		SULI	LIVAN CO	DUNTY COMMISSI	SULLIVAN COUNTY COMMISSION MEETING	HING				
				November 18, 2021	170					
		RESOLUTION #1 - To Consider the Waiver of Rules for the following zoning	onsider the Wa	iver of Rules for the	following zoning an	amendments (map or text)				
		motion by:		2nd by:						
Order of Cases	Date of Application	Applicant's Name	Neighbor Opposition	Staff's Recommendation	Planning Commission's Recommendation	Regional Planning Commission Jurisdiction	Current Zoning District	Requested Zoning District	Civil	Commissioner District
-	9/2/2021	Daniel & april Heaton	none	yes	yes	Sullivan County	A-1	돌	20th	9th
2	9/10/2021	Clyde Watson	none	yes	yes	Sullivan County	B-4	2-	5th	4th
Voting	Voting Summary:									
Name	Case Order	Xes	<u>ou</u>	pass	absent	Approved (yes or no)				
Heaton	-									
Watson	7									
								1		
* Date	of application begins c	* Date of application begins on when fee was obtained for completed application	application							

#### **PUBLIC NOTICE**

Sullivan County Board of County Commissioners will hold a Public Hearing set for Thursday, November 18, 2021 at 6:00PM within the Commission Hall of the Sullivan County Historic Courthouse, located at 3411 Highway 126, Blountville, TN. The Public Hearing will consider the following rezoning requests from individual property owners: 1) Daniel & April Heaton requests their property to be rezoned from A-1 to R-1, which is located at 1812 Weaver Branch Road, Piney Flats for purposes of subdividing for another residential lot; and 2) Clyde Watson requests his property to be rezoned from B-4 to R-1 at 2935 Hwy 126 in order to set a modular residential dwelling on the property. These rezoning requests will be considered for final map amendment by the Commission at this meeting. The public is invited to attend and speak on these requests. All inquiries, questions or concerns can be shared prior to the public meeting by contacting the Planning Director at 423.279.2603 or by emailing her at planning@sullivancountytn.gov . A copy of these rezoning requests is filed in the Sullivan County Planning & Codes Department located within the Historic Snow House at 3425 Hwy 126, Blountville, TN.

#### PETITION TO SULLIVAN COUNTY FOR REZONING

A request for rezoning is made by the person named below; said request to go before the Planning Commission for recommendation to the Sullivan County Board of Commissioners.

Date: 09/02/2021

Property Owner: Daniel & April Heaton

Address: 1812 Weaver Branch Road Piney Flats TN 37686

Phone number: 423-557-2481

Email: dheaton1968@gmail.com

### **Property Identification**

Tax Map: 124A

Group: A

Parcel: 001.00

Zoning Map: 26

Zoning District: A-1

Proposed District: R-1

Civil District: 20

Property Location: 1812 Weaver Branch Road Piney Flats TN 37686

Commission District: 5

Purpose of Rezoning: To subdivide the property -- residential use

M	e	e	ti	r	1	q	S

**Planning Commission:** 

Place: Historic Courthouse 2nd Floor Commission Chambers Blountville TN

Date: October 19, 2021

Time: 6 PM

Approved:

Denied:

**County Commission:** 

Place: Historic Courthouse 2nd Floor Commission Chambers Blountville, TN

Date: November 18, 2021

APPROV

APPROVED 21 YES, 3 ABSENT

Approved:

Denied:

#### **DEED RESTRICTIONS**

I understand that rezoning does not release my property from the requirements of private deed/Subdivision restrictions. The undersign, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

Owner's Signature

: Motor m Halton

Pate: Y-2-202

My Commission Expires: May 22, 2023

F. REZONING REQUESTS: ZONING PLAN AMENDMENT: ZONING MAP CHANGE

#### F1. REZONING REQUEST A-1 TO R-1

FINDINGS OF FACT -

Property Owners: Daniel & April Heaton

Applicants: same Representative: same

Location: 1812 Weaver Branch Road, Piney Flats

Civil district: 20<sup>th</sup>
Commission District: 5<sup>th</sup>

Parcel ID: Tax Map 124A, Group A, Parcel 00100
Subdivision of Record: Allison Hills Subdivision, Phase 1
PC1101 Growth Boundary: Sullivan County Planned Growth Area

Utility District: Johnson City Public Water

Public Sewer: not available

Lot/Tract Acreage: lot 1 of Phase 1 and part of the future development area Zoning: A-1 – General Agricultural/Single-Family Residential

Surrounding Zoning: R-1, and A-1

Requested Zoning: R-1

Existing Land Use: Single-Family Dwelling and vacant

Surrounding Land Uses: residential, vacant, 2006 Land Use Plan: low density residential

Neighborhood Opposition: no one has called or written prior to meeting

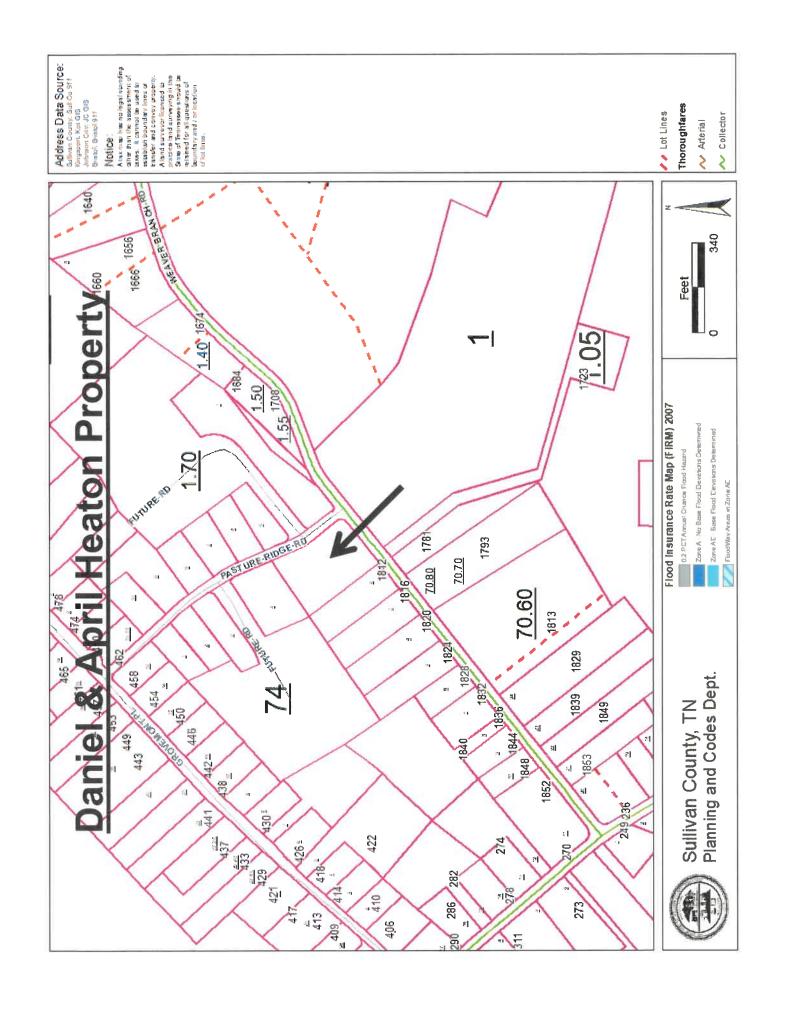
### Staff Field Notes and Findings of Facts:

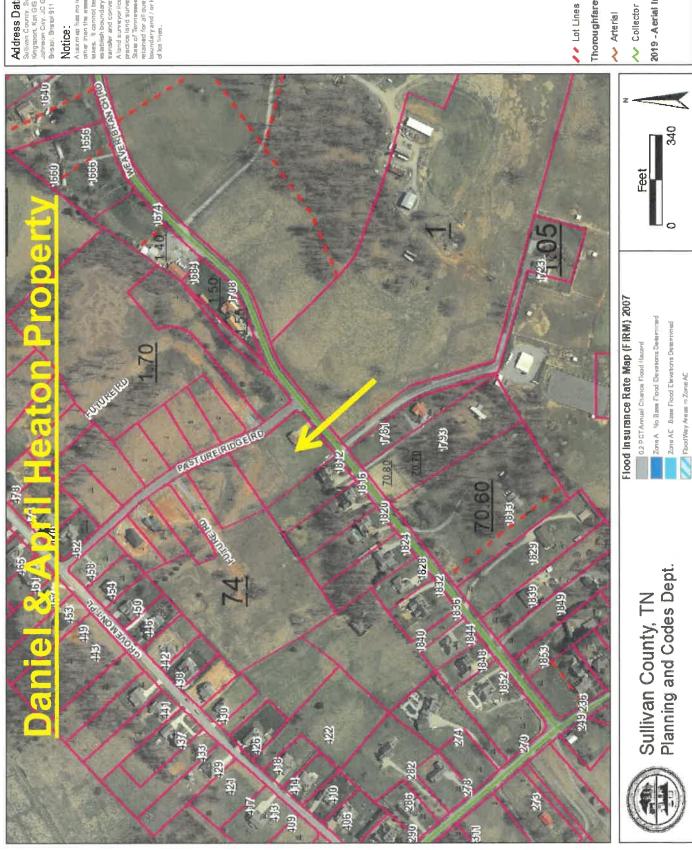
• The owner is requesting to rezone his property from A-1 to R-1 to subdivide out a second lot for future development.

- The owner purchased additional land from the area referred to as "future development phase 4 section" noted on the master concept plan of Allison Heights Subdivision. He then combined it with his house lot by a replat approved in 2010. This afforded the owners additional rear yard space in keeping with the other lots along Weaver Branch Road.
- Now the owner would like to subdivide off this rear area of about .639 of an acre, to be able to create another buildable lot.
- The county rezoned Phase 4 above this requested lot to R-1, which afforded the developer the option of platting ½ acre lots.
- Staff recommends in favor of this request as the rezoning will be compatible with the most recent rezoning of Phase 4 behind his property, will be more restrictive than A-1 and being a corner lot of over 1.55 acres this proposal would remain in compliance for intended land use and subdivision request.

## Meeting Notes at Planning Commission:

- Staff read her report and recommendation.
- Mr. and Mrs. Heaton were present. Mr. Heaton stated that at one time they thought they would build a second home for their son and that is why they purchased the extra land from the developer as shown on future phase; however, they have changed their mind and do not need the extra space in the rear yard.
- Discussion followed.
- Calvin Clifton motioned to forward a favorable recommendation to the County Commission for this rezoning request.
   The motion was by Mary Ann Hager and passed unanimously.





Address Data Source:
Sullwan County, Sull Co 811
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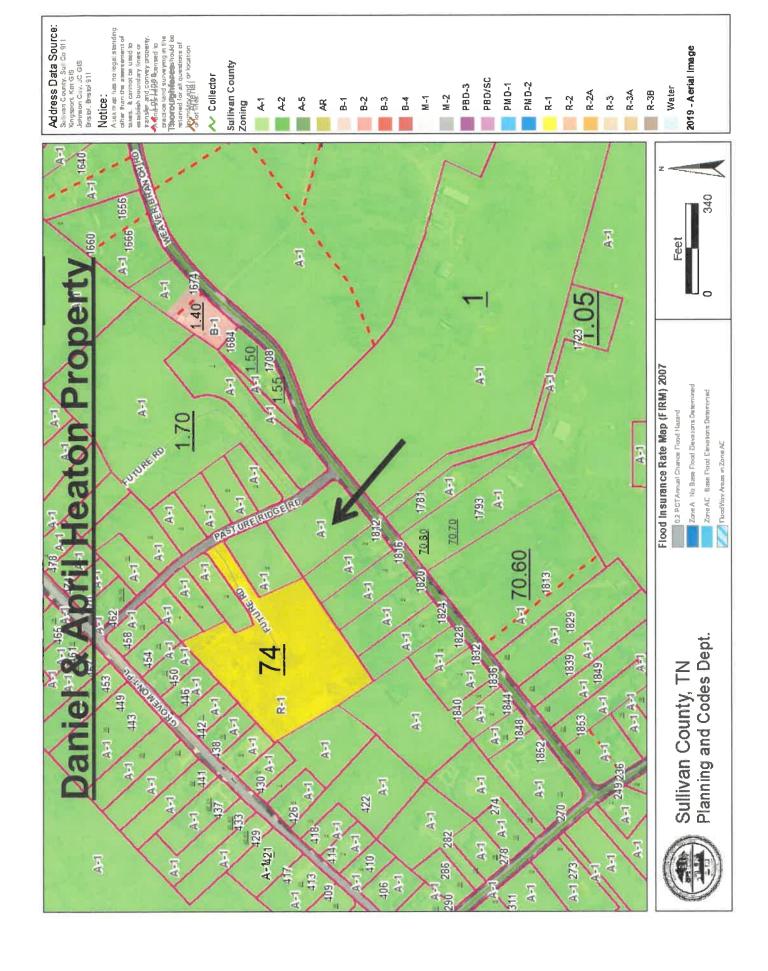
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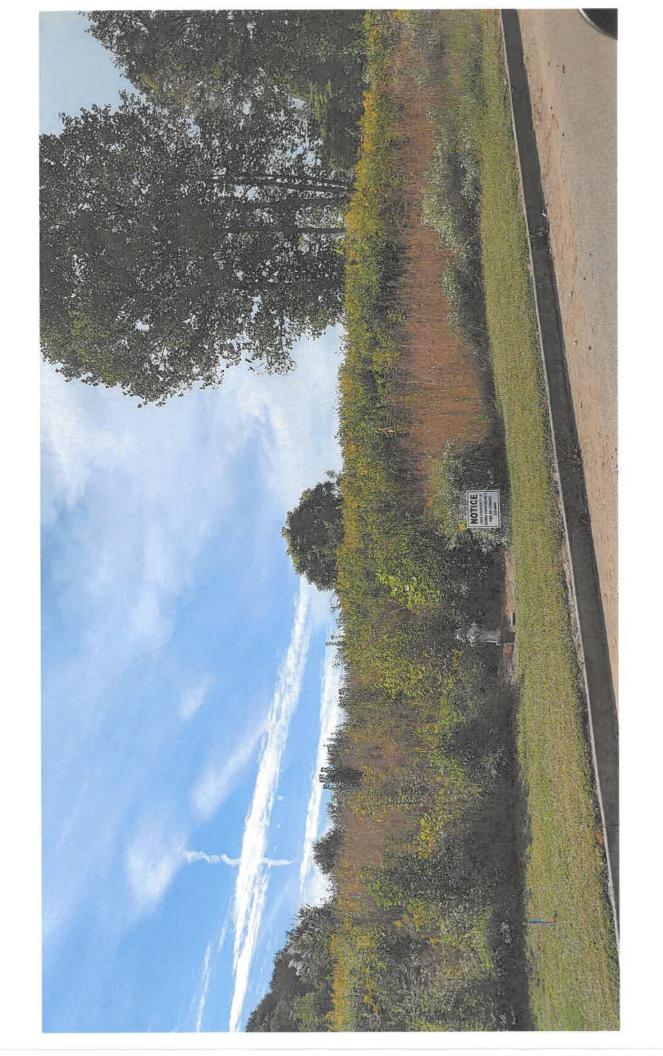
Thoroughfares

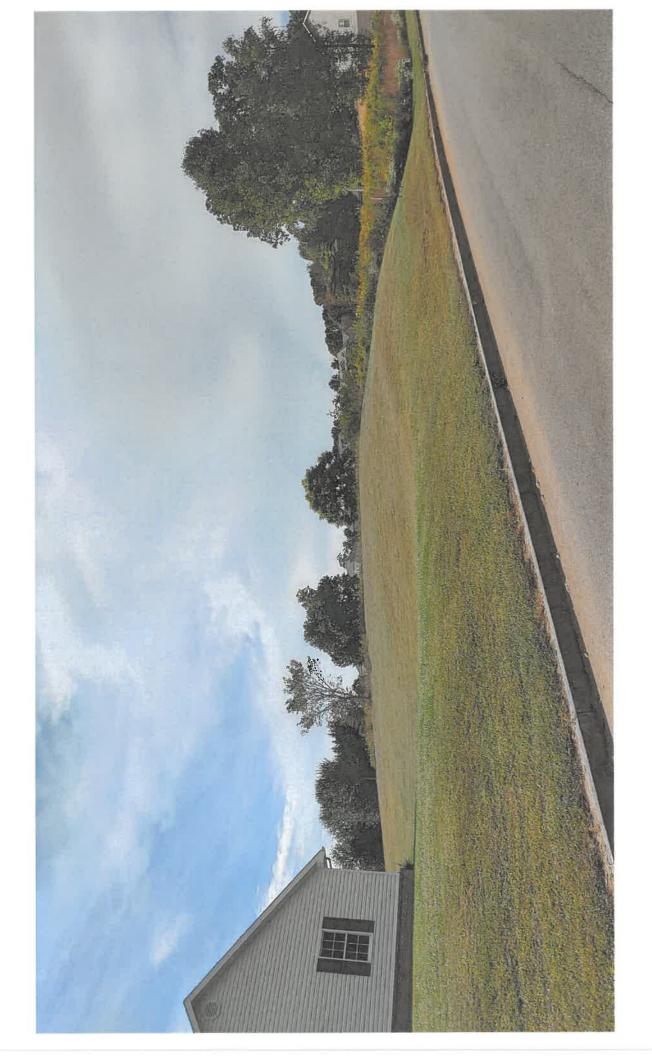
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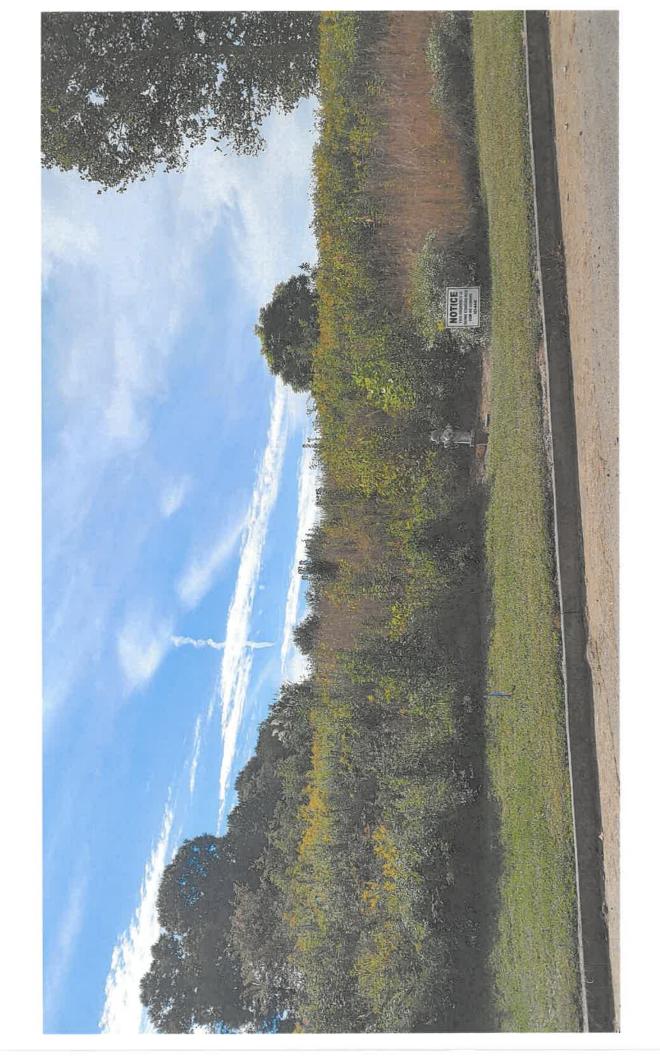
2019 - Aerial Image



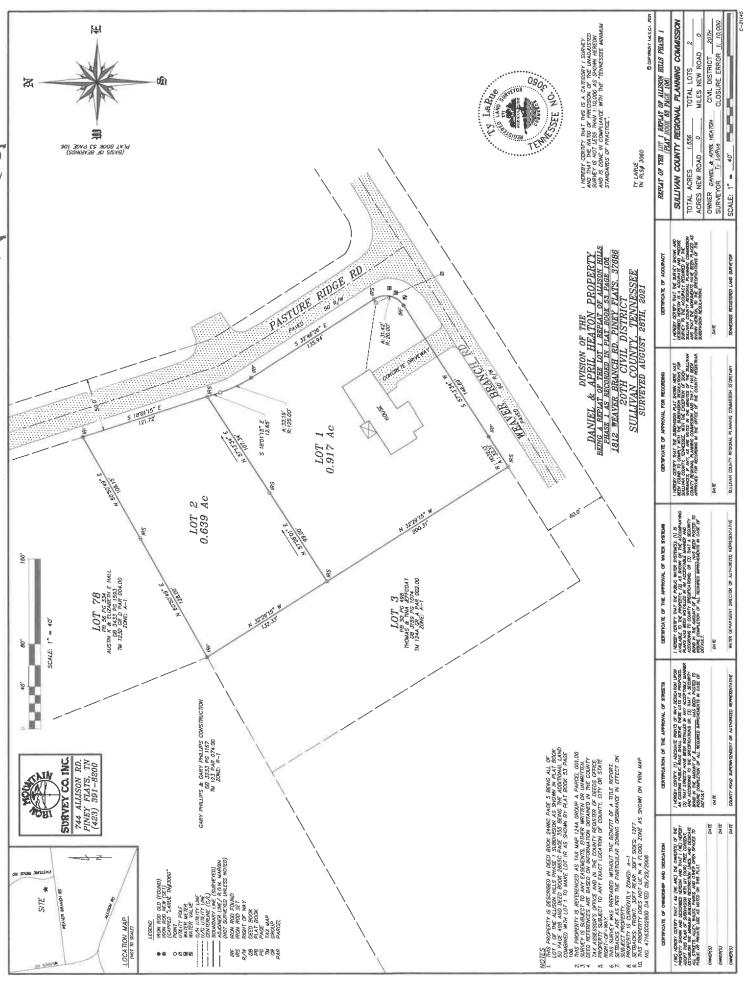








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# **SULLIVAN COUNTY**

marled 10/5/21

Planning & Codes Department 3425 Highway 126 | Historic Snow House Blountville, TN 37617 Office: 423.323.6440 Fax: 423.279.2886

## **NOTICE OF REZONING REQUEST**

September 27, 2021

Dear Property Owner:

Please be advised Daniel & April Heaton have applied to Sullivan County to rezone property located 1812 Weaver Branch Road from A-1 (General Agricultural/Estate Residential District) to R-1 (Low Density/Single Family Residential District) for the purpose of residential use.

Sullivan County Regional Planning Commission - 6:00 PM on October 19, 2021

County Commission - 6:00 PM on November 18, 2021

Both meetings are held in the Old Historic Sullivan County Courthouse, 2<sup>nd</sup> Floor Commission Hall at 3411 Highway 126, downtown Blountville. Please let the Sullivan County Planner know if you need any special assistance for these public meetings at 423-279-2603.

Regards,

Ambre M. Torbett, AICP Director Planning & Codes

mh

#### PETITION TO SULLIVAN COUNTY FOR REZONING

A request for rezoning is made by the person named below; said request to go before the Sullivan County	Regiona
Planning Commission for recommendation to the Sullivan County Board of Commissioners.	

Date: 9-10-2021

Property Owner: Clyde Watson

Address: 2935 Hwy 126, Blountville TN 37617

Phone number: 423-534-6298

Email:

#### **Property Identification**

Tax Map: 051J

Group: D

Parcel: 010.00

Zoning Map:

Zoning District: B-4

Proposed District: R-1

Civil District: 5

Property Location: 2935 Hwy 126. Blountville TN 37617

Commission District: 4

Purpose of Rezoning: To allow for manufactured home.

## Meetings

#### **Planning Commission:**

Place: Historic Courthouse 2nd Floor Commission Chambers Blountville TN

Date: 10/19/2021

Time: 6:00 PM

Approved: \_\_\_\_\_

Denied:

#### **County Commission:**

Place: Historic Courthouse 2nd Floor Commission Chambers Blountville, TN

Date: 11/18/2021

Time: 6:00 PM

APPROVED 21 YES, 3 ABSENT

Approved:

Denied: \_\_\_\_\_

#### **DEED RESTRICTIONS**

I understand that rezoning does not release my property from the requirements of private deed/Subdivision restrictions. The undersign, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

Owner's Signature:

Notary Public: 1/40ty

Date: 9/10/2/

My Commission Expires: 1104 22, 2023

### F. REZONING REQUESTS: ZONING PLAN AMENDMENT: ZONING MAP CHANGE

### F2. REZONING REQUEST B-4 TO R-1

FINDINGS OF FACT -

Property Owners: Clyde Watson

Applicants: same Representative: same

Location: 2935 Hwy 126, Blountville

Civil district: 5<sup>th</sup>
Commission District: 4<sup>th</sup>

Parcel ID: Tax Map 051J, Group D, Parcel 010.00

Subdivision of Record: Plat Book 57, Page 526 – Lavinder Development and Clyde Watson Property

PC1101 Growth Boundary: Sullivan County Planned Growth Area

Utility District: Blountville Public Utility District

Public Sewer: n/a

n/a

Lot/Tract Acreage: 1.25 Zoning: B-4

1.259 acres after replat

Surrounding Zoning:

R-1, B-4, A-1

Requested Zoning: R-1

Existing Land Use: single-family Surrounding Land Uses: single-family

2006 Land Use Plan: Commercial and Mixed Use

Neighborhood Opposition: no one has called or written prior to meeting

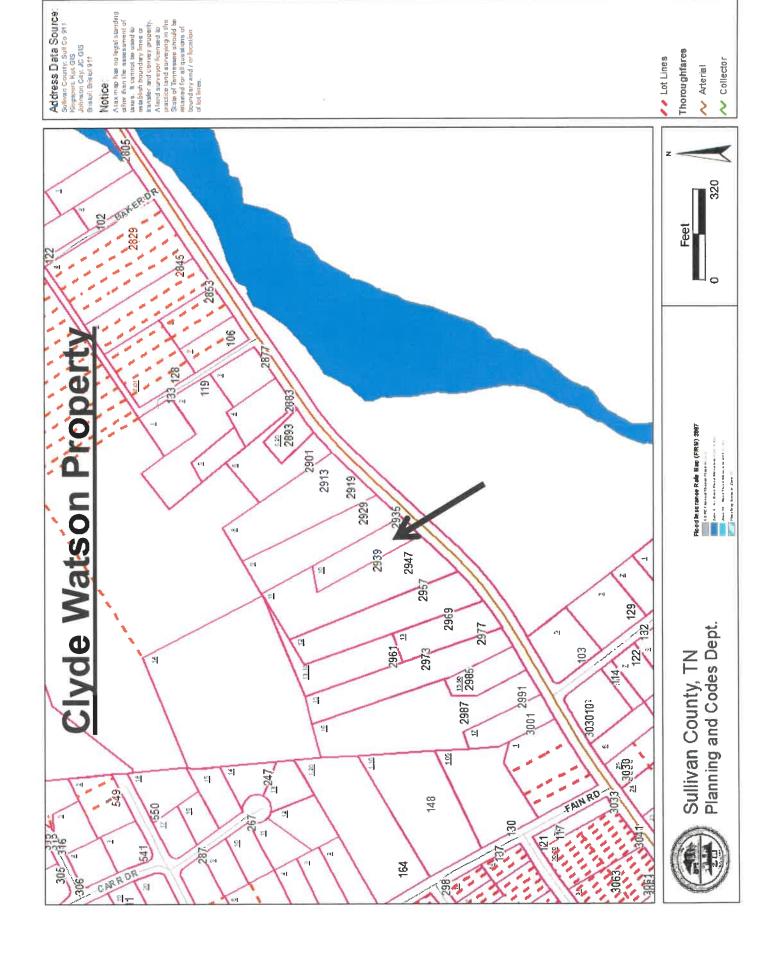
### Staff Field Notes and Findings of Facts:

• The owner is requesting to rezone his property from commercial to residential.

- The property used to have a site built home and a mobile home on the property; however, was zoned B-4 per the original 1988 zoning plan. The adjacent properties were zoned R-1 per the original zoning plan; however other properties along this corridor have been rezoned to commercial or residential depending on proposed use. This portion of Hwy 126 has had a trend of rezoning requests to commercial as older homes have been remodeled for office or retail use.
- In this case, the owner has been clearing the property with the intended use of adding a modular home back in the location of the original site-built dwelling. The original dwelling was built in 1933 and was appraised as being in poor condition. The original home was situated too close to the side property line. The proposed modular home will be larger than the original house and therefore would not meet the B-4 side yard building setbacks.
- The owner purchased more land in the rear of the property; however, that did not increase his side yard. Therefore, the department advised him of rezoning the property to R-1 in order to have reduced setbacks and be in compliance.
- Mr. Watson purchased the property in June of 2021. While the residential use was legal but non-conforming, where a new home
  could be rebuilt within a year's time, the commercial building setbacks are greater than residential setbacks and the new home is
  larger than the previous. The owner prefers to have his property zoned residential.
- Staff visited the site and confirmed that there are existing residential dwellings on either side of this property.
- Staff recommends in favor of this request as the intended land use and zoning request will be in keeping with the adjacent zoning districts and land uses.

### Meeting Notes at Planning Commission:

- Staff read her report and recommendation.
- Mr. Clyde Watson was present. He stated he purchased the land and removed the old home and single-wide mobile home on the property and has been cleaning up the site. He would like to add a double wide back to the property.
- The chairman asked if he was living in the camper. Mr. Watson confirmed he was temporarily staying in the camper while waiting on the rezoning to be approved.
- Laura McMillan motioned to forward a favorable recommendation to the County Commission for this rezoning request.
- Darlene Calton second the motion and the vote in favor passed unanimously.





Address Data Source: Sullivan County, Sull Co 911 Ingrand, Kit GIS Johnson City, LG GIS Bristol, Bristol 911

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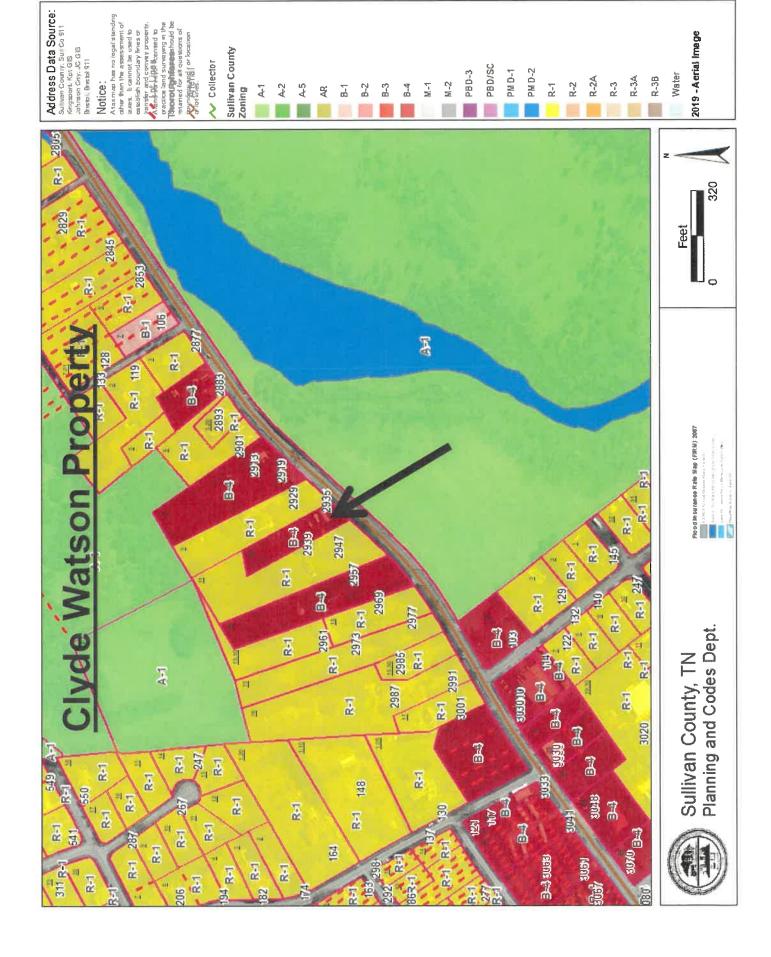
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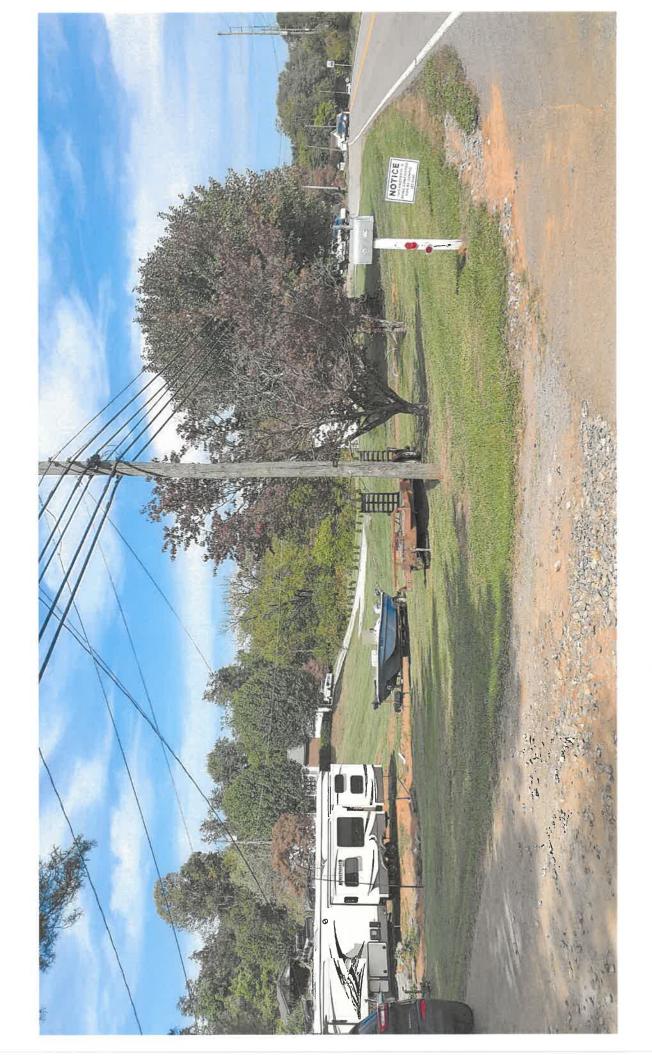
Thoroughfares

Arterial

2019 - Aerial Image











# **SULLIVAN COUNTY**

Planning & Codes Department 3425 Highway 126 | Historic Snow House Blountville, TN 37617 Office: 423.323.6440 Fax: 423.279.2886

### **NOTICE OF REZONING REQUEST**

September 27, 2021

Dear Property Owner:

Please be advised Mr. Clyde Watson, has applied to Sullivan County to rezone property located 2935 Highway 126 from B-4 (Arterial Business Service District) to R-1 (Low Density/Single Family Residential District) for the purpose of a new home.

Sullivan County Regional Planning Commission - 6:00 PM on October 19, 2021

County Commission – 6:00 PM on November 18, 2021

Both meetings are held in the Old Historic Sullivan County Courthouse, 2<sup>nd</sup> Floor Commission Hall at 3411 Highway 126, downtown Blountville. Please let the Sullivan County Planner know if you need any special assistance for these public meetings at 423-279-2603.

Regards,

Ambre M. Torbett, AICP Director Planning & Codes

mh



Address Data Source Sullivan County: Sull Co 911 Kingsport: Kpt Gils Johnson City: JC GIS Bristot: Bristol 911

Notice:

A tax map has no legal standin other than the assessment of taxes. It cannot be used to establish boundary lines or transfer and convey property.

A land surveyor licensed to practice land surveying in the State of Tennessee should be retained for all questions of boundary and / or location of lot lines.

Blountville Water Meters

Blountville Water

Lines

✓ Lot Lines

Streams

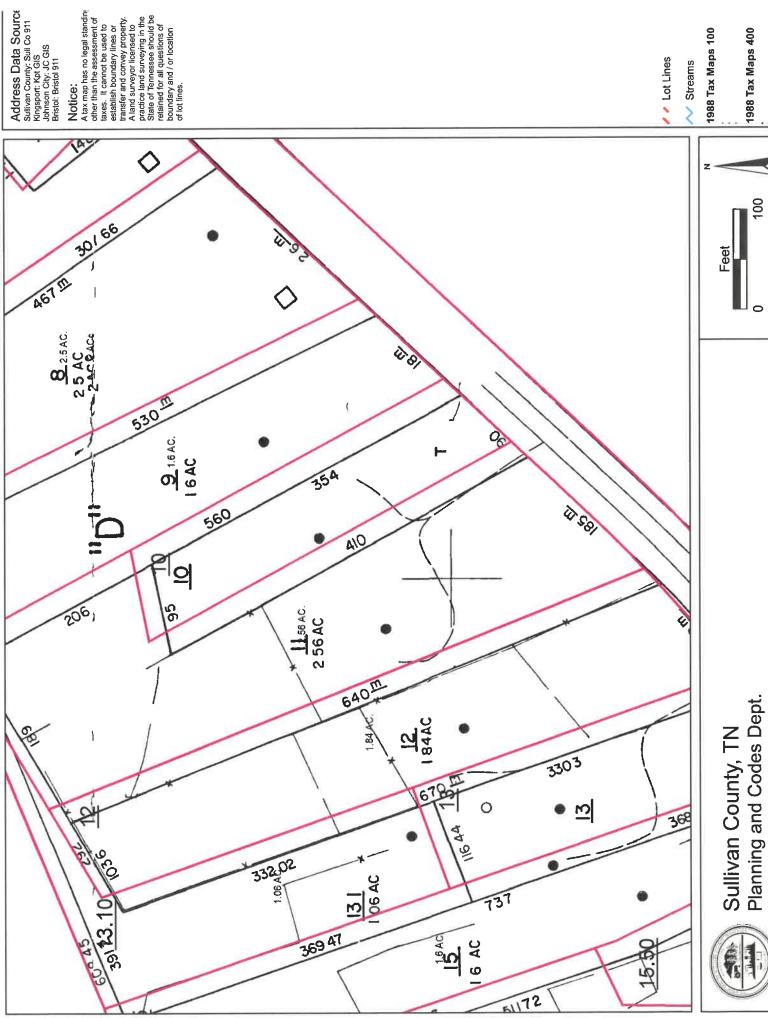
Feet

2019 - Aerial Image

Sullivan County, TN Planning and Codes Dept.

Flood Insurance Rate Map (FIRM) 2007

0.2 Port Annual Cheese Flood Floration Determined
Zone A - No Base Flood Elevations Determined
Zone AG - Base Flood Elevations Determined



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Aland surveyor idensed to
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1988 Tax Maps 100

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Book Per Page 526