutting the site. Both ladies expressed concerns with look of the tower, property value depreciation and potential health issues caused by close proximity to the tower. Ms. Caldwell and Ms. Morris presented a petition signed by 71 petitioners against the installation of the cell tower.

John Pierce, owner of 1700 N. Eastman Road addressed the board. Mr. Pierce stated constructing a new cell tower on the site would lower property values and be unsightly to look at it from nearby restaurants.

Debby Range introduced herself as a neighboring home owner. Ms. Range questioned if board members would want a cell tower in their backyard and noted the cell tower would depreciate property values by 7.6 percent.

Chris Ketron addressed the board, stating she is a Hawkins County resident. Ms. Ketron explained that driving by a cell tower at that location would be unsightly, cause property values to depreciate and only benefit one person.

Mr. Ken Weems, seeing no one wishing to speak further on the item, closed the public hearing.

Adjudication of Cases:

Case: BZA24-0065 – The owner of property located at 1672 Redwood Drive, Control Map 061F, Group D, Parcel 037.00 requests a special exception to Sec 114-183(c) for the purpose of starting an in-home childcare facility. The property is zoned R-1B, Residential District.

The board noted they had no further concerns or questions.

MOTION: made by Mr. Wes Combs, seconded by Mr. Joe White, to approve the special exception for an in-home childcare facility as requested.

VOTE: 3-0 to approve the request.

Case: BZA24-0067 – The owner of property located at 100 Netherland Inn Road, Control Map 022, Parcel 077.00 requests an 81 square foot variance to Sec 114-533(3)a for the purpose of exceeding maximum size requirements for wall signage for an existing nursing home facility. The property is zoned R-3, Low Density Apartment District.

The board noted they had no further concerns or questions. Mr. Combs stated it is helpful the signs are not illuminated and understands the need for the request.

MOTION: made by Wes Combs, seconded by Mr. Joe White, to approve the 81 square foot wall sign variance as requested.

VOTE: 3-0 to approve the request.

Case: BZA24-0068 – The owner of property located at TBD N. Eastman Road, Control Map 061D, Group E, Parcel 023.10 requests special exception to Sec 114-191(c)4 for the purpose of constructing a new cell tower. The property is zoned P-1, Professional Offices District.

Board members reviewed the signed petition submitted for the record. Members acknowledged the concerns expressed by visitors regarding the cell tower. Mr. Combs questioned if any data was submitted in regards to property values. Staff stated no data was submitted. Mr. Combs went on to say if the applicant was willing, he would entertain a motion to table the item to allow the applicant time to collect and submit data regarding property values and aesthetic options for the tower. Mr. Combs reopened the public hearing to allow Mr. Herrick to respond. Mr. Herrick stated he is agreeable to the Board tabling a decision on the item in order to provide enough time to bring the requested information back to the board.

MOTION: made by Mr. Wes Combs, seconded by Ms. Tracey Cleek, to table case number BZA24-0068 until the applicant can provide relevant data regarding property values around cell tower locations and aesthetic options for disguising the tower.

VOTE: 3-0 to the table request.

BUSINESS:

MOTION: made by Mr. Combs, seconded by Mr. White, to approve the Kingsport Board of Zoning Appeals minutes for April 4, 2024.

VOTE: 3-0 to approve the minutes.

With no further business the meeting was adjourned at 12:57 p.m.

Respectfully Submitted,

Jessica McMurray

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Development Coordinator