

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

February 16, 2023

RESOLUTION #1 - To Consider the following zoning amendments (map or text) as reviewed by the Regional Planning Commission.
 motion by: Calton 2nd by: Gardner

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	12/08/22	Ardmore Investments LLC	none	yes	yes	Sullivan	A-1	B-4 (split)	18th	7th
2	12/12/2022	John & Dana Longo	none	yes	yes	Sullivan	R-1	A-2	8th	5th
3	12/14/2022	Julie Kitzmiller	yes	yes	yes	Sullivan	R-1	R-2	5th	4th
4	ZTA	Text Amends:	none	yes	yes	All three				ALL
5										
Voting Summary:										
Name	Case Order	yes	no	pass / abstain	absent	Approved				
Ardmore	1									
Longo	2									
Kitzmiller	3									
ZTA: Table 4-102A Part IV - ADelete Manufacturing from Commercial Zones Table 4-102A, Part VI (f) Administrative Approval for Residential Accessory Occupancy in Commercial Zones Table 5-102A, Part V (G) - Allow Administrative Approval of Residential Accessory Occupancy in Manufacturing Zones Appendix b-105.2 - corresponding Guidelines Article 7-1-4.2 Amend										

* 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

footnote:

PUBLIC NOTICE

Sullivan County's Mayor and Board of County Commissioners shall hold a public meeting on **Thursday, February 16, 2022** at the Sullivan County Courthouse in Blountville, Tennessee to consider three rezoning requests from the following landowners: 1) *Ardmore Investments, LLC* has requested a portion of the Tri-Cities Memory Garden to be rezoned from A-1 (General Agricultural) to B-4 (Arterial Business) for the Funeral Home/Crematorium building only. This is located at 2630 Hwy 75, Blountville and being a portion of Tax map 094, Parcel 016.00; 2) *John & Dana Longo* request their property to be rezoned from R-1 (single-family residential) to A-2 (Rural Agricultural/Residential) located at 2160 Enterprise Road, Piney Flats and being Tax Map 110, Parcel 001.08; and 3) *Julie Kitzmiller* has requested her property to be rezoned from R-1 (Single-Family Residential) to R-2 (medium density residential) located at 356 Ellis Road, Blountville and being Tax Map 065, Parcel 149.00. These individual rezoning petitions shall be considered for final approval during the public hearing of the Board of County Commissioners within the Commission Hall of the Sullivan County Historic Courthouse, located at 3411 Highway 126, Blountville, TN. In addition, the Sullivan County Regional Planning Commission has requested approval of a few minor Zoning Text Amendments to the *Sullivan County Zoning Resolution*. The following sections of the code shall be considered for amendment: Table 4-102A, Part IV (A) remove Manufacturing Land Uses from Commercial Zones; Table 4-102A, Part VI (I) – Accessory Activities/Land Uses – allowing residential occupancy in commercial zones as an accessory use to the business subject to Supplemental Regulations; Table 5-102A, Part V (G) – Residential Occupancy Accessory Use in Manufactured Zones – to allow residential occupancy as an accessory use subject to Supplemental Regulations; amend Appendix B-105.2 to move Residential Occupancy Supplemental Regulations to Appendix B-105.1 Part 16 to be administratively approved; and amend Article 7-104.2 – Design of Parking Stalls, to strike out Planning Commission from approving any variances to the requirements. 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.



Order Confirmation

Ad Order Number 0001622146	Customer SULLIVAN CO PLANNING & CODE	PO Number
Sales Rep. mwilder	Customer Account 1047408	Ordered By
Order Taker mwilder	Customer Address 3425 TENN, HWY 126 BLOUNTVILLE TN 37617 USA	Customer Fax
	Customer Phone 4233236440	Customer EMail planning@sullivancountytn.gov

Tear Sheets 0	Affidavits 1	Blind Box
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Invoice Text

<u>Net Amount</u>				
	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
\$224.00	\$224.00	Check/Money Order	\$0.00	\$224.00

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: 12-7-2022

Property Owner: ARDMORE INVESTMENTS, LLC.

Address: 2630 STATE HIGHWAY 75 BLOUNTVILLE, TN

Phone number: 423-571-0295

Email: hayden@hamlettdobson.com

Property Identification

Tax Map: 094

Group:

Parcel: PART OF 016.00

Zoning Map: 16

Zoning District: A-1

Proposed District: B-4

Civil District: 18TH

Property Location: 2630 STATE HIGHWAY 75 BLOUNTVILLE, TN

Commission District: 7th

Purpose of Rezoning: TO CONFORM WITH THE EXISTING BUSINESS

Meetings

Planning Commission:

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

Date: 1/17/2023

Time: 6:00 PM

Approved:

Denied:

County Commission:

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

Date: 2/16/2023

Time: 6:00 PM

Approved: Approved 24 Yes

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: [Signature]

Date: 12-8-22

Notary Public: [Signature]

My Commission Expires: 5-22-23



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

THE CHAIRMAN SHALL READ THE OPENING STATEMENT REGARDING THE REZONING PROCEDURES

F1. REZONING REQUEST FROM A-1 TO B-4 (SPLIT ZONING FOR OFFICE BUILDING/FUNERAL HOME CHAPEL ONLY)

FINDINGS OF FACT –

Landowner: Ardmore Investments, LLC (Tri-Cities Memory Gardens Inc @ East TN Funeral Home and Services)

Applicants: Chad Correll

Representative: same

Location: 2630 Highway 75, Blountville, TN

Mailing Address of Owners: P. O Box 27, Kingsport, TN 37662

Civil district of rezoning: 18th

Commission District of rezoning: 7th

Parcel ID: Tax Map 094, Part of Parcel 016.00

Subdivision of Record: n/a

PC1101 Growth Boundary: Sullivan County Planned Growth Area

Utility District: Kingsport Utility District

Public Sewer: Kingsport Public Sewer in proximity

Lot/Tract Acreage: 2.25 acres for rezoning request

Existing Zoning: A-1

Surrounding Zoning: A-1, R-1 (County) and MX (Kingsport Zoning)

Requested Zoning: **B-4 – split zoning**

Existing Land Use: Funeral Home/Chapel/Crematory/Office and Mausoleum Building

State of TN Existing Land Use: Commercial

Surrounding Land Uses: airport, cemetery, single family, highway commercial, office park

2006 Land Use Plan: Cemetery/Open Space

Neighborhood Opposition: none received prior to meeting; however, several calls of inquiry

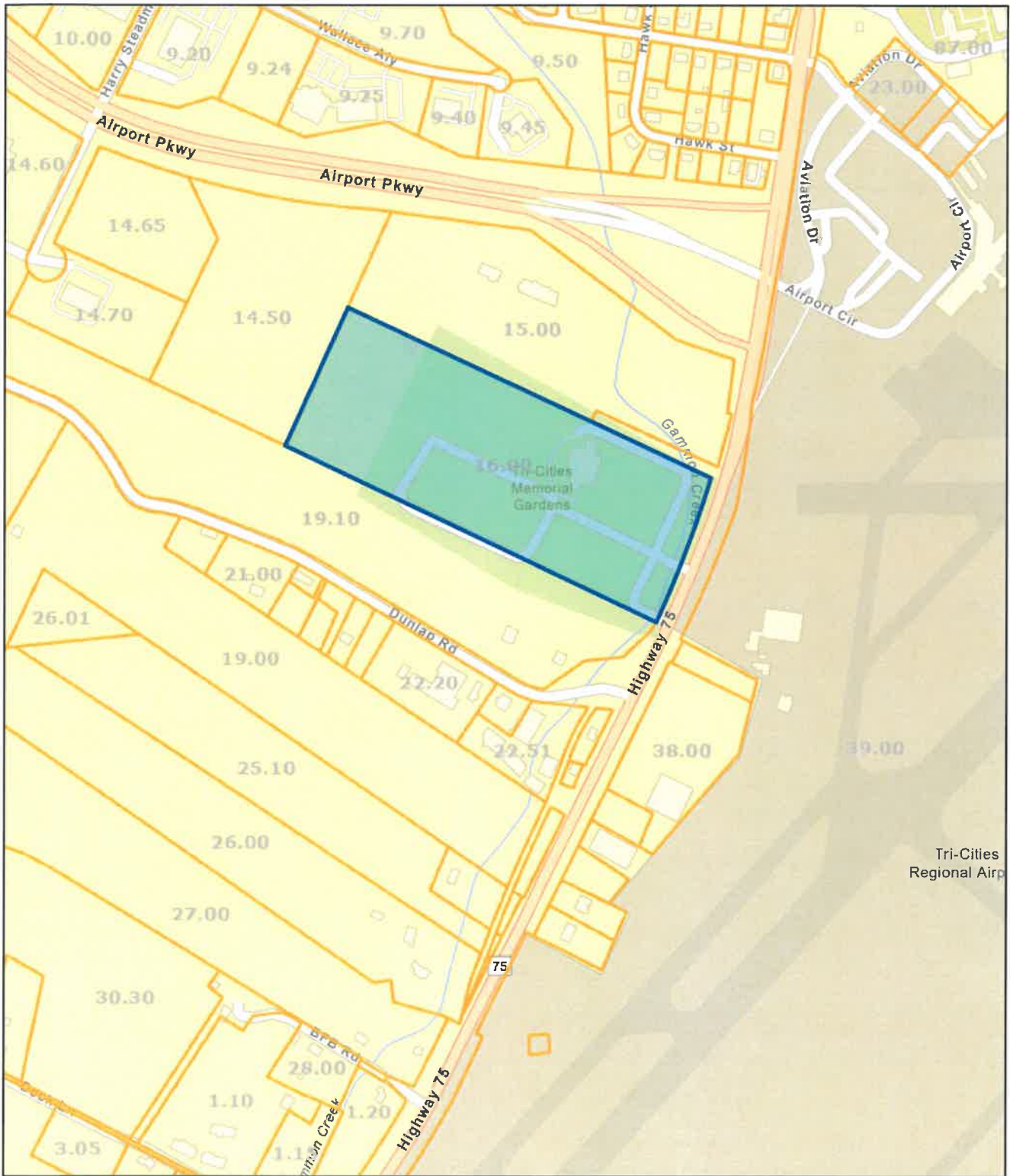
Staff Field Notes and Findings of Facts:

- Ardmore Investments, LLC recently purchased the property in September of 2022. During the due-diligence of the appraisal findings that was requested of staff, it was discovered that the existing building on the property is being used as a Funeral Home/Chapel, Crematory/funeral offices in addition to the Mausoleum.
- In 2003, the Zoning Office issued a Zoning Compliance Permit for a Mausoleum for Tri-City Memory Gardens. However, over time, the building must have been expanded to include the crematory and office building.
- Sullivan County Zoning Resolution allows for cemeteries, chapels, religious facilities, tombs and mausoleums to be permitted in any agricultural zone. However, the crematory and funeral services functions are considered a business and must be located within a business zone. Therefore, the new owner would like to bring the existing facilities into zoning compliance. The remaining cemetery and open space lands may remain in the A-1 zoning.
- This property fronts along Hwy 75 in the Planned Growth Area of the county and has access to public utilities to support the existing use.
- Staff recommends in favor of the split zoning request (see boundary survey plan)

Meeting Notes at Planning Commission:

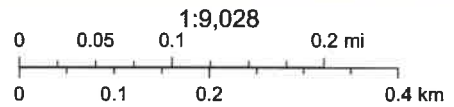
- *The Planning Director read her Field Notes and Findings.*
- *Hayden Correll, son of applicant, Chad Correll, was present to address the Commission. He confirmed that the need the Zoning Compliance Report in order to secure the State transition license from previous landowner. Discussion followed.*
- *Linda Brittenham stated that this request seemed straightforward and made a motion to forward a favorable recommendation on to the County Commission.*
- *Darlene Calton seconded the motion and the vote in favor passed unanimously.*

Sullivan County - Parcel: 094 016.00



Date: January 10, 2023

County: Sullivan
Owner: ARDMORE INVESTMENTS LLC
Address: HWY 75
Parcel Number: 094 016.00
Deeded Acreage: 0
Calculated Acreage: 0
Date of TDOT Imagery: 2019
Date of Vexcel Imagery: 2021



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The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.

© COPYRIGHT ALLEY & ASSOCIATES, INC. 2022
 THIS MAP CANNOT BE USED FOR ANY OTHER
 PURPOSE THAN IS INTENDED ON THIS DATE.

INDUSTRIAL DEVELOPMENT
 BOARD OF THE CITY
 OF KINGSPORT
 D.B. 655C, PG. 666
 ZONED M-1

INDUSTRIAL DEVELOPMENT
 BOARD OF THE CITY
 OF KINGSPORT
 D.B. 655C, PG. 666
 ZONED M-1

27.164 AC
 REMAINING
 ZONED A-1

BARNES
 D.B. 3220, PG. 8393
 ZONED R-1

LEGEND

- IR(N) IRON ROD (NEW)
- IR(O) IRON ROD (OLD)
- R.T.S. ROAD TIE SCALE
- D.V.D. DIVERSED DRAINAGE
- PAGE PAGE BOOK
- AC ACRES
- WATER WATER METER
- W.W.A.C. WATER MAIN
- FO FIBER OPTIC
- PP POWER POLE
- R/W READWALL
- CON CONCRETE
- OU OVERHEAD UTILITY
- SSMH SANITARY SEWER MANHOLE
- O.H. OVERHEAD
- L= LENGTH
- CH= CHORD
- [123] 911 ADDRESS

- NOTES:**
- 1) NORTH BASED ON N65°00'00"W PER REFERENCED DEED.
 - 2) SETBACKS TO CONFORM TO CURRENT ZONING DESIGNATION
 - 3) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL FLOOD INSURANCE ADMINISTRATION BOUNDARY MAP #163002600D EFFECTIVE DATE 11/01/2010 AND THE PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN.
 - 4) JOB NO. 22-12741
 - 5) ACAD FILE 22-12741 CORRELATION
 - 6) ALL SURVEY DATA ELECTRONICALLY COLLECTED
 - 7) TALK MAP NO. BARNES 030500
 - 8) DEED REFERENCE: D.B. 3143, PG. 583, D.B. 25056C, PG. 216
 - 9) D.B. 2829C, PG. 44, D.B. 2979C, PG. 297
 - 10) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT TITLE AND WITHOUT REFERENCE TO ANY PREVIOUS SURVEY OR PLAN.
 - 11) I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND THE RATIO OF PRECISION OF THIS SURVEY IS BETTER THAN 1:10,000.
 - 12) THIS SURVEY WAS DONE IN COMPLIANCE WITH THE CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE.
 - 13) THIS SURVEY MAY BE SUBJECT TO ALL RIGHTS-OF-WAYS, EASEMENTS, AND UNRECORDED. RESTRICTIONS, WRITTEN AND UNWRITTEN, RECORDED AND UNRECORDED.
 - 14) SUBJECT PROPERTY IS A CEMETERY. ROADS AND GRAVES NOT SHOWN OR LOCATED.

LINE	BEARING	DISTANCE	CHORD	BEARING
L1	N65°00'00"W	101.70	101.70	
L2	N84°03'40"W	24.83	24.83	
L3	N64°03'40"W	27.82	27.82	
L4	N17°21'51"W	4.14	4.14	
L5	N17°21'51"W	4.14	4.14	
L6	N65°00'00"W	101.70	101.70	
L7	N65°00'00"W	101.70	101.70	
L8	N65°00'00"W	101.70	101.70	
L9	N65°00'00"W	101.70	101.70	
L10	N65°00'00"W	101.70	101.70	
L11	N65°00'00"W	101.70	101.70	
L12	N65°00'00"W	101.70	101.70	
L13	N65°00'00"W	101.70	101.70	
L14	N65°00'00"W	101.70	101.70	
L15	N65°00'00"W	101.70	101.70	
L16	N65°00'00"W	101.70	101.70	
L17	N65°00'00"W	101.70	101.70	
L18	N65°00'00"W	101.70	101.70	
L19	N65°00'00"W	101.70	101.70	
L20	N65°00'00"W	101.70	101.70	
L21	N65°00'00"W	101.70	101.70	
L22	N65°00'00"W	101.70	101.70	

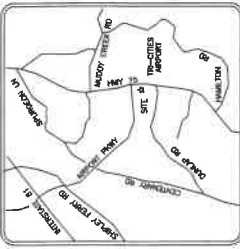
CURVE	RADIUS	ARC LENGTH	CHORD	BEARING
C1	4868.77	63.30	63.30	S22°23'27"W
C2	4868.77	251.86	251.86	S22°14'43"W



REZONING PLAT
 2.250 ACRES
 18TH CIVIL DISTRICT
 SULLIVAN COUNTY, TENNESSEE
 DATE: DECEMBER 7, 2022
 SCALE: 1" = 120'

ARMORE INVESTMENTS, LLC
 SULLIVAN COUNTY TENNESSEE

ALLEY & ASSOCIATES, INC.
 SURVEYORS
 243 E. MARKET STREET, KINGSPORT, TENNESSEE 37660
 TEL: (423) 382-8988
 FAX: (423) 382-8988
 E-MAIL: matthew@alleyassociates.com



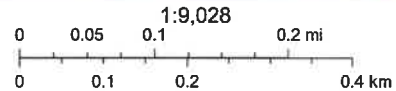
REVISIONS	DATE	BY

Sullivan County - Parcel: 094 016.00



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EAST TENNESSEE
423-323-3838
EASTTNFUNERAL.COM
FUNERAL SERVICES

EAST TENNESSEE
FUNERAL HOME
CREMATION SERVICES
CEMETERY

NOTICE
THIS PROPERTY IS
BEING CONSIDERED
FOR RE-ZONING
FOR RE-ZONING
323-6440





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

January 4, 2023

Dear Property Owner:

Please be advised Ardmore Investments, LLC has applied to Sullivan County to rezone properties located at 2630 Highway 75, Blountville from the current zoning of A-1 (Low Density/Single Family Residential/General Agricultural District) to B-4 (Arterial Business District) for the purpose of zoning compliance for the existing Funeral Home. The property is Tax Map 094, Parcel 016.00 the Sullivan County Tax Map. This rezoning request is just for the area around the Funeral Home/Chapel/Office/Mausoleum structure and driveway and not for the cemetery lands. Ardmore Investments are the new landowner of the site. This request shall be reviewed by the Planning Commission first and then shall be heard by the County Commission. The following are the scheduled meeting dates for this request:

Sullivan County Regional Planning Commission – 6:00 PM on January 17, 2023

Sullivan County Commission – 6:00 PM on February 16, 2023

Both public meetings shall be held in the Historic Sullivan County Courthouse, 2nd Floor Commission Hall at 3411 Highway 126, downtown Blountville. Please let me know if you need any special assistance for these public meetings. Both meetings are open to the general public, and you are welcome to attend. If you have any questions or concerns on this request, please contact me. You may call, email or stop by our office. My email address is planning@sullivancountyttn.gov or you may call me directly at 423.279.2603.

Regards,

Ambre M. Torbett, AICP
Director Planning & Community Development
Sullivan County Stormwater Coordinator

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

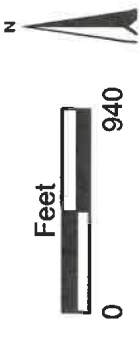
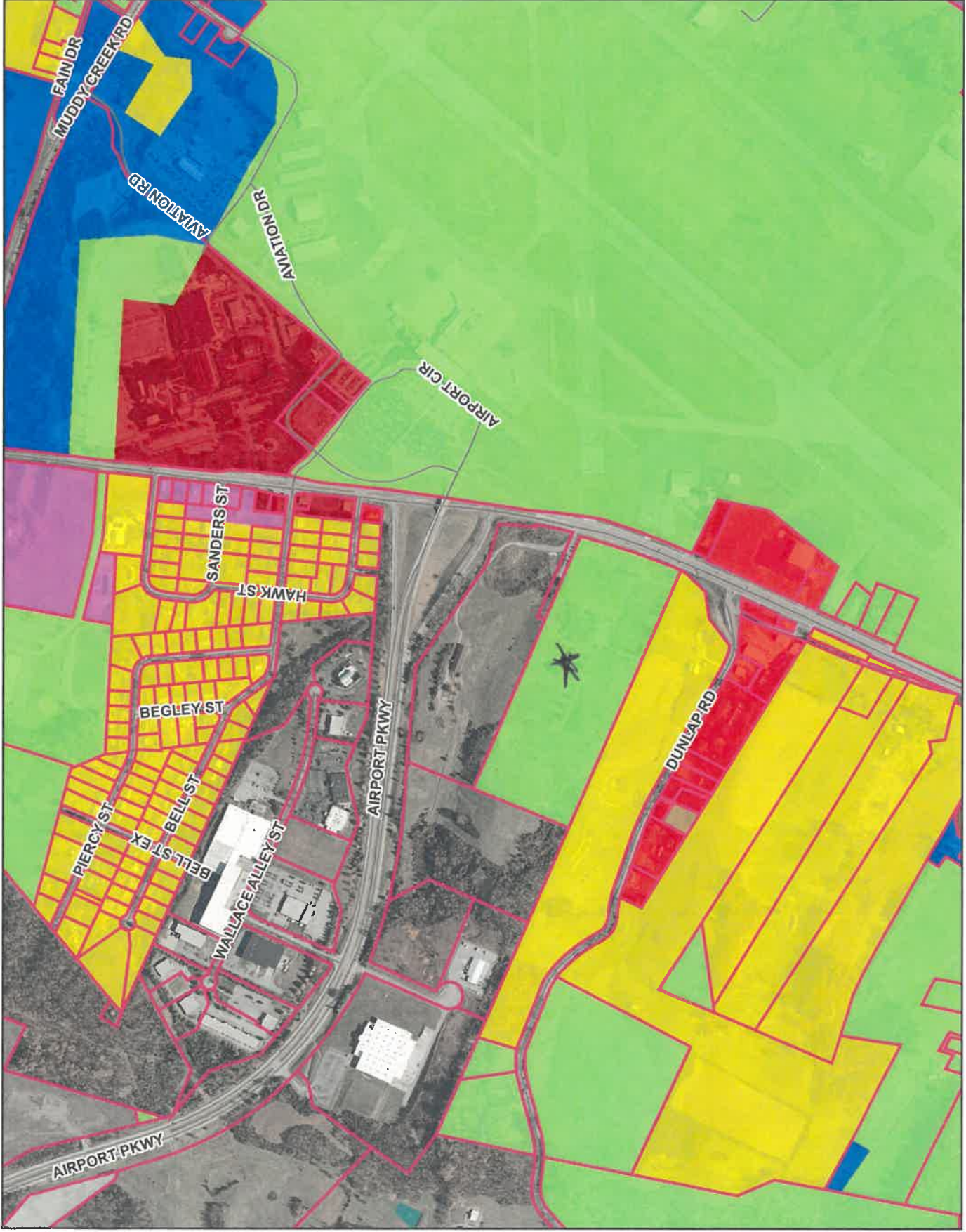
Notice:

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.

Parcel Lines
 (20220325)

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



022992

APPLICATION TO SULLIVAN COUNTY, TENNESSEE
FOR ZONING COMPLIANCE PERMIT

County Property Identifier				Approved: <input checked="" type="checkbox"/> Denied: <input type="checkbox"/>
Tax Map: <u>94</u>	Ctl. _____	Group: _____	Parcel: <u>16.00</u>	By: <u>J. Morrison</u>
Zone: <u>A-1</u>	Zone Map: <u>16</u>			Date: <u>8-28-03</u>
				Received Permit Fee: <u>800.00</u>

Contractor: DPM ~~Enterprises~~ INC. \$ Amount: 200,000 + State License: 47119
 Address: 128 Regional PK Dr. Kpt. TN 37660 Phone: 349-4129
 Location of Property: HWY- 25

Owner: Tri-City Memory Gardens Phone: _____
 Address: _____

Type of Structure: MAUSOLEUM Use: COMMERCIAL
 Minimum Yard Requirements: Front 50 Rear 50 Side 50

REMARKS: <u>C.D. ISSUED 5/31/03 CES</u> <u>STARTED w/o permit</u>	Flood Insurance Information Floodway not to be used: _____ Zone A-1/A-5 Elevation Requirements: _____ Zone B Elevation Requirements: _____ Existing Floor Elevation: _____ Finished Floor Elevation: _____ Outside Flood Plain: _____
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It is the applicant's responsibility to call for an initial set-back inspection once the site is staked. Upon completion of construction, the applicant must call for a final inspection and a Certificate of Occupancy. Please allow a (3) three day turn-around for inspections.
This permit (if not exercised) expires one year from date of issuance.

LIABILITY: The granting or approval of any permit shall not constitute a representation, guarantee, or warranty of any kind or nature by Sullivan County, Tennessee, or the Sullivan County Planning Commission, or by any officer or employee of either thereof, of the practicality or safety of any structure or the use proposed and shall create no liability upon or cause action against such public body, officer, or employee for any damage that may result pursuant thereto.

Larry Peter, Pres
 (Signed Owner/Agent)

BZA Action Required: Yes _____ No If yes, Case Number: _____

Comments: _____

✓

022992

APPLICATION TO SULLIVAN COUNTY, TENNESSEE
FOR ZONING COMPLIANCE PERMIT

County Property Identifier				Approved: <input checked="" type="checkbox"/> Denied: <input type="checkbox"/>
Tax Map: <u>94</u>	Cti: _____	Group: _____	Parcel: <u>16-00</u>	By: <u>J. Morrison</u>
Zone: <u>A-1</u>	Zone Map: <u>16</u>			Date: <u>8-28-03</u>
				Received Permit Fee: <u>800.00</u>

Contractor: DPM Enterprises INC. \$ Amount: 200,000 + State License: 47119
 Address: 128 Regional PK DR. Kpt TN 37660 Phone: 349-4129
 Location of Property: HWY- 75

Owner: Tri-City Memory Gardens Phone: _____
 Address: _____

Type of Structure: Mausoleum Use: Commercial
 Minimum Yard Requirements: Front 50 Rear 50 Side 50

REMARKS: <u>C.D. ISSUED 5/31/03 CES</u> <u>STARTED w/o permit</u>	Flood Insurance Information Floodway not to be used: _____ Zone A-1/A-5 Elevation Requirements: _____ Zone B Elevation Requirements: _____ Existing Floor Elevation: _____ Finished Floor Elevation: _____ Outside Flood Plain: _____
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LIABILITY: The granting or approval of any permit shall not constitute a representation, guarantee, or warranty of any kind or nature by Sullivan County, Tennessee, or the Sullivan County Planning Commission, or by any officer or employee of either thereof, of the practicality or safety of any structure or the use proposed and shall create no liability upon or cause action against such public body, officer, or employee for any damage that may result pursuant thereto.

J. Larry Peter, Pres
 (Signed Owner/Agent)

BZA Action Required: Yes _____ No If yes, Case Number: _____

Comments: _____

Ambre Torbett

From: Dave Jones <DJones@triflight.com>
Sent: Friday, January 13, 2023 11:45 AM
To: Ambre Torbett
Subject: FW: rezoning packet for TriCities Memory Garden - new owners Ardmore Investments
Attachments: F1 Ardmore Investments rezoning A1 to B4 split zoning.pdf

Ambre,
For some reason, the below email kicked back as undeliverable...
Hope this second try works.
Thanks,
David

From: Dave Jones
Sent: Friday, January 13, 2023 11:39 AM
To: Ambre Torbett (planning@sullivancounty.org) <planning@sullivancounty.org>
Subject: FW: rezoning packet for TriCities Memory Garden - new owners Ardmore Investments

Ambre,
Appreciate the explanation of the proposed zoning effort, that helps a lot.
The airport is certainly not opposed to the re-zoning request from the cemetery folks.
The only thing we would ever be concerned about is if they (Ardmore Investments, LLC) wanted to construct additional buildings which may impact the Runway 9 approach surfaces.....basically, building heights and exterior lighting....
Let me know if you need any additional information from the airport.
Thanks,

David W. Jones
Deputy Executive Director
Tri-Cities Airport
2525 Hwy 75, Suite 305
Blountville, TN 37617
(O) 423-325-6006
(C) 423-502-6006

From: Ambre Torbett <planning@sullivancountyttn.gov>
Sent: Friday, January 13, 2023 10:29 AM
To: Dave Jones <DJones@triflight.com>
Subject: rezoning packet for TriCities Memory Garden - new owners Ardmore Investments

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks for the call David,
Sorry I was away from my desk at the moment. I am attaching my full report to the Planning Commission on this case for your better understanding.

The previous owner back in 2003 started building a mausoleum without a permit. Tim Earles, building inspector at the time, caught it and required a site plan and permit. So, we issued the permit. Mausoleums are just buildings to out ash remains so not considered a business. However, what they ended up building was a full-service Funeral Home and

Crematorium as well as the mausoleum. The new owner, through their due diligence of appraisal asked for a Zoning Compliance, for which we discovered what happened. So, the owner agreed to request a rezoning to B-4 but for just the area around the building, not the cemetery. Sort of an odd split zoning but it will at least bring it into compliance with zoning. Funeral Services are full on business, but a cemetery is considered open space and not a business. Thus, the confusion, I guess.

I hope this better explains. There are no plans for any building expansion and the zoning boundary for the B-4 will restrict any expansion at all really. So, nothing will change.

Many thanks,

Ambre M. Torbett, AICP

Director of Planning & Community Development

Stormwater Administrator

Sullivan County Planning & Codes Dept.

3425 Hwy. 126 | Historic Snow House

Blountville, TN 37617

423|279.2603 (desk)

423|323.6440 (main)

www.sullivancountyttn.gov

PETITION TO SULLIVAN COUNTY FOR REZONING

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

Date: Dec 12, 2022

Property Owner: Dana Longo
Address: 2160 Enterprise Rd, Piney Flats, TN 37686
Phone number: 910-916-3459 Email: Dana_Longo@yahoo.com

Property Identification

Tax Map: 110 Group: Parcel: 001.08
Zoning Map: 26 Zoning District: R-1 Proposed District: A-2 Civil District: 08th
Property Location: 2160 Enterprise Rd, Piney Flats, TN 37686
Purpose of Rezoning: putting shed Commission District 5th

Meetings

Planning Commission: Sullivan County Planning Commission
Place: Blountville court house
Date: 1/17/2023 Time: 6:00 PM
Approved: Denied: _____

County Commission:

Place: Historic Courthouse 2nd Floor Commission Chambers Blountville, TN
Date: 2/16/2023 Time: 6:00 PM
Approved: Approved 24 Yes 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: Dana Longo
Notary Public: Jason VanHoy

Date: Dec 12, 2022

My Commission Expires: 4/25/2026



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

F2. REZONING REQUEST FROM R-1 TO A-2 (RURAL AGRICULTURAL/LOW DENSITY/SINGLE FAMILY RESIDENTIAL)

FINDINGS OF FACT –

Landowner:	John & Dana Longo
Applicants:	same
Representative:	same
Location:	2160 Enterprise Road, Piney Flats
Mailing Address of Owners:	same
Civil district of rezoning:	8 th
Commission District of rezoning:	5 th
Parcel ID:	Tax Map 110, Parcel 001.08
Subdivision of Record:	Lot 1, Plat Book 52, Page 399 – Clinton Steele Property
PC1101 Growth Boundary:	Sullivan County Planned Growth Area
Utility District:	Blountville Utility District but served by Bristol-Bluff City Utility District (4"line)
Public Sewer:	septic
Lot/Tract Acreage:	Lot 1, 4.130 acres
Existing Zoning:	R-1
Surrounding Zoning:	R-1 and A-1
Requested Zoning:	A-2
Existing Land Use:	Single-Family/Low Density
Surrounding Land Uses:	Single-Family, Vacant, Farmland
2006 Land Use Plan:	Low Density Residential/General Agricultural & Outdoor Recreational Overlay
Neighborhood Opposition:	none received prior to meeting.

Staff Field Notes and Findings of Facts:

- The applicant has amended her rezoning request for A-2, which requires a minimum of 2 acres of land. They have over 4 acres in this lot. They also own the adjacent lot 2 and parcels across the road that are vacant.
- A-2 zoning is for large tracts not otherwise planned for further development.
- Due to the steep and rocky hillside of her rear yards and established dwelling, the recommendation is to not further develop the property into additional house lots; therefore, a rezoning to A-2 would be an appropriate zoning district.
- The A-2 zoning district allows up to a maximum of 2,600 square feet of detached residential accessory structure square footage. Prior to the zoning code update February of 2020, all lots could have up to 2,000 square feet. However, the updated zoning code restricts R-1 lots to up to 1,200 square feet. Therefore, this rezoning, if approved would help bring her property into conformance with the square footage limitation of detached storage structures.
- Attached is the engineering report letter regarding the stormwater management recommendations from a local civil engineer. The report noted that the additional landscaping and tree plantings shall improve the stormwater absorption of the property from natural drainage patterns.

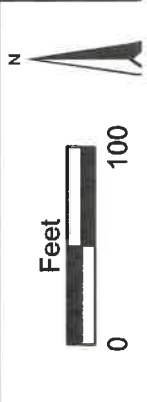
Meeting Notes at Planning Commission:

- *The Planning Director read her Field Notes and Findings of Facts.*
- *Dana Longo was present to address the Commission.*
- *There was no opposition expressed during the hearing. Staff explained that this request would bring her property into zoning conformance due to the change in the zoning code restricting the square footage of detached accessory structures from 2,000 to 1,200 in R-1 Zoning. The A-2 district would allow her to keep her garage and shed as well as the added carport, if approved.*
- *Laura McMillian motioned to forward a favorable recommendation on to the County Commission. John Moody seconded the motion and the vote in favor passed unanimously.*

Conservation
 District 4
 Address Data Source
 Sullivan County, Tenn Co 911
 Kingsport, TN
 Johnson City, TN
 Bristol, TN
 Kingsport, TN
 District 6
 Notice:
 A tax map has no legal standing
 other than to be used for
 taxes. It cannot be used to
 establish or alter legal
 boundaries or convey property.
 All taxes are levied on the
 practice and surveying in the
 State of Tennessee should be
 retained for all questions of
 boundary and title. Historic
 of lot lines.

Lot Lines
 Bristol UGB
 Kingsport UGB
 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



Flood Insurance Rate Map (FIRM) 2007
 0.2 PCT Annual Chance Flood Hazard
 Zone A - No Base Flood Elevations Determined
 Zone AE - Special Flood Hazard Elevations Determined

Sullivan County, TN
 Planning and Codes Dept.



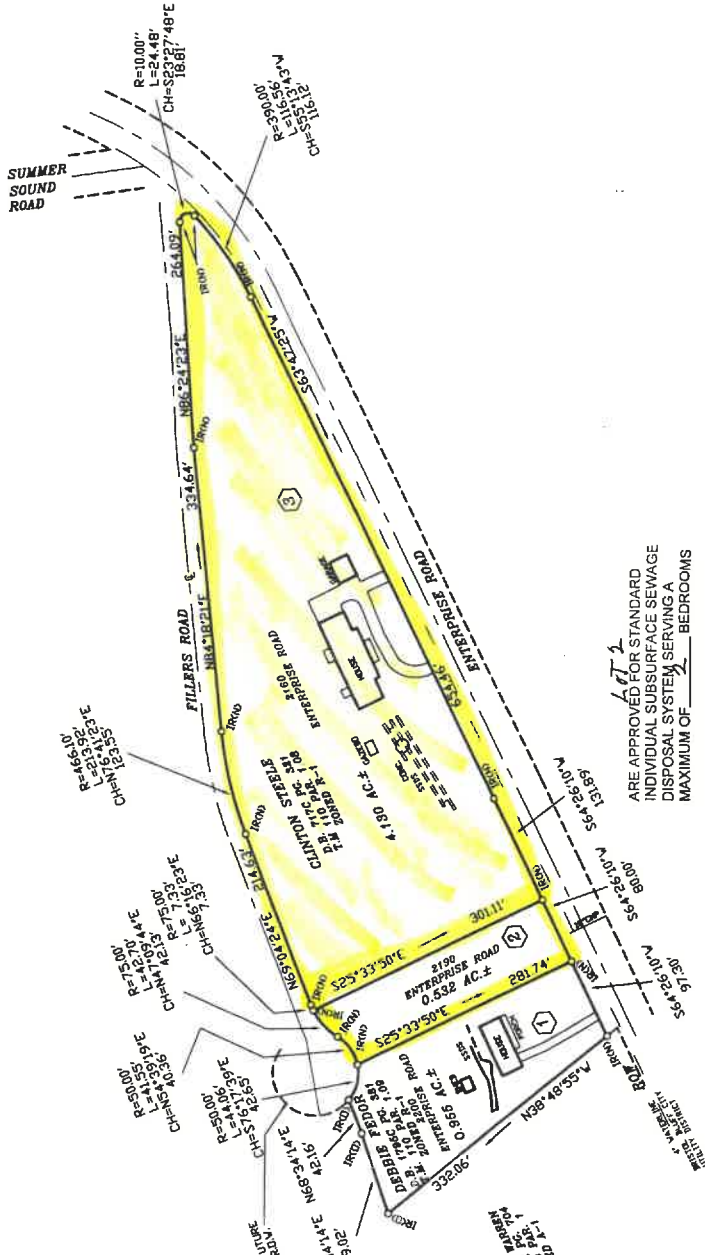
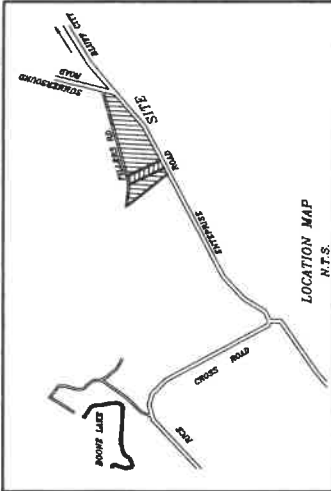
NOTES:

- 1) BEARINGS ARE BASED ON D.B. 717C PC. 381.
- 2) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP AND FOUND THAT THE ABOVE PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.
- 3) TAX MAP 110, PARCELS 1.09 & 1.04.
- 4) REFERENCES: D.B. 718C PC. 381 & D.B. 717C PC. 381.
- 5) BUILDING SETBACKS: FRONT YARD = 30' REAR YARD = 30'
- 6) PROPERTY AND DEVELOPMENT SHALL COMPLY WITH THE SULLIVAN COUNTY ZONING ORDINANCE AND SUBDIVISION REGULATIONS.
- 7) THESE SHALL BE A 15' FRONT AND 7.5' SIDE AND REAR YARD SETBACKS FOR UTILITIES AND DRAINAGE.
- 8) (SEE MAP) ENTERPRISE ROAD = 911 ADDRESS.
- 9) FIELD BOOK: 100.
- 10) ACID FILE NAME: 506-6078.DWG.
- 11) LEGEND:
 - (R/O) EXISTING IRON ROD
 - (I/O) NEW 6" IRON ROD
 - (I/O) NEW 6" IRON ROD
 - WATER LINE
 - STORM SEWER LINE
 - CMP CORRUGATED METAL PIPES



355726

BOOK 0052 PAGE 0389
 SULLIVAN COUNTY, TENNESSEE
 REGISTERED PLAT
 22 MAR 2007 10:52 AM
 15.00 TOTAL
 RECEIPT NO. 2007-06525



ARE APPROVED FOR STANDARD INDIVIDUAL SUBSURFACE SEWAGE DISPOSAL SYSTEM SERVING A MAXIMUM OF 3 BEDROOMS



MIZE & ASSOCIATES SURVEYORS
 P.O. Box 465
 Bloomsdale, Tennessee 37617
 423-323-4562 FAX 423-323-4584

I hereby certify that this is a Category I survey and the ratio of precision of the unadjusted survey is 1:10,000 as shown herein.

Surveyor
 Tenn. Reg. No. 891

<p>CERTIFICATE OF THE APPROVAL OF WATER SYSTEM</p> <p>I HEREBY CERTIFY THAT THE ABOVE WATER UTILITY SYSTEM IS IN ACCORDANCE WITH THE SULLIVAN COUNTY ZONING ORDINANCE AND THE SULLIVAN COUNTY PLANNING COMMISSION SPECIFICATIONS OF THE SUBDIVISION REGULATIONS.</p> <p>DATE: 3-1-07</p> <p>BY: <i>John H. Mize</i></p>	<p>CERTIFICATE OF THE APPROVAL OF STREETS</p> <p>I HEREBY CERTIFY THAT THE ABOVE STREETS ARE IN ACCORDANCE WITH THE SULLIVAN COUNTY ZONING ORDINANCE AND THE SULLIVAN COUNTY PLANNING COMMISSION SPECIFICATIONS OF THE SUBDIVISION REGULATIONS.</p> <p>DATE: 3-1-07</p> <p>BY: <i>John H. Mize</i></p>
<p>CERTIFICATE OF THE APPROVAL OF LOT 1, LOT 2 AND LOT 3</p> <p>I HEREBY CERTIFY THAT THE ABOVE LOTS ARE IN ACCORDANCE WITH THE SULLIVAN COUNTY ZONING ORDINANCE AND THE SULLIVAN COUNTY PLANNING COMMISSION SPECIFICATIONS OF THE SUBDIVISION REGULATIONS.</p> <p>DATE: 3-1-07</p> <p>BY: <i>John H. Mize</i></p>	<p>CERTIFICATE OF THE APPROVAL OF SEWAGE SYSTEMS</p> <p>I HEREBY CERTIFY THAT THE ABOVE SEWAGE SYSTEMS ARE IN ACCORDANCE WITH THE SULLIVAN COUNTY ZONING ORDINANCE AND THE SULLIVAN COUNTY PLANNING COMMISSION SPECIFICATIONS OF THE SUBDIVISION REGULATIONS.</p> <p>DATE: 3-1-07</p> <p>BY: <i>John H. Mize</i></p>

<p>CERTIFICATE OF APPROVAL FOR RECONFIGURATION OF CLAYTON STEELE PROPERTY</p> <p>I HEREBY CERTIFY THAT THE ABOVE RECONFIGURATION IS IN ACCORDANCE WITH THE SULLIVAN COUNTY ZONING ORDINANCE AND THE SULLIVAN COUNTY PLANNING COMMISSION SPECIFICATIONS OF THE SUBDIVISION REGULATIONS.</p> <p>DATE: 3-1-07</p> <p>BY: <i>John H. Mize</i></p>	<p>CERTIFICATE OF APPROVAL FOR RECORDING</p> <p>I HEREBY CERTIFY THAT THE ABOVE RECONFIGURATION IS IN ACCORDANCE WITH THE SULLIVAN COUNTY ZONING ORDINANCE AND THE SULLIVAN COUNTY PLANNING COMMISSION SPECIFICATIONS OF THE SUBDIVISION REGULATIONS.</p> <p>DATE: 3-1-07</p> <p>BY: <i>John H. Mize</i></p>
---	--

<p>REVISION DATE: NOV. 15, 2006 REVISION #4: JANUARY 28, 2007</p>	<p>RECONFIGURATION OF CLAYTON STEELE PROPERTY</p>
<p>SULLIVAN CO. REGIONAL PLANNING COMMISSION</p>	<p>TOTAL LOTS: 3</p>
<p>TOTAL ACRES: 5.617±</p>	<p>TOTAL LOTS: 3</p>
<p>ACRES NEW ROAD: 0</p>	<p>MILES NEW ROAD: 0</p>
<p>OWNER: CLAYTON STEELE & DEBBIE FEER CIVIL DISTRICT - 614</p>	<p>CLOSURE ERROR: 1:10,000</p>
<p>SURVEYOR: MIZE & ASSOCIATES</p>	<p>SCALE: 1" = 100'</p>

Sullivan County - Parcel: 110 001.08



Date: January 10, 2023

County: Sullivan
Owner: LONGO DANA J & JOHN C
Address: ENTERPRISE RD 2160
Parcel Number: 110 001.08
Deeded Acreage: 4.13
Calculated Acreage: 0
Date of TDOT Imagery: 2019
Date of Vexcel Imagery: 2021



Esri Community Maps Contributors, Tennessee STS GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/ NASA, USGS, EPA, NPS, US Census Bureau, USDA, State of Tennessee, Comptroller of the Treasury, Office of Local Government (OLG)

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.



HIGHLANDS
ENGINEERING, LLC

4132 Bristol Highway, Suite 2 ~ Johnson City, TN 37601 ~ (423) 926-2007

December 9, 2022

**Sullivan County Planning Commission
Sullivan County Court House
3411 TN-126 #30
Blountville, TN. 37617**

**RE: 2160 Enterprise Rd.
Piney Flats, TN. 37686
Drainage & Car Port Placement Opinion Letter**

Copy

Members of the Commission,

At the request of the owner, Mrs. Dana Longo, we visited her residence at 2160 Enterprise Road to provide a professional opinion/answers to the following questions:

1. Is there a more suitable location for the existing metal carport?
2. Has the planting of trees on the 2160 Enterprise Road property increased stormwater flows from the property?

1) From visual field observation and discussion with Mrs. Longo localized flooding is experienced around the home. The home and the areas immediately surrounding the home collect and hold storm water due to the lower elevation. It is my opinion that the current existing location of the metal carport is the only location, within reasonable distance from the home and that does not have flooding issues, for the structure.

2) The trees that have been planted at the residence do not contribute to additional storm water flows. The trees and the surrounding landscape beds retain storm water more so than the grassed areas. The reason for this is the soil around the trees has been broken up when planting the trees and the soil that is contained within the root ball of the trees is top soil with a much higher K value, absorption rate, than the native soil. In addition, the trees will also absorb water in the soil continuously. This will allow the surrounding soil to absorb more water during rainfall events.

If you have any questions or need additional information please feel free to contact us at your convenience.

Sincerely,

Jonathan Lewis, P.E.
Highlands Engineering LLC

3-101.2 District Purposes

1. **A-5, Large Tract Rural Residential and General Agricultural District** – The purpose of this district is to preserve small working farm tracts and low density residential so as to protect natural resources and conserve lands not suitable for higher density development. These districts are primarily designed to provide suitable areas for the growing of crops, animal husbandry, dairying, forestry, and other similar agricultural activities, which generally occur and characterize rural rather than urban areas. These districts are designed, furthermore, to provide for very low-density residential development generally on unsubdivided tracts of land. In addition, these districts may include areas and lands not suited by reason of soil, geologic, topographic, or other limitations for development. These districts shall also provide for single-family residential detached dwellings, residential accessory structures and customary home occupations that do not require public infrastructure improvements. These special districts should be given priority in the designated Rural Area on the adopted county-wide Growth Plan. *(Amended 02/20/2020)*
2. **A-2, Rural Agricultural and Open Space District** - These districts are designed to provide suitable areas for the growing of crops, animal husbandry, dairying, forestry, and other similar intensive agricultural activities, which generally occur and characterize rural rather than urban areas. These districts are designed, furthermore, to provide for very low-density residential development generally on unsubdivided tracts of land. In addition, these districts may include areas and lands not suited by reason of soil, geologic, topographic, or other limitations for development. These districts also include community facilities, public utilities, and open uses which serve specifically the residents of these districts, or that are benefited by an open environment without creating objectionable or undesirable influences that are incompatible with a rural environment. These districts shall also provide for single-family residential detached dwellings, residential accessory structures, customary home occupations and farm employee housing situated on the large farming tracts (see definition in Appendix).
3. **A-1, General Agricultural/Estate Residential District** - These districts are designed to provide suitable areas for single-family residential development located within a rural environment. Residential development consists of single-family residential detached dwellings and such other structures as are customary and accessory, thereto. The intensity of development permitted within these districts is directly related to the availability of public water service. These districts also include community facilities, public utilities, and open uses, which serve specifically the residents of these districts, or that are benefited by an open residential environment without creating objectionable or undesirable influences upon residential developments. These districts provide for large tracts and open space on the fringe of higher densities of residential development and may transition into other districts as development evolves. These districts shall also provide for customary home occupations and farm employee housing situated on the large farming tracts (see definition in Appendix) and singlewide mobile homes on individual parcels.
4. **AR, A-RV, & RRC Districts: Agricultural/Rural Residential/Light Recreational (AR) and Agricultural/RV Park Model Resort (A-RV) District and Rural Retreat & Cabin Development District (RRC)**- These districts are designed to provide suitable areas for single-family residential development located within a rural environment. Residential development consists of single-family residential detached dwellings, manufactured homes located on individual parcels, and other such structures as are accessory thereto. The intensity of development permitted within these districts is directly related to the availability of public water and transportations systems available to serve these lots. These districts also may include community facilities, public utilities, open space uses which serve specifically the residents of these districts or that are benefited by an open residential environment without creating objectionable or undesirable influences upon residential developments. These districts may also provide for light recreational uses, such as camping, aquatic and other outdoor recreational activities defined herein, where adequate public infrastructure is available as reviewed and approved by the Regional Planning Commission (See Appendix D for the various types of Recreational Camping Developments Permitted by Type). These districts shall also provide for customary home occupations and farm employee housing situated on the large farming tracts (see definition in Appendix). *(Amended 10 20 2022)*
5. **R-1, Low Density/Single-Family Residential District** - These districts are designed to provide suitable areas for single-family residential development within areas that are predominantly characterized by low-density suburban residential development. Residential development consists of single-family detached dwellings and other accessory structures thereto. The intensity of development permitted within these districts is directly related to the availability of public water service and sewage capabilities. These districts also include community facilities, public utilities, and open uses that serve specifically the residents of these districts, or that are benefited by an open residential environment without creating objectionable or undesirable influences upon residential developments. It is the express purpose of this resolution to exclude from these districts all buildings or other structures and uses having commercial characteristics, whether operated for profit or otherwise, except that uses on review, with supplementary provision and home occupations specifically provided by these regulations for these districts shall be considered as not having such characteristics if they otherwise conform to the provisions of this resolution.





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

January 4, 2023

Dear Property Owner:

Please be advised John & Dana Longo have applied to Sullivan County to rezone their property at 2160 Enterprise Road, Piney Flats, from the current zoning of R-1 (Low Density/Single Family Residential District) to A-2 (Low Density/Single Family Estate Residential/Agricultural District). The purpose of the rezoning request is to bring the site into compliance with the A-2 District, which is for larger residential lots 2 acres or greater. The property is Tax Map 110, Parcel 001.08 on the Sullivan County Tax Map. This request shall be reviewed by the Planning Commission first and then shall be heard by the County Commission. The following are the scheduled meeting dates for this request:

Sullivan County Regional Planning Commission – 6:00 PM on January 17, 2023

Sullivan County Commission – 6:00 PM on February 16, 2023

Both public meetings shall be held in the Historic Sullivan County Courthouse, 2nd Floor Commission Hall at 3411 Highway 126, downtown Blountville. Please let me know if you need any special assistance for these public meetings. Both meetings are open to the general public, and you are welcome to attend. If you have any questions or concerns on this request, please contact me. You may call, email or stop by our office. My email address is planning@sullivancountyttn.gov or you may call me directly at 423.279.2603.

Regards,

A handwritten signature in cursive script, appearing to read "A. Torbett".

Ambre M. Torbett, AICP
Director Planning & Community Development
Sullivan County Stormwater Coordinator

PETITION TO SULLIVAN COUNTY FOR REZONING

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

Date: 12-14-22

Property Owner: Julie Kitzmiller

Address: 356 Ellis RD Blountville, TN 37617

Phone number: 423-963-4526 Email: jnjkitzmiller@~~hotmail~~gmail.com.

Property Identification

Tax Map: 0605

Group:

Parcel: 149.00

Zoning Map: 17

Zoning District: R-1

Proposed District: R-2

Civil District: 05th
Com. District: 4th

Property Location: 356 Ellis Rd Blountville, TN 37617

Singlewide

Purpose of Rezoning: Remaining Burned house, Replacing with mobile home

Meetings

Planning Commission: Sullivan County Planning Commission

Place: Blountville Court House

Date: 1/17/23

Time: 6:00 PM

Approved:

Denied:

County Commission:

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

Date: 2/16/23

Time: 6:00 PM

Approved: Approved 24 Yes

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: Julie Kitzmiller

Date: 12-14-22

Notary Public: Jason VanHoy

My Commission Expires:



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

F3. REZONING REQUEST FROM R-1 TO R-2

FINDINGS OF FACT—

Landowner:	Julie Kitzmiller
Applicants:	same
Representative:	same
Location:	356 Ellis Road, Blountville
Mailing Address of Owners:	same
Civil district of rezoning:	5 th
Commission District of rezoning:	4 th
Parcel ID:	Tax Map 065, Parcel 149.00
Subdivision of Record:	n/a
PC1101 Growth Boundary:	Sullivan County Planned Growth Area
Utility District:	Blountville
Public Sewer:	n/a - septic
Lot/Tract Acreage:	1.2 acres
Existing Zoning:	R-1
Surrounding Zoning:	R-1 and R-2
Requested Zoning:	R-2
Existing Land Use:	Single-Family Residential – house burned
Surrounding Land Uses:	Single-Family site built, modular and singlewide mobile homes
2006 Land Use Plan:	Low Density/Agricultural
Neighborhood Opposition:	none received prior to meeting.

Staff Field Notes and Findings of Facts:

- The applicant has requested a rezoning to R-2 in order to be able to purchase and set up a single-wide mobile home. The existing site built home recently burned and is no longer habitable. The owners have expressed they cannot afford to build back and need a place to live.
- The surrounding homes are site built or manufactured housing.
- Her lot also has a storage building on site and a shed. The property has several large rock outcroppings, which might make it more challenging to rebuild.

Meeting Notes at Planning Commission:

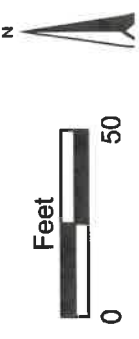
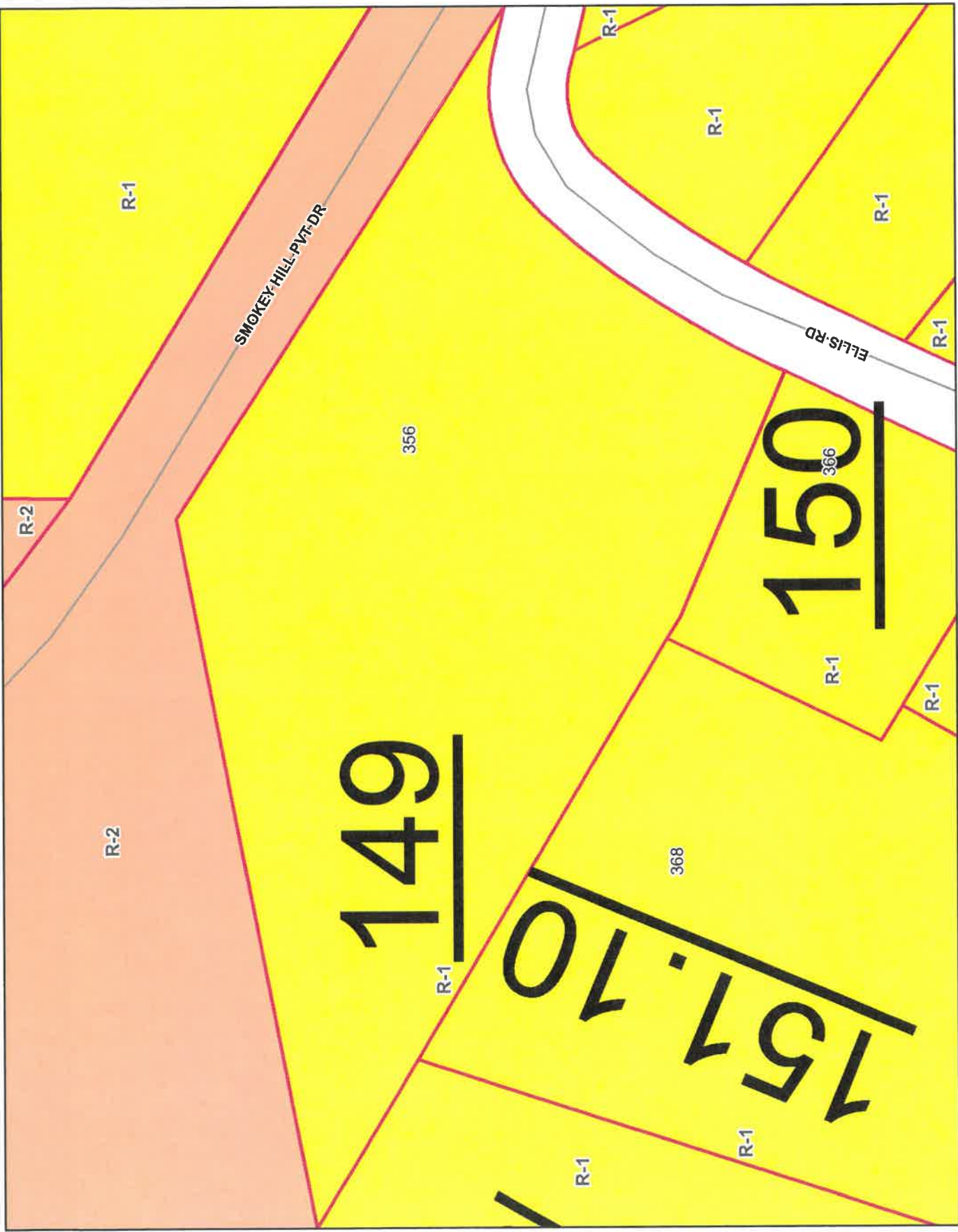
- *The Planning Director read her Field Notes and Findings. Julie Kitzmiller was present and addressed the commission. She stated that she was trying to salvage the wood and tin from the existing home that recently burned. She confirmed she and her family were working on tearing the old home themselves and would like to replace it with a single-wide mobile home. She stated she was on a fixed income and could not afford a doublewide or to rebuild. She is temporarily living at 230 Hwy 75. She confirmed her goal was to be able to have it all cleaned up by summer.*
- *Staff read an email from an adjacent property owner who had concerns about the site conditions. The email from Tonya Light stated that due to the existing site conditions it was making it difficult for her to sell her home.*
- *Ms. Johnnie Freeman spoke in opposition to the rezoning request. She was concerned that if rezoned it would become a trailer park. Staff explained that the R-2 zoning district would only allow one mobile home on the lot and it could not legally become a mobile home park. Staff further explained that without public sewer, the site is restricted from higher density such as a mobile home park. With only a septic system, the lot can only support one dwelling.*
- *Delores Anderson spoke in opposition to the request stating that she thought it was not a good idea.*
- *Linda Brittenham confirmed that this request was for only one single wide mobile home and not a mobile home park.*
- *Staff also confirmed the restriction of the zoning district.*

- Calvin Clifton asked the applicant if she would consider purchasing a modular or double wide. Ms. Kitzmiller stated she could not afford it. She explained that even used modular homes were out of her budget as the cost of the homes has gone up.
- Linda Brittenham motioned to send a favorable recommendation for the request to the County Commission.
- Darlene Calton seconded the motion and the vote in favor passed unanimously. The chairman announced that all of these cases will be heard during the final public hearing on February 16, 20023 at 6PM here in the Commission Room.

Conservation
 District 4
 Address Data Source
 Sullivan County, TN Co 911
 Kingsport, TN
 Johnson City, TN GIS
 Bristol, TN
 Notice: District 6
 A tax map has no legal standing
 other than to assess taxes by
 taxes. It cannot be used to
 establish or Original
 transfer and convey property.
 A land surveying practice
 State of Tennessee should be
 retained for all questions of
 boundary or title. Historic
 of lot lines.

Lot Lines
 Bristol UGB
 Kingsport UGB
 Sullivan County
 Zoning

- A-1
- A-2
- A-5
- AR
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- 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



Flood Insurance Rate Map (FIRM) 2007
 0.2 PCT Annual Chance Flood Hazard
 Zone A - No Base Flood Elevations Determined
 Zone AE - Base Flood Elevations Determined

Sullivan County, TN
 Planning and Codes Dept.





Street Map

TDOT Imagery

Vexcel Imagery

Property Lines



FEMA Flood Map



























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

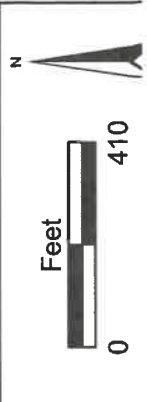
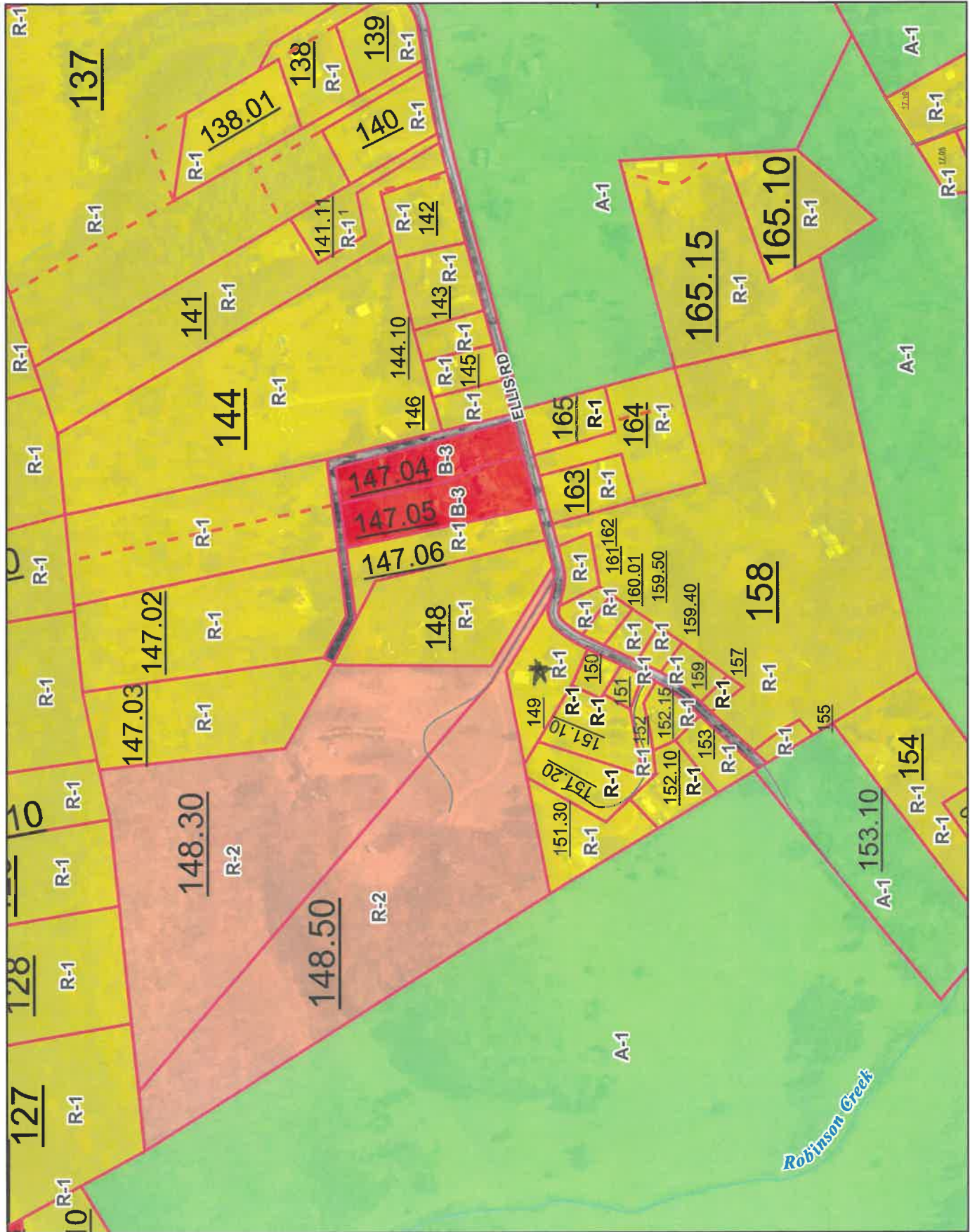
Notice:

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
-  Parcel Lines (20220325)

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
-  Hydrology
-  Streams
-  Water Routes



Flood Insurance Rate Map (FIRM) 2007
 1.2 PCT Annual Chance Flood Hazard
 Zone A - No Base Flood Elevations Determined
 Zone AE - Base Flood Elevations Determined



NOTICE
THIS PROPERTY IS
BEING CONSIDERED
FOR RE-ZONING
11/23/1441



NOTICE
NO PARKING HERE
NO STOPPING HERE



NOTICE
THIS PROPERTY IS
BEING CONSIDERED
FOR RE-ZONING
323-6440

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

January 4, 2023

Dear Property Owner:

Please be advised Julie Kitzmiller has applied to Sullivan County to rezone her property at 356 Ellis Road, Blountville, from the current zoning of R-1 (Low Density/Single Family Residential District) to R-2 (Low to Medium Density Residential District). The purpose of the rezoning request is to allow her to set up a singlewide mobile home to replace her dwelling that recently burned. The property is Tax Map 065, Parcel 149.00 on the Sullivan County Tax Map. This request shall be reviewed by the Planning Commission first and then shall be heard by the County Commission. The following are the scheduled meeting dates for this request:

Sullivan County Regional Planning Commission – 6:00 PM on January 17, 2023

Sullivan County Commission – 6:00 PM on February 16, 2023

Both public meetings shall be held in the Historic Sullivan County Courthouse, 2nd Floor Commission Hall at 3411 Highway 126, downtown Blountville. Please let me know if you need any special assistance for these public meetings. Both meetings are open to the general public, and you are welcome to attend. If you have any questions or concerns on this request, please contact me. You may call, email or stop by our office. My email address is planning@sullivancountyttn.gov or you may call me directly at 423.279.2603.

Regards,

Ambre M. Torbett, AICP
Director Planning & Community Development
Sullivan County Stormwater Coordinator

Ambre Torbett

From: Tonya Light <trl26@aol.com>
Sent: Tuesday, January 17, 2023 4:28 PM
To: Ambre Torbett
Subject: Rezoning of Property

My name is Tonya Light and I and my spouse are occupants at 353 Ellis Road. I am concerned about the request to rezone the property directly across from my property to allow a single wide for multiple reasons. Those reasons are:

1) Since the home on the property was destroyed by fire the owners have not maintained the property until recent. The current burnt structure on the property has not been torn down. (This was a factor expressed by several prospective buyers of my property from July through December.)

2) May result in reduction in property values in area

Sincerely,

Tonya Light

Sent from the all-new AOL app for Android

Heather Moore

From: Ambre Torbett <planning@sullivancountytn.gov>
Sent: Tuesday, January 3, 2023 12:34 PM
To: Kenneth Weems - City of Kingsport (kenweems@kingsporttn.gov); Garland, Savannah; Cherith Young; Heather Moore
Cc: Inspector; Permits
Subject: Minor Sullivan County Zoning Text Amendments
Attachments: ZTA Table 4-102A Part IV Section A delete entirely.pdf; ZTA 7-104.2 - Delete last sentence of Part 3 as it would require BZA not PC variance.pdf; ZTA Appendix B-105.2 Part 4 cut and move to B-105.1 part 16.pdf; ZTA Table 5-102A Part V G change to SUP Administrative Approval.pdf; ZTA Table 4-102A Part VI I change to SUP.pdf

Happy New Year fellow planners,

Attached are some minor zoning amendments our Sullivan County Regional Planning Commission reviewed at our last meeting. They come to you as unanimous recommendations from our PC.

Please let me know when you can schedule these to be heard by your Regional Planning Commissions so I can update the public notice and timeline.

Many thanks,

Ambre M. Torbett, AICP
Director of Planning & Community Development
Stormwater Administrator
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

F4. ZONING TEXT AMENDMENTS

- *Staff introduced a few minor zoning amendments.*
- *Amendments to Table 4-102A part IV A. to delete Manufacturing-Limited land uses in any commercial zoning district. Discussion followed. Calvin Clifton made a motion in favor of this text amendment as presented. Linda Brittenham seconded the motion and the vote in favor passed unanimously.*
- *Amendment to Table 4-102A Part VI – I. and Table 5-102A Part V – G respectively - Residential Occupancy Accessory Use to resolve the conflict between B-105.2 – Special Exception for Accessory Uses. Discussion followed. members agreed to allow staff to approve all requests for residential Occupancy as an accessory use for the on-site commercial or manufacturing primary land use so long as they conformed to the bulk regulations and Supplemental Regulations as outlined in Part 4 of the Appendix B-105.2. Discussion followed. Staff stated that if approved by County Commission, the table would reflect SUP across the board. Linda Brittenham motioned to recommend in favor of this amendment to Table 4-102A, part VI – I as presented. Mary Rouse seconded the motion and the vote in favor passed unanimously. Mary Rouse motioned to recommend in favor of the similar amended to Table 5-102A, Part V – G – to change form Permitted to Supplemental Regulations approved by staff as discussed. Darlene Calton seconded the motion and the vote in favor passed unanimously. Linda Brittenham motioned to recommend in favor of the corresponding Supplemental Regulations of B-105.2, Part 4 to ensure that all Residential Accessory Uses in Commercial and Manufacturing Zones be upheld but to amend the wording so that these can be approved administratively. The entire section of part 4 shall be deleted from B-105.2 and added to B-105.1 and renumbered to Section 16 in its entirety under Accessory Uses Permitted Administratively rather than by the Board of Zoning Appeals or by Planning Commission. Mary Ann Hager seconded the motion as clarified. The motion to favor of this amendment passed unanimously.*
- *The final text amendment recommended was for 7-104.2 to delete the last sentence of part 3 of this section as only the Board of Zoning Appeals can legally grant any variance to the bulk regulations of the Zoning Resolution. The Planning Commission may only consider variances to Subdivision Regulations. Discussion continued. Calvin Clifton motioned in favor of this text amendment. Laura McMillan seconded the motion and the vote in favor passed unanimously.*
- *Staff stated that she will forward these amendments to the Bristol and Kingsport Planning Staff for the recommendations from each of the other regional Planning Commissions. It will then be scheduled for the February or March County Commission meeting for final approval.*

Ambre Torbett

From: Weems, Ken <KenWeems@KingsportTN.gov>
Sent: Friday, January 20, 2023 9:53 AM
To: Ambre Torbett
Subject: RE: Minor Sullivan County Zoning Text Amendments

Ambre,

Yesterday evening the KRPC voted to send a positive recommendation to approve these minor ztas to the SCC.

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: Tuesday, January 3, 2023 12:34 PM
To: Weems, Ken; Garland, Savannah; Cherith Young; Heather Moore (hmoore@bristoltn.org)
Cc: Inspector; Permits
Subject: Minor Sullivan County Zoning Text Amendments

Happy New Year fellow planners,

Attached are some minor zoning amendments our Sullivan County Regional Planning Commission reviewed at our last meeting. They come to you as unanimous recommendations from our PC.

Please let me know when you can schedule these to be heard by your Regional Planning Commissions so I can update the public notice and timeline.

Many thanks,

Ambre M. Torbett, AICP

Director of Planning & Community Development

Stormwater Administrator

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: Heather Moore <hmoore@bristoltn.org>
Sent: Tuesday, January 24, 2023 1:54 PM
To: Ambre Torbett
Subject: PC recommendation 1.23.22 on various text amendments to Sullivan County Commission
Attachments: Staff review for various SCZR amendments 1.23.23 ZTAs attached.pdf

Ambre, good afternoon. I hope you are doing well. Bristol Municipal Regional Planning Commission met on January 23, 2023. On that date they voted unanimously (nine) to send a favorable recommendation to Sullivan County Commission on the various proposed Sullivan County Zoning Resolution text amendments.

The packet reviewed by Planning Commission is attached. Please let me know if you have any questions. Thank you!

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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**SULLIVAN COUNTY ZONING RESOLUTION
TEXT AMENDMENT RECOMMENDATION**



To: Bristol Municipal Regional Planning Commission
From: Heather Moore
Re: Minor text amendments to Sullivan County Zoning Resolution

Proposal:

On December 20, 2022, the Sullivan County Regional Planning Commission voted unanimously to forward a positive recommendation for the attached text amendments to the Sullivan County Zoning Resolution to the Sullivan County Commission. These are fairly minor edits. A recommendation is now requested on the proposed text amendments from the Bristol Municipal Regional Planning Commission as the revisions may impact property within the City's Urban Growth Boundary.

The minutes from the December Sullivan County Planning Commission meeting are attached, and a brief description of each amendment is below –

1. **Table 4-102A, Part VI Section A** (delete entirely) – Sullivan County staff received complaints from commercially zoned office land use tenants that an adjacent commercial zone had changed uses to a sawmill and wood working company. The noise of the machines within the building was a nuisance to the adjacent businesses and offices. It was discovered that Limited Manufacturing land uses are a permitted use within the B-3, B-4, and Planning Business, when the operation of machinery should be limited to manufacturing zones where buffering and separation of incompatible land uses is safeguarded.
2. **Table 4-102A Part VI Section I** – This section of the Commercial Land Use Table was in conflict with appendix B, where it required Planning Commission approval instead of Administrative Approval. The cross reference of this approval needed to match. The Planning Commission agreed, as long as staff upheld the Supplemental Regulations to ensure the residential occupancy was truly an accessory use to the business and not a primary residence, then staff could approve the use in house.
3. **Table 5-102A, Part V G** – This section of the Manufacturing and Use Table was in conflict with Appendix B, where it required Planning Commission approval instead of Administrative Approval. The cross reference of this approval needed to match. The Planning Commission agreed, as long as the staff upheld the Supplemental Regulations to ensure the residential occupancy was truly an accessory use to the business and not a primary residence, then staff could approve the use in house.
4. **Section 7.104.2** – (delete last sentence of Part 3 as it would require BZA not PC variance) – The Planning Commission does not have the legal authority to grant variances to the Zoning Resolution (code). Requests for variances to any of the Bulk Regulations of the Zoning Regulations may be filed for review to the Board of Zoning Appeals. Staff recommends cleaning up the language to be in conformance with due process and State Law on zoning variances.
5. **Appendix B-105.2 Part 4** (cut and move to B-105.1 part 16) – This section was just miscodified in that the Land Use Table allowed staff to approve but the Supplemental Regulations required either the Board of Zoning Appeals or the Planning Commission to approve. The Planning Commission agreed to allow staff to approve residential accessory uses in commercial or manufacturing zones, so long as the Bulk Regulations and the Supplemental Regulations were upheld.

Bristol Community Development staff reviewed the proposed amendments, with reference to Bristol's current regulations, and noted that the majority are of a bookkeeping nature. No potential effect is noted in these changes to current Bristol regulations.

Staff Recommendation:

Staff recommends that the Bristol Tennessee Municipal Regional Planning Commission forward a favorable recommendation to the Sullivan County Commission to approve the proposed minor text amendments to Sullivan County Resolution.

A handwritten signature in black ink, appearing to read "Heather Moore". The signature is written in a cursive, slightly slanted style.

Heather Moore, AICP
Planner

SULLIVAN COUNTY ZONING RESOLUTION

TEXT AMENDMENT PROCESS AND CHECKLIST:

Date: December 20, 2022

ARTICLE REFERENCE: **Table 4-102A Part IV - A**

EXISTING ZONING RESOLUTION TEXT:

Table 4-102A Part IV – Part A
(manufacturing allowed currently in commercial zones)

IV. MANUFACTURING ACTIVITIES						
A. Manufacturing – Limited	PC	PC	SUP	SUP	X	X

PROPOSED ZONING RESOLUTION TEXT AMENDMENT:

Table 4-102A Part IV – Part A
(manufacturing allowed currently in commercial zones)

Delete this section A – Remove Manufacturing Limited land uses in Commercial Zoning Districts

IV. MANUFACTURING ACTIVITIES						
A. Manufacturing – Limited	PC	PC	SUP	SUP	X	X

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

Upon recent complaints from commercially zoned office land use tenants, that an adjacent commercial zone had changed uses to a sawmill and wood working company. The noise of the machines within the building has become a nuisance to the adjacent businesses and offices. It was discovered that Limited Manufacturing land uses was a permitted use within the B-3, B-4 and Planned Businesses, when the operation of machinery should be limited to manufacturing zones where buffering and separation of incompatible land uses is safeguarded.

Initiated by: Staff

Planning Director/Staff

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	12/20/2022	<i>In favor</i>	<i>unanimously</i>
2 nd Review by SCRPC	<i>n/a</i>		
Bristol Staff		<i>yes</i>	
Bristol Regional PC	01/23/2023	<i>In favor</i>	<i>unanimously</i>
Kingsport Staff		<i>yes</i>	
Kingsport Regional PC	01/19/2023	<i>In favor</i>	<i>unanimously</i>
Public Notice	01/24/2023		
County Commission Public Hearing	02/16/2023		24 Yes
<i>If CC Denies/Remands back for further Study – repeat full public review process</i>			

SULLIVAN COUNTY ZONING RESOLUTION

TEXT AMENDMENT PROCESS AND CHECKLIST:

Date: December 20, 2022

ARTICLE REFERENCE: **Table 4-102A Part VI – I – Residential Occupancy in Commercial Zones**

EXISTING ZONING RESOLUTION TEXT:

Table 4-102A Part VI - I
(Residential Occupancy in Commercial Zones)

<u>VI. ACCESSORY ACTIVITIES</u>						
A. Commercial Accessory Storage – Enclosed <small>(residential accessory structures permitted where residential land uses are permitted)</small>	X	PC	X	P	X	X
B. Accessory Day Care within business ctr.	PC	PC	SUP	SUP	SUP	SUP
C. Administrative Office	PC	PC	SUP	SUP	SUP	SUP
D. Bed and Breakfast Inn	PC	PC	PC	PC	PC	PC
E. Columbarium/Mausoleum	SUP	SUP	SUP	SUP	SUP	SUP
F. Operation of a Cafeteria	PC	PC	PC	PC	X	X
G. Parents Day Out	SUP	SUP	SUP	SUP	SUP	SUP
H. Production for Retail Sale	PC	PC	SUP	SUP	SUP	X
I. Residential Occupancy <small>(approved administratively – amended 09 17 07)</small>	P	P	SUP	SUP	P	P
J. Special Public Event on Private Property	BZA	BZA	BZA	BZA	SUP	BZA

KEY TO INTERPRETING USE CLASSIFICATIONS

BZA = Special Exception of Use with Approval from Board of Zoning Appeals

P = Use Permitted by Right Within the District

SUP = Principal Use Permitted with Supplemental Provisions

PC = Subject to Review and Approval by the Planning Commission

X – Not permitted

PROPOSED ZONING RESOLUTION TEXT AMENDMENT:

Table 4-102A Part VI - I

(Residential Occupancy in Commercial Zones)

<u>VI. ACCESSORY ACTIVITIES</u>						
A. Commercial Accessory Storage – Enclosed (residential accessory structures permitted where residential land uses are permitted)	X	PC	X	P	X	X
B. Accessory Day Care within business ctr.	PC	PC	SUP	SUP	SUP	SUP
C. Administrative Office	PC	PC	SUP	SUP	SUP	SUP
D. Bed and Breakfast Inn	PC	PC	PC	PC	PC	PC
E. Columbarium/Mausoleum	SUP	SUP	SUP	SUP	SUP	SUP
F. Operation of a Cafeteria	PC	PC	PC	PC	X	X
G. Parents Day Out	SUP	SUP	SUP	SUP	SUP	SUP
H. Production for Retail Sale	PC	PC	SUP	SUP	SUP	X
I. Residential Occupancy <i>(approved administratively – amended 09 17 07)</i>	SUP	SUP	SUP	SUP	SUP	SUP
J. Special Public Event on Private Property	BZA	BZA	BZA	BZA	SUP	BZA

KEY TO INTERPRETING USE CLASSIFICATIONS

- BZA = Special Exception of Use with Approval from Board of Zoning Appeals**
- P = Use Permitted by Right Within the District**
- SUP = Principal Use Permitted with Supplemental Provisions**
- PC = Subject to Review and Approval by the Planning Commission**
- X – Not permitted**

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

This section of the Commercial Land Use Table was in conflict with Appendix B, where it required Planning Commission approval instead of Administrative Approval. The cross reference of this approval needed to match. The Planning Commission agreed, as long as the staff upheld the Supplemental Regulations to ensure the residential occupancy was truly an accessory use to the business and not a primary residence, then staff could approve the use in house.

Initiated by: Staff

Planning Director/Staff

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	12/20/2022	<i>In favor</i>	<i>unanimously</i>
2 nd Review by SCRPC	<i>n/a</i>		
Bristol Staff		<i>yes</i>	
Bristol Regional PC	01/23/2023	<i>In favor</i>	<i>unanimously</i>
Kingsport Staff		<i>yes</i>	
Kingsport Regional PC	01/19/2023	<i>In favor</i>	<i>unanimously</i>
Public Notice	01/24/2023		
County Commission Public Hearing	02/16/2023		24 Yes
<i>If CC Denies/Remands back for further Study – repeat full public review process</i>			

SULLIVAN COUNTY ZONING RESOLUTION

TEXT AMENDMENT PROCESS AND CHECKLIST:

Date: December 20, 2022

ARTICLE REFERENCE:

Table 5-102A, Part V – G – Residential Occupancy Accessory Use in Manufacturing Zones

EXISTING ZONING RESOLUTION TEXT:

V. ACCESSORY ACTIVITIES	PMD-2	PMD-1	M-2	M-1
A. Accessory Storage – Enclosed Structure	PC	PC	SUP	SUP
B. Accessory Child Care	PC	PC	SUP	SUP
C. Administrative Office	PC	PC	SUP	SUP
D. Operation of Cafeteria	PC	PC	PC	PC
E. Outdoor Storage	PC	PC	SUP	SUP
F. Production for Retail Sale	X	X	X	X
G. Residential Occupancy <small>(approved administratively - Amended 09 17 07)</small>	P	P	X	P

PROPOSED ZONING RESOLUTION TEXT AMENDMENT:

Table 5-102A, Part V – G – Residential Occupancy Accessory Use in Manufacturing Zones

TO ALLOW IN PLANNED MANUFACTURING AND LIGHT/GENERAL MANUFACTURING – BUT STILL NOT PERMITTED IN M-2 ZONES

V. ACCESSORY ACTIVITIES	PMD-2	PMD-1	M-2	M-1
A. Accessory Storage – Enclosed Structure	PC	PC	SUP	SUP
B. Accessory Child Care	PC	PC	SUP	SUP
C. Administrative Office	PC	PC	SUP	SUP
D. Operation of Cafeteria	PC	PC	PC	PC
E. Outdoor Storage	PC	PC	SUP	SUP
F. Production for Retail Sale	X	X	X	X
G. Residential Occupancy <small>(approved administratively - Amended 09 17 07)</small>	SUP	SUP	X	SUP

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

This section of the Manufacturing and Use Table was in conflict with Appendix B, where it required Planning Commission approval instead of Administrative Approval. The cross reference of this approval needed to match. The Planning Commission agreed, as long as the staff upheld the Supplemental Regulations to ensure the residential occupancy was truly an accessory use to the business and not a primary residence, then staff could approve the use in house.

Initiated by: Staff

Planning Director/Staff

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	12/20/2022	<i>In favor</i>	<i>unanimously</i>
2 nd Review by SCRPC	<i>n/a</i>		
Bristol Staff		Yes	
Bristol Regional PC	01/23/2023	<i>In favor</i>	<i>Unanimously</i>
Kingsport Staff		Yes	
Kingsport Regional PC	01/19/2023	<i>In favor</i>	<i>Unanimously</i>
Public Notice	01/24/2023		
County Commission Public Hearing	02/16/2023		24 Yes
<i>If CC Denies/Remands back for further Study – repeat full public review process</i>			

SULLIVAN COUNTY ZONING RESOLUTION

TEXT AMENDMENT PROCESS AND CHECKLIST:

Date: December 20, 2022

ARTICLE REFERENCE:

Appendix B-105.2 – Special Exception Accessory Uses (BZA or Uses-on-Review by PC)

EXISTING ZONING RESOLUTION TEXT:

B-105.2 Special Exception Accessory Uses (BZA) or Uses-on-Review (PC) - In addition to the requirements established for accessory uses generally, the specific standards set out below for individual accessory uses and activities shall be met as part of the conditions for issuing the use permit. Upon issuance of any permit for a conditional accessory use or use-on-review as specified by this section such use, or activity shall be continuously subject to compliance with any operational standard or criteria established by the Board of Appeals or Planning Commission and limitations imposed upon such use by virtue of its being classified as "accessory" to a principal use or activity.

All accessory activities to a special exception (BZA) use shall be approved in accordance with the procedure set out in ARTICLE XII, Section 12-105, for review and approval of conditional uses generally. An accessory activity may be approved along with the principal conditional use or at any point subsequent thereto in the manner provided, herein. Any use-on-review (PC) shall be reviewed by the Planning Commission along with the following provisions. Accessory uses with supplemental provisions include the following:

4. **Residential Occupancy in Connection with Nonresidential Activity (PC approval)** - Residential occupancy may be permitted as an accessory use to a principal nonresidential activity located on the same zone lot subject to the following:
 - a. **Only One Unit Permitted** - No more than one (1) dwelling or rooming unit may be permitted in connection with a principal nonresidential activity located upon the same zone lot.
 - b. **Occupancy Limited** - Any dwelling or rooming unit permitted under the provisions of this section shall be limited to occupancy by person(s) employed in the principal nonresidential activity located upon the same zone lot.
 - c. **Residential Occupancy Prohibited** - No dwelling or rooming unit may be located upon any site with a nonresidential activity that is defined by this resolution as a **"hazardous occupancy."**

Move Part 4 to B-105.1 – keep code the same

PROPOSED ZONING RESOLUTION TEXT AMENDMENT: **JUST MOVE TO APPENDIX B-105.1 PART 16 FOR ADMINISTRATIVE APPROVAL**

16. **Residential Occupancy in Connection with Nonresidential Activity** - Residential occupancy may be permitted as an accessory use to a principal nonresidential activity located on the same zone lot subject to the following:

- a. Only One Unit Permitted - No more than one (1) dwelling or rooming unit may be permitted in connection with a principal nonresidential activity located upon the same zone lot.
- b. Occupancy Limited - Any dwelling or rooming unit permitted under the provisions of this section shall be limited to occupancy by person(s) employed in the principal nonresidential activity located upon the same zone lot.
- c. Residential Occupancy Prohibited - No dwelling or rooming unit may be located upon any site with a nonresidential activity that is defined by this resolution as a "**hazardous occupancy.**"

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

This section was just miscodified in that the Land Use Table allowed staff to approve but the Supplemental Regulations required either the Board of Zoning Appeals or the Planning Commission to approve. The Planning Commission agreed to allow staff to approve residential accessory uses in commercial or manufacturing zones, so long as the Bulk Regulations and the Supplemental Regulations were upheld.

Initiated by: Staff

Planning Director/Staff

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	12/20/2022	In favor	unanimously
2 nd Review by SCRPC	n/a		
Bristol Staff		yes	
Bristol Regional PC	01/23/2023	In favor	unanimously
Kingsport Staff		yes	
Kingsport Regional PC	01/19/2023	In favor	unanimously
Public Notice	01/24/2023		
County Commission Public Hearing	02/16/2023		24 Yes
<i>If CC Denies/Remands back for further Study – repeat full public review process</i>			

SULLIVAN COUNTY ZONING RESOLUTION

TEXT AMENDMENT PROCESS AND CHECKLIST:

Date: December 20, 2022

ARTICLE REFERENCE: **7-104.2 – Design of Parking Stalls and Maneuvering Spaces**

EXISTING ZONING RESOLUTION TEXT:

7-104.2 Design of Parking Stalls and Maneuvering Spaces

1. Dimensions of Parking Spaces - Except as, otherwise, provided by Subpart 2, of this section, the minimum dimensions of parking stalls and maneuvering spaces shall be as shown on TABLE 7-104.2.
2. Parallel Parking - Parallel parking spaces shall conform to the standards in TABLE 7-104.2.
3. Paving Standards - All parking spaces and access drives of parking areas shall be surfaced with asphalt or concrete, or other hard-surfaced dustless materials, and shall be constructed to provide for adequate drainage. Any site operator, owner or developer acting as the agent of the property may apply to the Planning Commission for an assurance performance bond to be posted for minor site improvements only if special, unforeseeable circumstances interfere with the timely completion of the project as approved by a site plan. Performance guarantees shall be accepted pursuant to the same standards and procedures set forth in the Subdivision Regulations for Sullivan County – Section 4B. The department may allow a signed and notarized contract between the property owner/developer and the contractor, such as a paving or landscaping company, which will allow the completion of paving and/or landscaping to be completed by the next paving or planting season. **The Planning Commission may forfeit all paving, if it is not conducive to the type of business being operated or to prevent water run-off on to adjoining properties (amended August 15, 2005).**

PROPOSED ZONING RESOLUTION TEXT AMENDMENT:

7-104.2 Design of Parking Stalls and Maneuvering Spaces

1. Dimensions of Parking Spaces - Except as, otherwise, provided by Subpart 2, of this section, the minimum dimensions of parking stalls and maneuvering spaces shall be as shown on TABLE 7-104.2.
2. Parallel Parking - Parallel parking spaces shall conform to the standards in TABLE 7-104.2.
3. Paving Standards - All parking spaces and access drives of parking areas shall be surfaced with asphalt or concrete, or other hard-surfaced dustless materials, and shall be constructed to provide for adequate drainage. Any site operator, owner or developer acting as the agent of the property may

apply to the Planning Commission for an assurance performance bond to be posted for minor site improvements only if special, unforeseeable circumstances interfere with the timely completion of the project as approved by a site plan. Performance guarantees shall be accepted pursuant to the same standards and procedures set forth in the Subdivision Regulations for Sullivan County – Section 4B. The department may allow a signed and notarized contract between the property owner/developer and the contractor, such as a paving or landscaping company, which will allow the completion of paving and/or landscaping to be completed by the next paving or planting season. The Planning Commission may forfeit all paving, if it is not conducive to the type of business being operated or to prevent water run-off on to adjoining properties (amended August 15, 2005).

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

- *The Planning Commission does not have the legal authority to grant variances to the Zoning Resolution (code). Requests for variances to any of the Bulk Regulations of the Zoning Resolution may be filed for review to the Board of Zoning Appeals. Staff recommends cleaning up the language to be in conformance with due process and State Law on zoning variances.*

Initiated by: Staff

Planning Director/Staff

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	12/20/2022	In favor	unanimously
2 nd Review by SCRPC	n/a		
Bristol Staff		yes	
Bristol Regional PC	01/23/2023	In favor	unanimously
Kingsport Staff		yes	
Kingsport Regional PC	01/19/2023	In favor	unanimously
Public Notice	01/24/2023		
County Commission Public Hearing	02/16/2023		24 Yes
<i>If CC Denies/Remands back for further Study – repeat full public review process</i>			