

KINGSPORT REGIONAL PLANNING COMMISSION

AGENDA

This meeting is an open and accessible meeting. If interested parties request special assistance or accommodations, please notify the Planning Department three (3) days in advance of the meeting.

December 19, 2013

7:00 p.m.

I. INTRODUCTION AND RECOGNITION OF VISITORS

II. APPROVAL OF THE AGENDA

III. APPROVAL OF THE MINUTES OF THE WORK SESSION HELD ON NOVEMBER 18, 2013 AND THE REGULAR MEETING NOVEMBER 21, 2013.

IV. CONSENT AGENDA – Consent items are those items that have previously been brought before the Planning Commission, which have been reviewed by the Planning Commission in previous meetings or work sessions, or are minor subdivisions and final plats not requiring any variances.

12-02 Sign Amendment – Green Acres Shopping Center – (13-102-00007)

The Planning Commission is requested to consider approval of a sign amendment for the Green Acres Shopping Plaza. The property is located at 1101-1197 N. Eastman Road. (Weems)

12-03 Sign Amendment – Marsh Regional Blood Center – (13-102-00008)

The Planning Commission is requested to consider approval of a sign amendment for the Medical Office Plaza. The property is located at 111 West Stone Drive. (Weems)

V. UNFINISHED BUSINESS

None

VI. NEW BUSINESS

12-01 Gateway Commerce Park Master Plan Update – (13-102-00006)

The Planning Commission is requested to consider approval of the MX zone master plan for Gateway Commerce Park. This property is located inside the corporate limits of the City of Kingsport, 13th Civil District of Sullivan County. (Weems)

12-04 Final Plan Development – St. Andrews Garth – Phase 1 – (13-103-00001)

The Planning Commission is requested to consider approval of the amended final development plan for St. Andrews Garth-Phase 1. This property is located inside the corporate limits of the City of Kingsport, 15th Civil District of Sullivan County. (Koder)

12-05 Zoning Text Amendment – County Wide – (13-801-00009)

The Planning Commission is requested to consider approval to amend Article 12-106.7 to establish a two year waiting period before denied rezoning requests can be reconsidered. (Shepherd)

VII. PUBLIC COMMENT (Speakers are limited to 5 minutes per item.)

VIII. OTHER BUSINESS

12-06 Receive a letter of resubdivision of the Old Island Replat, Lots 29-31 on Golf Ridge Road.

12-07 Receive a letter of resubdivision of the Cleek Property on Cleek Road.

12-08 Receive, for informational purposes only, the November 2013 report from the Building Division.

12-09 Receive, for informational purposes only, the minutes from the Special-Called Board of Zoning Appeals meeting held on November 21, 2013.

IX. ADJOURNMENT

**MINUTES OF THE WORK SESSION OF THE
KINGSPORT REGIONAL PLANNING COMMISSION**

The Improvement Building
201 W. Market Street, Kingsport, TN 37660

November 18, 2013

12:00 Noon

Members Present

Dennis Ward, Chairman
Hoyt Denton, Vice Chairman
Dr. Heather Cook
Vice Mayor Mike McIntire
"Buzzy" Breeding
David Stauffer
Mark Selby
John Moody
Beverley Perdue

Members Absent

Staff Present

Lynn Tully
Ken Weems
Corey Shepherd
Time Elsea
Chris Alley
Chad Austin

Visitor's List

At 12:00 p.m., the meeting was called to order by Lynn Tully. Mrs. Tully presented the tentative agenda for the November 21, 2013 regular meeting of the Planning Commission for discussion. Mrs. Tully noted that the item 11-02 Gateway Commerce Master Plan Update was requested to be removed from the Planning Commission Agenda by the applicant prior to the work session. Mrs. Tully asked for any changes to the minutes for the October 14, 2013 work session and the regular meeting held October 17, 2013. No changes were proposed to the minutes and they will be presented at the November 21, 2013 regular meeting for approval.

11-01 Harris Subdivision –Final Plat – (13-102-00006)

The Planning Commission heard a presentation regarding request for approval for the final plat of Harris subdivision located at Grove Drive. The property location is within the Colonial Heights area near the intersection of Lebanon Road and Kendrick's Creek Road. The property owner has requested a replat of the existing lots resulting in eight subdivided lots verses the original six. All utilities and infrastructure are available and the plat meets all final plat requirements. There was little discussion on this item. There being no questions, no official action was taken on this item and the item was recommended for the consent agenda.

11-02 Gateway Commerce Park Master Plan Update– (13-401-00006)

It was noted that the Planning Commission was requested to remove this item from the agenda by the applicant. There was some discussion regarding the location of buildings shown on the original application as well as any additional buildings that may be requested in the future from the NETWORKS Economic Development Board. There being no additional questions the item, the item was removed from the agenda.

11-03 Konnarock Road Surplus Request– (13-401-00003)

The Planning Commission heard a presentation to consider recommending to the Kingsport Board of Mayor and Alderman that the property located at 1113 Konnarock Road be officially designated as surplus property. Corey Shepherd made the presentation stating that this is a rehearing of a surplus request that was approved in August of this year. The request amends those previous surplus boundaries and all city staff leadership has been contacted with no speakers in opposition to the surplus. After little discussion, no official action was taken on this item.

11-04 Kingsport Gateway Commission – Text Amendment to Gateway Regulations – (13-801-00007)

The Planning Commission heard a presentation to consider a text amendment for Gateway regulations section 114-421(b)(5)(d)2. The request was generated from a Gateway meeting two months prior and was specifically addressing mandatory language versus permissive language. The request basically adds a few words to alert the applicant that more stringent requirements may be required on a project. There was little discussion regarding the amendment, and no official action was taken.

There was no public comment made during the work session.

Staff noted that a Christmas luncheon was scheduled for December 6th at the Chop House hosted by the Planning Commission for the Planning Department Staff.

There being no further changes to the Agenda and no additional discussion, the Work Session was closed at approximately 12:33 pm.

Respectfully Submitted,

Chanya Lynn Tully, AICP, Planning Commission Secretary

**MINUTES OF THE REGULAR MEETING OF THE
KINGSPORT REGIONAL PLANNING COMMISSION**

City Hall
225 W. Center Street, Kingsport, TN 37660

November 21, 2013

7:00 p.m.

Members Present

Dennis Ward, Chairman
Hoyt Denton, Vice Chairman
Dr. Mike McIntire, Vice Mayor
“Buzzy” Breeding
Dr. Heather Cook
Beverley Perdue
David Stauffer
Mark Selby

Members Absent

John Moody

Staff Present

Lynn Tully
Forrest Koder
Ken Weems
Corey Shepherd
Chris Alley

Visitor’s List

At 7:00 p.m., Chairman Dennis Ward called the meeting to order, welcomed the audience, introduced the commissioners and staff and summarized the meeting procedures. It appeared that there was no public present therefore Chairman Ward asked for approval of the agenda as presented. A motion was made by Beverly Perdue and seconded by Heather Cook to approve the agenda as presented. The motion was approved unanimously 7-0. Chairman Ward asked for any changes for the minutes of the work session held October 14, 2013 and the regular meeting held October 17, 2013. There being no changes a motion was made by Mike McIntire seconded by Dave Stauffer to approve the minutes as presented. The motion was approved unanimously 7-0.

CONSENT AGENDA

Chairman Ward opened the consent agenda asking if anyone in attendance wished to have any consent item pulled for additional discussion or hearing. There being no one present from the public and no questions from the Planning Commission the hearing was closed and the consent agenda was heard as follows:

11-01 Harris Subdivision – Final Plat– (13-201-00072)

The Planning Commission considered approval for a final plat in the Harris Subdivision located at Grove Drive. The property is located inside the corporate limits of the City of Kingsport, in the 14th Civil District of Sullivan County. There being no questions and no public in attendance to speak of in favor or

opposition to the request the public hearing was closed. A motion was made by Hoyt Denton seconded by Dave Stauffer to approve the consent agenda item as presented. Motion was approved unanimously, 7-0.

UNFINISHED BUSINESS

None

NEW BUSINESS

11-03 Konnarock Road Surplus Request – (13-401-00003)

The Planning Commission considered recommending to the Kingsport Board of Mayor and Alderman that the property at 1113 Konnarock Road be officially designated as surplus property. The property is located within the 11th Civil District of Sullivan County. Corey Shepherd presented the item identifying the location of the property along Konnarock Road and the current configuration of the lots. Mr. Shepherd noted that this request amends the boundaries of the surplus request that was previously heard by the commission in August. He further clarified that the leadership team had seen and approved the surplus request. Commissioner Selby asked who owned the railroad bed directly behind the surplus property. Staff stated the City is currently the owner and actually also owns all the property adjacent to the surplus request to the Pal's property. There was additional discussion, however no additional questions. Chairman Ward noted there was no public present to speak in favor of or in opposition to the request and the public hearing was closed. A motion was made by Mike McIntire and seconded by Buzzy Breeding to approve the surplus request. The motion was approved unanimously, 7-0.

11-04 – Kingsport Gateway Commission – Text Amendment to Gateway regulations - (13-801-00007)

The Planning Commission considered a request to amend the zoning text within the Gateway Regulations Section 114-421(b)(5)(d)2. Mr. Forrest Koder presented the item indication the request was from the Gateway Commission meeting two months prior. The request concerns mandatory language versus permissive language within the text. The text is specifically being amended to state, "Large Blank walls shall be avoided. Recessed or articulated wall surfaces, columns and beams are encouraged and may be required to visually segment exterior wall surfaces. Windows and other openings should reflect the character and style of the building." This proposal adds "and may be required". This change alerts the applicant of the potential of the Gateway Commission to execute more restrictive requirements to help break up large blank walls. The question was posed by the Commission to staff as what would trigger a large blank wall. Mr. Koder expressed an example from Pizza Plus where the brick wall included relief areas where bricks were recessed in order to break up the expanse. Commissioner Denton asked if the requirement included all walls on a building. Staff noted that technically yes but most rear building façades will not have this applied unless there was ability for the public to drive around the building as in a fast food restaurant. Mike McIntire expressed his concern that there may continue to be ambiguous language and would like to define within the Gateway Regulations as much as possible. Mr. Koder clarified that the issue that stimulated the change was that the Gateway Board asked for some changes above and beyond what the initial staff recommendation was. The intent is for this application to be consistent into the future. Chris Alley also stated that Mr. Koder has worked with the Gateway Commissioners moving the Commission to more guidance and consistency overall. Staff noted that typically most requests for the Gateway Commission's approval come in a PDF digital format and Forrest quickly sends those out for comment prior to the item being heard before the Commission. This allows for additional comments and other concerns to be brought out and corrected before the item is placed on a meeting agenda. Dr. Cook asked if there were other text amendments that are expected to be heard from the Gateway Commission's last meeting. Staff noted that monument sign definitions and height limits are also going to be items that the Gateway request we consider for change. The intent is to look at scale and proportion and to make recommendations specifically on those two dimensions. There was additional discussion regarding the aesthetic nature of the Gateway Commission versus some of the clearer regulations as well as the documents provided by the staff to help guide the developers and architects in

preparing their submissions for the Gateway Commission. There were no additional questions and a motion was made by Mark Selby seconded by Heather Cook to approve the text amendment as presented. The motion was approved unanimously, 7-0

OTHER BUSINESS

- 11-05 Receive a letter of resubdivision on the Michael Griffin Property on Steephill Road.
- 11-06 Receive a letter of resubdivision on the Willowbrook Planned Development, The Arbor, Phase II on Arbor Terrace Drive.
- 11-07 Receive, for informational purposes only, a report of New Businesses for October 2013 as provided by Jeff Fleming.
- 11-08 Receive, for informational purposes only, a report of New Businesses for the past 12 months as provided by Jeff Fleming.
- 11-09 Receive, for informational purposes only, the October 2013 report from the Building Division.

ADJOURNMENT

There being no further business, a motion was made by Dave Stauffer and seconded by Mike McIntire to adjourn the meeting at approximately 7:28pm. This motion passed unanimously, 7-0.

Respectfully Submitted,

Chanya Lynn Tully, AICP, Planning Commission Secretary

PROPERTY INFORMATION

DISTRICT: 13

OVERLAY DISTRICT: Gateway

EXISTING ZONING: MX

PROPOSED ZONING: MX (no zoning change proposed)

ACRES: +/- 66

EXISTING USE: Fed Ex & vacant property

PROPOSED USE: Mix of Commercial, Industrial, and Residential

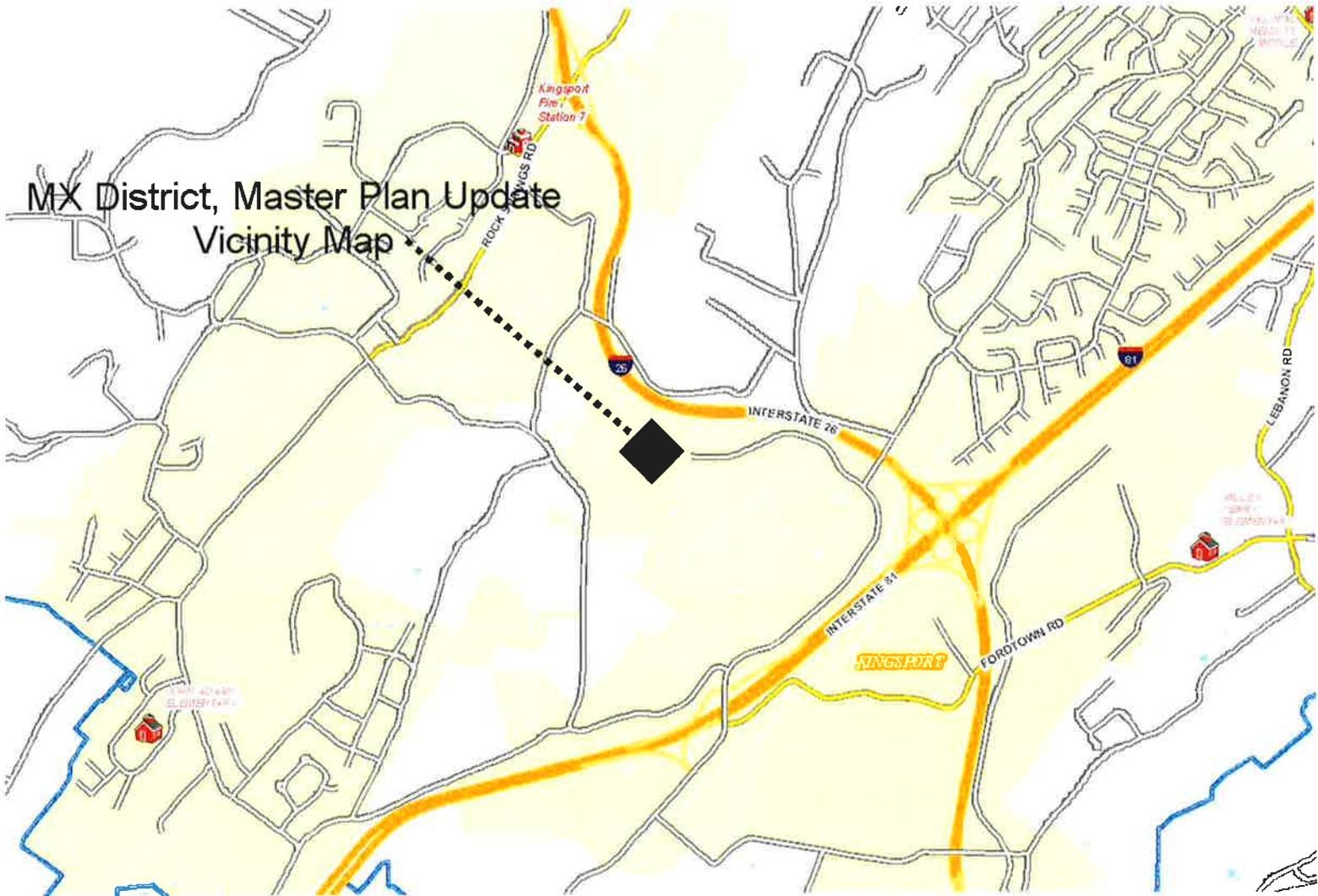
PETITIONER ADDRESS P.O. Box 747, Blountville, TN 37617

REPRESENTATIVE PHONE (423) 676-8808

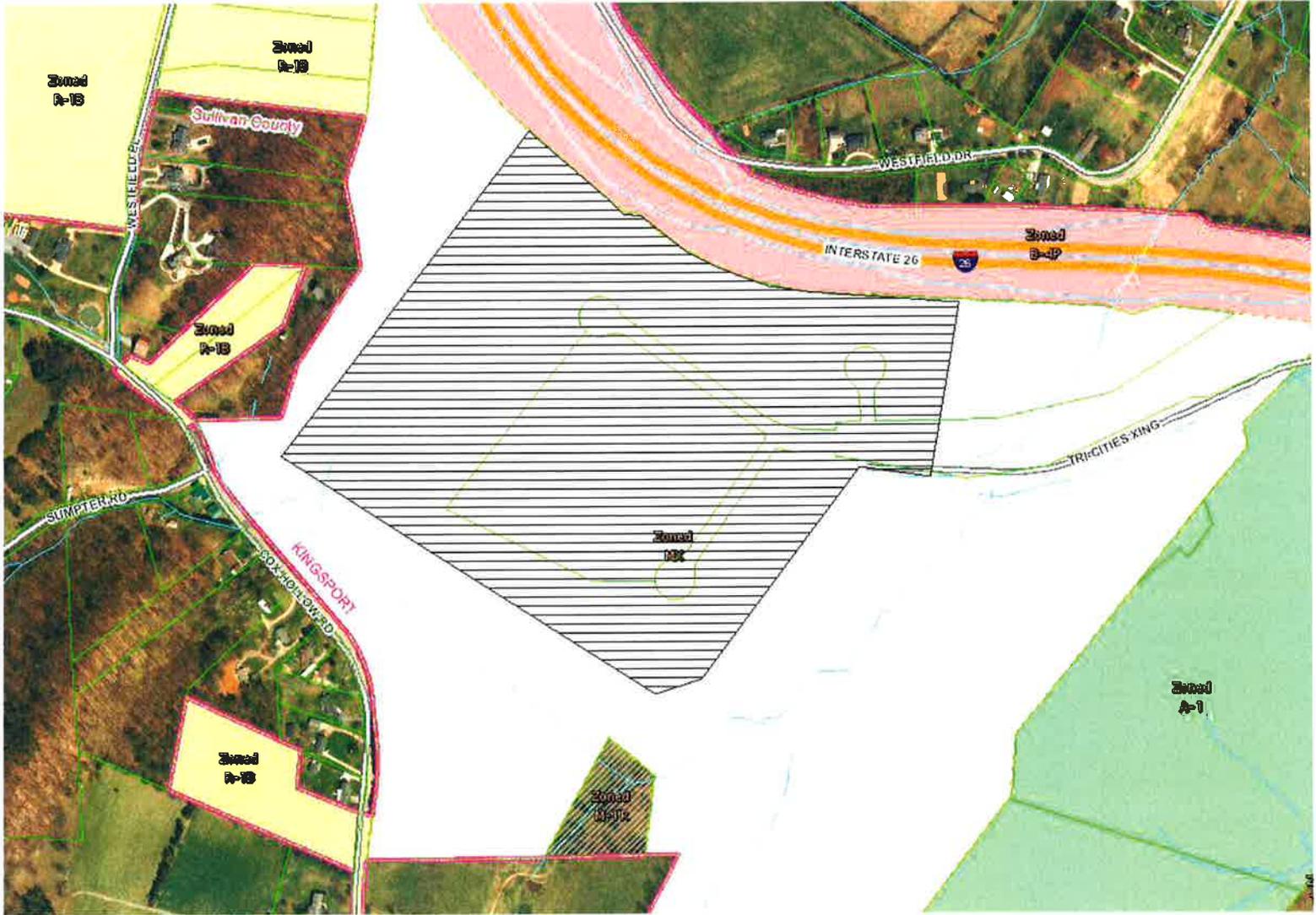
INTENT

To establish a master plan for the Gateway Commerce Park, specifically identifying two separate buildings in addition to the existing Fed Ex facility.

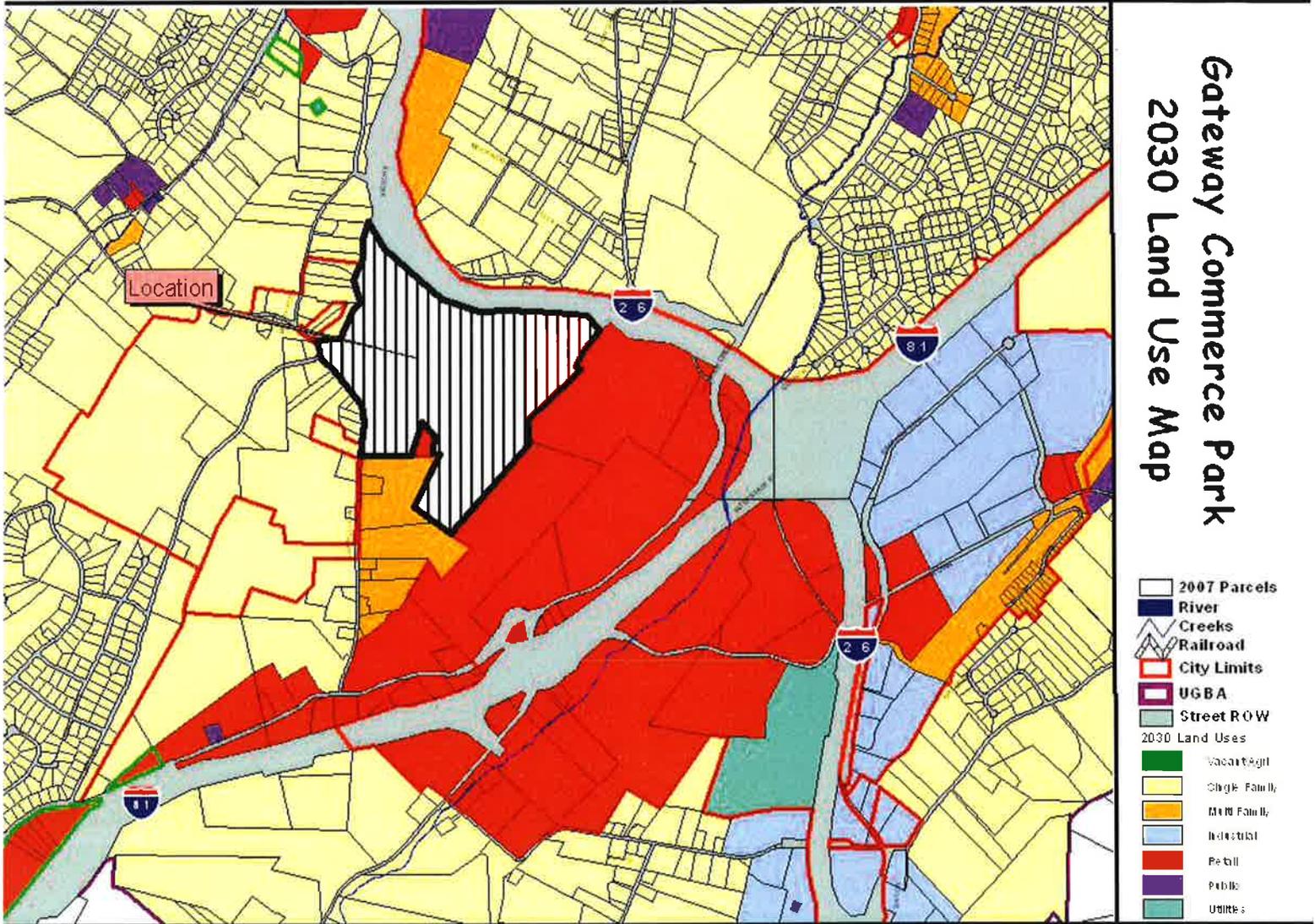
Vicinity Map



Current & Surrounding Zoning



Future Land Use Plan (2030)



2030 Land Use Map



Aerial Photo



Pictures of site and surrounding area

North



South



East

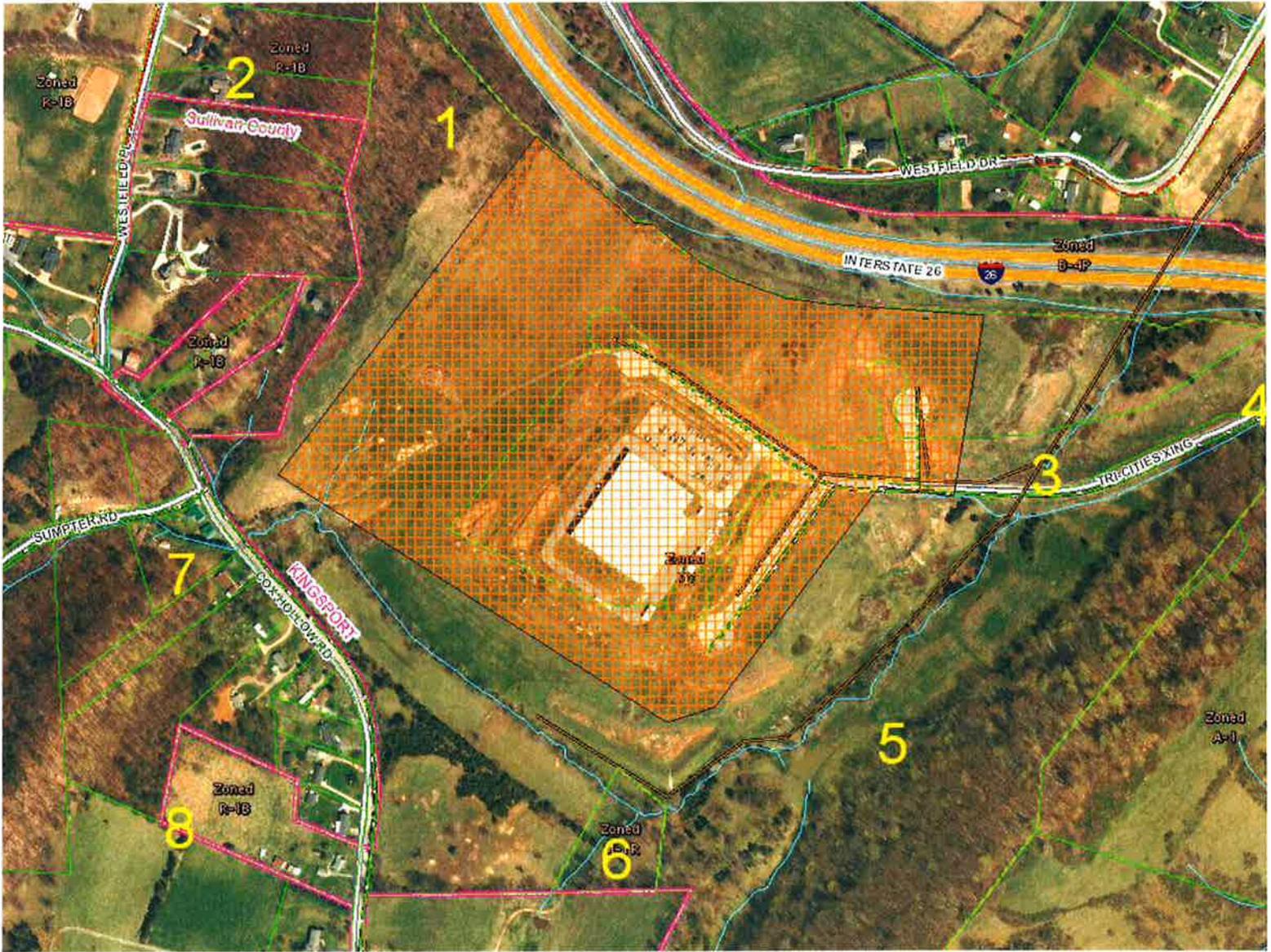


West



Location	Corresponding Number	Zoning / Name	Approved Density
North, East, Northwest	1	Zone: City MX Use: Vacant	Minimum 1 acre lot size
Further North and Northwest	2	Zone: County R-1B Use: Single Family	Average 4 lots per acre new development/ 7,500 sq ft minimum lot size
East	3	Zone: City MX Use: Gateway Commerce Park Entrance/ Tri-Cities Xing	Minimum 1 acre lot size
Further East	4	Zone: City MX Use: Gateway Commerce Park Entrance/ Tri-Cities Xing	Minimum 1 acre lot size
Southeast and South	5	Zone: City MX Use: Vacant	Minimum 1 acre lot size
Further South	6	Zone: City M-1R Use: Vacant	80% lot coverage without a minimum lot area
West	7	Zone: County R-1 Use: Single Family	20,000 sq ft lots when sewer is not available (as is the case here)
Southwest	8	Zone: City R-1B Use: Single Family	Average 4 lots per acre new development/ 7,500 sq ft minimum lot size

EXISTING USES LOCATION MAP
(with numbers corresponding from previous page)



MASTER PLAN ANALYSIS

Based on the applicant's master plan submitted to the Planning Department on October 30, 2013, Staff offers the following considerations:

Master Plan Standards:

1. **Ingress/Egress:** Both ingress and egress are handled via Tri-Cities Xing, classified as a minor arterial (minimum 80' right-of-way) in the Major Street and Road Plan
2. **Availability and adequacy of utilities:** The area encompassed by the master plan is served by both 8" and 12" DIP lines for adequate water. The area is served with adequate sanitary sewer
3. **Buffer strip:** The zoning district requires a 30' periphery yard to serve as a buffer strip. The plan indicates this 30' periphery yard along Interstate 26, which is the portion of the zoning district that abuts this master plan.
4. **Adjacent Transportation Network:** Adjacent transportation networks show the minor arterial (Tri-Cities Xing) leading east from the master plan. Interstate 26, another major transportation network is shown in relation to the master plan as well.
5. **Internal Street Layout:** The internal street layout consists of existing dead end cul-de-sacs to adequately serve future entities.
6. **Future and existing land uses:** The master plan shows the existing FedEx building and associated terminal as well as a proposed 10,000 sq. ft. and 86,400 sq. ft. building.

DESCRIPTION OF PROPERTY FEATURES

The existing conditions of the site present what one could consider a bowl effect contained inside the proposed master plan. Along with Interstate 26 on the northern boundary of the site, the wooded hills surrounding the north, east, and southern portions of the site provide a natural buffer to any adjacent land uses outside both the existing MX district as well as the master plan. This geographic disposition lends itself appropriately to the variety of principal land uses appropriate in an MX zone.

CONCLUSION

Staff recommends **APPROVAL** of the Gateway Commerce Park Master Plan based on conformance with the MX district guidelines. Additional approvals from the Gateway Review Commission will be necessary prior to approval of any building permit for the new building. Once specific plans have been prepared they will be submitted for approval.

MEMORANDUM

To: Kingsport Regional Planning Commission
From: Ken Weems, AICP, Planner
Date: 2 December 2013
Subject: B-4P Sign Amendment for Green Acres Shopping Center
Project No: 13-102-00007

Introduction:

Mr. Rodney Harper, Bristol Sign Co., representative, requests a B-4P District Sign Amendment for the Green Acres Shopping Center. The property is located at 1101-1197 N. Eastman Road.

Presentation:

Section 114-107 of City's zoning code states, in part: "Amendments may be made to any zoning development plan only by official action of the planning commission..." This amendment request pertains to the freestanding sign for the Green Acres Shopping Center. This center is allowed a freestanding sign at a major access point with a size of up to 200 sq. ft. per side with a maximum height of 35 ft. The proposed freestanding sign is located at the major access point for the center and contains a total of 115.04 sq. ft. per side and achieves a height of 24'-3". This requested sign is proposed to take the place of the old Dollar General sign, which has been reduced to a single pole alone (to be removed). The amendment request conforms to the current zoning district requirements without the need of a variance.

Options:

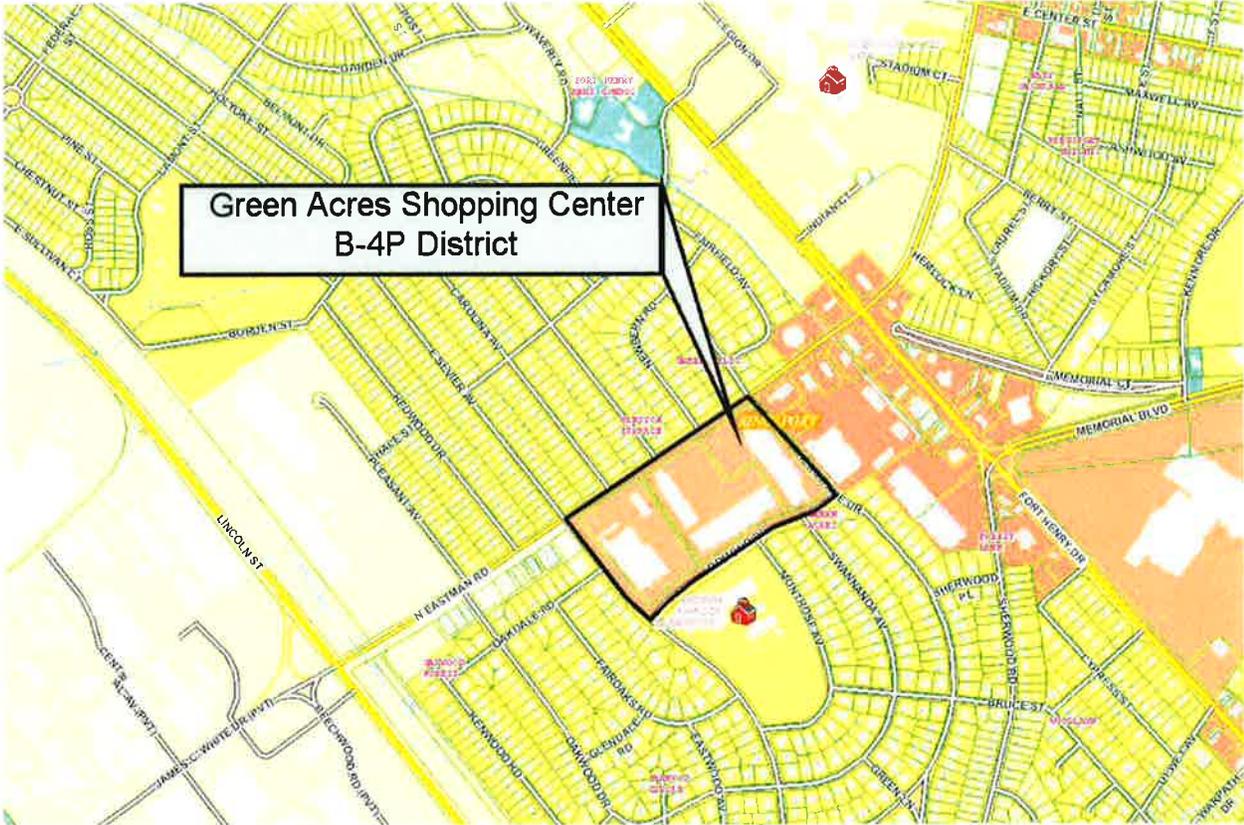
The Planning Commission's options are as follow:

1. Grant B-4P district sign amendment approval.
2. Deny approval and state the reason for denial in writing.
3. Postpone action pending receipt of additional information

Recommendation:

Staff recommends the first option based on the following:

1. The proposed change meets the standards of the zoning district with no variances





Manufacture and install:
 1 - D/F internally-illuminated pylon sign with the following:
 1 - 36" x 112" top ID cabinet with 3" x 120 caps, routed aluminum faces, bucket with plexi.
 4 - 32" x 108" cabinet with white lexan pan faces and out vinyl graphics
 1 - 20" x 108" cabinet with white lexan pan faces and out vinyl graphics
 1 - D/F 9" x 112" non-illuminated cabinet with 3" x 120" caps
 *Update graphics before production.

Colors:
 PMS 564c (Dark Green)
 White
 Other colors TBD



MEMORANDUM

To: Kingsport Regional Planning Commission
From: Ken Weems, AICP, Planner
Date: 2 December 2013
Subject: B-4P Sign Amendment for Marsh Regional Blood Center
Project No: 13-102-00008

Introduction:

Mr. Randy Holland, Snyder Signs, Inc. representative, requests a B-4P District Sign Amendment for the Medical Office Plaza. The property is located at 111 West Stone Drive.

Presentation:

Section 114-107 of City's zoning code states, in part: "Amendments may be made to any zoning development plan only by official action of the planning commission..." This amendment request pertains to the development's wall sign for the Medical Office Plaza building only. The building currently contains a total of 198 sq. ft. of wall sign. Per the B-4P zoning district requirements, a total of 230 sq. ft. of wall sign is allowed (the calculation is based on no more than 1% of the building ground coverage of this 23,000 sq. ft. ground coverage building). The requested action adds a total of 28 additional sq. ft. to accommodate the relocation of the Marsh Regional Blood Center, bringing the total wall sign sq. ft. to 226 sq. ft., just under the 230 sq. ft. allowed. The amendment request conforms to the current zoning district requirements without the need of a variance.

Options:

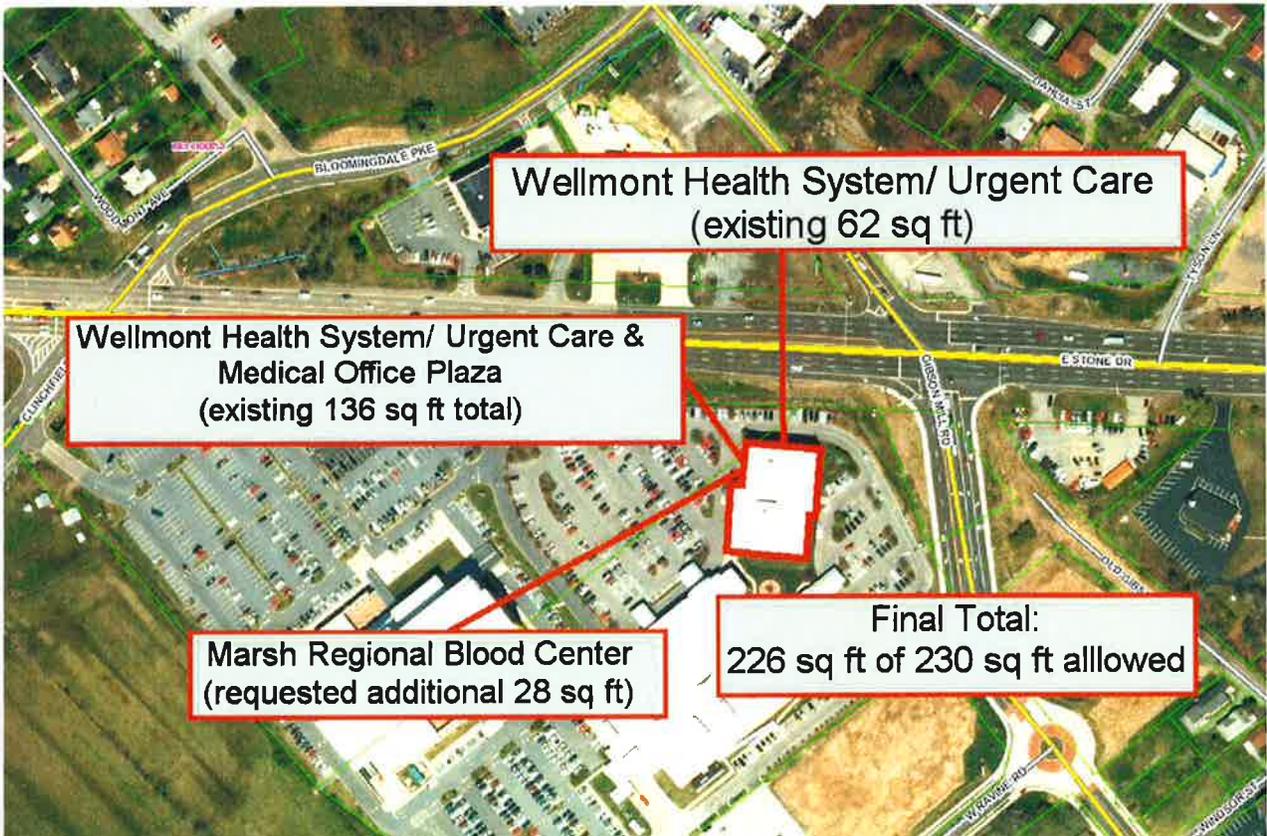
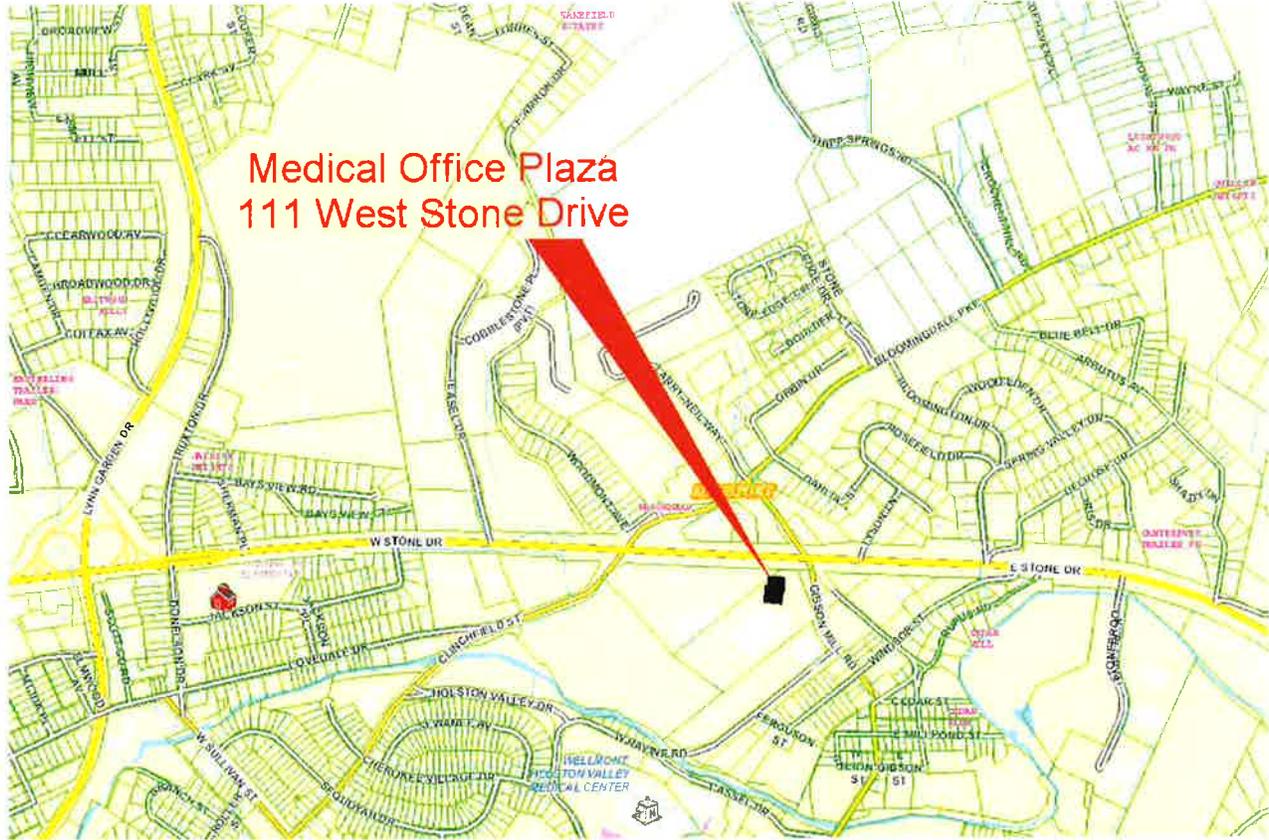
The Planning Commission's options are as follow:

1. Grant B-4P district sign amendment approval.
2. Deny approval and state the reason for denial in writing.
3. Postpone action pending receipt of additional information

Recommendation:

Staff recommends the first option based on the following:

1. The proposed change meets the standards of the zoning district with no variances



PROPERTY INFORMATION	St. Andrews Garth – Phase 1 - Amended
ADDRESS	Rock Springs Road
DISTRICT, LAND LOT OVERLAY DISTRICT	15th Civil District, Tax Map 119, Parcel 15.00 Not Applicable
EXISTING ZONING	Planned Development
PROPOSED ZONING	No Change
ACRES	10 acres as a whole – approximately 4.5 acres in Phase 1.
EXISTING USE	Single Family Residential
PROPOSED USE	Single family Residential

PETITIONER Mrs. Cynthia Gerber (Owner)
ADDRESS

REPRESENTATIVE Danny Carr – Carter Carr and Associates
PHONE 423-349-6920

INTENT

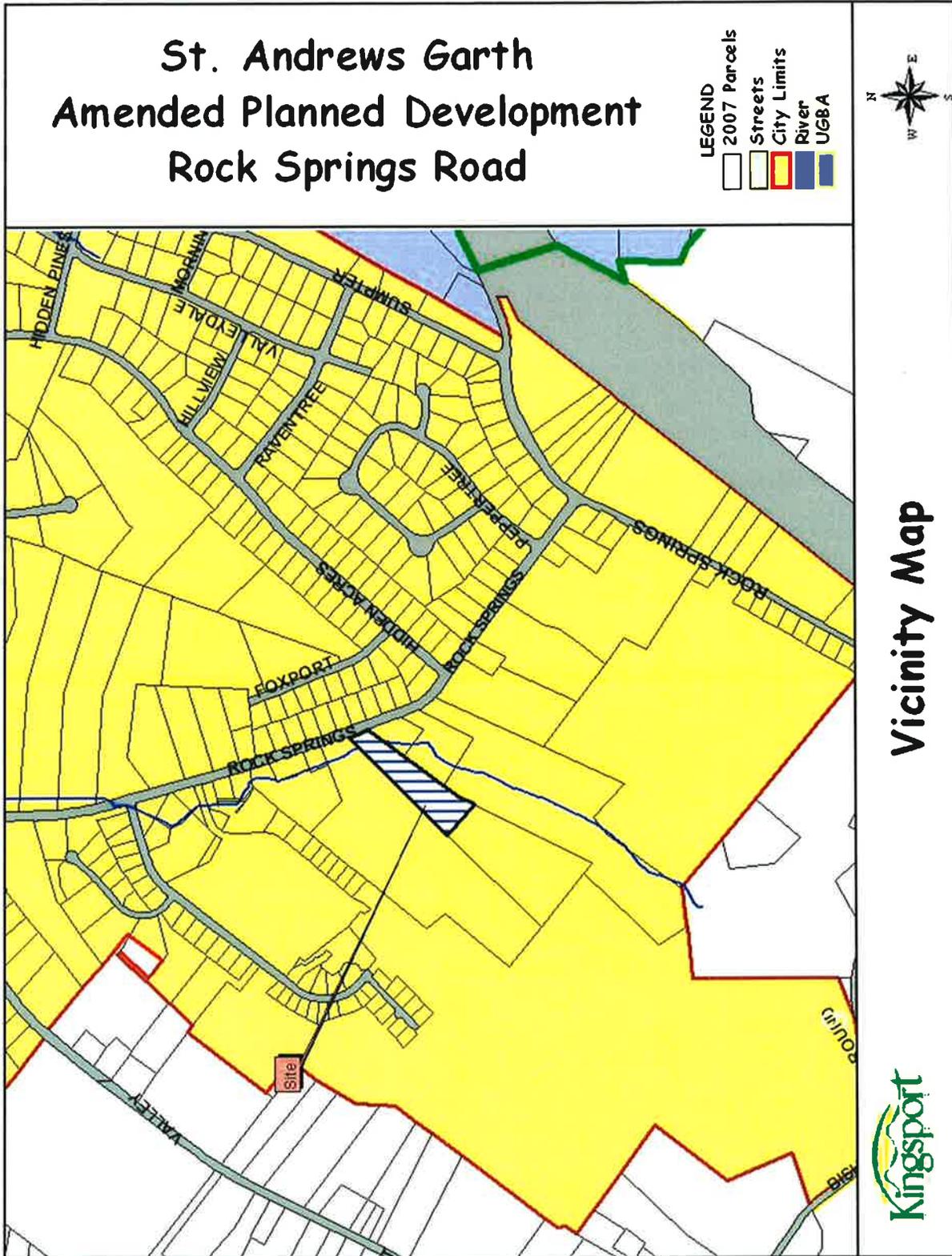
The applicant is requesting an amendment to the previously amended plan considered by the Kingsport Regional Planning Commission in January 2011. This project requires a brief history due to the length of time since the last amendment.

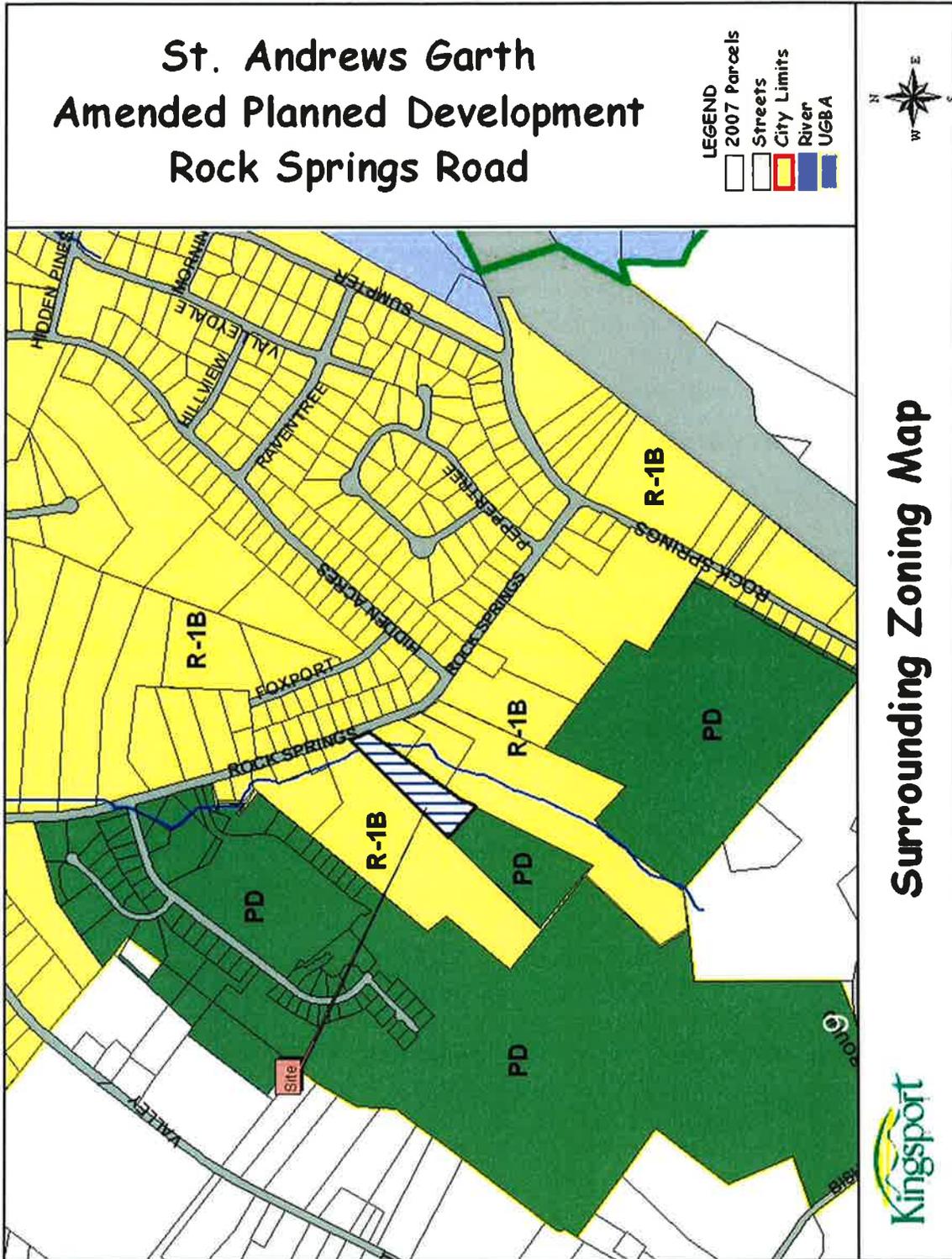
In September of 2009 the project was presented to the Planning Commission and encompassed 10 acres with a total of 40 units. All units were duplexes with the improvements bonded and approved by the Commission. In January of 2011 the owner made a request to divide the project into 2 separate phases with phase one ending at the power line easement. Phase 1 included a total of 14 of the approved 40 units. Additionally the bond amount was reduced with \$47,000 remaining. In May of 2013 the remaining bond amount was released by the Commission after approval by the City Engineering Department.

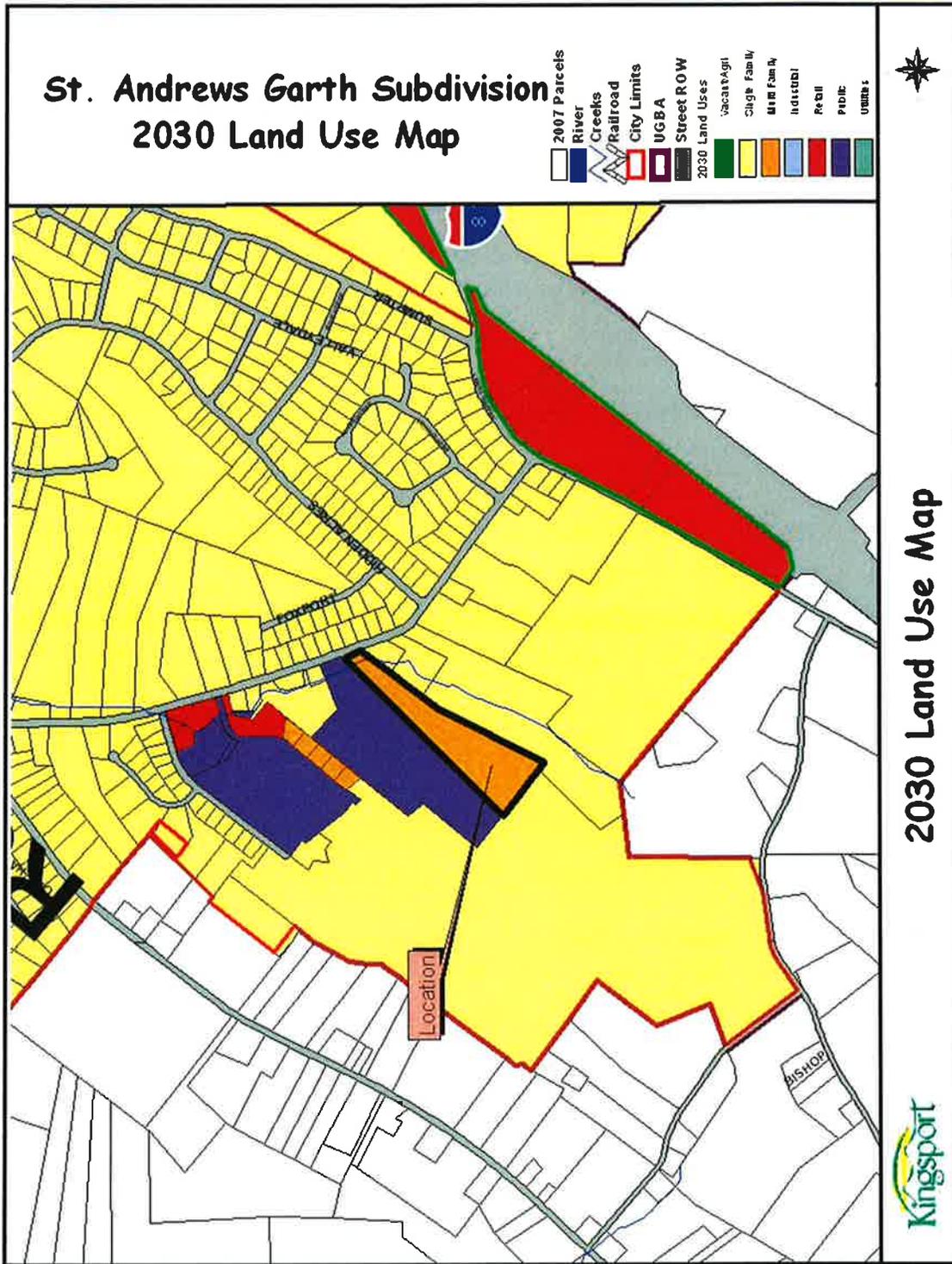
The current request is to amend the plan to allow four (4) single-family residential homes instead of the two duplexes on the original plan. This does not change the density and all required infrastructure is in place. Should this meet Commission approval, an amended Phase 2 will be forth coming in the future also indicating single family homes.

No variances have been requested for this change in the development and it meets the planned development and minimum subdivision requirements.

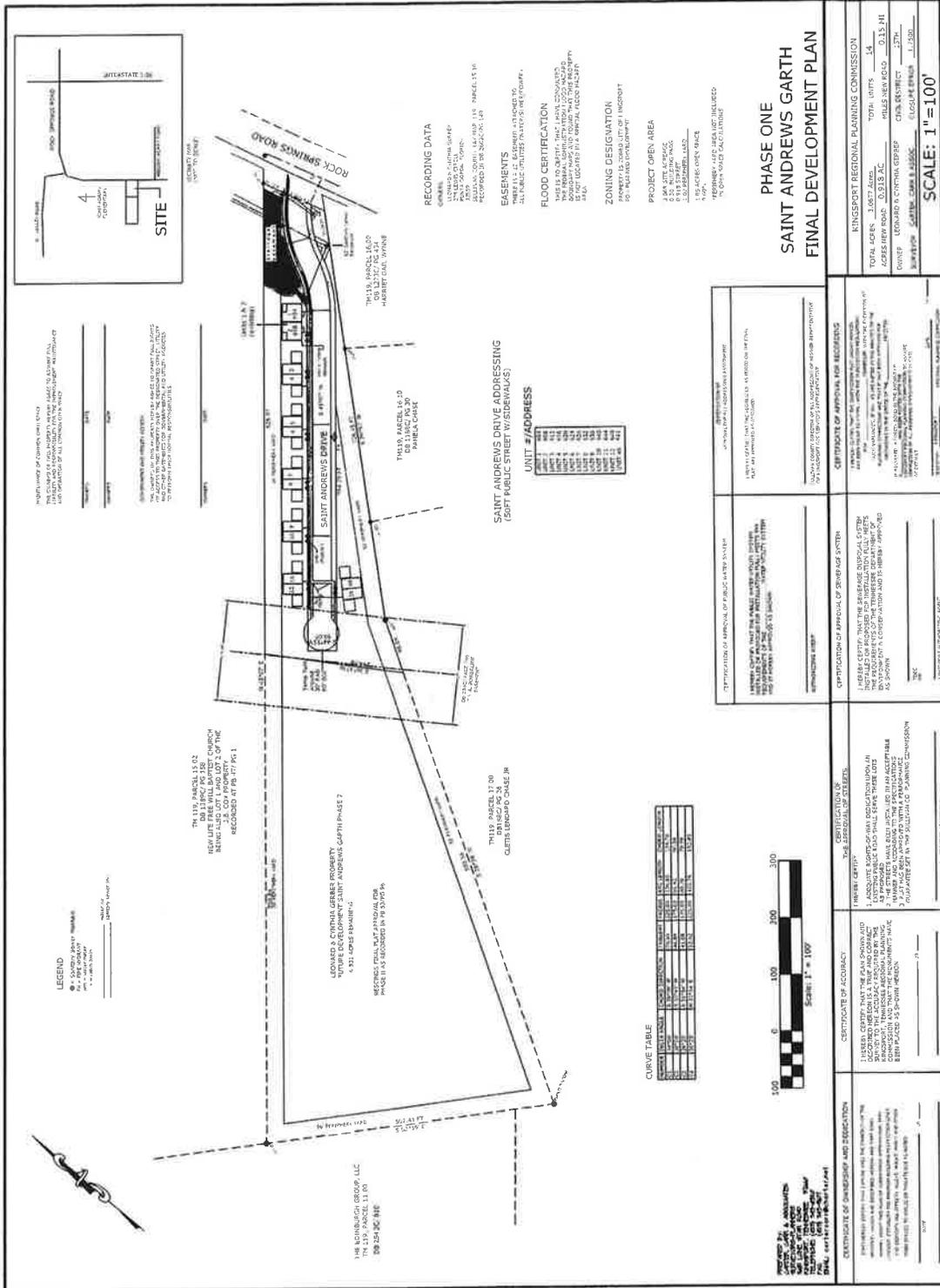
Staff recommends APPROVAL of the amended Final Planned Development Plat for St. Andrews Garth – Phase 1.







Original 2009 Approved Plan



Prepared by Kingsport Planning Department for the
Kingsport Regional Planning Commission Meeting on December 19, 2013



Looking East



Looking South



Looking West



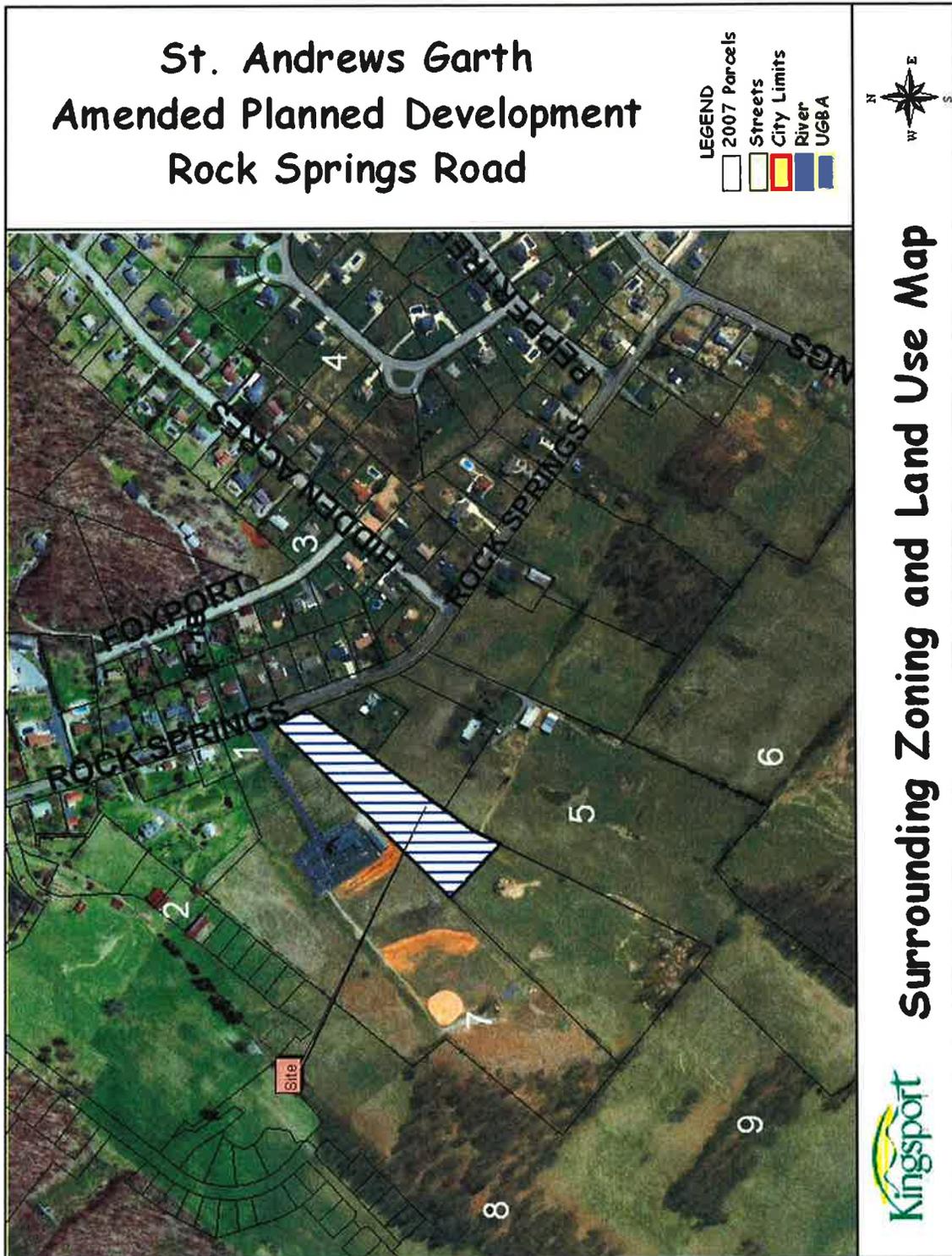
Looking North

Location	Parcel / Zoning Petition	Zoning / Name
North, East, Northwest	1	Directly adjacent is New Life Baptist Church then Rock Springs Rd. then Hidden Acres Subdivision, All parcels are located in the City and zoned either R-1B or PD.
Further North and Northwest	2	Edinburgh Subdivision zoned PD.
East	3	City R-1B with Hidden Acres and Pepper Tree Subdivisions.
Further East	4	City R-1B zoning and land uses in single family residential housing within Pepper Tree Subdivision.
Southeast and South	5	City zoned R-1B residential parcels but with very large tracts of land.
Further South	6	City zoned R-1B residential parcels but with very large tracts of land.
West	7	Church parcel, zoned R-1B located in the City.
West Further	8	Undeveloped [portion of Edinburgh Subdivision zoned PD.
Southwest	9	Undeveloped [portion of Edinburgh Subdivision zoned PD.

EXISTING USES AND LOCATION

The majority of the parcels surrounding St. Andrews Garth subdivision are all located in Kingsport city limits and the main use is single-family residential with the exception of the Baptist Church which is directly north of this site. Some of these residential parcels are larger than those found in a subdivided subdivision but still residential in use. All have a residential zoning classification being either R-1B, single family residential or PD, planned development. A planned development zoning district allows a portion to have a commercial use, however at this time none of the PD's have any commercial uses.

EXISTING USES LOCATION MAP



CONCLUSION

Staff recommends APPROVAL of the Amended Final Plat for St. Andrews Garth – Phase 1 with no conditions.

PROPERTY INFORMATION

County-wide

INTENT

To ensure denied rezoning requests are not continually resubmitted out of compliance with Sullivan County Regional Land Use & Transportation Plan policies and proposed land uses.

Current Zoning Code:

12-106.7 Effect of Denial of Application - Whenever an application for an amendment to the text of this resolution or for a change in the zoning classification of any property is denied, the application for such amendment shall not be eligible for reconsideration for one (1) year following such denial, except in the following cases:

1. Upon initiation by the County Commission, or Planning Commission.
2. When the new application, although involving all or a portion of the same property, is for a different zoning district than that for which the original application was made.
3. When the previous application was denied for the reason that the proposed zoning would not conform to the general plan, and the general plan has subsequently been amended in a manner, which will allow the proposed zoning text or district change.

Proposed Zoning Code:

12-106.7 Effect of Denial of Re-Zoning Application - Whenever an application for a zoning map change in the zoning classification of any property is denied by County Commission, the parcel shall not be eligible for reconsideration for **two (2) years** following such denial by County Commission, except in the following cases:

1. When the previous application was denied and did not conform to the policies and proposed land use as published in the Sullivan County Regional Land Use & Transportation Plan at the

- time of the original application; however the plan has since been substantially amended or updated in a manner, which would specifically allow the proposed zoning district change; and
2. Other factors for which the original application for change have been resolved, which would result in support of the district change, such as but not limited to: installation of utilities, improvements to public road frontage and access, other changes in surrounding land uses that would make the re-application compatible with the surrounding community.

CONCLUSION

Staff recommends sending a **POSITIVE** recommendation to the Sullivan County Planning Commission to amend the time period for a denied rezoning request's reconsideration in Sullivan County.

SULLIVAN COUNTY
 REGIONAL PLANNING COMMISSION
 STAFF REPORT – NOVEMBER 19, 2013

F. ZONING RESOLUTION TEXT AMENDMENTS

F1. AMENDMENT TO ARTICLE 12-106.7 – DENIAL OF REZONING REQUEST

Staff General Comments:

- *Members of the Sullivan County Board of County Commissioners as well as Planning Commissioner and the public have requested that the Planning Commission consider reviewing and amending the time period for which an applicant must wait in order to reapply for a zoning change on the same parcel for the same request. Currently the time period is one year (see below).*
- *After considerable study on this issue, taking into consideration how other communities handle it and the stress on the effected property owners regarding a case, staff recommends refining the existing policy. See proposed changes below.*

Current Zoning Code:

12-106.7 Effect of Denial of Application - Whenever an application for an amendment to the text of this resolution or for a change in the zoning classification of any property is denied, the application for such amendment shall not be eligible for reconsideration for one (1) year following such denial, except in the following cases:

1. Upon initiation by the County Commission, or Planning Commission.
2. When the new application, although involving all or a portion of the same property, is for a different zoning district than that for which the original application was made.
3. When the previous application was denied for the reason that the proposed zoning would not conform to the general plan, and the general plan has subsequently been amended in a manner, which will allow the proposed zoning text or district change.

Proposed Zoning Code:

12-106.7 Effect of Denial of Re-Zoning Application - Whenever an application for a zoning map change in the zoning classification of any property is denied by County Commission, the parcel shall not be eligible for reconsideration for two (2) years following such denial by County Commission, except in the following cases:

1. When the previous application was denied and did not conform to the policies and proposed land use as published in the Sullivan County Regional Land Use & Transportation Plan at the time of the original application; however the plan has since been substantially amended or updated in a manner, which would specifically allow the proposed zoning district change; and
2. Other factors for which the original application for change have been resolved, which would result in support of the district change, such as but not limited to: installation of utilities, improvements to public road frontage and access, other changes in surrounding land uses that would make the re-application compatible with the surrounding community.

Sullivan County Regional Planning Commission Action – Favorable Recommendation – 5 yes, 2 no and 1 absent	
Approval: Motion by Webb, 2nd by Baker	
Denied: Crawford, Denton	Reason for Denial:
Deferred:	Reason for Deferral:

Text amendment shall be forwarded to Kingsport and Bristol Planning for consideration.



CITY OF KINGSPORT, TENNESSEE

December 4, 2013

Mr. Dennis Ward, Chairman
 Kingsport Regional Planning Commission
 225 W. Center Street
 Kingsport, TN 37660

Dear Mr. Ward:

This letter is to inform you that I, as Secretary for the Kingsport Regional Planning Commission, certify that the resubdivision of the Old Island Replat, Lots 29-31 on Golf Ridge Road, surveyed by Tim Lingerfelt of Alley & Associates, RLS, meets the Minimum Standards for Subdivision Development of Minor Subdivision Within the Kingsport Planning Region. The staff certifies the plat is acceptable to be signed by the Secretary of the Planning Commission for recording purposes. The Plat was recorded in Platbook 54, Page 291 with the Sullivan County Recorder.

Sincerely,

Lynn Tully
 Planning Manager

C: Kingsport Regional Planning Commission





CITY OF KINGSPORT, TENNESSEE

December 4, 2013

Mr. Dennis Ward, Chairman
Kingsport Regional Planning Commission
225 W. Center Street
Kingsport, TN 37660

Dear Mr. Ward:

This letter is to inform you that I, as Secretary for the Kingsport Regional Planning Commission, certify that the resubdivision of the Cleek Property on Cleek Road, surveyed by Tim Lingerfelt of Alley & Associates, RLS, meets the Minimum Standards for Subdivision Development of Minor Subdivision Within the Kingsport Planning Region. The staff certifies the plat is acceptable to be signed by the Secretary of the Planning Commission for recording purposes. The Plat was recorded in Platbook 54, Page 292 with the Sullivan County Recorder.

Sincerely,



Lynn Tully
Planning Manager

C: Kingsport Regional Planning Commission



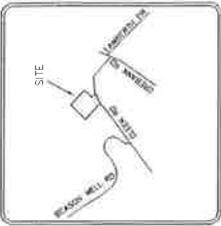
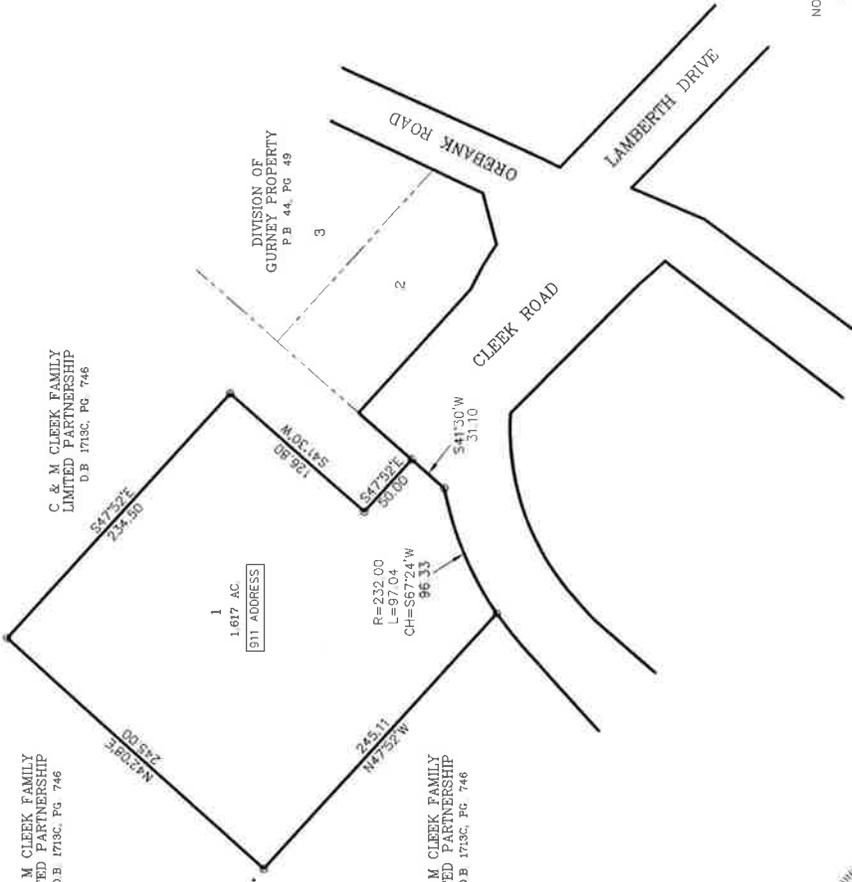


C & M CLEEK FAMILY LIMITED PARTNERSHIP
D.B. 1713C, PG. 746

C & M CLEEK FAMILY LIMITED PARTNERSHIP
D.B. 1713C, PG. 746

C & M CLEEK FAMILY LIMITED PARTNERSHIP
D.B. 1713C, PG. 746

DIVISION OF GURNEY PROPERTY
P.B. 44, PG. 49



LEGEND
 D.B DEED BOOK
 P.C PAGE
 P.L.P.L. PLAT BOOK
 P.B. PART BOOK
 R.C. RECORDS
 L. LENGTH
 C.H. CHORD
 N.T.S. NOT TO SCALE
 [E.23] 911 ADDRESS

NOTES

- 1) NORTH BASED ON REFERENCED DEED
- 2) PROPERTY IS ZONED R-1B
- 3) SETBACKS
 FRONT 30'
 REAR 30'
 SIDE 8'
- 4) SETBACKS TO CONFORM TO ZONING DESIGNATION
- 5) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL FLOOD INSURANCE ADMINISTRATION BOUNDARY MAP 47163C0065D EFFECTIVE DATE SEPTEMBER 29, 2006 AND FOUND THAT THE ABOVE PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.
- 6) JOB NO. 13-9411
- 7) ACAD FILE 13-9411 MALONE.DWG
- 8) FIELD INFORMATION ELECTRONIC DATA COLLECTED
- 9) TAX MAP 47, PART OF PARCEL 60
- 10) DEED REFERENCE D.B. 1713C PAGE 746
- 11) 1/2" IRON RODS SET ON ALL CORNERS UNLESS OTHERWISE NOTED



ADVANCE COPY

ALLEY & ASSOCIATES, INC.
 SURVEYORS
 248 E MARKET STREET
 KINGSPORT, TENNESSEE 37660
 TELEPHONE (423) 382-8896
 FAX (423) 382-8896
 E-MAIL: info@alleysurveyors.com

CERTIFICATE OF OWNERSHIP AND RESIGNATION I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT I HAVE CONSENTED TO THE BUILDING LINES AND BECULCATE PUBLIC OR PRIVATE USE AS NOTED	CERTIFICATE OF ACCURACY I HEREBY CERTIFY THAT THE PLAN, SHOW AND DESCRIBED HEREIN IS A TRUE AND CORRECT REPRESENTATION OF THE PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT I HAVE PLACED AS SHOWN HEREIN.	CERTIFICATE OF APPROVAL OF STREET LIGHTING SYSTEM I HEREBY CERTIFY THAT THE STREET LIGHT SYSTEM INSTALLED OR PROPOSED FOR INSTALLATION FULLY MEETS THE REQUIREMENTS OF THE CITY OF KINGSPORT AND ANY REQUIRED CHARGES FOR THE PURCHASE AND INSTALLATION HAVE BEEN PAID.	CERTIFICATE OF APPROVAL FOR RECEIVING I HEREBY CERTIFY THAT THE SUB-WATER UTILITY SYSTEM INSTALLED OR PROPOSED FOR INSTALLATION FULLY MEETS THE REQUIREMENTS OF THE CITY OF KINGSPORT AND ANY REQUIRED CHARGES FOR THE PURCHASE AND INSTALLATION HAVE BEEN PAID.
CERTIFICATE OF THE APPROVAL FOR 911 ADDRESSING ASSIGNMENT I HEREBY CERTIFY THAT THE ADDRESS AS NOTED ON THE PLAT ARE APPROVED AS ASSIGNED	WATERS DISCHARGE PERMITS I HEREBY CERTIFY THAT THE SEWERAGE DISPOSAL SYSTEM INSTALLED OR PROPOSED FOR INSTALLATION FULLY MEETS THE REQUIREMENTS OF THE CITY OF KINGSPORT AND IS BEING APPROVED AS SHOWN.	WATERS DISCHARGE PERMITS I HEREBY CERTIFY THAT THE SEWERAGE DISPOSAL SYSTEM INSTALLED OR PROPOSED FOR INSTALLATION FULLY MEETS THE REQUIREMENTS OF THE CITY OF KINGSPORT AND IS BEING APPROVED AS SHOWN.	CERTIFICATE OF APPROVAL FOR RECEIVING I HEREBY CERTIFY THAT THE SUB-WATER UTILITY SYSTEM INSTALLED OR PROPOSED FOR INSTALLATION FULLY MEETS THE REQUIREMENTS OF THE CITY OF KINGSPORT AND ANY REQUIRED CHARGES FOR THE PURCHASE AND INSTALLATION HAVE BEEN PAID.
CITY OF KINGSPORT DATE _____ 20____	CITY OF KINGSPORT DATE _____ 20____	CITY OF KINGSPORT DATE _____ 20____	CITY OF KINGSPORT DATE _____ 20____

DIVISION OF C & M CLEEK	
FAMILY LIMITED PARTNERSHIP PROPERTY	
KINGSFORT REGIONAL PLANNING COMMISSION	
TOTAL ACRES	1.617
ACRES NEW ROAD	0
MILES NEW ROAD	0
OWNER C & M CLEEK FAMILY LIMITED PARTNERSHIP	CIVIL DISTRICT 10TH
SURVEYOR ALLEY & ASSOCIATES, INC.	CLOSURE ERROR 11.0000
SCALE 1" = 60'	

Building Division Monthly Report

November-13	Count	Value
ACCESSORY BUILDINGS-CARPORT	3	\$9,600
ACCESSORY-DECK	3	\$28,300
ACCESSORY-GARAGE		
ACCESSORY-POOL	1	\$21,500
ACCESSORY PATIO		
ACCESSORY-PORCH	2	\$16,200
ACCESSORY UTILITY BLDG	6	\$41,700
ADDITION-RESIDENTIAL	3	\$63,909
ALTERATIONS-RESIDENTIAL	5	\$107,200
NEW CONDO		
ROOF RESIDENTIAL	1	\$7,969
NEW SINGLE-FAMILY DWELLING	9	\$1,858,494
NEW MULTI-FAMILY DWELLINGS		
ADDITION/ALTERATION SCHOOL		
ADDITION/ALTERATION CHURCH		
ADDITIONS-COMMERCIAL	1	\$175,000
ALTERATIONS-COMMERCIAL	1	\$21,800
FOUNDATION (ONLY)		
NEW HOTEL/MOTEL		
NEW SCHOOL, LIBRARY, MUSEUM		
NEW SOCIAL, RECREATIONAL, AMUSE		
NEW PROFESSIONAL OFF/MED/BANK/	1	\$276,240
NEW RETAIL/RESTAURANTS/MALL/WA		
NEW NON RESIDENTIAL BARNS/JAILS/POST O		
NEW OTHER NON-HOUSEKEEPING SHE	1	\$45,000
NEW HOSPITAL/INSTITUTION/NURSING HOME		
NEW PUBLIC WORKS/UTILITY BUILDINGS		
NEW INDUSTRIAL		
NEW CHURCHES OR RELIGIOUS CTR		
NEW PARKING GARAGE		
NEW SERVICE STATION/GARAGE		
ROOF COMMERCIAL	2	\$762,182
UNDERGROUND TANK REMOVAL		
COMMUNICATION TOWER		
GRADING	1	\$170,000
TOTAL	40	\$3,605,094
OTHER NON-STRUCTURAL PERMITS		
Banners		
Demolitions	1	
Signs	5	
Tents	1	
TOTAL PERMITS ISSUED	47	
ESTIMATED CONSTRUCTION COST *		\$59,277,728
Calendar Y-T-D		

**MINUTES OF THE DRIVING TOUR OF THE
KINGSPORT BOARD OF ZONING APPEALS (BZA)**

November 21, 2013

10:30 a.m.

Members Present:

Leoland Leonard, Chairman
Diane Hills
Bill Sumner

Members Absent:

Frank Oglesby, Vice Chairman
Bob Winstead Jr.

Staff Present:

Ken Weems, AICP

At 10:30 a.m., the BZA departed the Development Services Building, 201 W. Market St. to conduct a driving tour of 2323 Rock Springs Road which was to be considered for a variance during the day's called meeting. No official action was taken.

The driving tour concluded at 11:30 a.m.

Respectfully Submitted,

Ken Weems, AICP, Principal Planner

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

November 21, 2013, Called Meeting

Noon

Bob Clear Conference Room, 1st floor of the Development Services Building

Members Present:

Leoland Leonard, Chairman
 Frank Oglesby, Vice Chairman
 Diane Hills
 Bill Sumner
 Bob Winstead Jr.

Members Absent:

none

Staff Present:

Ken Weems, AICP

Visitors:

Douglas Campbell
 Todd Stevens

Chairman Leonard called the meeting to order.

Chairman Leonard explained the meeting procedures.

Public Hearing:

Case: 13-701-0020; 2323 Rock Springs Road; Map 119, Parcel 126.20

The property owner, Mr. Todd Stevens, requests a 2,500 square foot variance to [Sec.114-133(2)] in order to construct an accessory structure at this location. The code allows 1,100 square feet for accessory structures in a residential zone. The property is zoned R-1B, Residential District. Mr. Stevens was sworn in by Diane Hills. Mr. Stevens presented the case to the board. Mr. Stevens explained the need for the accessory structure as a secure place to store his work truck, work trailer, four-wheeler, and associated property maintenance items. Mr. Stevens indicated that the current storage of these items is inside the barn on his property. Mr. Stevens stated that the color of the siding on the accessory building would be a clay color, blending in with the surroundings.

Chairman Leonard seeing no one else wishing to speak closed the public hearing.

Other Business:

On a motion by Bill Sumner, seconded by Bob Winstead Jr., the Board voted unanimously to approve the minutes of the October 3, 2013 regular meeting.

The Board stated for public record the next application deadline is on December 15, 2013 at noon. The next scheduled meeting will be held on January 9, 2013.

Chairman Leonard suggested a farewell luncheon for Karen Combs. The Commission unanimously agreed. The Chairman stated he would contact Karen and set a date to be announced.

Staff had no reports. Ken Weems announced that he would bring a zoning text amendment option for the Board to explore as it pertains to accessory buildings in residential lots. Chairman Leonard stated that the Board had received several of these cases lately. The Board, in general, stated that one potential solution would be to base accessory structure size as a percentage of lot size.

Adjudication of Cases:

Case: 13-701-0020; 2323 Rock Springs Road; Map 119, Parcel 126.20

The Board discussed the size parameters of the property.

PROOF PRESENTED:

1. 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. *This lot is extremely deep, extending from Rock Springs Road to the top of the ridge south of Rock Springs Road. The proposed location of the accessory structure is in the middle of a hollow in the extreme rear yard of the property.*
2. The manner in which the strict application of this chapter would deprive the applicant of a reasonable use of the land. *This property was annexed in the last 7 years by the City of Kingsport as part of an existing rural landscape. A variance on accessory structure size allowed will provide the necessary housing for machinery associated with maintaining such lot size.*
3. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption or amendment of this chapter. *The lot size and configuration is not a result of actions of the applicant.*
4. Reasons that the variance will preserve not harm the public safety and welfare and will not alter the essential character of the neighborhood. *The variance will provide the necessary secure storage for items reasonably necessary to maintain a property of this large size.*

MOTION: made by Bob Winstead Jr., seconded by Bill Sumner to grant the variance of 2,500 square feet to the maximum accessory structure size for a residential lot as requested.

VOTE: 4-0 to approve the request as presented because the variance would have no negative impact on the existing area.

With no further business the meeting was adjourned.

Respectfully Submitted,

Ken Weems, AICP, Principal Planner