

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

March 6, Regular Meeting

Noon
Montgomery-Watterson Boardroom, City Hall

Members Present:

Bill Sumner
Calvin Clifton
Wes Combs
Joe White
Tracey Cleek

Members Absent:

Staff Present:

Lori Pyatte
Ken Weems
Jessica McMurray

Visitors:

Allison Winters	Marvin Egan
Jay Foster	William Gregory
Mike Stewart	Joe Begley
John Donaldson	Derick Miller

Chairman Bill Sumner called the meeting to order at 12:00pm.

Chairman Sumner 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: BZA24-0040 – The owner of property located at 1236 Watauga Street, Control Map 046K, Group E, Parcel 013.00 requests a 0.9 ft side yard variance to Sec. 114-133(2) for the purpose of constructing a new storage area to an existing accessory structure. The property is zoned R-1A, Residential District.

Mr. Marvin Egan introduced himself as the project’s representative and contractor. He explained that the property owner wished to extend the garage to provide additional storage and a living area needed for the pool. Mr. Egan noted that the proposed addition and HVAC units would be aligned with the existing structure, which is already set within the required 3-foot setback.

He further stated that a pool cabana would also be added but would not encroach on the 3-foot setback required for accessory structures. The board inquired whether the cabana qualified as an accessory structure and whether a variance was necessary for additional accessory structure space. Staff confirmed that the cabana is considered an accessory structure and that its placement on the site plan is appropriate. They also verified that a variance for additional accessory structure space was not required, explaining that, based on the size of the principal structure, the property owner is permitted to exceed the typical 1,100 square feet allotted for accessory structures.

Staff clarified that the only variance under consideration was a 0.9-foot reduction in the side yard setback to accommodate the proposed storage and living space. They also reiterated that the existing garage is legally nonconforming, as it was built before current zoning regulations were enacted.

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

Case: BZA25-0032 – The owner of property located at 2405 Memorial Blvd, Control Map 061E, Group H, Parcel 010.00 request an amendment to the previously approved outdoor display area under Sec. 114-227 to allow for the expansion and relocation of the garden nursery. This amendment seeks to increase the size of the outdoor display area to better accommodate the nursery's needs. The property is zoned B-4P, Planned Business District.

Mr. John Donaldson introduced himself to the board as the Store Manager for Rural King and explained the request for additional nursery space. He stated that after receiving the initial plan from Rural King's project manager, he felt the designated nursery space was too small. As a result, he requested the space be doubled and relocated to better accommodate the expansion.

At this point in the meeting, two additional visitors who wished to speak were noted as having joined. Ms. Lori Pyatte then conducted the swearing-in ceremony for Mr. Bill Gregory and Mr. Joe Begley, both of whom were formally sworn in.

Donaldson continued, explaining that while the nursery is set up annually, it is not a permanent fixture. Typically, it is assembled in February or March and taken down by the end of June or early July. The total nursery space would expand from 4,554 to 11,226 square feet.

Staff then suggested that Rural King retain the previously proposed outdoor display area as a placeholder instead of converting it into additional parking. They asked whether Rural King was comfortable with customers pulling into that space if it was not designated as a display area and noted that the additional room might be beneficial rather than assuming it would be used for parking.

William Gregory, another Rural King representative, responded that if the board was willing to approve the space for a display area, they would gladly use it.

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

Case: BZA25-0037 – The owner of property located at 5110 Exchange Court, Control Map 047L, Group N, Parcel 005.00 requests a 5.2 ft rear yard variance to Sec. 114-183(e)(1)e for the purpose of constructing a new addition to an existing single family home. The property is zoned R-1B, Residential District.

Mr. Joe Begley introduced himself as the project's representative and contractor. He explained that the property owner intends to replace an existing deck with a sunroom. He noted that the footprint of the proposed sunroom would be slightly larger than the current deck, requiring a 5.2-foot variance. To provide a clearer vision of the project, Begley presented the board with a rendering of the sunroom extension. The board then inquired whether any neighbors had expressed concerns about the request. Staff reported that one neighbor had visited the planning office to inquire about the project but had no objections.

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

BUSINESS:

MOTION: made by Ms. Tracy Cleek, seconded by Mr. Joe White, to approve the Kingsport Board of Zoning Appeals minutes for February 6, 2025.

VOTE: 5-0 to approve the minutes.

Staff stated for record, the next application deadline is March 17, 2024 at noon, and meeting date Thursday, April 3, 2025 at noon.

Adjudication of Cases:

Case: BZA24-0040 – The owner of property located at 1236 Watauga Street, Control Map 046K, Group E, Parcel 013.00 requests a 0.9 ft side yard variance to Sec. 114-133(2) for the purpose of constructing a new storage area to an existing accessory structure. The property is zoned R-1A, Residential District.

Chairman Sumner asked if there were any further comments or discussion. There were none.

MOTION: Made by Mr. Combs and seconded by Vice Chairman Calvin Clifton to approve the request as presented.

VOTE: 5-0 to approve the request.

Case: BZA25-0032 – The owner of property located at 2405 Memorial Blvd, Control Map 061E, Group H, Parcel 010.00 request an amendment to the previously approved outdoor display area under Sec. 114-227 to allow for the expansion and relocation of the garden nursery. This amendment seeks to increase the size of the outdoor display area to better accommodate the nursery's needs. The property is zoned B-4P, Planned Business District.

Chairman Sumner asked if there were any further comments or discussion. There were none.

MOTION: Made by Vice Chairman Calvin Clifton and seconded by Joe White to approve the request as presented to relocate and add retail space for the nursery.

VOTE: 5-0 to approve the request.

Case: BZA25-0037 – The owner of property located at 5110 Exchange Court, Control Map 047L, Group N, Parcel 005.00 requests a 5.2 ft rear yard variance to Sec. 114-183(e)(1)e for the purpose of constructing a new addition to an existing single family home. The property is zoned R-1B, Residential District.

The board recognized the irregular lot shape as a hardship.

Chairman Sumner asked if there were any further comments or discussion. There were none.

MOTION: Made by Vice Chairman Calvin Clifton and seconded by Ms. Tracy Cleek to approve the

request as presented.

VOTE: 5-0 to approve the request.

Chairman Sumner asked for any further public comments, there were none.

With no further business the meeting was adjourned at 12:26pm.

Respectfully Submitted,

Jessica McMurray

Jessica McMurray
Development Coordinator