

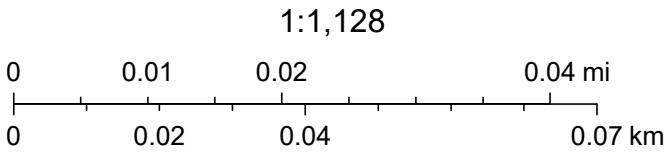
ArcGIS Web Map



5/7/2025, 1:27:00 PM

Sullivan County Parcels Jan 2023

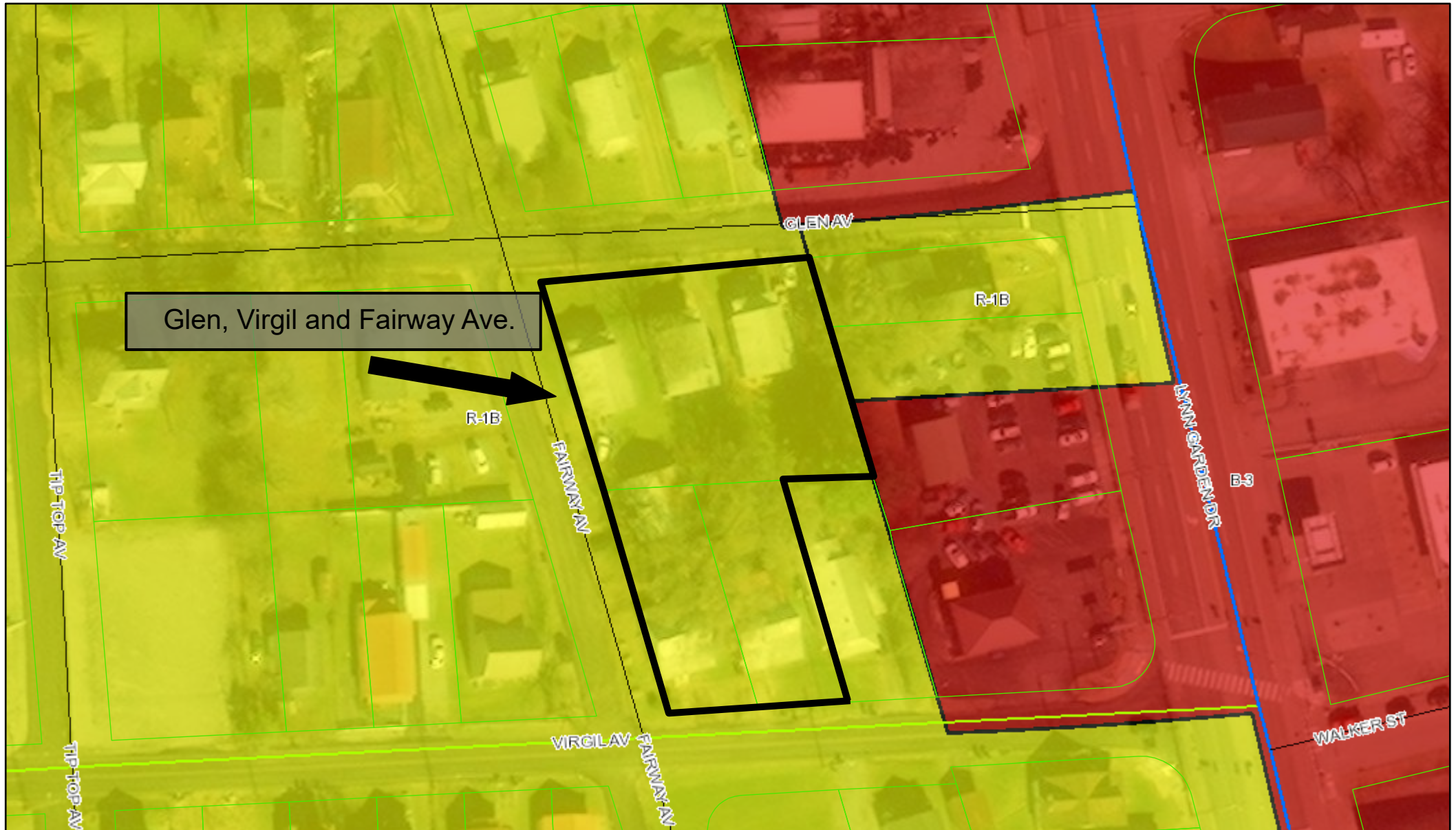
- Parcels
- Streets
- Interstate
- Expressway
- Major Arterial
- Minor Arterial
- Collector Street
- Local Street
- Private Street
- Ramp
- Urban Growth Boundary



NC CGIA, Maxar, Microsoft



# ArcGIS Web Map



5/7/2025, 1:21:47 PM

Sullivan County Parcels Jan 2023

City Zoning

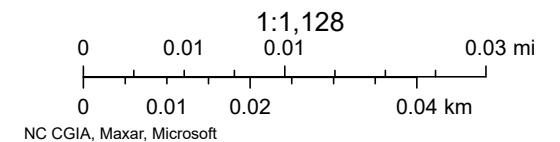
<Null>

TA/C

R-5

GC

|      |      |       |       |      |                       |
|------|------|-------|-------|------|-----------------------|
| B-2E | B-3  | M-1R  | PD    | R-1B | Split                 |
| A-1  | B-4  | M-2   | PMD-1 | R-1C | TA                    |
| A-2  | B-4P | MX    | PMD-2 | R-2  | TA-C                  |
| AR   | B-4P | P-1   | PUD   | R-3  | UAE                   |
| B-1  | BC   | P-D   | PVD   | R-3A | Streets               |
| B-2  | GC   | PBD-3 | R-1   | R-3B | Interstate            |
| B-3  | M-1  | PBD/* | R-1A  | R-4  | Expressway            |
|      |      |       |       |      | Urban Growth Boundary |



NC CGIA, Maxar, Microsoft



TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: May 6, 2025

RE: 117 Virgil Avenue, 121 Virgil Avenue, 1211 Fairway Avenue, 208 Glen Avenue, 204 Glen Avenue and 200 Glen Avenue

The Board is asked to consider the following request:

**Case: BZA25-0113 – The owners of properties located at 117 Virgil Avenue (Lot 12R), 121 Virgil Avenue (Lot 11R), 1211 Fairway Avenue (Lot 10R), 208 Glen Avenue (Lot 9R), 204 Glen Avenue (Lot 8R) and 200 Glen Avenue (Lot 7R)** request approval for multiple variances. The purpose of the request is to replat six existing houses in order to obtain individual deeds for each property, placing each house on its own lot. The properties are zoned R-1B, Residential District.

The specific variances requested are as follows:

**117 Virgil Avenue (Lot 12R):** 2,200 sq ft lot size variance to Sec. 114-183(e)(1)a, 6.4-foot front yard variance to Sec. 114-183(e)(1)c, 1.2-foot rear yard variance to Sec. 114-183(e)(1)e.

**121 Virgil Avenue (Lot 11R):** 2,720.18 sq ft lot size variance to Sec. 114-183(e)(1)a, 0.2-foot side yard variance to Sec. 114-183(e)(1)d, 7.9-foot front yard variance to Sec. 114-183(e)(1)c.

**1211 Fairway Avenue (Lot 10R):** 2,523.8 sq ft lot size variance Sec. 114-183(e)(1)a, 5-foot front yard variance to Sec. 114-183(e)(1)c, 1.1-foot side yard variance to Sec. 114-183(e)(1)d, 1-foot accessory structure setback variance to Sec. 114-133(2).

**208 Glen Avenue (Lot 9R):** 2,077.85 sq ft lot size variance Sec. 114-183(e)(1)a, 1-foot side yard variance (street side requires 12 ft) to Sec. 114-138(4)c, 2.1-foot front yard variance to Sec. 114-183(e)(1)c, 7.6-foot rear yard variance to Sec. 114-183(e)(1)e.

**204 Glen Avenue (Lot 8R):** 2,593.77 sq ft lot size variance Sec. 114-183(e)(1)a, 10.1-foot front yard variance to Sec. 114-183(e)(1)c.

**200 Glen Avenue (Lot 7R):** 1,069.68 sq ft lot size variance Sec. 114-183(e)(1)a, 16.7-foot front yard variance to Sec. 114-183(e)(1)c, 0.8-foot side yard variance to Sec. 114-183(e)(1)d.

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.*

**Sec. 114-138. - Yards.**

*(4) Side yards. The following shall apply to side yards:*

- c. Corner lot. On a corner lot in any residential zone, the required least width of a side yard along the side street shall be at least 50 percent greater than the side yard required for that zone.*

**Sec. 114-133. - Accessory building location and height**

*(2) Location. Except as provided in subsection (3) of this section, no accessory building shall be erected in any required front or side yard. Accessory residential structures shall be on the same lot as the principal residential structure. The floor area of accessory structures located upon any property zoned for residential use shall not exceed 30 percent of the floor area of the principal structure, or 1,100 square feet, whichever is greater. Lots that are two acres in size or larger may use the following calculation to determine accessory structure size: maximum of two percent of total parcel area but never more than 5,000 square feet. Accessory structures shall not exceed the height of the principal structure or 35 feet, whichever is less. Accessory structures shall be at least three feet from all lot lines and five feet from any other building on the same lot; provided, however, that where two adjoining property owners desire to build a double garage on the property line, one-half of which would be located on each property, they may secure a building permit to construct such garage by submitting written agreements signed by both parties concerned to the zoning administrator. The height of both the accessory structure and the principal structure shall be measured according to the provisions outlined in the current building code, as set forth in article III of chapter 22. Swimming pools not covered by a permanent roof, tennis courts, pet enclosures not exceeding 100 square feet floor area, and satellite dish antennas shall not be subject to size or height restrictions in this section or included in calculating floor area.*



**APPLICATION**  
Board of Zoning Appeals



**APPLICANT INFORMATION:**

Last Name Front Street Ventures First LLC M.I. \_\_\_\_\_ Date 5/5/25  
Street Address 2 Mishoupan Place Apartment/Unit # NA  
City Bayville State N.Y. ZIP 11709  
Phone 516-279-8997 E-mail Address realtimari5@gmail.com

**PROPERTY INFORMATION:**

Tax Map Information \_\_\_\_\_ Tax map: 029E Group: H Parcel: 017.00 Lot: \_\_\_\_\_  
Street Address 200, 204, 208 Glen Ave. 1211 Fairway Ave Apartment/Unit # NA  
117, 121, Virgil Ave  
Current Zone \_\_\_\_\_ Proposed Zone \_\_\_\_\_  
Current Use Single family rental houses Proposed Use Same as current

**REPRESENTATIVE INFORMATION:**

Last Name Banks First Richard M.I. C. Date 04/30/25  
Street Address 508 Princeton Rd Apartment/Unit # Suite 106  
City Johnson City State TN ZIP 37601  
Phone (423) 282-1050 E-mail Address rbanks@netretn.com

**REQUESTED ACTION:**

Replat 6 houses in order to get individual deeds for resale, and also just to get each house on its own lot.

**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: [Signature] Date: 5/2/2025

Signed before me on this 2nd day of May, 2025  
a notary public for the State of Tennessee  
County of Washington

Notary Bueford T. Fletcher  
My Commission Expires May 25, 2027



## 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.

- Six houses on one tract of land making it impossible to get individual deeds and sell them one at a time.
- They would also have individual tax cards making it better for the city as well.

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

Until it is changed she would only be able to sell all 6 houses at once.

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.

They were like this when her late husband bought them. Now he has passed and she wants to sell some of them.

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 only change will be the new lot lines outlining each individual lot.  
With them separated there is the possibility of someone buying a very affordable starter home.*

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.



(SEE NOTE #6)

|               | LOT NUMBER  | ADDRESS          |
|---------------|-------------|------------------|
| 6430.32 SQ FT | LOT - 7R -  | 200 GLEN AVE     |
| 4906.23 SQ FT | LOT - 8R -  | 204 GLEN AVE     |
| 5422.15 SQ FT | LOT - 9R -  | 208 GLEN AVE     |
| 4976.20 SQ FT | LOT - 10R - | 1211 FAIRWAY AVE |
| 4779.82 SQ FT | LOT - 11R - | 121 VIRGIL AVE   |
| 5300.00 SQ FT | LOT - 12R - | 117 VIRGIL AVE   |

OWNERS: FRONT STREET VENTURE INC  
2 MISHAUPAN PLACE  
BAYVILLE NY. 11709

LOCAL CONTACT  
RICHARD BANKS - C- 423-791-2426  
NORTH EAST TN. REAL ESTATE  
RBANKS @ NETRETN .COM

#### CERTIFICATE OF ACCURACY

I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE KINGSPORT, TENNESSEE, REGIONAL PLANNING COMMISSION AND THAT THE MONUMENTS HAVE BEEN PLACED AS SHOWN HEREON.

DATE \_\_\_\_\_ 20\_\_\_\_

I HEREBY CERTIFY THAT THIS IS A CATEGORY \_\_\_\_\_ SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:\_\_\_\_\_ AS SHOWN HEREON.

SURVEYOR \_\_\_\_\_ TN. REG. NO. \_\_\_\_\_

#### CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I (AM WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT, ESTABLISH THE BUILDING LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR OR PRIVATE USE AS NOTED.

DATE \_\_\_\_\_ 20\_\_\_\_

OWNER \_\_\_\_\_ 20\_\_\_\_

OWNER \_\_\_\_\_

#### CERTIFICATION OF THE APPROVAL FOR 911-ADDRESSING ASSIGNMENT

I HEREBY CERTIFY THAT THE ADDRESSES, AS NOTED ON THE FINAL PLAT, ARE APPROVED AS ASSIGNED.

DATE \_\_\_\_\_ 20\_\_\_\_

CITY C.I.S. DIVISION OR SULLIVAN COUNTY DIRECTOR OF 911 ADDRESSING OR HIS/HER AUTHORIZED REPRESENTATIVE

#### LEGEND

- IRON PIN (OLD)
- IRON PIN (NEW)
- POINT
- POWER POLE
- LIGHT POLE
- BENCH MARK
- CATCH BASIN
- SEWER MANHOLE
- WATER VALVE
- WATER METER
- FIRE HYDRANT

— P — P — P — POWER LINE (OVERHEAD)  
— V — V — V — WATER LINE

#### CERTIFICATION OF THE APPROVAL OF STREETS

I HEREBY CERTIFY: (1) THAT STREETS HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO THE SPECIFICATIONS OR, (2) ADEQUATE RIGHTS-OF-WAY DEDICATION UPON AN EXISTING PUBLIC ROAD SHALL SERVE THESE LOTS AS PROPOSED.

DATE \_\_\_\_\_ 20\_\_\_\_

CITY ENGINEER OR COUNTY ROAD COMMISSIONER

#### CERTIFICATE OF APPROVAL OF PUBLIC WATER SYSTEM

I HEREBY CERTIFY THAT THE PUBLIC WATER UTILITY SYSTEM INSTALLED OR PROPOSED FOR INSTALLATION FULLY MEETS THE REQUIREMENTS OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT & CONSERVATION AND IS HEREBY APPROVED AS SHOWN.

DATE \_\_\_\_\_ 20\_\_\_\_

AUTHORIZING AGENT

#### CERTIFICATION OF THE APPROVAL OF SEWERAGE SYSTEM

I HEREBY CERTIFY THAT THE SEWERAGE DISPOSAL SYSTEM INSTALLED OR PROPOSED FOR INSTALLATION FULLY MEETS THE REQUIREMENTS OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT & CONSERVATION AND IS HEREBY APPROVED AS SHOWN.

DATE \_\_\_\_\_ 20\_\_\_\_

TENNESSEE DEPARTMENT OF ENVIRONMENT & CONSERVATION

OR  
KINGSPOTR AUTHORIZING AGENT

REVISED: 4-28-25  
DATE: 4-16-25  
FILE: LYNNGARDEN-REPLAT

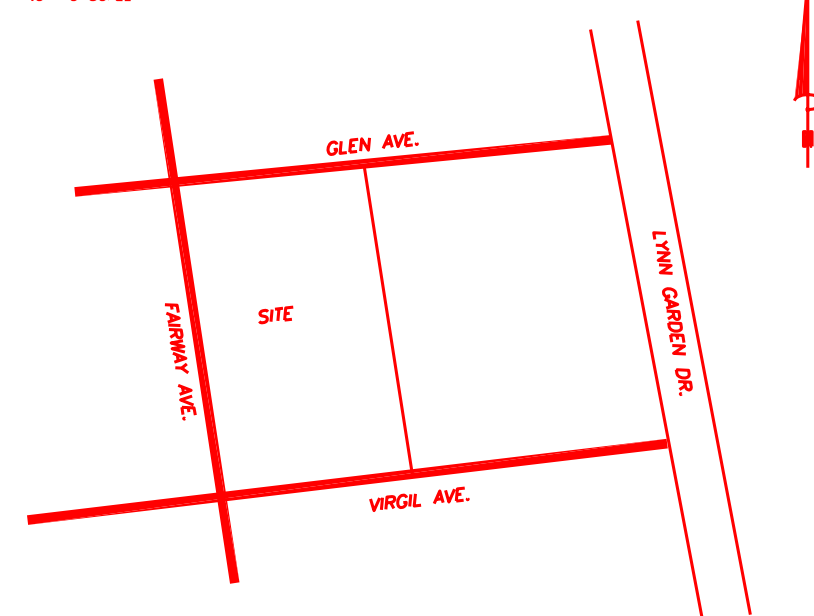
#### CERTIFICATE OF APPROVAL FOR RECORDING

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR KINGSPORT, TENNESSEE, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE \_\_\_\_\_ REGISTER.  
IF REQUIRED, A SURETY BOND IN THE AMOUNT OF \$ \_\_\_\_\_ HAS BEEN POSTED WITH THE KINGSPORT REGIONAL PLANNING COMMISSION TO ASSURE COMPLETION OF ALL REQUIRED IMPROVEMENTS IN CASE OF DEFAULT.

DATE \_\_\_\_\_ 20\_\_\_\_

SECRETARY  
KINGSPORT MUNICIPAL/ REGIONAL PLANNING COMMISSION

#### LOCATION MAP NOT TO SCALE



#### NOTES

- THIS SURVEY IS BASED UPON EXISTING MONUMENTS AND EVIDENCE WHICH WERE FOUND IN THE FIELD AS OF THIS DATE.
- NO TITLE INFORMATION WAS FURNISHED TO THIS SURVEYOR.
- THIS SURVEY IS SUBJECT TO ANY EASEMENTS THAT MAY AFFECT SUBJECT PROPERTY, WHETHER OF RECORD OR IMPLIED.
- LOCATION OF ALL UTILITIES AND UNDERGROUND STRUCTURES SHOWN ARE APPROXIMATE AND THOSE SHOWN ARE NOT NECESSARILY ALL OF THE EXISTING UTILITIES AND UNDERGROUND STRUCTURES. IT IS THE CONTRACTORS RESPONSIBILITY TO DETERMINE THE EXISTENCE AND EXACT LOCATION OF ALL UTILITIES AND UNDERGROUND STRUCTURES.
- TITLE SOURCE: DEED BOOK 3465, PAGE 1368  
TAX MAP: 29E -H- , PARCELS 17.00, 25.00 & 26.00
- NORTH IS BASED ON GPS GEODETIC AVERAGE
- BUILDING SETBACKS TO CONFORM WITH ZONING.  
R1B ZONE- FRONT= 30' REAR= 30' SIDE= 8
- SEE PANEL NO. 47163C0030D DATED 9-29-06 FLOOD ZONE- X
- HOMES SHOWN ARE OER TAX ROLL -1-S-FRAME  
OTHER STRUCTURES SHOWN ARE VARIOUS SHEDS

LYNN GARDENS SUBDIVISION  
BLOCK- 3  
PB. 1 PG. 19

#### CROSS LAND SURVEYING & PLANNING 1608 EDMONT AVE.

BRISTOL, TENNESSEE  
(423) 764-0229  
EMAIL: CROSSLS @ BTES.TV  
BRISTOL, TENNESSEE  
(423) 764-1867  
FAX: (423) 764-1872

REPLAT OF PART OF LOTS 7,8,9,10,11&12  
BLOCK- 3 OF LYNN GARDEN SUBDIVISION

KINGSPORT REGIONAL PLANNING COMMISSION

TOTAL ACRES 0.72± TOTAL LOTS 6  
ACRES NEW ROAD NONE MILES NEW ROAD NONE

OWNER FRONT STREET VENTURE, LLC  
SURVEYOR STEVEN G. CROSS CLOSURE ERROR 1:10,000  
CIVIL DISTRICT

SCALE 1" = 40' DRAWN BY RLB