

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

November 2, 2023, Regular Meeting

Noon

Montgomery-Watterson Boardroom, City Hall

Members Present:

Bill Sumner
Tracey Cleek
Calvin Clifton
Joe White

Members Absent:

Wes Combs

Staff Present:

Lori Lane
Ken Weems
Jessica McMurray

Visitors:

Mike Stone
Joseph Johnson
Renee Johnson

Chairman Sumner called the meeting to order at 12:02p.

Chairman Sumner explained the meeting procedures.

Ms. Lori Lane conducted the swearing in ceremony for those wishing to speak during the regular meeting. Mike Stone and Joseph Johnson were sworn in.

Public Hearing:

Case: BZA23-0333 – The owner of property located at TBD Caymus Court, Control Map 062A, Group K, Parcel 003.00 requests a 19 foot front yard variance to Sec. 114-193(e)(1)c for the purpose of constructing a new duplex. The property is zoned B-1, Neighborhood Business District.

Mr. Weems noted an additional 15 foot front yard variance request was requested for the property directly south of the property mentioned above, becoming known as TBD Caymus Court South. Mr. Stone presented the case to the Board. Mr. Stone stated that the developer requested the variance due to a slight slope on the south side of property and to maintain alignment and harmony along the street front. Mr. Stone explained the purpose of the request is to build four new duplex units. Staff noted a spilt zoning transition on the site from R-3 to B-1, while the use is appropriate in both zones, setbacks change from zone to zone. The board inquired as to whether the bulb out cul-de-sac is required by the city or the choice of the developer. Staff explained the cul-de-sac was a requirement of the city. Staff noted there were no phone calls or concerns received from residents in the neighborhood.

Chairman Sumner, seeing no one wishing to speak further on the item, closed the public hearing.

Case: BZA23-0332 – The owner of property located at 1270 Ridgetop Trail, Control Map 033P, Group A, Parcel 043.00 requests a 12 foot side yard variance and 3 foot side yard variance to Sec. 114-183(e)(1)d for the purpose of constructing an attached garage and swimming pool for a new single family home. The property is zoned R-1B, Residential District.

Mr. Stone presented the case. He explained that due to slope and irregular lot shape the owners were requesting the variances to construct a three bay garage on the north end of the property and a swimming pool on the south end of the property. Mr. Johnson, the neighbor to the right of the subject property, stated he does not believe the 12 foot side yard variance should be granted for the three bay garage. He stated the third bay obstructs views from his property and is not in line with other properties in the neighborhood. Staff noted one phone call was received from a neighbor with concerns about the swimming pool encroaching to closely to Golf Ridge Drive and the sidewalk.

Chairman Sumner, seeing no one wishing to speak further on the item, closed the public hearing.

The Chairman opened the business meeting. A motion was made by Ms. Cleek, seconded by Mr. White, to approve the minutes of the October 12, 2023 regular meeting. The motion was passed unanimously, 4-0. Staff stated for the record that the next application deadline is November 15, 2023 for the next regular meeting to be held on December 7, 2023.

Adjudication of Cases:

Case: BZA23-0333 – The owner of property located at TBD Caymus Court and TBD Caymus Court South, Control Map 062A, Group K, Parcel 003.00

The Board collectively agreed the hardship in this case is the bulb out cul-de-sac required by the city, noting that if it was not a requirement the developer would not need to request a variance.

MOTION: made by Ms. Cleek, seconded by Mr. White, to grant the 19 foot front yard variance for TBD Caymus Court and a 15 foot front yard variance for TBD Caymus Court South for the purpose of constructing four new duplex units.

VOTE: 4-0 to approve the request.

Case: BZA23-0332 – The owner of property located at 1270 Ridgetop Trail, Control Map 033P, Group A, Parcel 043.00

The board agreed the site plan was ambitious and suggested Mr. Stone revise the plan in an effort to maintain harmony in the neighborhood. Mr. Stone agreed to revisit the site plan with his client and return to the Board of Zoning Appeals in December with a revised request.

MOTION:

VOTE:

With no further business the meeting was adjourned at 1:04 p.m.

Respectfully Submitted,

Jessica McMurray

Jessica McMurray
Development Coordinator