

MINUTES KINGSPORT BOARD OF ZONING APPEALS (BZA)

Thursday November 3, 2011

7 p.m.

Council Room, on the second floor of the City Hall Building

MEMBERS PRESENT:

Leland Leonard, Chairman

Frank Oglesby

Bill Sumner

Bob Winstead Jr

Diane Hills

MEMBERS ABSENT:

STAFF PRESENT:

Karen Combs

VISITORS:

J.B. Lashley

Mickey Burton

Deborah Lashley

Sarah Fleenor

Chairman Leonard called the meeting to order.

Chairman Leonard then explained the meeting procedures and asked all individuals wishing to address the Board be sworn in. All participants were sworn in.

The agenda for the meeting was amended to show the appointment of Ms. Diane Hills to the Board and the need to elect a new vice chairman.

Public Hearings:

Case: 11-701-000014 – Property located at 219 Sasanoa Court; Control Map 118D, Group A, Parcel 005.200 Requested a variance of 960 square feet to [Sect.114-139.(2)] in order to expand the existing accessory building in an Single Family Residential District. The code allows 1,100 square feet. J.B. Lashley presented the case to the Board. He stated that the lot composed of 5 acres and that he would like to add to carports onto an existing accessory building. Frank Oglesby asked staff about the revision to the City zoning code and where in the process staff was on this matter. Staff informed the Board that the task of revising the code would start around the first of the year and that the accessory building square footage code was one section that would revisit to possibly allow a percentage of lot coverage be the driving factor and not a set amount of square footage and any size lot. No one spoke for or against this item. Staff received no phone calls for this item.

Case: 11-701-000015 – Property located at 2176 Longreen Road; Control Map 60H, Group A, Parcel 003.400 Requested a variance of 2 feet to [Sect.114-191.(e)(1)(d)] in order to construct a carport In a R-1A Single Family Residential District. The code requires a 10 foot side yard setback. Mickey Burton presented the case to the Board. Mr. Burton stated that he wanted to cover the existing driveway. There was discussion that there were no other carports in the neighborhood and how Mr. Burton's lot set at the end of the street where the adjoining property

would not likely be develop to the topography. No one spoke for or against this item. Staff did receive two phone calls with general questions concerning this case.

Case: 11-701-000016 – Property located at 406 Roller Street; Control Map 46H, Group H, Parcel 001.500 Requests variance of 5feet on both side yards to [Sect.114-196.(e)(1)(d)] in order to construct a 6 unit apartment building in a R-4 Medium Density Apartment District. The code requires a10foot side yard setback. This item was withdrawn by the petitioner until December's meeting.

Case: 11-701-000017 – Property located at 1216 Ervin Court; Control Map 46K, Group A, Parcel 0018.00 Requested a variance of 7 feet to [Sect.114-191.(e)(1)(d)] in order to construct a carport in a R-1A Single Family Residential District. The code requires a10foot side yard setback. Sarah Fleenor presented the item to the Board. In her presentation she explained that her property was sloped down in the rear and could not reasonably accommodate a carport. The Board brought up that there were no other carports in the immediate neighborhood. No one spoke for or against this item. Staff received no phone calls concerning this item.

Seeing no one else wishing to speak, Chairman Leonard closed the Public Hearing.

Other Business:

Leland Leonard welcomed the new member, Ms. Diane Hills to the Board. Ms. Hills replace John Caldwell. With Mr. Caldwell's resignation; the office of Vice Chair became opened. On a motion made by Bob Winstead, Jr.; Dr. Frank Oglesby was elected to the position of Vice Chair.

On a motion by Bill Sumner, the Board voted unanimously to approve the September 1, 2011 minutes as mailed.

The BZA stated for the public record the next application deadline on November 15, 2011 at noon and that the next meeting date would be on December 1, 2011 with lunch at the Chop House following the meeting

Adjudication of Cases:

Case: 11-701-000014 – Property located at 219 Sasanoa Court; Control Map 118D, Group A, Parcel 005.200

MOTION: made by Frank Oglesby; seconded by Bob Winstead, Jr – To approve the request as presented because there was no detriment to the existing neighborhood and the intent of staff to being a new ordinance forward that would tie the size of accessory buildings to the size of the lot.

VOTE: 4-0 to grant the variance request as presented and allow an additional 960 square feet of accessory building on this lot.

Case: 11-701-000015 – Property located at 2176 Longreen Road; Control Map 60H, Group A, Parcel 003.400

During discussion, the Board changed the request from 2 feet to 3 feet. This was done to ensure that there was enough of a variance to allow the construction of a carport without having the owner present a survey next month.

MOTION: made by Bob Winstead, Jr; seconded by Bill Sumner – To approve the request with a 3 foot variance to the setback with the condition that the carport is constructed in accordance with

the plan presented to the Board because there was no detriment to the existing neighborhood and the likelihood of the property adjacent to the lot is minimal due to topography.

VOTE: 4-0 to grant the variance request of 3 feet to the side yard setback.

Case: 11-701-000016 – Property located at 406 Roller Street; Control Map 46H, Group H, Parcel 001.500

WITHDRAWN

Case: 11-701-000017 – Property located at 1216 Ervin Court; Control Map 46K, Group A, Parcel 0018.00

MOTION: made by Bill Sumner; seconded by Bob Winstead, Jr – To approve the request as presented and grant a variance of 7 feet to the side yard setback with the conditions that the structure has a closed gable with a ceiling and the materials match the existing house because there was no detriment to the existing neighborhood and the structure could not be reasonably moved to the rear yard because of topography,

VOTE: 4-0 to grant the variance request as presented with a 7 foot side yard variance.



Karen B. Combs, Principal Planner