

**AGENDA FOR THE
REGULAR MEETING
OF THE
KINGSPORT HISTORIC ZONING COMMISSION**

July 13, 2015

1:30 p.m.

Kingsport Development Services Center
201 W. Market Street
Bob Clear Conference Room

I. Introduction and Recognition of Visitors

At this time, Chairman Henderson extends a welcome to all visitors. Time will be allowed at the conclusion of the meeting for public comment.

II. Old Business:

1. Approval of the minutes for the regular meeting held June 8, 2015

III. New Business:

1. The Commission is requested to consider a Certificate of Appropriateness for 400 Broad Street located in the Church Circle Historic District. The request is submitted by representatives of the Kingsport Public Library.
2. The Commission is requested to vote on the proposed Kingsport Historic Zoning Commission by-law amendment.

IV. Other Business:

1. Discuss 205-209 Compton Terrace.
2. Review 801 Yadkin In-House Approval.
3. Public Comment

Adjournment

**MINUTES OF THE REGULAR MEETING OF THE
KINGSPORT HISTORIC ZONING COMMISSION**

June 8, 2015

1:30 p.m.

Members Present

Jim Henderson, Chairman
Perry Crocker, Secretary
David Oaks
Ted Como
Beverley Perdue

Members Absent

Liza Harmon, Vice-Chairman
Jewell McKinney

Staff Present

Corey Shepherd, Planner
Jacob Grieb, Engineer

Visitors Present

Debbie Waggoner
Skip Norrell

Historic Zoning Commission (HZC) Chairman, Jim Henderson, opened the regular meeting at 1:30 p.m. Chairman Henderson welcomed the visitors and called for approval of the minutes from the May 2015 meeting. On a motion by Commissioner Como, seconded by Commissioner Oaks the regular meeting minutes were unanimously approved.

Under "Other Business," the Commission requested Planner Shepherd to reach out to the property owner of 205-209 Compton Terrace. Planner Shepherd shared his notes from his conversation with Mrs. Patricia Davis, the property owner. Mrs. Davis conducted a demolition of one of the chimneys present on the home. This work was done without a COA granted by the HZC and, by default, without a building permit. Planner Shepherd spoke about his conversation with the City Attorney, Mike Billingsley. Mr. Billingsley said he would be willing to pursue a suit of \$50 per day against Mrs. Davis. However, this Building Official would need to request that avenue be explored. Mr. Billingsley also said that he would agree with the construction of a 3-4' edifice made of brick/tile that gives the appearance of a chimney. Mrs. Davis said that she was not aware of the need to acquire a building permit for demolition. She also said that she did not have time to go through the formal procedure before making the repairs as the insurance company demanded she make the changes immediately. Mrs. Davis was unable to attend the meeting but said she would make plans to attend the July meeting. Commissioner Oaks began the discussion by asking if the City Attorney would be ok with a "false chimney". Planner Shepherd confirmed that he would. Commissioner Como commented that most properties in the Park Hill Historic District have only one chimney and that he was not as bothered by the removal of one chimney as he would have been had it been two. He further commented that the chimney was very difficult to view from the street. The Commission then spoke about the possible need for the ability to levy a fine against someone who is out of compliance. Visitor Debbie Waggoner voiced her opinion in regard to the existence of the fire place. She said that even though the chimney has been demolished, the fire place remains and that could potentially be a safety hazard. The Commission then discussed the location of the deck that was also demolished. Planner Shepherd said Mrs. Davis indicated to him that she would build a "landing area" not a full deck. Planner Shepherd said he would follow-up with the Building Official, Dee Morgan, as soon as possible. Planner Shepherd said he would contact Mrs. Davis again to remind her about the Commission's request for her attendance at the July meeting.

Next, under “Other Business”, Planner Shepherd introduced proposed language to formalize the “in-house” approval process. Planner Shepherd familiarized the Commission with how the process currently is conducted. He continued by saying that improvements that are minor in nature are handled by staff and the HZC Chairman. Examples of this would include roof replacements, repainting using the same color, etc. Planner Shepherd cited Tennessee Historical Commission representative Dan Brown’s positive commentary regarding how the KHZC handles its business. In meeting with the City Attorney, Planner Shepherd has received guidance that he should amend the ordinance governing the HZC. Planner Shepherd read the language aloud regarding the by-law changes and the ordinance changes. The process for such a change is by reading the language at one meeting, and voting on it at the next Regular meeting. The ordinance change will go before the Kingsport Board of Mayor and Alderman. The KHZC was complimentary of staff’s work in regard to formalizing the process. Chairman Henderson said this was something that was necessary. Visitor Skip Norrell asked if the HZC would approve alterations to properties in historic zoning districts. Planner Shepherd said that this measure is put in place to ensure that the process has the ability to be flexible. Commissioner Como commented that he saw nothing in the wording that alarmed him in regard to the in-house approval process. Mr. Norrell ended the discussion by saying that he was against approvals that change the appearance of the building.

Under the “Public Comment” portion of the meeting, the visitors Mr. Norrell and Mrs. Waggoner had questions regarding the Sullivan Street Improvement Project. Planner Shepherd said that Mr. Norrell had contacted him prior to the meeting with questions regarding the project. Mrs. Waggoner began the conversation about Sullivan Street by commenting about the mobility path to be constructed with asphalt. Chairman Henderson asked City Engineer, Jacob Grieb, to define the term mobility path. He said it was an eight foot strip that can allow for multiple methods of transportation (walking, biking, etc). Mrs. Waggoner continued by challenging the city’s choice of using asphalt for the mobility path. The HZC reached consensus that they would like to see the mobility path constructed with concrete. Planner Shepherd and Engineer Grieb were given the direction by the Commission to explore what opportunities there may be to get the mobility path constructed with concrete.

There being no further business, the meeting adjourned at 2:30 p.m.

Respectfully Submitted,

Perry Crocker, Secretary

MEMORANDUM

TO: Kingsport Historic Zoning Commission
FROM: Corey Shepherd, Planner
DATE: June 26, 2015
PROJECT: 15-104-00015
SUBJECT: Certificate of Appropriateness for 400 Broad Street.

INTRODUCTION:

The Commission is asked to consider granting a Certificate of Appropriateness for 400 Broad Street, located in the Church Circle Historic District. The request is submitted by representatives of the Kingsport Public Library.

PRESENTATION:

The request is to receive a Certificate of Appropriateness to approve the installation of a sign in honor of Charles Wright, National Poet Laureate (2014-2015). Mr. Wright spent much of his formative years in Kingsport and at the Kingsport Public Library. The sign is to be located on New Street near the "free library". Next, the Kingsport Public Library is requesting approval for a master landscaping plan (drawings attached).

ITEMS TO CONSIDER FROM CHURCH CIRCLE GUIDELINES:

- Signage. – The appearance, size, position, method attachment, texture of materials, color, and design of signs shall be in keeping with the collective characteristics of the structures surrounding the property on which the sign will be located.
- Excerpt from the Sign Ordinance. (114-528) Exemptions a). signs of a constituted government body, including traffic signs & signals, **historical markers**, information directions, official notices, governmental flags and emblems, property identifiers, and recreational activity signs.
- Landscaping.- All aspects of the site's development shall be sympathetic to the character of the landscape development, types of plants and spatial treatment of adjacent properties.

Aerial



Front



Right Side



Rear

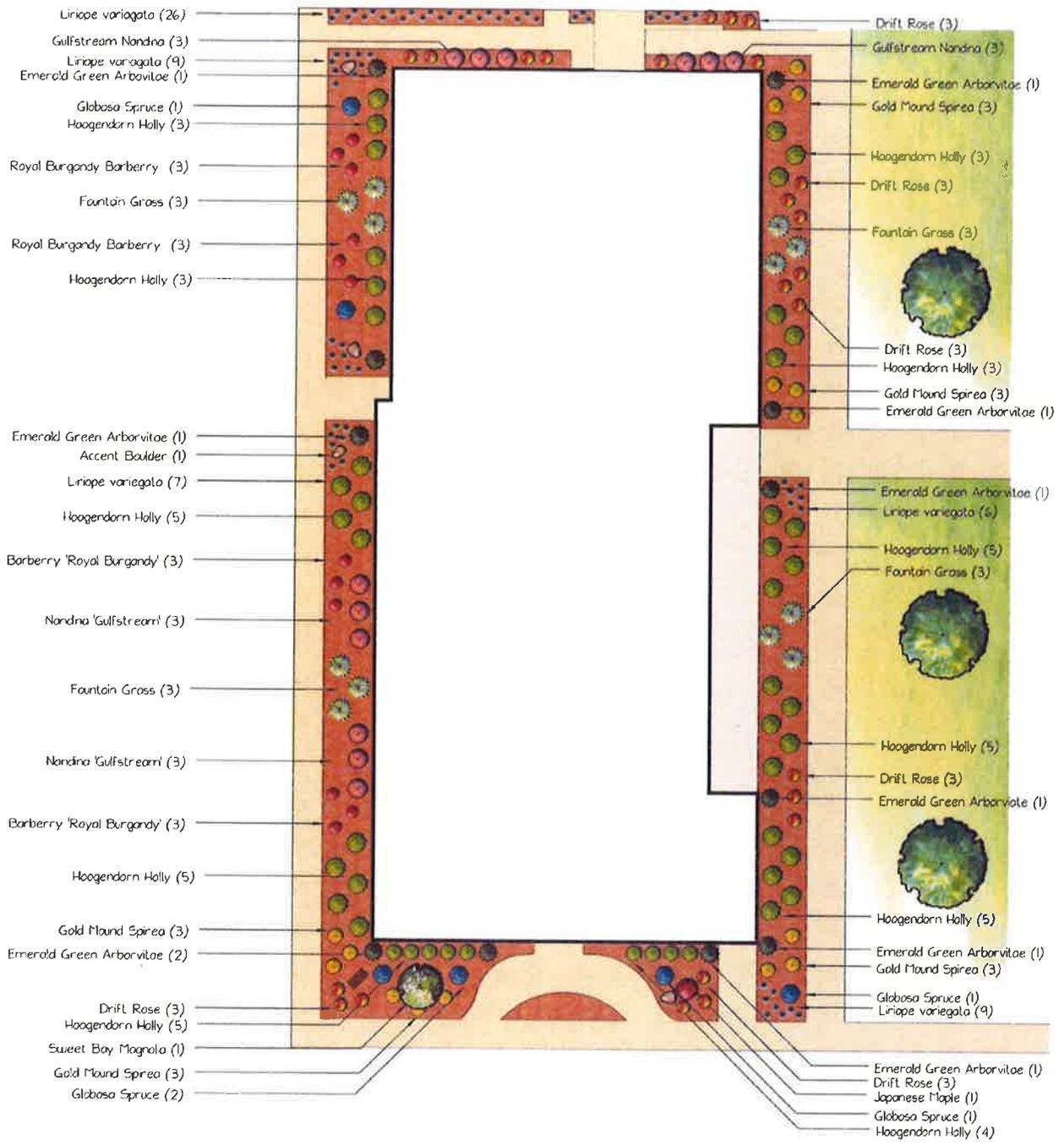


Left Side 1

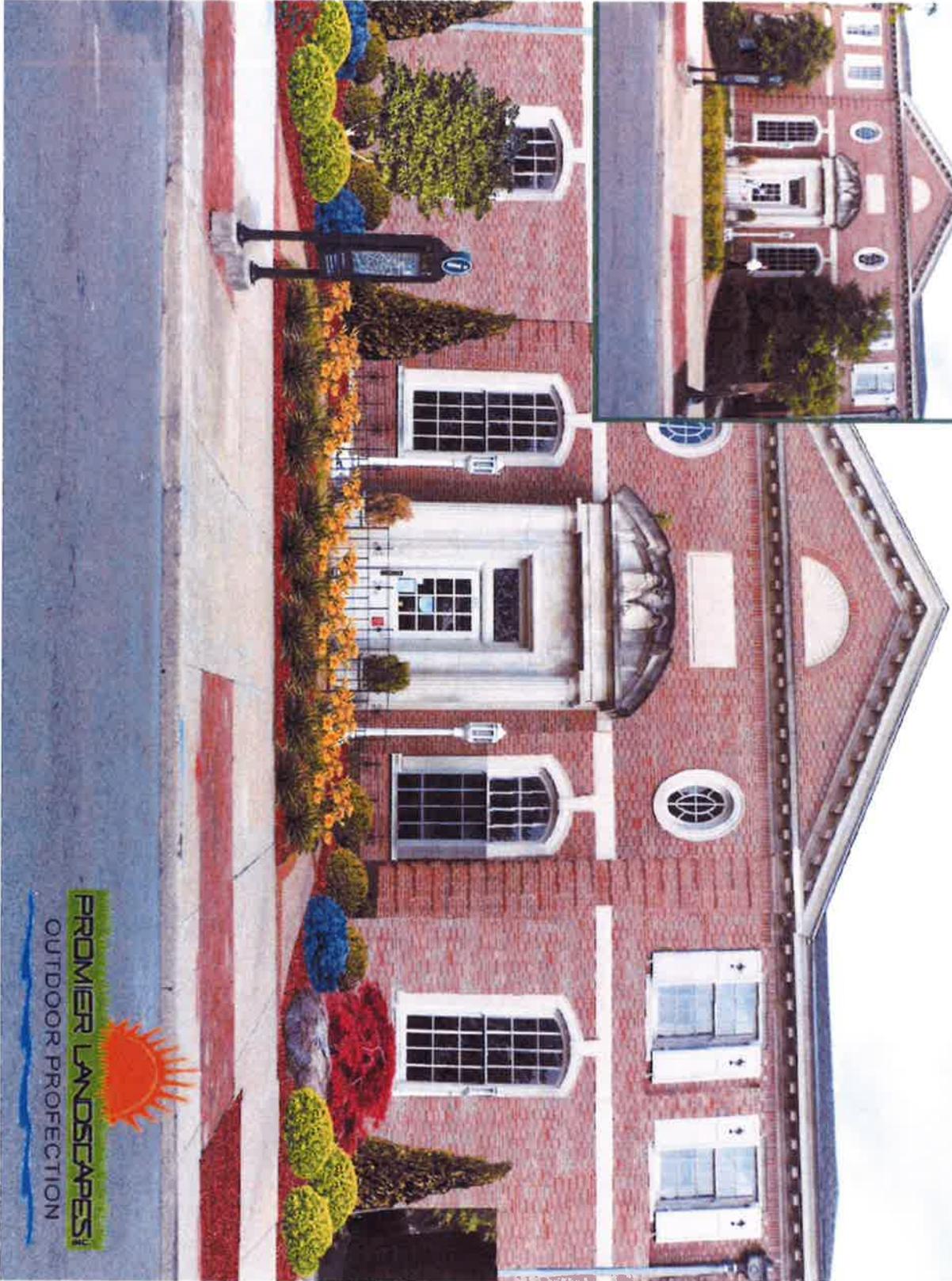


Left Side 2

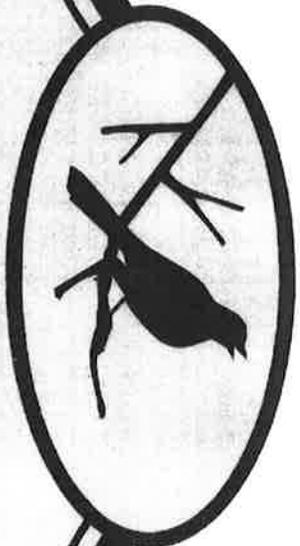




Kingsnort Public Library



**PREMIER LANDSCAPES!**
OUTDOOR PROFECTION



Charles Wright

Poet

“Over the Blue Ridge, the whisperer starts to whisper in tongues,
Remembered landscapes are left in me
The way a bee leaves its sting...”

Charles Wright spent his formative years in Kingsport, and many of his poems feature the landscapes of the city and surrounding countryside. Wright's poems are praised for their innovative style and powerful images, and he is regarded as one of the most influential American poets of the early twenty-first century. According to Wright himself, his work explores three primary themes: “language, landscape, and the idea of God.” He has authored many volumes and won numerous awards, including the Pulitzer Prize for poetry for *Black Zodiac* (1998). In 2014, he was named the United States Poet Laureate.

Wright was born in Pickwick Dam, Tennessee, on August 25, 1935. His father, Charles Penzel Wright (1904-1972), later worked for Eastman Chemical Company and also operated a small construction business. His mother was Mary Winter Wright (1910-1964). Wright earned a degree in history from Davidson College in North Carolina. He went on to serve in the United States Army. While he was stationed in Italy, he began to craft poetry, and upon his return to the U.S., he studied creative writing at the University of Iowa Writers' Workshop. During the 1970s, he taught at the University of California, Irvine. He was a professor of English at the University of Virginia from 1983 until 2011.

Sponsored by The City of Kingsport and ETSU's English Honor Society

[Handwritten notes and signatures]

Proposed Location



Estimate

Scott Honeycutt
East Tennessee State University
5/7/2015

Description:

36 inch X 36 inch Cast Aluminum Plaque

Cast Plaque
Custom Shape
Raised Copy - Painted Black
Recessed Background - Painted Light Gray
Semi-Gloss
Cast Post Cap Mount
7ft-8ft - 3" Steel Post on which to mount plaque

Estimated Total: \$2,374.95

Thank you for your request!

Murphy White
White Signs
423-967-1696

MEMORANDUM

TO: Kingsport Historic Zoning Commission
FROM: Corey Shepherd, Planner
DATE: 7-1-2015
PROJECT: 15-104-00016
SUBJECT: HZC By-Law Amendment: In-House Approval Process

INTRODUCTION:

The Commission is to consider amending the by-laws to specifically identify the process used for expedited chairman approvals (in-house). The language was considered at the June 2015 Regular Meeting of the KHZC. A simple majority vote will be deemed sufficient to adopt these changes.

PRESENTATION:

At the request of residents of certain historic zoning districts within the City of Kingsport, staff has prepared language that formally identifies and defines the procedure for expedited chairman approvals. It is the desire of the Kingsport Historic Zoning Commission and staff to make the historic zoning process as inclusive as possible. Minor improvements are defined as projects that do not alter the appearance or integrity of the structure (i.e. roof shingles, paint color, cosmetic repairs, etc.) from the district guidelines. The Historic Zoning Commission Chairman will review each application with the Building Official or designee to determine conformity.

PROCEDURE FOR AMENDING KHZC BY-LAWS:

ARTICLE X - AMENDMENT TO THE BY-LAWS: By-laws of the Kingsport Historic Zoning Commission as officially adopted shall be amended by the following procedures:

Any changes and/or amendments to the official by-laws of the Kingsport Historic Zoning Commission shall be read at a meeting previous to the meeting that an official vote shall take place. A simple majority of the members present at the meeting of the official vote shall be deemed sufficient to adopt any changes in the amendments to the By-laws of the Kingsport Historic Zoning Commission, providing a quorum is present.

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ARTICLE XI - CONDUCT OF MEETINGS

Roberts' Rules of Order shall apply to all meetings unless in direct conflict with provisions as set forth in these By-Laws as adopted and/or amended.

ARTICLE XII - POLICIES

Upon review of application for the building permit, the Historic Zoning Commission shall give prime consideration to the following four items:

1. Historic and/or Architectural Value of the present structure;
2. The relationship of the exterior architectural features of such structure to the rest of the structures to the surrounding area;
3. The general compatibility of exterior design arrangement, texture, and materials proposed to be used; and
4. Any other factor including aesthetic which is deemed to be pertinent.

The H-2 Historic District shall be an overlay district superimposed over existing zoning classifications. Permitted uses in the H-2 District shall be determined by the established zoning district at that time.

The Secretary of the Historic Zoning Commission shall contact by written notice all property owners whose property is to be considered for inclusion in an Historic District.

The H-2 Historic District may be utilized to encourage the protection and preservation of significant sites, structures or places. The Historic Zoning Commission's intention is that a larger area be included in the H-2 Overlay District than is to be preserved, by means of a buffer area surrounding the identified site to be protected and that the buffer area may be decreasing in regulations away from the identified site.

read at The Historic Zoning Commission shall act to approve or disapprove the alterations, moving, demolition, additions, or new construction taking place in any Historic District which alters or contributes to the exterior painting or finishing of structures, their roofs, uttering, siding, tri, foundations, and landscaping. The Commission shall not act to approve or disapprove applications for building permits in an Historic District unless a dimensional scale drawing and/or geographic representation indicating the shape, size and location of the property to be built upon and the size, height, and location of all buildings to be erected, altered, or moved on the property is presented to the Historic Zoning Commission. The application shall state the existing and intended uses of all buildings and provide preliminary exterior elevations indicating material, color, architectural functions, sizes to insure the provisions of the Zoning Ordinance is observed.

It shall be the policy of the Historic Zoning Commission that the Building Official shall be charged with the responsibility of screening applications for permits in an Historic District. Any such application that substantially conforms to the district guidelines, and is minor shall be reviewed by the Building Official or designee, and Historic Zoning Commission Chairman. Minor improvements will not alter the appearance or integrity of the structure, (i.e. roof shingles, paint color, or any cosmetic repairs), from the district guidelines. Upon determining conformity to the district guidelines, the application may be approved by the Historic Zoning Commission Chairman. Historic Zoning Commission, upon receiving applications for a permit, shall within 30 days issue to the office of the Building Official, a letter stating its approval with or without attached conditions or disapproval with the grounds for disapproval stated in writing. The Historic Zoning Commission, in review of the material submitted, should give consideration to the relationship of the exterior architectural features of such structure to the rest of the structures of the surrounding area. The general compatibility of the exterior design and textures of materials proposed to be used and other factors including aesthetics. Should the Historic Zoning Commission move to disapprove an application, the Historic Zoning Commission shall describe to the applicant whenever possible the types and changes in the application that would be necessary for the Commission to consider approval.

Sec. 114-242. - Building permits.

In an historic district, any building permit issued shall be in conformance with the following:

- (1) *Permit required.* No alteration, moving, demolition, addition or new construction shall take place in an historic district until an application for a certificate of appropriateness has been filed with the building official and an approved permit obtained for the proposed work. In addition, an application shall be made in the same manner for any work, including but not limited to alterations, additions, demolition, removal or new construction which alters or contributes to the exterior appearance of existing structures, including but not limited to exterior painting or finishing of structures and their roofs, guttering, siding, trim and foundations, or their environment, including but not limited to isolated features such as chimneys, walls, trees, streams, foundations, roadbeds and general grading, and an approved building permit shall be obtained before work can begin.
- (2) *Application for certificate of appropriateness.* An application for a certificate of appropriateness shall be referred directly by the building official to the historic zoning commission. In applying to the building official for a certificate of appropriateness, the applicant shall submit a dimensional scale plan indicating the shape, size and location of the lot to be built upon and the shape, size, height and location of all buildings to be erected, altered or moved and of any building already on the lot. The applicant shall also state the existing and intended use of all such buildings and shall provide preliminary exterior elevations indicating material, color, architectural features, signs and such other information as may be required by the building official or the historic zoning commission for determining whether this chapter is being observed.
- (3) *Historic zoning commission action.* Upon receiving the application, the historic commission shall, within 30 days following the availability of sufficient data, issue to the office of the building official a letter stating its approval, with or without attached conditions, or disapproval with the grounds for disapproval stated in writing.
 - a. *Commission review.* In its review of material submitted, the historic zoning commission shall give consideration to:
 1. The historic and architectural value of the present structure;
 2. The relationship of exterior architectural features of such structure to the rest of the structures of the surrounding area;
 3. The general compatibility of exterior design, arrangement, texture and materials proposed to be used; and
 4. Any other factor, including aesthetics, which is deemed pertinent.
 - b. *Disapproval.* If disapproval is being considered, the historic zoning commission shall describe to the applicant, if possible, the types of changes in the application that would be necessary for the historic zoning commission to consider approval.
 - c. *Limitations on historic zoning commission.* The historic zoning commission shall not consider or make any requirements pertaining exclusively to the interior of a structure, shall not grant variances from the terms of this chapter and shall not make any requirement except for the purpose of preventing developments obviously incongruous to the historic aspects of the district.
 - d. *Minor Improvements.* The historic zoning commission chairman in conjunction with the building official or designee shall be responsible for reviewing an application that substantially conforms to the district guidelines, and is minor. Minor improvements will not alter the appearance or integrity of the structure, (i.e. roof shingles paint color, or any cosmetic repairs, etc.), from the district guidelines. Upon determining conformity to the district guidelines, the application may be approved by the chairman.

(Code 1981, app. A, art. VI, § 5; Code 1998, § 114-285)



CITY OF KINGSPORT, TENNESSEE

June 9, 2015

RE: In-house Approval

Mr. Joseph Reynolds
801 Yadkin St
Kingsport, TN 37660

Dear Mr. Reynolds:

This letter is to notify you of an in-house approval by the Historic Zoning Commission for the installation of a new architectural shingle roof, grey in color. This roof is not to deviate from the existing look of the current roof.

This approval is good only for the actions listed above. Any other new or additional changes will require review by the Commission. Thank you and we hope your project is a successful one.

Sincerely,

Corey Shepherd
Historic Planner

cc: File
Building Official

