

**Zoning Plan: Rezoning Requests and/or Zoning Text Amendments
SULLIVAN COUNTY COMMISSION PUBLIC HEARING MEETING**

September 15, 2022

**RESOLUTION #1 - To Consider the following zoning amendments (map or text) as reviewed by the Regional Planning Commission.
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 District	Commissioner District
1	6/21/2022	Ricky & Cheryl Hurley	none	yes	yes	Bristol Regional Planning Commission	R-1	A-5	2	1
2	7/12/2022	Kurt Blanken	yes	no	no	Sullivan County Regional Planning Commission	A-1	R-1	20	5
3		Zoning Text Amendments 3-103.6; 4-103.4; 5-103.4	no	yes	yes	all three				
<u>Voting Summary:</u>										
Name	Case Order	yes	no	pass	absent	Approved (yes or no)				
Hurley	1									
Blanken	2									
ZTA	3									
	4									
footnote:	ZTA =	Privacy Walls & Retaining Walls - when is a permit needed								

* Completed Application is when all information is signed, fee has been paid and no outstanding documents needed. Date of Application is when the applicant initially files

PUBLIC NOTICE

Sullivan County Regional Planning Commission shall hold a public meeting on August 16, 2022 at the Sullivan County Courthouse in Blountville, Tennessee to consider the rezoning request from A-1 to R-1 from landowner, Mr. Kurt Blanken for his property located at 972 Deerlick Road, Piney Flats in the 20th Civil District. The Bristol Regional Planning Commission shall hold a public meeting on August 15, 2022 at the Slater Center, in Bristol, Tennessee to consider a rezoning request from R-1 to A-5 from landowners Ricky & Cheryl Hurley for their property at 2644 Highway 421, Bristol located in the 2nd Civil District. Both of these rezoning petitions shall be considered for final approval during the public hearing of the Board of County Commissioners **Thursday, September 15, 2022 at 6:00PM** within the Commission Hall of the Sullivan County Historic Courthouse, located at 3411 Highway 126, Blountville, TN. 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@sullivancountyttn.gov . Copies of these amendments are filed in the Sullivan County Planning & Codes Department located within the Historic Snow House at 3425 Hwy 126, Blountville, TN.

✓ PUBLIC NOTICE

The Sullivan County Mayor and Board of Commissioners shall hold a public hearing on Thursday, September 15, 2022 at 6:00PM within the Sullivan County Historic Courthouse located at 3411 Highway 126, Blountville, Tennessee 37617. The purpose of the Public Hearing is to hear and consider the adoption of the minor text amendments to the Sullivan County Zoning Resolution, articles: 3-103.6; 4-103.4 and 5-103.4 regarding the permitting and approval of privacy walls and retaining walls with respect to the International Building Code. A copy of the zoning text amendment can be viewed at the Sullivan County Planning & Codes Department located at 3425 Hwy 126, Blountville within the Historic Snow House. For questions or comments, the public can contact the Planning Director directly at 423.279.2603 or email her at planning@sullivancountyttn.gov. The Public Hearing is open to the general public.

PETITION TO SULLIVAN COUNTY FOR REZONING

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

Date: June 21, 2022

Property Owner: Ricky & Cheryl Hurley

Address: 2644 Highway 421 Bristol TN 37620

Phone number: 423-383-0477

Email: rick.hurley@ymail.com

Property Identification

Tax Map: 054

Group:

Parcel: 102.00

Zoning Map: 10

Zoning District: R-1

Proposed District: A-5

Civil District: 2

Property Location: 2644 Highway 421 Bristol TN 37620

Commission District: 1

Purpose of Rezoning: For a larger accessory structure

Meetings

Planning Commission:

Place: Slater Center, 325 McDowell Street Bristol TN 37620

Date: August 15, 2022

Time: 6 PM

Approved: _____

Denied: _____

County Commission:

Place: Historic Courthouse 2nd Floor Commission Chambers!3411 Highway 126!Blountville, TN

Date: September 15, 2022

Time: 6:00 PM

Approved: Approved 23 Yes, 1 Absent

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: _____

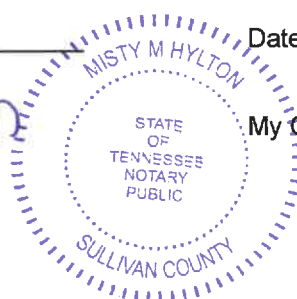
Date: 6-21-22

Notary Public: _____

Misty M Hylton

My Commission Expires: _____

May 22, 2023







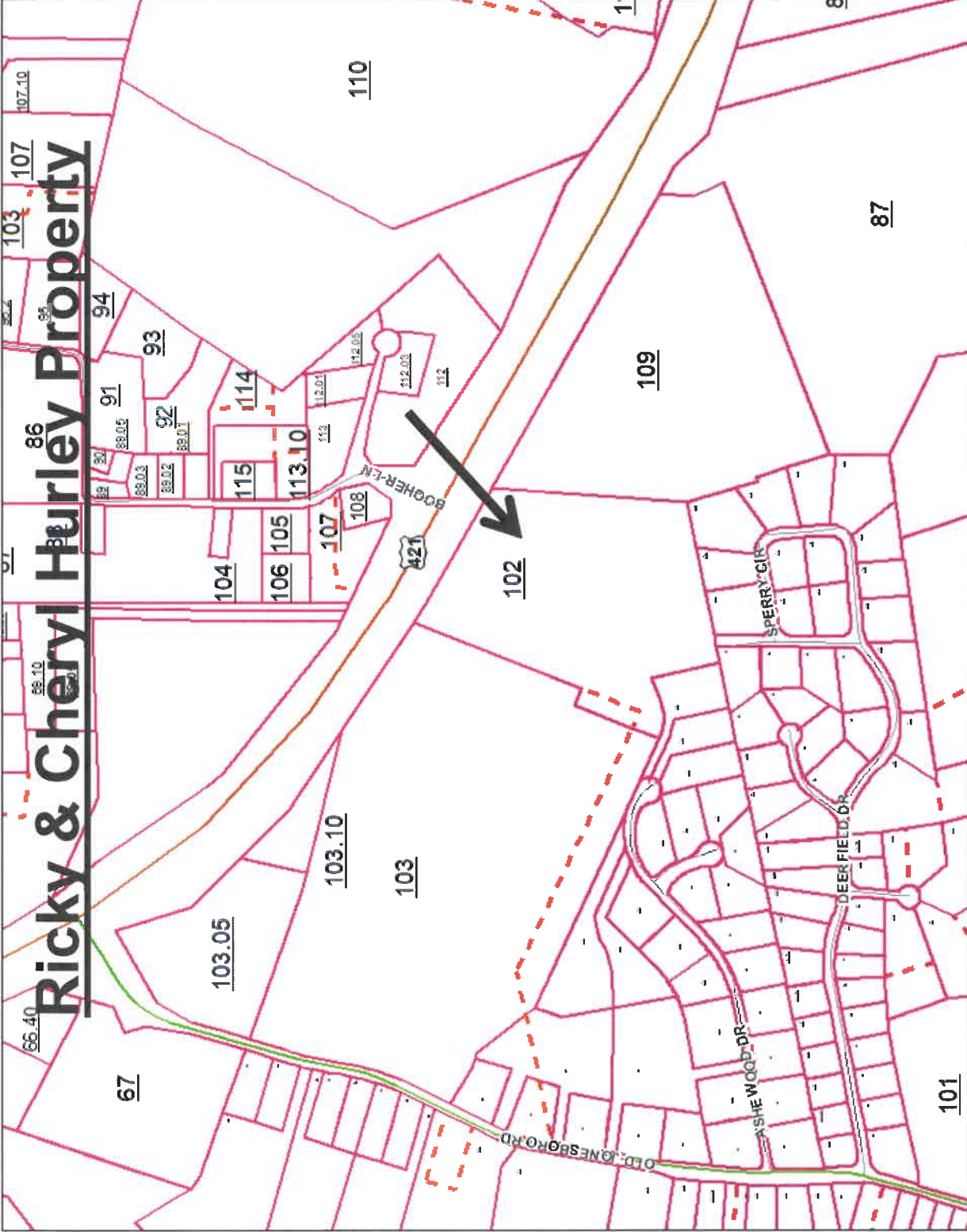
Address Data Source:

Sullivan County GIS Dept
Kingsport, TN 37635
Jefferson City, MO 645
Spatial Analyst 8.1.1

Notice:

A tax map has no legal standing other than the assessment of taxes. It cannot be used to establish boundary lines or transfer and convey property. A land survey or licensed to practice land surveying in the State of Tennessee should be obtained for all questions of boundary and / or location of lot lines.

-  Lot Lines
-  Thoroughfares
-  Arterial
-  Collector



Flood Insurance Rate Map (FIRM) 2007
 1.5 to 3.0 Annual Chance Flood Area
 1.0 to 1.5 Annual Chance Flood Area
 0.5 to 1.0 Annual Chance Flood Area
 0.2 to 0.5 Annual Chance Flood Area
 Unshaded Areas of Zone 0







Sullivan County, TN
 Planning and Codes Dept.

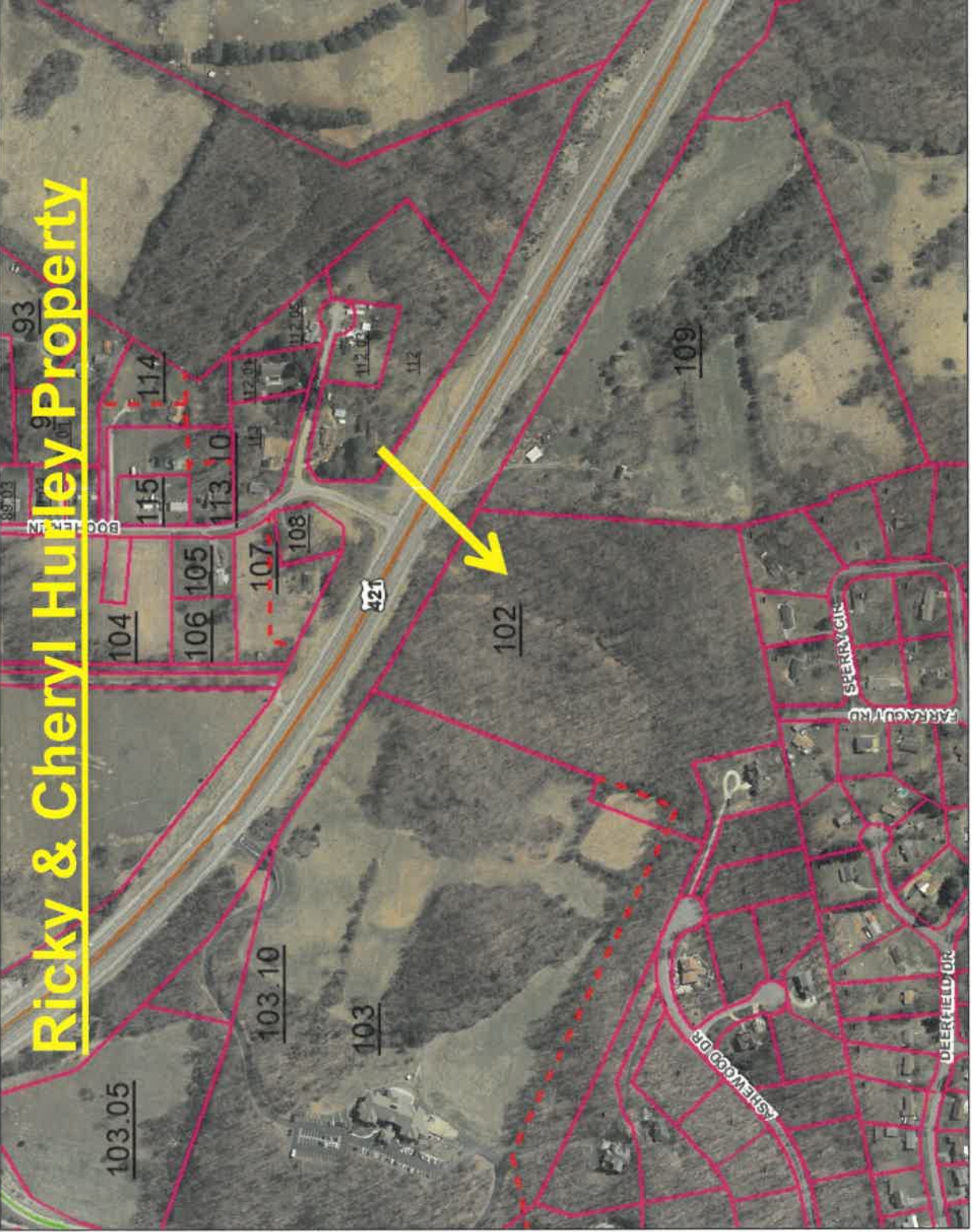
Address Data Source:

Sullivan County, GIS Co 911
Ferguson, JRC GIS
Johnson City, JC GIS
Bristol, Bristol 911

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-  Lot Lines
 -  Thoroughfares
 -  Arterial
 -  Collector
- 2019 - Aerial Image



Ricky & Cheryl Huiley Property



Sullivan County, TN
Planning and Codes Dept.



Address Data Source:

Sullivan County, TN GIS
 Johnson City, TN GIS
 Bristol, TN GIS

Notice:

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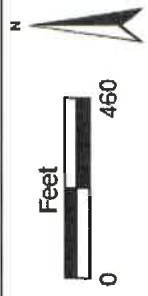
Sullivan County Zoning

- A-1
- A-2
- A-5
- AR
- B-1
- B-2
- B-3
- B-4
- M-1
- M-2
- PBD-3
- PBD/SC
- PM D-1
- PM D-2
- R-1
- R-2
- R-2A
- R-3
- R-3A
- R-3B
- Water

2019 - Aerial Image



Ricky & Cheryl Hurley Property



Flood Insurance Rate Map (FIRM) 2007
 1.5 Feet Flood Hazard
 1.0 Feet Flood Hazard
 0.5 Feet Flood Hazard
 0.2 Feet Flood Hazard

Sullivan County, TN
 Planning and Codes Dept.



Address Data Source:

Sullivan County, Sub Co 811
 Kingport, Kpt GIS
 Johnson City, AC GIS
 Bristol, Brestbl 811

Notice:

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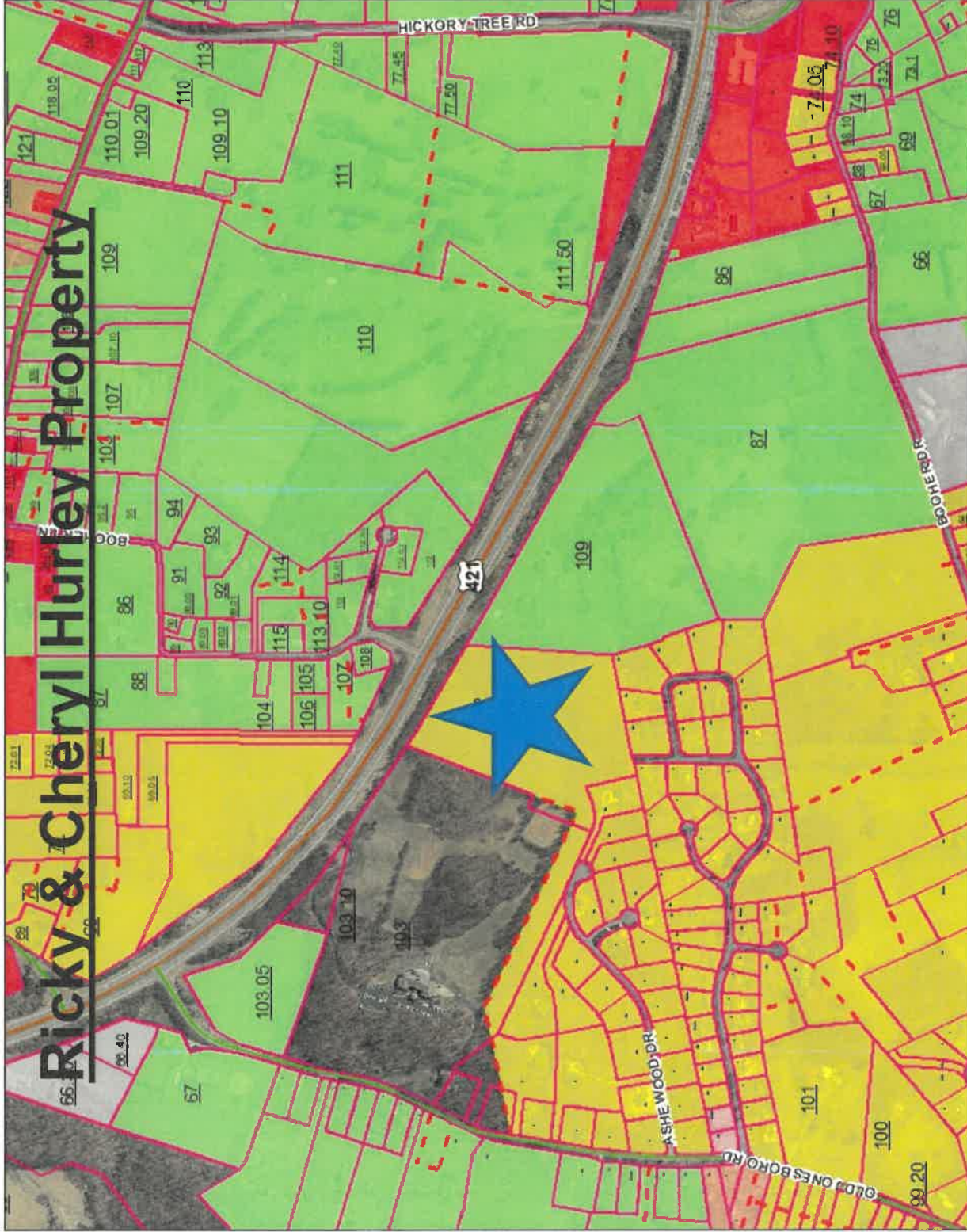


Sullivan County

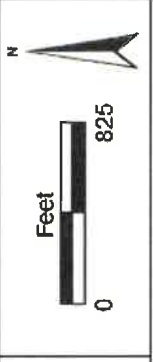
Zoning

- A-1
- A-2
- A-5
- AR
- B-1
- B-2
- B-3
- B-4
- M-1
- M-2
- PBD-3
- PBD/SC
- PMO-1
- PMO-2
- R-1
- R-2
- R-2A
- R-3
- R-3A
- R-3B
- Water

2019 - Aerial Image



Ricky & Cheryl Hurley Property



Sullivan County, TN
 Planning and Codes Dept.

Flood Insurance Rate Map (FIRM) 2007

- 1.3 PM1 Special Flood Hazard Area
- Zone A - 1% Annual Flood Hazard
- Zone AE - Special Flood Hazard Area
- Zone X - 1% Annual Flood Hazard



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

July 29, 2022

Dear Property Owner:

Please be advised Ricky & Cheryl Hurley have applied to Sullivan County to rezone property located 2644 Highway 421 from R-1 (Low Density/Single Family Residential District) to A-5 (Large Tract Rural Residential and General Agricultural District) for the purpose of residential use with a larger accessory structure.

Bristol Regional Planning Commission – 6:00 PM on August 15, 2022 (Monday night)

County Commission public hearing – 6:00 PM on September 15, 2022 (Thursday night)

The Bristol Planning Commission will meet in the Slater Center 325 McDowell Street Bristol Tennessee. The Sullivan County Commission meeting is held in the Old Historic Sullivan County Courthouse, 2nd Floor Commission Hall at 3411 Highway 126, downtown Blountville. Please let the Bristol Planner know if you need any special assistance for these public meetings at 423-989-5549.

Regards,

A handwritten signature in blue ink, appearing to read "A. Torbett".

Ambre M. Torbett, AICP
Director Planning & Codes

mh



Sullivan County Planning & Codes Department
3425 Highway 126
Blountville TN 37617
Phone: 423-323-6440
Email: permits@sullivancountyttn.gov

Residential Accessory Structures - Compliance Affidavit

I *Rick Hurley* do hereby certify this residential accessory structure meets all of the technical requirements of the Sullivan County Zoning Resolution and that it shall not be constructed or designed to be used as an illegal commercial business or another residential dwelling now or in the future.

STATE OF TENNESSEE
SULLIVAN COUNTY:

Personally appeared before me, a Notary Public for the said state and county,
Rick Hurley, who affirmed the information and executed the instrument hereinabove for the property contained therein.

This the 15 day of August, 2022

Heather J Boyd My Commission Expires: 8-31-2025
Notary Public



Ambre Torbett

From: Heather Moore <hmoore@bristoltn.org>
Sent: Wednesday, August 17, 2022 12:17 PM
To: Ambre Torbett
Subject: Bristol Planning Commission recommendation - 2644 Highway 421 rezoning from R-1 to A-5
Attachments: Staff review packet Bristol PC meeting 8.15.22.pdf

Ambre, good afternoon. On August 15, 2022, Bristol Municipal Regional Planning Commission voted unanimously (seven) to send a favorable recommendation to Sullivan County Commission on the proposed 2644 Highway 421 rezoning from R-1 to A-5. The staff review is attached.

Please let me know if you have any questions.

Regards,

Heather Moore, AICP
Land Use Planner, City of Bristol, Tennessee
104 8th Street, Bristol, TN 37620
hmoore@bristoltn.org <mailto:hmoore@bristoltn.org>
Office: 423-989-5549
Fax: 423-989-5717

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REPORT TO THE PLANNING COMMISSION
COUNTY REZONING RECOMMENDATION
Case# RZZ22-599



Request: Rezoning Recommendation within the Urban Growth Boundary from R-1 to A-5

Applicants/Owners: Ricky and Cheryl Hurley

Location: 2644 Highway 421
(Urban Growth Boundary)

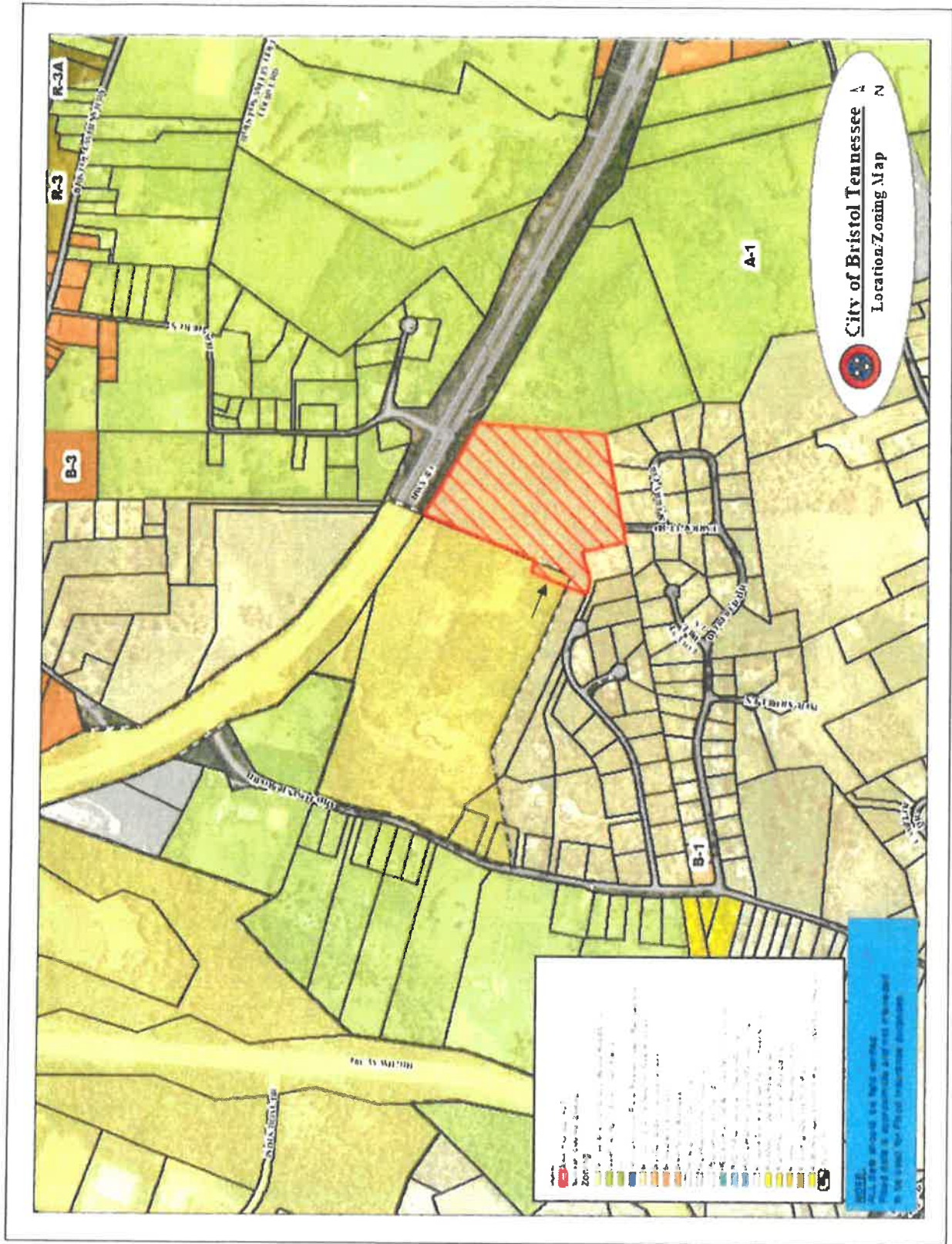
Tax ID: Tax Map 54, Part of Parcel 102.00

Zoning: R-1 (Low Density/Single-Family Residential District) to
A-5 (Agricultural/Large Tract Residential District) to

Background

Ricky and Cheryl Hurley have requested that their property, located on Highway 421 in Sullivan County, Tennessee, be rezoned from R-1 (Low Density/Single-Family Residential District) to A-5 (Agricultural/Large Tract Residential) District). The property is used residentially. The purpose of the rezoning request as stated on the rezoning application is "For a larger accessory structure".

On the next pages you will find a location and zoning map of the subject parcel along with images of the property.





2644 Highway 421, from Booher Lane right-of-way



2644 Highway 421 rear, taken from end of Farragut Road

Specifications

General:

The approximately 20.84 acre-sized land fronts on Highway 421. Farragut Road dead ends into the rear property line. Most of the property, 20.36 acres, is located in the county, with 0.48 acres inside the southeastern portion of the city. The portion of the property proposed for rezoning is not located within in the city. The subject site slopes downwards from north to south. The following map includes contour lines at 20-foot intervals. None of the property lies in a Special Flood Hazard Area.



Public Works reviewed the site, and commented that the property is not currently served by City water or sewer utilities. The property lies within the South Fork Utility District. South Fork staff confirmed via email that water service is available for this location.

Zoning and Land Use:

The subject parcel is split-zoned and the majority is zoned Sullivan County R-1. The part inside the city is zoned PBD. The zoning of the parcels surrounding the subject property and existing land uses are shown in the table below.

	Existing Zoning	Existing Land Use
Subject Properties	Sullivan County, R-1 (<i>Low Density/Single-Family Subdivision</i>) and Bristol PBD (<i>Planned Business District</i>)	Residential – Single-family
North	Sullivan County, A-1 (<i>Rural Residential</i>)	Across Highway 421, Residential – Single-family
South	End of Farragut Road, R-1 (<i>Low Density/Single-Family Subdivision</i>)	Residential – Single-family
East	Sullivan County, A-1 (<i>Rural Residential</i>)	Residential – Single-family
West	Bristol, PBD (<i>Planned Business District</i>) and Sullivan County, R-1 (<i>Low Density/Single-Family Subdivision</i>)	Medical offices

The land immediately to the west of the site is in Bristol city limits, zoned PBD. Bristol’s urban growth area includes properties to the north, east, southwest, and south of the subject site. Adjacent properties in Sullivan County are used residentially (single-family) and have R-1 and A-1 zoning.

Analysis:

Staff analyzed the Sullivan County Zoning Resolution. The uses allowed in the Sullivan County A-5 district are similar to those of Bristol’s R-1A (Low Density Single Family Residential District). The main or primary use in Sullivan County A-5 District is low density single-family residential. The single-family residential use exists on the site and is adjacent to the site, but the A-5 District is not adjacent or in close proximity. The A-5 District’s list of allowed uses is similar to that of the Sullivan County R-1 district.

Staff also looked at Sullivan County bulk standards. The A-5 minimum lot size is 5 acres, which is larger than the R-1 district’s minimum lot size requirement of 1 acre.

Setbacks in Sullivan County A-5 are 30 feet on all sides.

Setbacks for R-1 are:

	<u>R-1</u>
Front –	30 feet
Rear –	30 feet
Sides –	12 feet

In Sullivan County regulations for detached residential accessory structures, the maximum allowable square footage for detached accessory buildings in R-1 is 1,200 square feet, and 3,000 square feet in A-5, which is greater.

Minimum lot size, setbacks, and maximum allowable square footage for detached residential accessory structures are greater in the A-5 district than in the R-1 district. An additional 18 feet of buildable area on both sides of each lot would be allowed for building area in the R-1 zone.

The bulk standards comparison of requirements in the different zones shows that the request can be considered an act of “downzoning” from a bulk standards perspective. Dimensional lot size requirements for general development in the A-5 district are more restrictive than in the R-1 district, requiring more space for development. The allowed uses include a similar list in both districts.

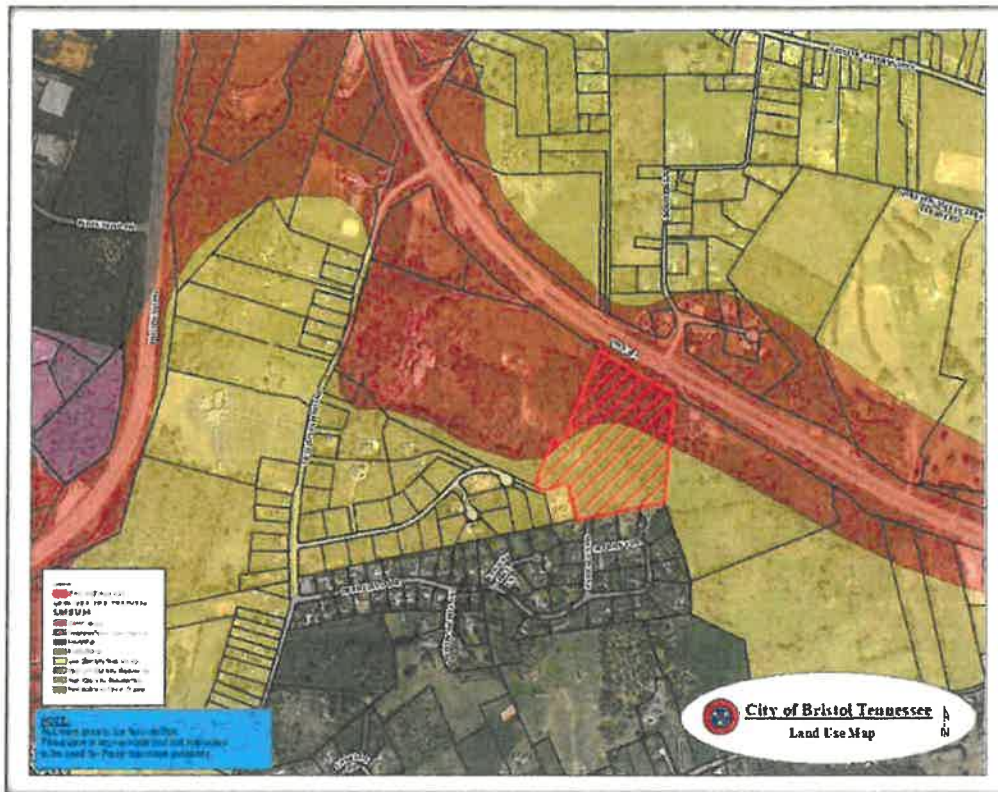
The A-5 district is not adjacent to the parcel, or in close proximity. This suggests spot zoning. Rezoning the property to A-5 would benefit the owner, who stated his interest in residential accessory structures standards that allow for larger square footage. Zoning the parcel to A-5 would not appear to benefit any additional party.

The A-5 District is one of the newer zoning districts to be created in Sullivan County. The district’s purpose is to preserve small working farm tracts and low-density residential.

Land Use Plan and Policy:

The Land Use Map indicates that the north portion of the site will be developed commercially and the southern portion will develop as low density residential, as shown below. In areas of transition (areas where land use categories meet), all of the converging land uses should be given due consideration in context with the policies of the plan. The Land Use Plan and Policy is to be utilized in a way that contributes to community health, safety, and quality of life. It is not intended to be a parcel-by-parcel directive for the specific use of each property in the City and its surrounding grown area, but to serve as a general policy

guide for the future development of that area. The property once rezoned would be designed to be developed in a residential and open space nature. Staff feels that the requested rezoning agrees with the Land Use Map.



Staff Recommendation:

Staff recommends the Bristol Tennessee Municipal Regional Planning Commission send a favorable recommendation to the Sullivan County Commission of this request, because:

- The A-5 District is a new zoning classification in Sullivan County.
- Adjacent property is agriculturally zoned along Highway 421.
- The property is a large tract, exceeding the minimum lot size requirements and matching the purpose of the District.
- It agrees with the Bristol Land Use Map.
- The “downzoning” nature of the rezoning to A-5.


Heather Moore, AICP
Land Use Planner

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 Regional Planning Commission for recommendation to the Sullivan County Board of Commissioners.

Date: 7-12-22

Property Owner: Kurt Blanken

Address: 972 Deerlick Rd. Piney Flats, TN 37686 2829 Hwy 126 Blountville TN 37617

Phone number: 423-782-9401 Email: KBlanken88@gmail.com

Property Identification

Tax Map: 122 Group: Parcel: 026.10
Zoning Map: Zoning District: A-1 Proposed District: R-1 Civil District: 20th
Property Location: 972 Deerlick Rd. Piney Flats, TN 37686 Commission District: 5th
Purpose of Rezoning: Home build

Meetings

Planning Commission:

Place: Historic Courthouse, 2nd Floor, 3411 Hwy 126 Blountville TN

Date: 8-16-2022 Time: 6 PM

Approved: _____ Denied: _____

County Commission:

Place: Historic Courthouse 2nd Floor Commission Chambers!3411 Highway 126!Blountville, TN

Date: 9-15-2022 Time: 6:00 PM

Approved: Approved 23 Yes, 1 Absent Denied: _____

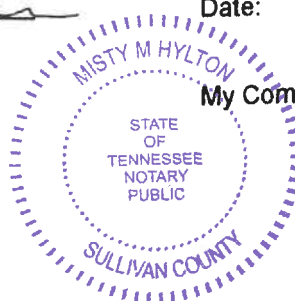
DEED RESTRICTIONS

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: Kurt Blanken

Date: 7-12-22

Notary Public: Misty M Hylton



My Commission Expires: May 22, 2023

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

** The chairman read the opening statement regarding the rezoning process and confirmed the meeting time for the final public hearing set for September 15, 2022 at 6:00 during the County Commission meeting.*

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

FINDINGS OF FACT –

Applicants:	Kurt Blanken (formerly Booher Lot)
Representative:	same
Location:	972 Deerlick Road, Piney Flats
Mailing Address of Owners:	2829 Hwy 126, Blountville
Civil district of rezoning:	20th
Commission District:	5th
Parcel ID:	Tax Map 122
Subdivision of Record:	Resubdivision of the Rusek Property
PC1101 Growth Boundary:	Sullivan County Rural Area
Utility District:	Blountville Utility District
Public Sewer:	n/a
Lot/Tract Acreage:	1.6 acres +/-
Zoning:	A-1 (General Agricultural)
Surrounding Zoning:	A-1
Requested Zoning:	R-1 (Single-Family Residential)
Existing Land Use:	One small residence and wooded site
Surrounding Land Uses:	Single Family Residential
2006 Land Use Plan:	Low Density Residential/General Agricultural

Neighborhood Opposition: **yes, several neighbors called voicing concerns over this rezoning request due to narrow county road, rural area and steep land.**

Staff Field Notes and Findings of Facts:

- The owners are requesting the rezoning of their property from A-1 to R-1 so that it can be divided in half to accommodate another house site.
- This area is very wooded with steep banks along the dead-end road of the existing Deerlick Road. While Deerlick Road is maintained by the county, the county only has about a 30-foot prescriptive easement and there is not a practical way of widening the road to accommodate more driveway connections or more development.
- The other side of the roadway drops off into Boone Lake and the TVA flowage easement, thus future preventing any roadway improvements.
- Blountville public water line stops at the beginning of this parcel and becomes a private water line extension to the last remaining existing tracts of land. Any further division of property along this end of the road would require the landowner to upgrade the public water line as each new dwelling should be connected to the public water source if located in a public utility area. In addition, where public water infrastructure is not provided to any future division of land, then the minimum lot size area shall remain one acre per county zoning regulations.
- Due to the steep topography, limitation for roadway widening and limited public water connections, staff recommends against rezoning this property from A-1 to R-1. The owner can obtain a building permit to remodel the existing dwelling on the property but division of property to support a second dwelling would not be recommended.

Meeting Notes at Planning Commission:

- *Staff presented her findings and pictures of property.*
- *The chair called for anyone wanting to address the board in favor of the request. Mr. Kurt Blanken addressed the commission and explained that he wanted to divide the property for a ½ acre lot so that his parents could build a*

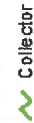
second home on the property. Currently there is a small dwelling on site that they have been remodeling. They live in town, but this property is their vacation home.

- *The chair called for anyone wanting to address the commission speaking against this rezoning request. Several neighbors were in attendance who opposed the request.*
- *Cheryl Sizemore of 965 Deerlick Road distributed copies of a letter of opposition written by her neighbor, Dan and Carol Summitt, who could not be present. She also provided pictures of Deerlick Road. She explained that during the logging of the Blanken property, a log fell on Mr. Summitt's property, and several logging trucks were parked in her driveway. She explained that they have no internet to the property and no garbage service. She stated there was not room for garbage trucks to turn around on this section of the dead-end area of Deerlick Road. She explained that the county highway department has trouble clearing the road in the winter, so her husband scrapes the road so other neighbors can get out.*
- *Phil Sharfstein was present and stated that his family has owned properties in this area since the 1950s. He agreed with the comments from Mrs. Sizemore and stated he had concerns over the very tight one-lane road with no turn-around. He was opposed to more houses, and lots being created on this road, and if approved it would set a precedent for more.*
- *Michael Shahbazi was present speaking on behalf of his parents who live on the end of the road at 988 Deerlick Road. They were full-time residents as are everyone else speaking tonight in opposition as their properties are their primary dwellings. He wants Mr. Blanken to be able to enjoy his property and welcomes him as a new neighbor, however he did not see how R-1 was appropriate to the area.*
- *Dr. Webb, chair, stated these were all good discussion points and called for any more questions or comments.*
- *Linda Brittenham stated that while this was a very tough decision, she made a motion to forward an unfavorable recommendation on to the County Commission for this request.*
- *John Moody recused himself from the discussion and voting as he was the agent on the property.*
- *Calvin Clifton seconded the motion and the vote against the rezoning request passed unanimously.*

Address Data Source:
 Sullivan County, Sul Co 911
 Kingston, TN GIS
 Johnson Cr. - JC GIS
 Bristol, Bristol 911

Notice:

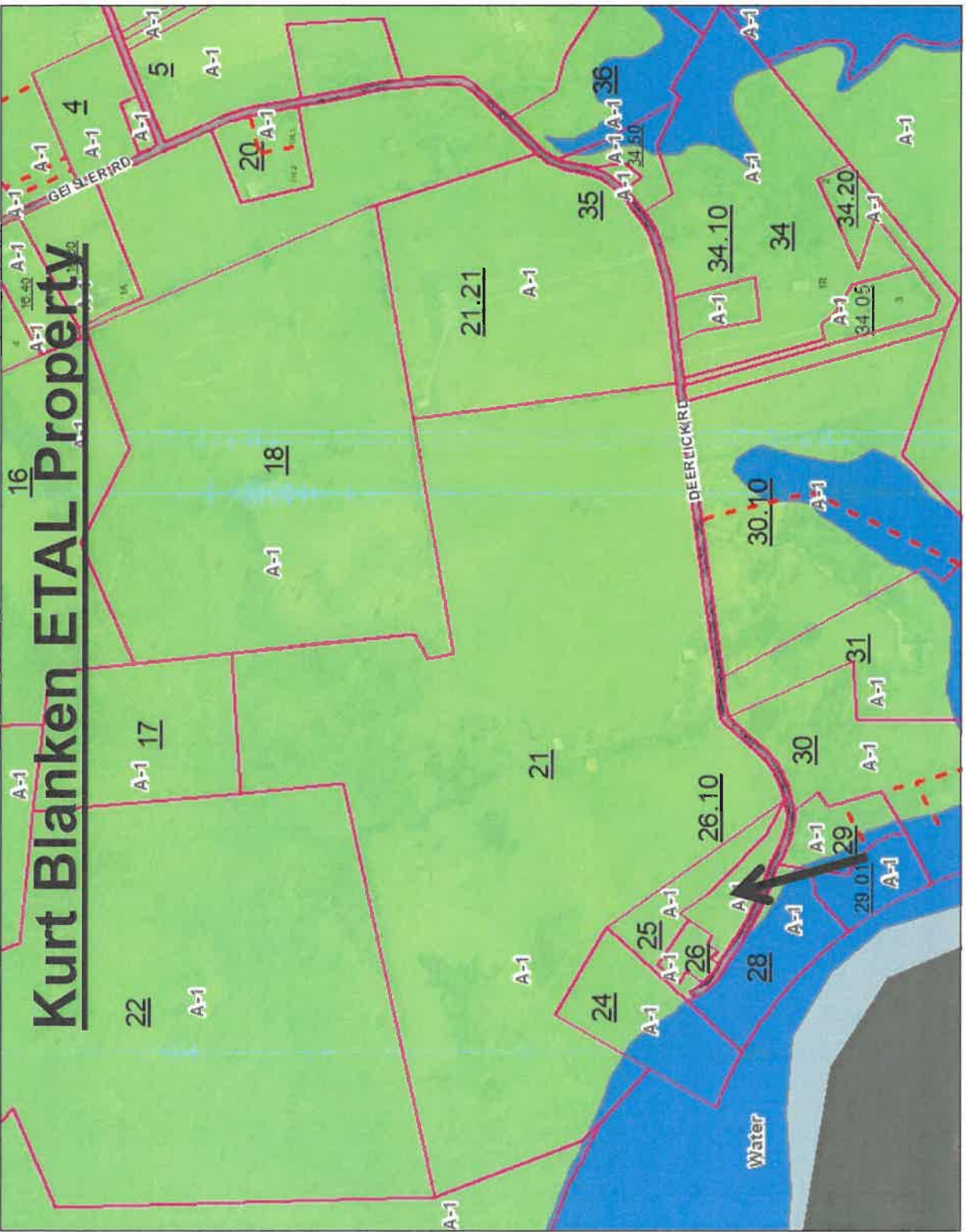
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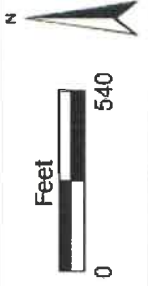
Sullivan County Zoning

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- PBD/SC
- PM D-1
- PM D-2
- R-1
- R-2
- R-2A
- R-3
- R-3A
- R-3B
- Water

2019 - Aerial Image



Kurt Blanken ETAL Property



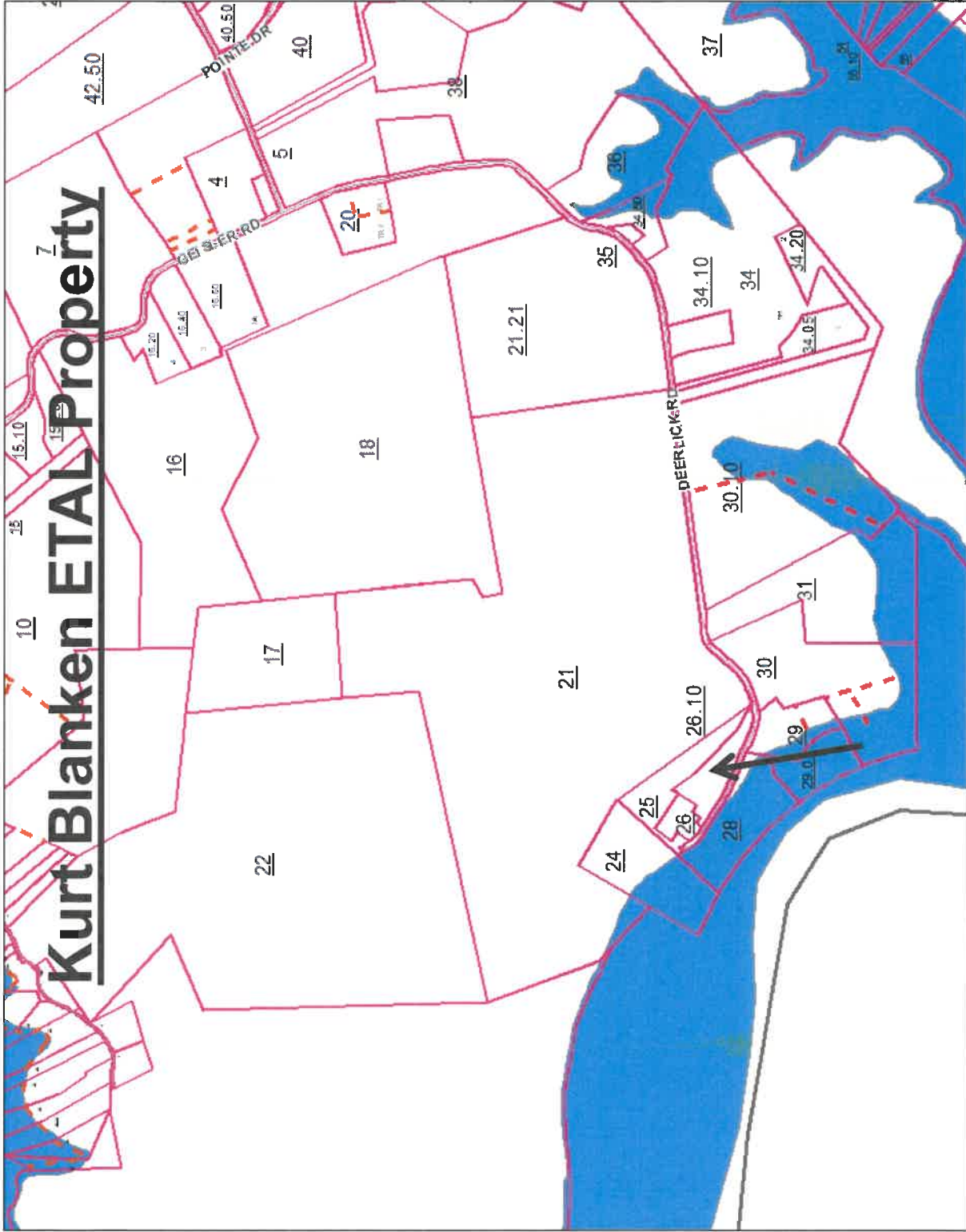
File of Inheritance Public Map of 08/01/2007

- Parcel
- Water
- Highway
- Boundary Line

Sullivan County, TN
 Planning and Codes Dept.







Kurt Blanken ETAL Property



Address Data Source:
 Sullivan County, Soil Co 911
 Kingsport, Knt GIS
 Johnson City, JC GIS
 Bristol, Bristol 911

Notice:

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-  Lot Lines
-  Thoroughfares
-  Artesian
-  Collector



Flood Insurance Rate Map (FIRM) 2007

Flood Hazard
 Flood Hazard
 Flood Hazard
 Flood Hazard
 Flood Hazard

Sullivan County, TN
 Planning and Codes Dept.







Address Data Source:

Sullivan County, Soil Co 911
Kingport, Kar GIS
Johnson City, JC GIS
Bristol, Bristol 911

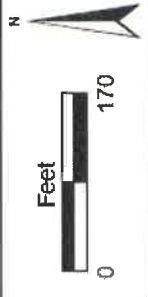
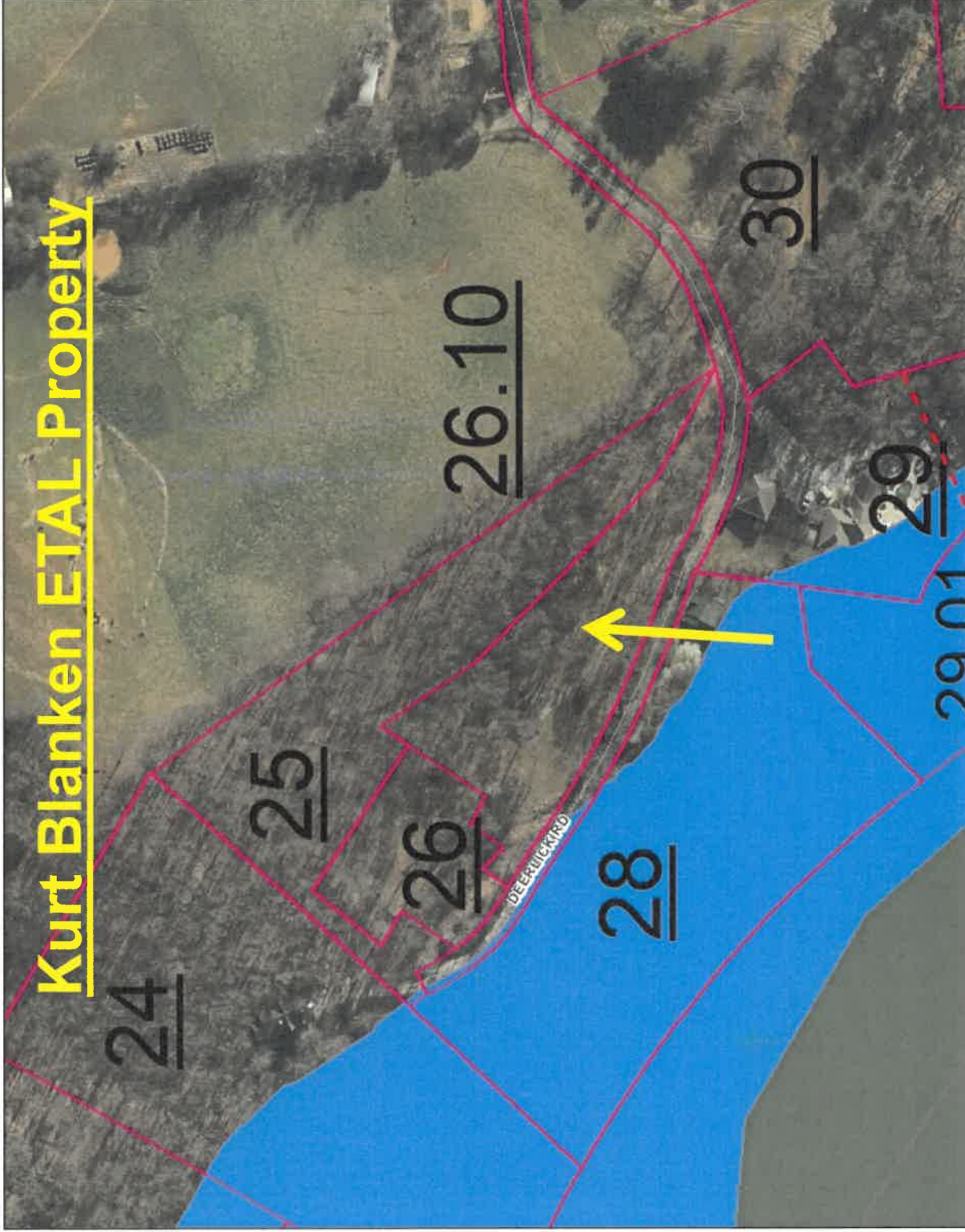
Notice:

A tax map has no legal standing 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.

-  Lot Lines
-  Thoroughfares
-  Arterial
-  Collector

2019 - Aerial Image

Kurt Blanken ETAL Property




Sullivan County, TN
Planning and Codes Dept.

Address Data Source:
 Sullivan County, Sul. Co 911
 Kingsport, Kart GIS
 Johnson City, JC GIS
 Bristol, Bristol 911

Notice:
 A tax map has no legal standing other than the assessment of taxes. It cannot be used to establish boundary lines or transfer and convey property. A final plat must be recorded to establish boundaries. The accuracy of this map should be retained for all questions of boundaries or location of lot lines.

Collector

Sullivan County Zoning

- A-1
- A-2
- A-5
- AR
- B-1
- B-2
- B-3
- B-4
- M-1
- M-2
- PBD-3
- PBD/SC
- PMD-1
- PMD-2
- R-1
- R-2
- R-2A
- R-3
- R-3A
- R-3B
- Water

2019 - Aerial Image

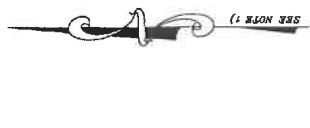


Kurt Blanken ETAL Property

Flood Inference Rule Map (FRM) 2007

1 Flood Inference Rule Map (FRM) 2007
 2 Zone 4 - Severe Flood Hazard
 3 Zone 3 - Moderate Flood Hazard
 4 Zone 2 - Minimal Flood Hazard
 5 Zone 1 - No Flood Hazard

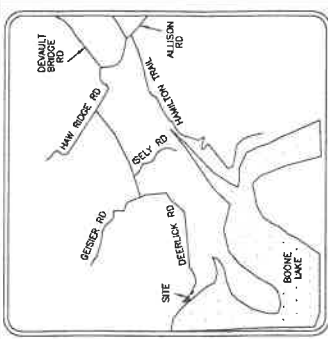
Sullivan County, TN
 Planning and Codes Dept.



LEGEND

- AC ACRES
- IR(O) IRON ROD, OLD
- IR(C) IRON ROD, CAP
- N.S. NORTH SIDE
- D.B. DEED BOOK
- P.C. PARCEL
- PC PARCEL HOOK

- 1) NORTH BASED ON PRIOR REFERENCED PLAT.
- 2) PROPERTY IS ZONED FRONT 30' REAR 30' SIDE 17'
- 3) THIS IS TO CERTIFY THAT THE FEDERAL FLOOD INSURANCE ADMINISTRATION BOUNDARY MAP 4716 X00270D EFFECTIVE DATE SEPTEMBER 29, 2006 AND FOUND THAT THE ABOVE PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA BELOW THE 1980 CONTOUR.
- 4) A.G.A. FILE #20-11937 SUBMITTING
- 5) TAX MAP 122, PARCEL 28
- 6) 5/8" IRON RODS WITH ALLEY & ASSOCIATES CAP ON ALL CORNERS UNLESS OTHERWISE NOTED.
- 7) I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND THIS SURVEY WAS DONE IN COMPLIANCE WITH CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE.
- 8) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT TITLE OR RECORDS OF THE PUBLIC RECORDS OF THE COUNTY OF SULLIVAN.
- 9) THIS SURVEY MAY BE SUBJECT TO ALL RIGHT-OF-WAYS, EASEMENTS, RESERVATIONS AND RESTRICTIONS, WRITTEN AND UNWRITTEN, RECORDED AND UNRECORDED.
- 10) PRIOR PLAT REFERENCE: PLAT BOOK 53, PAGE 622
- 11) PARCELS AND LOTS ARE NOT SEPARATE BUILDING SITES AND ARE FOR PARCEL ACCESS.
- 12) BOUNDARY SHOWN FOR LOT 4 IS PLOTTED FROM SURVEY BY JONATHAN WAYNE WILUS DATED JULY 14, 2016, TITLE JOE & ALICE RUSEK PROPERTY AND DOES NOT REPRESENT A CURRENT SURVEY.



LOCATION MAP
N.T.S.

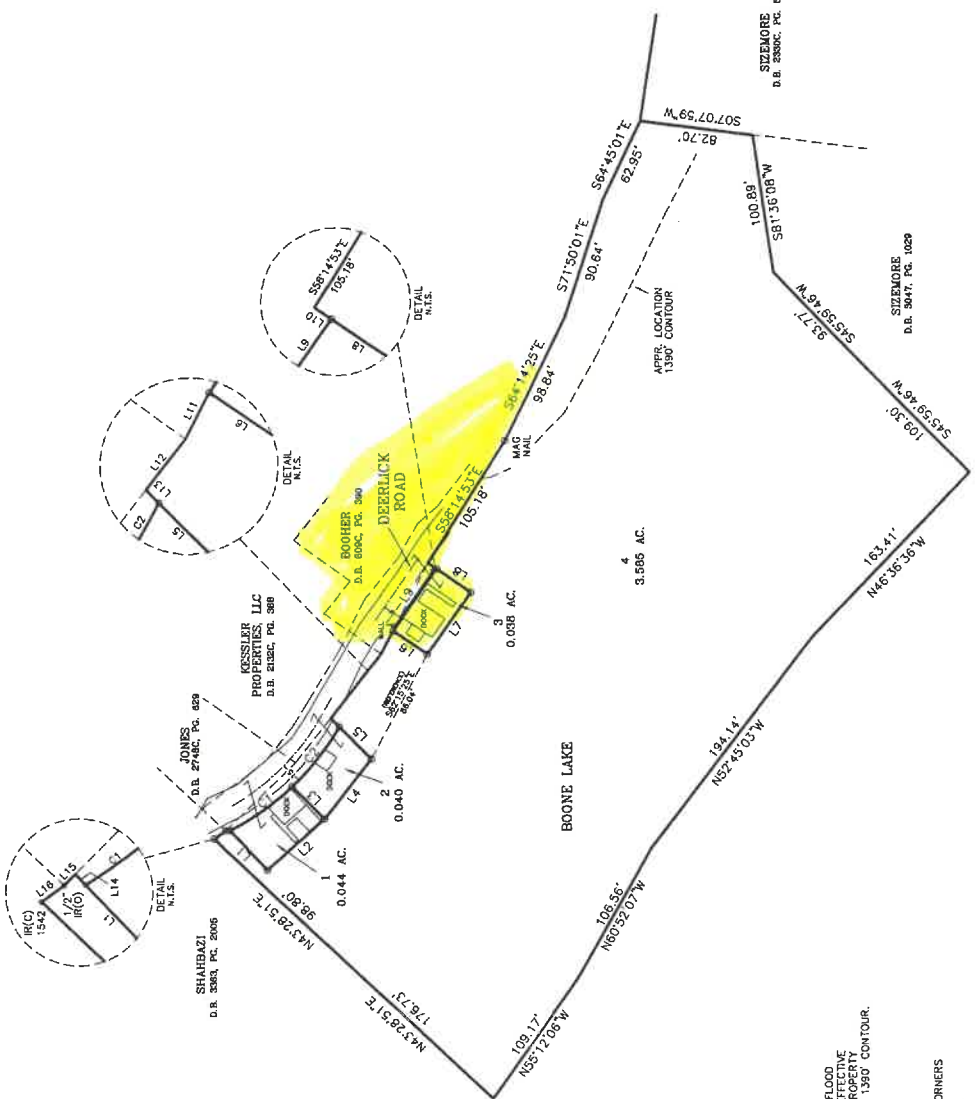
Slide A-1440
11/10/2020 12:30:09 PM
200226558
LSEAL-54
PLAT BOOK 54
PAGE: 344-344

REF. FEE	15.00
PRINT FEE	2.00
SCALE	1.00
TOTAL	17.00

STATE OF TENNESSEE
SULLIVAN COUNTY
SHERIFF DONALD DANLEY

LINE	BEARING	DISTANCE
L1	N46°42'58"E	39.21'
L2	N42°25'35"W	55.00'
L3	S45°35'40"W	33.00'
L4	N52°33'14"W	55.00'
L5	S45°15'22"W	33.00'
L6	S34°26'27"W	30.00'
L7	S55°33'33"E	55.00'
L8	N34°26'27"E	30.00'
L9	N55°33'33"W	55.00'
L10	N34°26'27"E	7.33'
L11	S62°59'26"E	18.97'
L12	S52°24'53"E	18.97'
L13	S45°15'22"W	18.73'
L14	N46°42'58"E	12.10'
L15	S44°59'46"E	12.35'
L16	S36°30'36"E	110.19'

CURVE	RADIUS	LENGTH	CHORD
C1	186.98	155.00	S35°54'27"E 54.80
C2	186.98	155.00	S52°34'56"E 94.81



ALLEY & ASSOCIATES, INC.
SURVEYORS
248 E. WARDEN STREET
KNOXVILLE, TENNESSEE 37900
TELEPHONE (423) 382-8686
FAX (423) 382-8686
E-MAIL: info@alleyandassociates.com



No new lots

RESUBDIVISION OF RUSEK PROPERTY	
SULLIVAN COUNTY PLANNING COMMISSION	
TOTAL ACRES	3.707
TOTAL LOTS	4
ACRES NEW ROAD	0
MILES NEW ROAD	0
OWNER	SHARBAZI, LINDA
SURVEYOR	ALLEY & ASSOCIATES, INC.
CIVIL DISTRICT	20TH
SCALE	1" = 60'
CLOSURE ERROR	1:10,000
PLAT	54
BOOK	54
PAGE	344

CERTIFICATE OF APPROVAL FOR RECORDING
I HEREBY CERTIFY THAT THE SUBDIVISION PLAN SHOWN HEREON IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE PLANNING COMMISSION AND THAT I HAVE BEEN APPROVED FOR RECORDING. A SURVEY BEING MADE IN THE AMOUNT OF THE COUNTY PLANNING COMMISSION TO ASSURE COMPLIANCE OF ALL REQUIRED REQUIREMENTS IN ACCORDANCE WITH THE PLANNING COMMISSION.

DATE: 11/10/20
BY: [Signature]

CERTIFICATE OF THE APPROVAL OF STREETS
I HEREBY CERTIFY: I HAVE REVIEWED THE PLAN SHOWN AND THE STREETS HAVE BEEN LAYED OUT IN AN ACCEPTABLE MANNER AND THAT THE STREETS WILL BE OPEN TO THE PUBLIC AND THAT THE PLANNING COMMISSION HAS REVIEWED THE PLAN AND APPROVED THE STREETS FOR RECORDING. I HAVE REVIEWED THE PLAN AND APPROVED THE STREETS FOR RECORDING.

DATE: 11/10/20
BY: [Signature]

CERTIFICATE OF OWNERSHIP AND LOCATION
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN AND THAT I HAVE BEEN APPROVED FOR RECORDING. I HAVE REVIEWED THE PLAN AND APPROVED THE STREETS FOR RECORDING. I HAVE REVIEWED THE PLAN AND APPROVED THE STREETS FOR RECORDING.

DATE: 11/10/20
BY: [Signature]



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

July 25, 2022

Dear Property Owner:

Please be advised Kurt Blanken, ETAL has applied to Sullivan County to rezone property located at 972 Deerlick 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 August 16, 2022

County Commission – 6:00 PM on September 15, 2022

Both meetings are held in the Old Historic Sullivan County Courthouse, 2nd 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,

A handwritten signature in blue ink, appearing to read "A. Torbett".

Ambre M. Torbett, AICP
Director Planning & Codes

mh

Misty

From: K Blanken <kblanken88@gmail.com>
Sent: Tuesday, July 26, 2022 7:20 PM
To: Ambre Torbett
Cc: Misty; james.montgomery
Subject: Re: 972 Deerlick Road - rezoning request review

Hey Ambre,

I saw that you put the sign up. I also noticed that the neighbor already called lol.

1. You placed the sign on the lower portion of the property.

972, according to GPS, takes you to the dock that is a deeded portion of the property. The property technically starts at the bend of the road you passed and there is a gravel driveway with an iron gate on the right you passed on the way there. Where you placed the sign is technically my property, but I can put it more centrally located if I need to move it. The property comes to a point, I'm attaching a map and where you put the sign for your reference.

2. You probably were looking at the neighboring property that's overgrown. My property has a very small green painted cinderblock structure on it, and that's the only structure on the property.

3. My primary home address is 2829 Highway 126, Blountville, TN 37617. I thought I put it on the form, but after checking, I did not. Sorry about that.

4. My property is 1.6 acres. I went in on the property with my parents and they would like to build a roughly 1,000 sq foot house on the property. However, based on my understanding, there cannot be two septic tanks on one property in Sullivan county. Since it's zoned A-1 currently, we cannot subdivide the property if it's less than 1 Acre. Thus the reason for wanting it zoned R-1, so that they we are able to subdivide the 1.6 acres to allow them to have a separate lot for septic and placing a small structure.

5. The only development out there would be one 1,000 sq ft structure on a portion of the 1.6 acres, Not a neighborhood or multiple homes.

Side note, that road would be easier to navigate if the neighbors would stop building fences 1 inch from the road. Lol

Below, you will see the property lines in red, the placement of the sign in blue, and the proposed placement of the structure after zoning. (Placement might be altered a bit based on survey and septic layout, but that's a rough layout so you can see what I'm referring too).

Hopefully this helps.

Please feel free to contact me on here or cell if you have any questions.

Kurt Blanken

On Jul 26, 2022, at 4:42 PM, Ambre Torbett <planning@sullivancountytn.gov> wrote:

Good afternoon Mr. Blanken,

I went to inspect your property at 972 Deerlick Road and had some troubles:

1. The rezoning sign had not been put up identifying the location, so I brought one with me and put it up near what I thought was your property. Could you please verify that I put it up at the proper driveway;
2. This property is very steep and it looks to have two structures on the property. Can you please explain what those structures are and if you live on the property yet. Seemed very overgrown, no mail box and no signs of anyone living on site.
3. If you live somewhere else right now, we need to know your home address and mailing address, not just the physical location of the rezoning request;
4. I am also concerned that your request would be a spot zoning as everything out on the end of Deerlick Road are large tracks zoned A-1.
5. I do not believe I can support a spot zoning to R-1 that would foster more development on this road without the proper engineering and construction of improvements that would come from a full subdivision development plan. Chopping up lots along this existing county rural road, would not be good land planning.

Again, please confirm the following questions and make sure I put your rezoning sign up on the correct parcel. Thank you so very much,

Ambre M. Torbett, AICP

Director of Planning & Community Development

Sullivan County Planning & Codes Dept.

3425 Hwy. 126 | Historic Snow House

Blountville, TN 37617

423 | 279.2603 (desk)

423 | 323.6440 (main)

www.sullivancountytn.gov

Ambre Torbett

From: Daniel Summitt <dsummitt@glnd.k12.va.us>
Sent: Tuesday, August 16, 2022 4:28 PM
To: Ambre Torbett; mayor@sullivancountyttn.gov; dwight.king@sullivancountyttn.gov
Cc: markbsizemore@gmail.com; harea25@yahoo.com
Subject: Deerlick Road Property rezoning

To whom it may be concerned,

We are the property owners of 969 Deerlick Road, Piney Flats, TN. This property has been in my family since 1997. We have had the pleasure of enjoying it's beauty and serenity for many years and hope to for many more.

We are writing to express our strong opposition to the requested rezoning of 972 Deerlick Road from A1 classification to R1. All neighboring residents and property owners that we have spoken with are completely opposed to the rezoning of the said property. Changing the status would enable the current owners to subdivide the property and build another dwelling to be used for either a permanent residence, a temporary residence, or a vacation rental. This would be even more damaging to our area by destroying local wildlife habitat, bring more litter to area, and cause traffic and safety problems.

The public road that serves all of the property owners is at best a single lane road that cannot accommodate more traffic. It is also a dead end road with no clear spot for anyone to even turn a vehicle around. The road has already been damaged by a contractor who cut many trees down on the property in the past. This road is also subject to run-off from said property, the erosion of the embankment and the widened driveway washing into the road and onto my property is a problem almost every time it rains. Many of the property owners and nearby residents also walk the road during the day, more traffic from visitors and additional "residents" would create more damage to the road and also heighten the chance of a pedestrian being injured.

Since many trees were cut and the driveway widened wildlife habitat has been diminished, no longer is there a forested area for our beautiful wildlife to enjoy. This part of the county that borders the lake does not need more development, let's keep it it as rural as we can and protect our wildlife.

We do not have public sewage service on this road, all residents have a septic system. The current lay of the land would possibly not be adequate to accommodate another system. Perhaps in the event of one failing the runoff would contaminate my property and perhaps the lake as the runoff continues to the lowest point.

Rezoning this property would open the door to perhaps others wanting to do the same, creating unnecessary strains on the Blountville Utility District, the Sullivan County Highway Department, Brightridge utilities and the residents of Sullivan County District 5(A), specifically residents on Hawridge and Deerlick Roads.

We urge you to disapprove the requested rezoning. I know my opinions are shared by many others who have not managed to attend the meeting or write a message. If you would like to discuss this matter with us, please do not hesitate to contact us.

Sincerely,

Dan and Carol Summitt
969 Deerlick Road
Piney Flats, TN

804-512-2384

received
8-16-2022
at Planning
Committee
meeting

To whom it may be concerned,

We are the property owners of 969 Deerlick Road, Piney Flats, TN. This property has been in my family since 1997. We have had the pleasure of enjoying it's beauty and serenity for many years and hope to for many more.

We are writing to express our strong opposition to the requested rezoning of 972 Deerlick Road from A1 classification to R1. All neighboring residents and property owners that we have spoken with are completely opposed to the rezoning of the said property. Changing the status would enable the current owners to subdivide the property and build another dwelling to be used for either a permanent residence, a temporary residence, or a vacation rental. This would be even more damaging to our area by destroying local wildlife habitat, bring more litter to area, and cause traffic and safety problems.

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Sincerely,

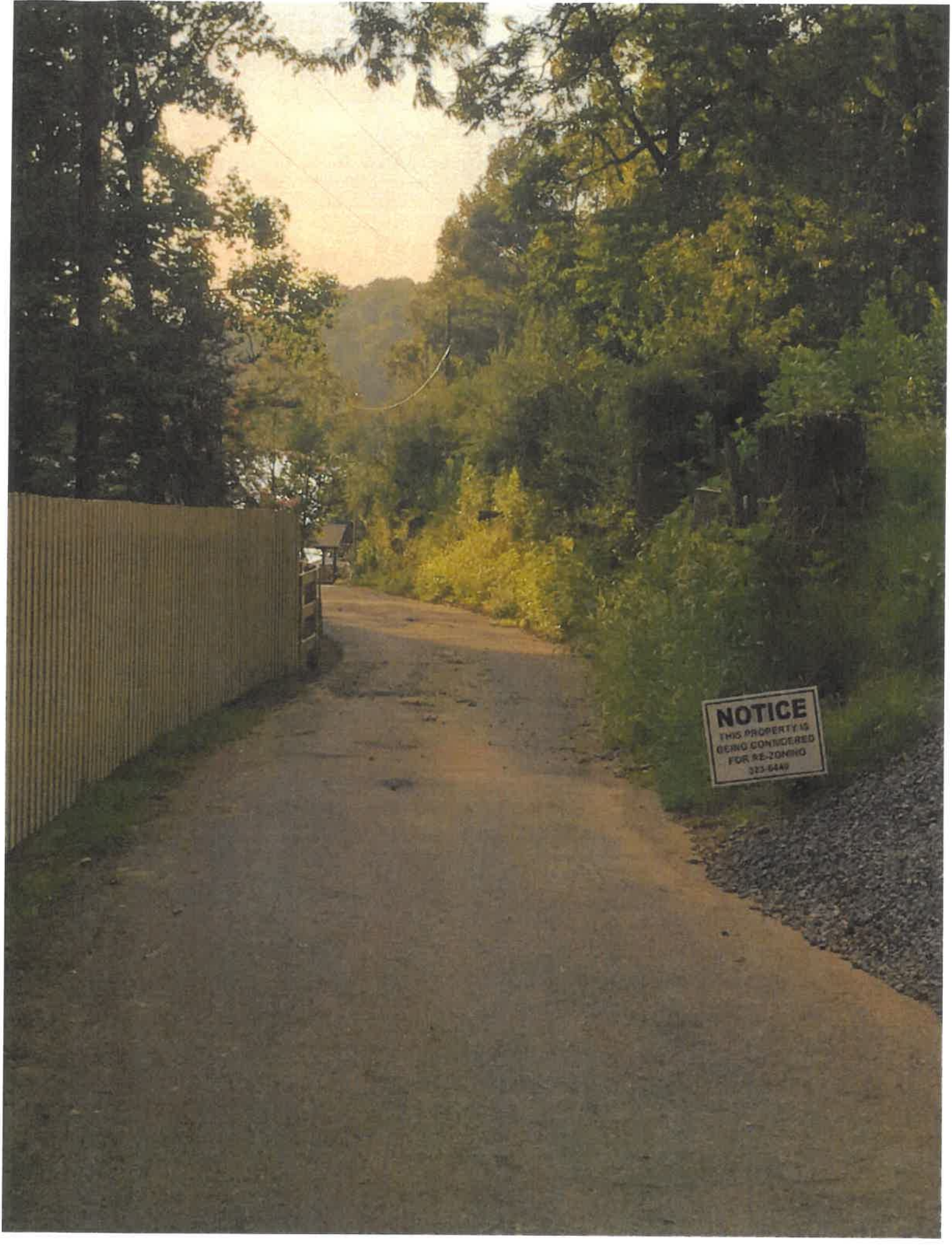
Dan and Carol Summitt
969 Deerlick Road
Piney Flats, TN

804-512-2384

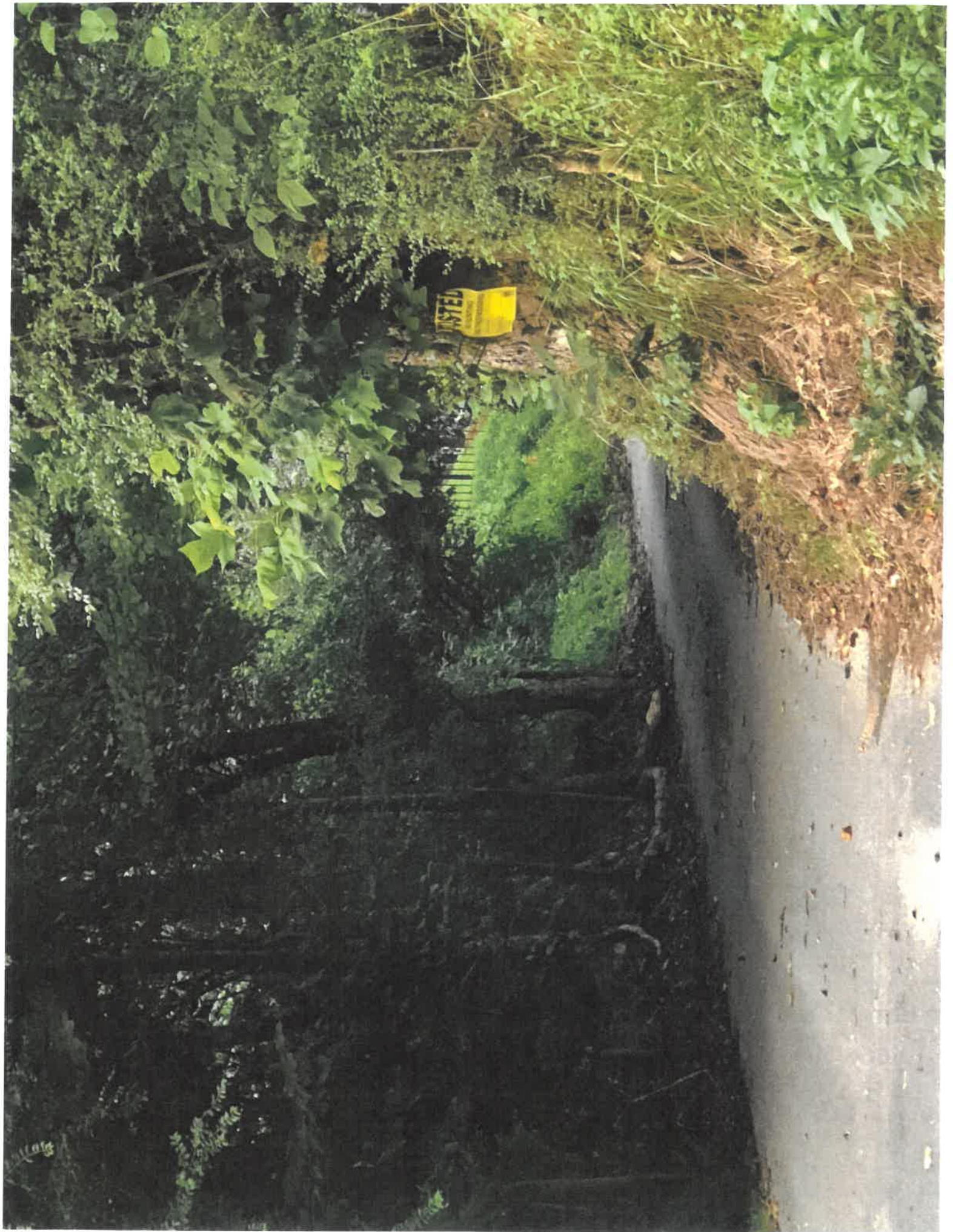


A photograph of a paved road ending abruptly. The road surface is dark asphalt with some white markings. To the right of the road, there is a dense thicket of tall green grasses and weeds. A wooden post is planted in the ground, supporting a white rectangular sign with a red border. The sign has red text that reads "DEAD END ROAD" on the top line and "NO TURNAROUND" on the bottom line. In the background, there is a dense line of green trees. Several yellow vertical posts are visible, some of which are connected by a thin wire, possibly a fence or utility line. The sky is overcast and grey.

DEAD END
ROAD
NO
TURNAROUND



NOTICE
THIS PROPERTY IS
BEING CONSIDERED
FOR RE-ZONING
323-6449







POSTED

GMC

YUKON



SULLIVAN COUNTY ZONING RESOLUTION

TEXT AMENDMENT PROCESS AND CHECKLIST:

Date: 7-11-2022

Article Reference (Pg #): 3-103.6 & 4-103.4 & 5-103.4

Existing Zoning Resolution Text:

Retaining walls vs. privacy walls

Proposed Zoning Resolution Text Amendment:

see report

Purpose and Need / Background Information: (Staff Report Attached)

to distinguish between privacy walls and retaining walls per IBC

Initiated by:

Planning Director per Building Official

Sullivan County Regional Planning Commission

Landowner/Developer

Review and Recommendation Timeline:

<u>Public Review</u>	<u>Date</u>	<u>Recommendation</u>	<u>Vote Tally</u>
Initial Discussion by SCRPC	<u>7-17-2022</u>	<u>yes</u>	
2 nd Review by SCRPC	<u>8-16-2022</u>	<u>amended yes</u>	
Bristol Staff	<u>yes</u>	<u>yes</u>	
Bristol Regional PC	<u>8-15-2022</u>	<u>yes</u>	
Kingsport Staff	<u>7-28-2022</u> <u>8-18-2022</u>	<u>yes</u>	
Kingsport Regional PC	<u>amended</u>	<u>yes</u>	
Public Notice	<u>✓ 8.21.22</u>	.	
County Commission Public Hearing	<u>9-15-2022</u>		
<i>If CC Denies/Remands back for further Study – repeat full public review process</i>			

PUBLIC NOTICE

The Sullivan County Mayor and Board of Commissioners shall hold a public hearing on Thursday, September 15, 2022 at 6:00PM within the Sullivan County Historic Courthouse located at 3411 Highway 126, Blountville, Tennessee 37617. The purpose of the Public Hearing is to hear and consider the adoption of the minor text amendments to the Sullivan County Zoning Resolution, articles: 3-103.6; 4-103.4 and 5-103.4 regarding the permitting and approval of privacy walls and retaining walls with respect to the International Building Code. A copy of the zoning text amendment can be viewed at the Sullivan County Planning & Codes Department located at 3425 Hwy 126, Blountville within the Historic Snow House. For questions or comments, the public can contact the Planning Director directly at 423.279.2603 or email her at planning@sullivancountyttn.gov. The Public Hearing is open to the general public.

3-103.6 Yard Regulations

2. Permitted Structures in Yards and Customary Residential Accessory Structures –

a. In Any Yard:

Retaining walls, or fences not exceeding eight (8) feet in height measured from finish grade level and not roofed or structurally part of a building.

Proposed - Privacy walls, or fences not exceeding eight (8) feet in height measured from finish grade level and not roofed or structurally part of a building.

4-103.4 Yard Regulations

1. Permitted Obstructions in Required Yards –

j. Walls or fences not exceeding six (6) feet in height measured from finish grade level at any point along the length of, and on any side of, such walls or fences, and not roofed or structurally part of a building.

Proposed – j. Privacy walls, or fences not exceeding six (6) feet in height measured from finish grade level and not roofed or structurally part of a building.

5-103.4 Yard Regulations

1. Permitted Obstructions in Required Yards –

p. Walls or fences not exceeding six (6) feet in height measured from finish grade level at any point along the length of, and on any side of, such walls or fences, and not roofed or structurally part of a building.

Proposed – p. Privacy walls, or fences not exceeding six (6 feet) in height measured from finish grade level and not roofed or structurally part of a building.

Sullivan County Planning & Codes Department



RETAINING WALLS

The purpose of this policy is to clarify when a building permit is required for the installation of a retaining wall.

DEFINITIONS:

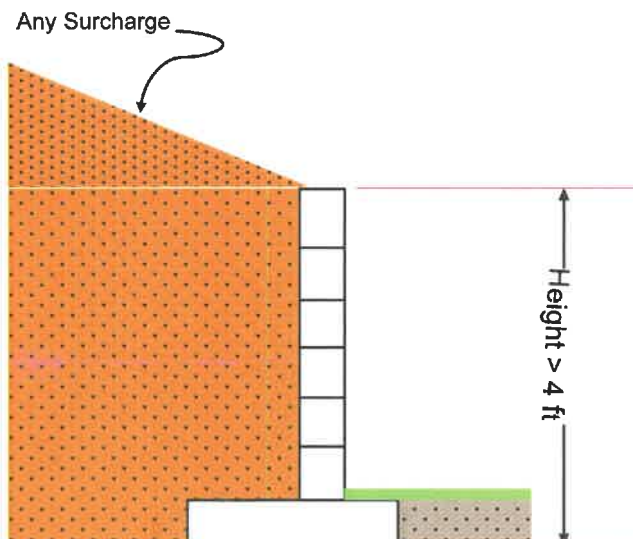
Retaining Wall: A wall designed to resist earth and/or fluid pressure, including any surcharge in accordance with acceptable engineering practices.

Surcharge: The vertical load imposed on retained soil that may impose a lateral force in addition to lateral earth pressure of retained soil. For example: Sloping retained soil; structure footings supported by the retained soil; adjacent vehicle loads supported by retained soil.

Retaining Wall Height: The vertical distance measured from the bottom of the footing to the finish grade at the top of the wall (i.e. upper grade).

Exposed Wall Height: The vertical distance measured from the finish grade at the bottom of the wall (i.e. lower soil grade) to the foundation grade at the top of the wall (i.e. upper soil grade). The height does not include the wall depth of footing below grade.

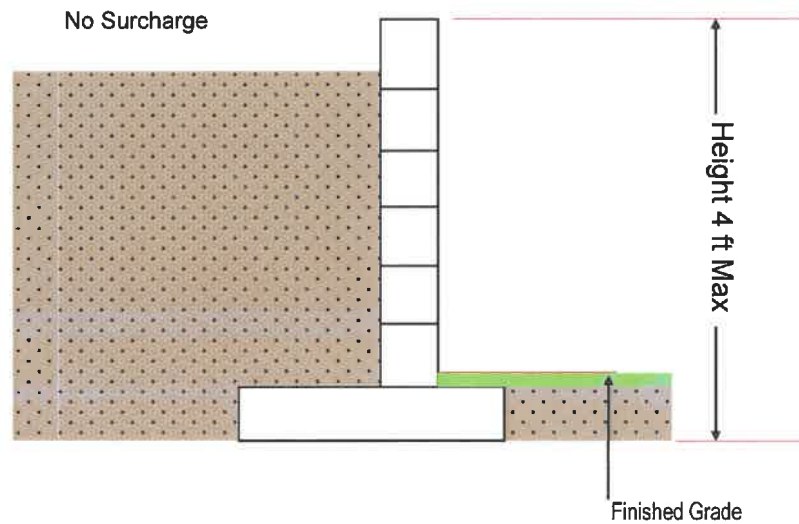
WHEN IS A PERMIT REQUIRED?



- Total wall height is greater than 4 feet measured from the bottom of the footing to the top of the retaining wall.
- Total wall height is greater the 2 feet with any surcharge adjacent to the retaining wall.
- Surcharge load conditions exist as defined (buildings, roads, vehicle loads or sloped conditions).
- Walls shall be designed in accordance with accepted engineering practice to ensure stability against overturning, sliding, excessive foundation pressure and water uplift.

RETAINING WALLS

WHEN IS A PERMIT NOT REQUIRED?



A construction permit is NOT required for retaining walls which:

- Are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.

G. NEW BUSINESS: -

G1. Zoning Text Amendments to Article 3-103.6 (part 2 subpart a) and 4-103.4 – adding the word “privacy” to walls and fences and to leave “retaining walls” regulated by the Building Code.

- *The Planning Director, Ambre Torbett, introduced the text amendment as prepared in the packet. Discussion ensued regarding the minor text change. The Building Official, Jason VanHoy, shared his explanation for the need to clarify the language in the zoning resolution so it does not conflict with the building code. He shared several examples of active construction projects in which retaining walls, both residential and commercial, were needed but both required engineered plans. Discussion continued.*
- *Linda Brittenham motioned to forward a favorable recommendation on to the County Commission for this minor text amendment. Mary Ann Hager seconded the motion and the vote in favor passed unanimously. **(7yes / 2 absent)***
- *The Planning Director mentioned that like all zoning text amendments in the county, she has to forward to Bristol and Kingsport Planning Commissions for their input and recommendation as well prior to scheduling for passage with the County Commission.*

Ambre Torbett

From: Weems, Ken <KenWeems@KingsportTN.gov>
Sent: Friday, August 19, 2022 8:10 AM
To: Ambre Torbett
Subject: RE: Sullivan County Zoning Text Amendment - revision to retaining walls

Ambre,

Last night my pc voted to send a positive recommendation to the SCC to approve this item.

Thanks,

Ken Weems, AICP
Planning Manager
City of Kingsport
P: 423-229-9368
C: 423-782-0116
kenweems@kingsporttn.gov



415 Broad Street, 2nd floor
Kingsport, TN 37660
www.kingsporttn.gov

From: Ambre Torbett [<mailto:planning@sullivancountytn.gov>]
Sent: Monday, August 15, 2022 1:17 PM
To: Weems, Ken
Subject: RE: Sullivan County Zoning Text Amendment - revision to retaining walls

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

You are the best.

Thank you so much!

Ambre M. Torbett, AICP
Director of Planning & Community Development
Sullivan County Planning & Codes Dept.
3425 Hwy. 126 | Historic Snow House
Blountville, TN 37617
423 | 279.2603 (desk)
423 | 323.6440 (main)
www.sullivancountytn.gov

From: Weems, Ken <KenWeems@KingsportTN.gov>
Sent: Monday, August 15, 2022 11:02 AM
To: Ambre Torbett <planning@sullivancountytn.gov>
Subject: RE: Sullivan County Zoning Text Amendment - revision to retaining walls

Ambre,

Ambre Torbett

To: Misty
Subject: FW: SCZR text amendments to 3-103.6 Yard Regulations, 4-103.4 Yard Regulations, and 5-103.4 Yard Regulations - 8.15.22 Bristol Planning Commission positive recommendation

Ambre, good afternoon. Bristol Municipal Regional Planning Commission met on August 15, 2022. On that date they voted unanimously (seven) to send a favorable recommendation to Sullivan County Commission on the proposed Sullivan County Text Amendments to 3-103.6 Yard Regulations, 4-103.4 Yard Regulations, and 5-103.4 Yard Regulations.

Please let me know if you have any questions.

Thank you!

Heather Moore, AICP
Land Use Planner, City of Bristol, Tennessee
104 8th Street, Bristol, TN 37620
hmoore@bristoltn.org <mailto:hmoore@bristoltn.org>
Office: 423-989-5549
Fax: 423-989-5717

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