

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

June 8, 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 May 11, 2015

III. Other Business:

1. Discuss 205-209 Compton Terrace.
2. Discuss Historic Zoning Commission By-Laws Amendment
3. Public Comment

Adjournment

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

May 11, 2015

1:30 p.m.

Members Present

Jim Henderson, Chairman
Liza Harmon, Vice-Chairman
Perry Crocker, Secretary
David Oaks
Ted Como
Jewell McKinney
Beverley Perdue

Members Absent

Staff Present

Corey Shepherd, Planner
Justin Steinmann, AICP

Visitors Present

Mark Hanor
Marjorie Thornton
Skip Norrell

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

Under "New Business," the Commission is requested to consider granting a Certificate of Appropriateness for 112 West Main Street, located in the Main Street Historic District. The request is submitted by Mark Hanor. The request is to receive a Certificate of Appropriateness to approve the removal of existing green canopy and replace with a tan/beige canopy. Remove existing sign bracket and replace with a new bracket and hang new sign. The dimensions are 5'x3'. Planner Shepherd then turned the presentation over to Mr. Hanor. Mr. Hanor started by saying that his sign request is now 2'x3' blade sign which is a small sign. Next, Mr. Hanor alluded to the bracket (beige in color) and stated that he felt that a beige awning might tie in better with the existing structure. Commissioner Perdue wanted clarification regarding the location of the sign as she wanted to ensure that the sign would be visible to pedestrian and vehicular traffic. Vice-Chairman Harmon spoke to the potential of placing a sign in the window and shared some Main Street Historic District guidelines limiting window signage. Mr. Hanor stated that he would not be interested in exploring any sign options. Being no further discussion, under a motion from Vice-Chairman Harmon, seconded by Commissioner Como, the HZC passed the COA request as presented with the minor sign change to 2'x3' and to add the repainted trim. Some further discussion ensued regarding some of the bricks in the building façade. Chairman Henderson recommended against the brick replacement citing the difficulty of matching the hundred year old brick.

Next, under “Other Business”, Principal Planner Justin Steinmann, AICP gave a presentation regarding the Kingsport Landing plan. Planner Steinmann began his presentation giving a brief history regarding the foundations of the plan. Next, he transitioned into the portions of the plan that have been implemented such as series of Greenbelt expansions, roundabout construction, zoning district changes, and property acquisitions. Justin then spoke at length regarding portions of the plan that were meant to beautify and modify the streetscape along Netherland Inn Road. Planner Steinmann noted that the site was being considered for the Legacy Centennial project. Commissioner Oaks began and asked why we couldn’t get more serious about establishing the “Boatyard District” from a branding perspective. Planner Steinmann said that moving forward it could easily be branded as such. Steinmann mentioned that he has not been given any specific direction, as long-range planner, to address the plan as it stands today. Vice-Chairman Harmon asked that if particular properties along Netherland Inn Road become available would the city actively try to purchase those. Planner Steinmann said that he could not say for sure but that if he or Planner Shepherd were to see properties available that they would pass those along to the appropriate officials. Commissioner Oaks asked if there would be value in putting together another committee to analyze the feasibility of pulling this plan together. Planner Steinmann said yes, however, that the Downtown Master Plan has the full attention of the Planning Division at this time. Commissioner Oaks wants to focus on “visibility enhancement” and wants the Planning Division to bring something to the Planning Commission or the Kingsport Historic Zoning Commission. Commissioner Oaks continued by saying, “that our city has a raw material, in the form of a river, running through the middle of it and what better way to kick off a Centennial Celebration than by starting right there in the Boatyard District.” Vice-Chairman Harmon said, “it sounds like you are advocating for a champion to take charge of this project.” Commissioner Oaks said that we do not have tourism development but that this project could create tourism to our community. Chairman Henderson offered a counterpoint by saying, “the higher priority should be offering quality of life improvements to the city residents.” Vice-Chairman Harmon commended Kingsport’s neighborhoods by saying that the character of many of these great neighborhoods still maintains their original character. She said that Kingsport is much more walkable than other cities she’s visited. Commissioner Como commended Kingsport’s rich history and criticized the limited scope of the Kingsport Landing Plan. Chairman Henderson commented that is limited in scope because of the physical limitations of the property, the river to the south and the railroad to the north. The conversation turned to discuss some of the historic structures in the district. After several minutes of discussing this, Vice-Chairman Harmon asked about the site of the former gas station near the Ridgefields Bridge and why that wasn’t included in the original plan. She continued by saying the plan looks like there is not a developable piece of property at that spot but that we all know that there is. Planner Steinmann said he was unclear as to why this was not included in the plan. Vice-Chairman Harmon said that it could be a “pullout park” in which some of the Boatyard’s history was on display. Commissioner Oaks recommended that the Planning Division put this project at the forefront of its focus. Being no further discussion the HZC congratulated Planner Steinmann on a great presentation.

Planner Shepherd stated that he had an addendum at to the agenda under “Other Business”, he continued by saying that it has come to the attention of staff that the HZC and staff have been following an incorrect procedure in regard to lengths of terms and the appointment process. The new term list is an attempt to get one Commissioners’ term to expire each year with the exception of two Commissioners as there are seven total Commissioners appointed to five year terms. Planner Shepherd said he spoke with each Commissioner about amending their terms and that he also drafted a letter to the mayor on behalf of Chairman Henderson. The new appointments are as follows:

- Chairman Henderson: May, 2016
- Vice-Chairman Harmon: May, 2020
- Secretary Crocker: May, 2018
- Commissioner Como: May, 2019
- Commissioner McKinney: May, 2016
- Commissioner Oaks: May, 2017
- Commissioner Perdue: May, 2018

Chairman Henderson then opened the “Public Comment” portion of the meeting. Skip Norrell commented about a leaky chimney on Shelby Street. Mr. Norrell said that the property owner must come before the Commission to get it fixed. Then, he cited another example of a landlord in the Park Hill Historic District removing a chimney all together. Mr. Norrell said that the property is “blatantly hostile about repairing the chimney” and asked Planner Shepherd about what the HZC can do. Planner Shepherd spoke with the Building Official Dee Morgan and believes that the HZC has the authority to require Ms. Pat Davis (the property owner) to rebuild the chimney. Vice-Chairman Harmon asked if they received an in-house approval for the roof replacement. Planner Shepherd said they had not received an in-house approval. Planner Shepherd says the he has attempted to contact the property owner numerous times. Planner Shepherd said the he would reserve a spot to discuss the issue at next month’s meeting, if the Commission so desired. Commissioner Como requested that Planner Shepherd research the authority of the HZC to require the construction of a replacement chimney. Planner Shepherd agreed to research this with the City Attorney and draft a letter requesting Ms. Davis’s presence at the next meeting.

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

Respectfully Submitted,

Perry Crocker, Secretary



CITY OF KINGSPORT, TENNESSEE

May 18, 2015

Mrs. Patricia Davis
356 Wahoo Drive
Kingsport, TN 37663

Dear Mrs. Davis:

It has come to the attention of the Kingsport Historic Zoning Commission (KHZC) that your property at 205 & 209 Compton Terrace, located within the Park Hill Historic District, is in violation of Tennessee Code Annotated 13-7-407 regarding exterior work without the issuance of a certificate of appropriateness.

At the request of the Commission, I am contacting you in order to request your attendance at the next regular meeting of the KHZC on June 8th, 2015 at 1:30 PM in the Bob Clear Conference Room located at 201 West Market Street. The Commission hopes to explore options to rectify the situation regarding the recently removed chimney/porch. If you have any questions, please contact me by phone (423-224-2877) or by email (CoreyShepherd@KingsportTN.gov).

Sincerely,

Corey Shepherd,
Historic Planner











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 in the opinion of the Chairman, shall be reviewed by the Building Official and/or Building Official's designee, and Historic Zoning Commission Chairman. Upon determining conformity to the district guidelines, the application may be subject to Historic Zoning Commission review via expedited Chairman approval. All expedited Chairman approvals will be forwarded to the Historic Zoning Commission for their information during the next scheduled Historic Zoning Commission meeting as an item in the "Other Business" section of the agenda. 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. *Expedited Procedures.* The historic zoning commission chairman in conjunction with the Building Official and/or Building Official's designee shall be responsible for reviewing applications that substantially conforms to the district guidelines, and is minor in the opinion of the Chairman. Upon determining conformity to the district guidelines, the application may be subject to Historic Zoning Commission review via expedited Chairman approval. All expedited Chairman approvals will be forwarded to the Historic Zoning

Commission for their information during the next scheduled Historic Zoning Commission meeting as an item in the "Other Business" section of the agenda.

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