#### JULY 11, 2024

#### BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN MONTHLY WORK SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS THURSDAY EVENING, JULY 11, 2024, AT 6:00 P.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS COMMISSIONER JOHN GARDNER, PRO TEMPORE AND TERESA JACOBS, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS,

#### TO WIT:

The Commission was called to order by Commissioner John Gardner, Pro Tempore, Sgt. Phillip White opened the commission and Commissioner Jessica Means gave the invocation. The pledge to the flag was led by Sgt. Phillip White.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

DAVID AKARD	MARK IRESON
DARLENE CALTON	SAM JONES
JOE CARR	DWIGHT KING
MICHAEL COLE	TONY LEONARD
	HUNTER LOCKE
	JOE MCMURRAY
JOYCE NEAL CROSSWHITE	JESSICA MEANS
JOHN GARDNER	ARCHIE PIERCE
HERSHEL GLOVER	
CHERYL HARVEY	GARY STIDHAM
DAVID HAYES	ZANE VANOVER
	TRAVIS WARD

20 PRESENT, 4 ABSENT ABSENT AT ROLL CALL: CROSS, CRAWFORD, HORNE, SLAGLE

The following pages indicate the action taken by the Commission on rezoning requests for the month of July, 2024.

#### Sullivan County Work Session July 11 2024

1 Mayor/Chairman Richard S. Venable presiding Call to order by Sheriff Jeff Cassidy

Description

Sullivan County Commission

June 2024 Work Session & Zoning Requests Hearing and Votes

July 11, 2024

6:00 p.m.

Chairman

Venable, Richard

Total vote result

Voting start time 6:04:01 PM Voting stop time 6:05:07 PM

Voting configuration Roll Call - Attendances

Voting mode Open

Vote result

Present	2	-20=
Total Present		20
Total Seats		28
Absent		4

#### **Group voting result**

Group	* V - V - V - V - V - V - V - V - V - V		Yes	Absent
No group			20	0
		 Total result	20	<u>8</u> 4

#### Individual voting result

Name		- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1		Yes	Absent
Akard, David ()				X	
Calton, Darlene ()			•	X	-
Carr, Joe ()		'		Х	
Cole, Michael ()		· · · · · · · · · · · · · · · · · · ·		X	
Crawford, Larry ()					X
Cross, Andrew ()	•				Χ
Crosswhite, Joyce ()	•	-		X	
Gardner, John ()				X	
Glover, Hershel ()				X	
Harvey, Cheryl ()				. X	
Hayes, David ()				X	
Horne, Daniel ()			• •		X
Ireson, Ma <u>rk ()</u>				X	
Jones, Sam ()				X	
King, Dwight ()				Х	_
Leonard, Tony ()				X	
Locke, Hunter ()		<u> </u>		X	
McMurray, Joe ()				X	
Means, Jessica ()		<del> </del>		X	
Pierce, Archie ()		<u></u>		X	
Slagle, Matt ()					×
Stidham, Gary ()				X	
Vanover, Zane ()				Х	
Ward, Travis ()				Х	

#### SULLIVAN COUNTY Board of County Commissioners July 11, 2024

6:00 p.m.

#### WORK SESSION and REZONING REQUESTS PUBLIC HEARING MEETING AGENDA

- ❖ Mayor/Chairman Richard S. Venable presiding.
- Invocation.
- Pledge to the American Flag.
- Roll Call by Teresa Jacobs, Sullivan County Clerk.
- Speakers/Presentations
  - Rebecca Beck, CEO of Holston Valley Medical Center and Indian Path Community Hospital
- Public Hearing and Commission Vote for Rezoning Requests and/or Zoning Text Amendments.

#### **NEW BUSINESS**

Item 1 Resolution No. 2024-07-01

Sponsors: Calton/ Gardner

RESOLUTION To Consider Amendment(s) To the Sullivan County Zoning Plan: Zoning Map Or The Zoning Resolution.

- Donald Hartley. Request: B-3 to R-1. Commission District 5.
   Public Comment on Hartley request.
- Andrew Shivley. Request: B-3 to R-2A. Commission District 6. Public Comment on Shivley request.
  - Public Comment (Not zoning related)
  - · Review of Regular Meeting Agenda
  - ❖ Announcements
  - Adjournment



# Sullivan County Board of County Commissioners 244th Annual Session

Item 1 Resolution No. 2024-07-01

To the Honorable Richard S. Venable, Sullivan County Mayor, and the Board of Sullivan County Commissioners meeting in Regular Session this 11th day of July 2024.

# RESOLUTION TO CONSIDER AMENDMENT(S) TO THE SULLIVAN COUNTY ZONING PLAN: ZONING MAP OR THE ZONING RESOLUTION

WHEREAS, the rezoning petition(s) have been duly initiated; have been before the appropriate Regional Planning Commission (recommendations enclosed); and shall receive a public hearing as required prior to final action from the County Commission; and

WHEREAS, such rezoning petition(s) and/or the proposed text amendment(s) will require an amendment to the <u>SULLIVAN COUNTY ZONING PLAN – Zoning Map or Zoning Resolution</u>.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby consider rezoning petition(s) and/or the Zoning Resolution Text Amendment(s), conduct the appropriate public hearing as required by law, and vote upon the proposed amendment(s) individually, by roll call vote, and that the vote be valid and binding, and that any necessary amendments to the official zoning map or resolution code book be made by the Planning & Codes Department.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 11th day of July, 2024

MANA MC COLL

reresa Jacob≲./County Clerk

pproved

Richard S. Venable, Mayo

Introduced by: Commissioner Darlene Calton Seconded by: Commissioner John Gardner

2024-07-01 ACTIONS: 07/11/24 Introduced at Rezoning Requests Public Hearing. Approved 20 Yes, 4 Absent



## Agenda subject voting report

Meeting name

#### Sullivan County Work Session July 11 2024



3 Public Hearing and Commission Vote for Rezoning Request and/or Zoning Text Amendments

DescriptionRezoning HearingChairmanVenable, Richard

Total vote result

Voting start time6:31:05 PMVoting stop time6:31:29 PMVoting configurationVoteVoting modeOpen

Vote result

Yes		20
Abstain		0
No .	The second secon	
Total Present		20
Absent		4

#### Group voting result

Group	 7	-	Yes	Absent
No group		·	20	0
		Total result	20	p'4

#### Individual voting result

Name	Yes	Abstain	No.	Absent
Akard, David ()	X		-	
Calton, Darlene ()	X			
Carr, Joe ()	X			
Cole, Michael ()	X			
Crawford, Larry ()				Х
Cross, Andrew ()				Х
Crosswhite, Joyce ()	X			
Gardner, John ()	Х			
Glover, Hershel ()	X			
Harvey, Cheryl ()	X			
Hayes, David ()	Х			
Horne, Daniel ()				Х
Ireson, Mark ()	X			
Jones, Sam ()	X			
King, Dwight ()	X	<u> </u>		
Leonard, Tony ()	X			
Locke, Hunter ()	X			
McMurray, Joe ()	X			
Means, Jessica ()	X			
Pierce, Archie ()	X		,	
Slagle, Matt ()				X
Stidham, Gary ()	X			
Vanover, Zane ()	X			
Ward, Travis ()	X			

Printed: 7/11/2024 6:31:29 PM

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

July 11, 2024 - Work Session

, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	A Company of the Comp	motion by: Calton		2nd by: Gardner	its (trap or tox) as lev	iewed by the Regional Pl	anning Cor	ilmission.		
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 Distric
		A y byw material grown		K FT - LELL S					400 F	
1	5/3/2024	Donald Hartley	none	yes	yes	Sullivan County	B-3	R-1	9th	5th
2	5/16/2024	Andrew Shivley	none	yes	yes	Sullivan County	B-3	R-2A	10th	6th
3					5 5					
4	-					,			· · · · · · · · · · · · · · · · · · ·	
			Marine Marine							
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<u>Voting</u>	Summary:	3	The second secon	The second secon	A ANNAN TO A A		<del></del>			
Name	Case Order	yes	no	pass / abstain	absent	Approved (yes or no)				
Hartley	1	20		7	4 '	YES		A	······	
Shivley	<u>,</u> 2	20			4	YES	5 -40			*
φ. 1917 - 1	3	14.00		1			l			
· - ;	4		4	-	- 4			i e i		
	رست میشد ر سا در سمید در در	70 <u>v</u> 00				<u> </u>	ate :	47.7% (864) 49.000	<del></del>	

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

footnote:

ZTA: Zoning Text Amendment

#### PUBLIC NOTICE

Sullivan County Regional Planning Commission shall hold a public meeting on Tuesday, June 18, 2024 at 6PM within the Historic Courthouse, located at 3411 Hwy 126, Blountville. The purpose of the meeting is to review two individual rezoning requests: 1) Donald Hartley, property at 176 Allison Road, Piney Flats, Tax Map 124, parcel 145.00 from B-3 (General Business) back to R-1 (Single-Family Residential); and 2) Andrew Shivley, property at 158 New Beason Well Road, Kingsport, Tax Map 031B, Group G, Parcels 001.10 and 002.05 from B-3 (General Business) to R-2A (Duplex/Residential).

The final public hearing of the proposed two individual property rezoning map amendments shall be heard by the Sullivan County Commission during the July 11, 2024 Work Session Zoning Hearing, which is held in the Commission Room of the Sullivan County Historic Courthouse, at 3411 Highway 126, Blountville. 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: planning@sullivancountytn.gov Copies of the requests are filed in the Sullivan County Planning & Codes Department located within the Historic Snow House at 3425 Hwy 126, Blountville, TN.

## PETITION TO SULLIVAN COUNTY FOR REZONING

196

A request for rezoning is made by the person named below; said request to g	o before the Sullivan County Regional
Planning Commission for recommendation to the Sullivan County Board of Comm	•
Date: C	55/03/24
Property Owner: Donald Hartley Address 1029 HUNTING HILL RD PINEY FIATS TO	
Address 1029 HUNTING HILL RD PIWEY FIATS 7.	N 3 2686
Phone number: 429-646-5585 Email: PEKenscove	e oryahoo, com
Property Identification	
Tax Map: 13C Group: Parcel:	145.00
Zoning Map: 26 Zoning District: B-3 Proposed District	ct: R-1 Civil District: 09
Property Location: 176 Autison Rd	Commission District: 5 <sup>th</sup>
Purpose of Rezoning: Rozoge From Commercial to	lesidestial
Meetings	
Planning Commission: 50111 Van Courty Planning Co	ommission
Place: Historic Courthouse, 2nd Floor, 3411 Hwy 126 Blountville TN	
Date: Jone 18 2024 Time: 6:00 PM	
9 yes 10 alent Approved: Denied:	
County Commission:	
Place: Historic Courthouse 2nd Floor Commission Chambers 3411 Highway 126, E	3lountville TN
Date: 3014 11 2024 Time: 6:00 PM	
, APPROVED 20 YES, 4 ABSI	ENT
Approved: Denied: _	TO SEC. OF SEC. As A CASE OF
	A STATE OF THE STA
DEED RESTRICTIONS	<b>.</b>
I understand that rezoning does not release my property from the requirements of The undersign, being duly sworn, hereby acknowledges that the information proving Rezoning is true and correct to the best of my information, knowledge and belief.	ided in this petition to Sullivan County for
announting.	
Owner's Signature: Hotel Hotel SAL HOLLING Date:	5/03/24
STATE OF	
Notary Public: TENNESSEE My Com	nmission Expires: 12/28/26
NOTARY PUBLIC PUBLIC	5/03/24 nmission Expires: 12/28/24
WAN COUNTY	

## Agenda subject voting report

Meeting name

Sullivan County Work Session July 11 2024

7/11/2024

3.1 Rezoning request #1 and public hearing

Vote

**Description** Donald Hartley

Commission District 5

B-3 to R-1

Chairman Venable, Richard

Total vote result

Voting start time6:35:10 PMVoting stop time6:35:30 PMVoting configurationVoteVoting modeOpen

Vote result

Yes	The state of the s	20
Abstain		0
No	.a-	. 0
Total Present		20
Absent		4

#### **Group voting result**

Group	<i>i</i> -	96.7 = 26.7	K Z Zwik W		Yes	Absent
No group					20	0
	•			Total result	20	p/4

#### Individual voting result

Name garage a factor and a fact	The state of the s	Yes	Abstain	∌ No ∵	Absent
Akard, David ()		X			
Calton, Darlene ()		X			
Carr, Joe ()		X			
Cole, Michael ()	•	Х			
Crawford, Larry ()					Х
Cross, Andrew ()					Х
Crosswhite, Joyce ()		X			
Gardner, John ()		X			
Glover, Hershel ()	<u> </u>	X			
Harvey, Cheryl ()		Х			
Hayes, David ()		X	Ï		
Horne, Daniel ()					X
Ireson, Mark ()	-	X			
Jones, Sam ()		_ X			
King, Dwight ()		Х			
Leonard, Tony ()		X			
Locke, Hunter ()		X			
McMurray, Joe ()		X			
Means, Jessica ()		X			
Pierce, Archie ()		Х			
Slagle, Matt ()					X
Stidham, Gary ()		Х			
Vanover, Zane ()		Х			
Ward, Travis ()		X			

# THE CHAIR WILL READ THE OPENING STATEMENT ON THE PROCESS FOR HEARING REZONING REQUESTS

# F1. REZONING REQUEST FROM B-3 (GENERAL BUSINESS) TO R-1 (SINGLE-FAMILY RESIDENTIAL)

FINDINGS OF FACT.

Landowner: Donald Hartley

Applicants: same Representative: same

Location: 176 Allison Road, Piney Flats
Mailing Address of Owners: 1079 Hunting Hill Road, Piney Flats

Location of Existing Business: 3166 Hwy 126, Blountville (renting a store front)

Civil district of rezoning: 9th Commission District of rezoning: 5th

Parcel ID: Tax Map 124, Parcel 145.00

Subdivision of Record: n/a

PC1101 Growth Boundary: Johnson City Urban Growth Boundary

Existing Land Use of Lot: rental house

Utility District:

Public Sewer:

Johnson City Utility District

Johnson City Public Sewer

Lot/Tract Acreage: .5 of an acre

Flood Plain: n/a
Existing Zoning: B-3
Surrounding Zoning: R-1
Proposed Zoning Request: R-1

Surrounding Land Uses: single family/low density residential and existing businesses

2006 Land Use Plan: Low density residential

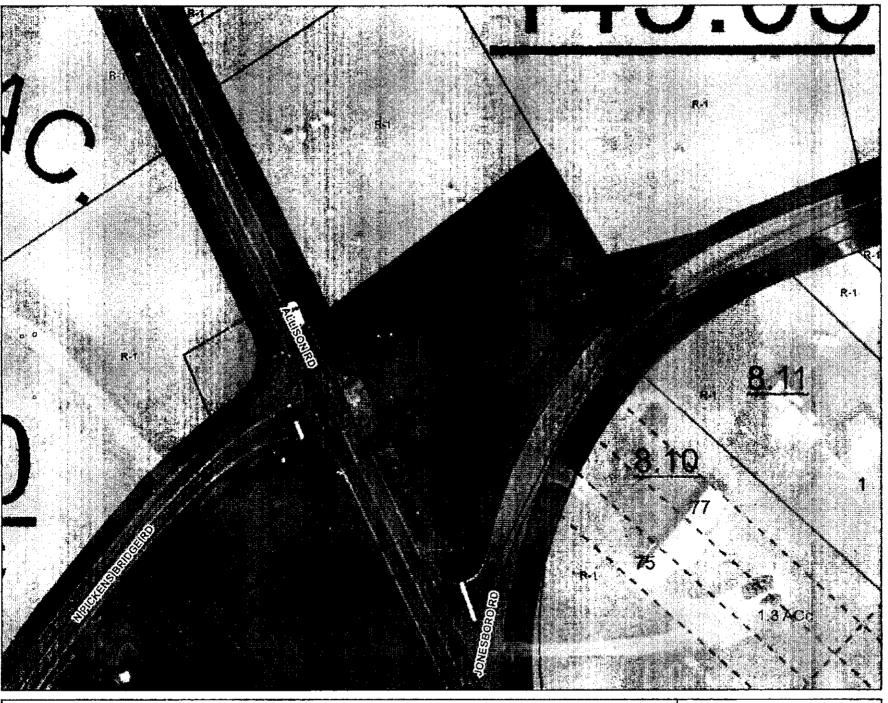
Neighborhood Opposition: none received

#### Staff Field Notes and Findings of Facts:

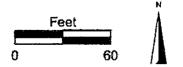
- The owner is requesting a rezoning from General Business back to low density residential in order to renovate the home back to living accommodations. The previous owner converted the home into a sales office for his masonry business.
- The corner lot is surrounded by residential land uses on all sides.
- While the location is near the Food City Shopping Center across Allison Road, this lot was not ideal for commercial redevelopment due to the restricted access, topography, sight visibility and lot size.
- Staff recommends in favor of this rezoning request.

# Meeting Notes at Planning Commission:

- Staff read her report and findings.
- The chair called for anyone in the audience who wanted to speak in opposition to the request. None received.
- The chair called for anyone in the audience to speak in favor of this request.
- The vice chair asked if the applicant was present. Mr. Hartley raised his hand. No further discussion.
- Steven Hobbs motioned to forward a favorable recommendation to the County Commission for this rezoning request.
- Mary Ann Hager seconded the motion and the vote in favor passed unanimously.



Sullivan County, TN Planning and Codes Dept.



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

#### Notice:

NOTICE:
A tax map has no legal stand 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 I or location of lot lines.

- JC Sewer Lines پم
- , JC Water Lines
- ▲ Lot Lines
- Parcel Lines (20220325)

#### **Current Zoning**

- A-1
- **⊕ A-2**
- ☐ A-5
  - AR
  - B-1
  - 8-2
- ⊕ B-3
- - M-1
  - M-2
- PAD
- 図 PBD-3
- PBD/SC
- PMD-1
- M PMD-2
- R-1
- R-2
- R-2A
- R-3
- R-3A
- R-3B
- RRC



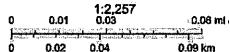
Date: June 6, 2024

County: Sullivan

Owner: COLEMAN HOWARD & POLLY

Address: ALLISON RD 176 Parcel Number: 124 145.00

Deeded Acreage: 0
Calculated Acreage: 0
Date of TDOT Imagery: 2019
Date of Vexcel Imagery: 2023



State of Tennessee, Compitation of the Treasury, Division of Property Assessments (DPA), Est Community Maps Contributors, City of Johnson City, TN, Ternessee STS GIS, © OpenStreatMap, Microsoft, Est, Tomfom, Carmin, SafeGraph, GeoTechnologies, Inc, METINASA, USGS, EPA, NPS, US Census Bureau, USCA, USFWS

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 last.

Actives Pate Source Science Inc. Sept. Co. 911 Kingsport Roll Co. 911 Long Co. 911

#### Noissettine

A tax map has no legal stand other man has assessment of taxes. It cannot be used to establish foundary lines or transfer and cony-properly. Also safely strength to taxes to tax as a second to pre-Contains surveying in the State of Tennessee should be pre-differ to the safe of boundary and or location.

#### FType

Area of Complex Channels

Area to be Submerged

**BayInlet** 

Bridge

CanalDitch

DamWeir

Flume

Foreshore

Hazard Zone

Inundation Area

Lock Chamber

Rapids

- Copie

SeaOcean

Special Use Zone

Spillway

**StreamRiver** 

Submerged Stream

Wash

Water IntakeOutflov

### Waterbody -Large Scale

#### FType:

Estuary

ice Mass

Lake Pond

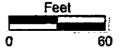
Playa Poconoir

Reservoir

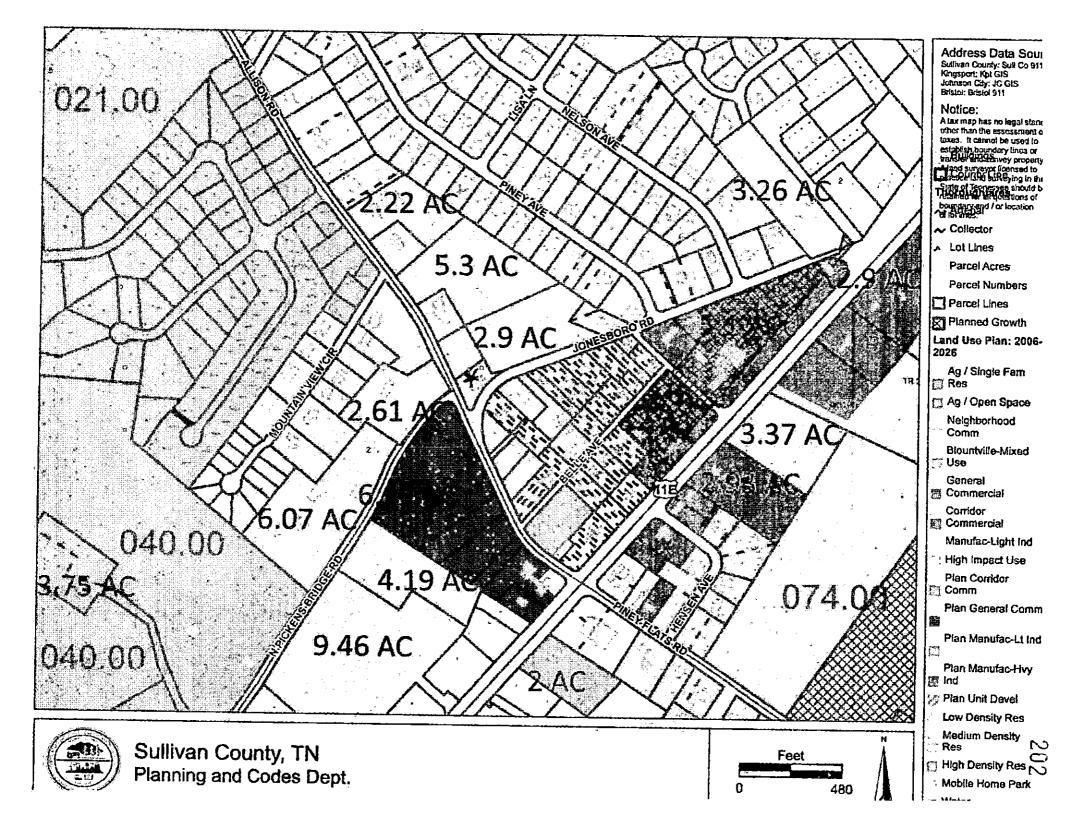












## **SULLIVAN COUNTY**

Planning & Codes Department 3425 Highway 126 | Historic Snow House Blountville, TN 37617

Office: 423.323.6440 Fax: 423.279.2886



#### NOTICE OF REZONING REQUEST

June 3, 2024

#### Dear Property Owner:

Please be advised that your adjacent landowner, **Donald Hartley**, has requested a rezoning of his property located at 176 Allison Road, Piney Flats, from General Business (B-3) back to the original zoning district of Single-Family Residential (R-1) for the purpose of remodeling the dwelling and using it for residential. This parcel is Tax Map 124, Parcel 145.00 and is on the corner of Allison Road and Jonesboro Road at the intersection of N. Pickens Bridge Road. The following are the scheduled meeting dates for this request:

Sullivan County Regional Planning Commission – Tuesday, June 18, 2024 at 6:00PM (to be held in the Sullivan County Historic Courthouse, 3411 Hwy 126, Blountville, 2nd Floor)

Sullivan County Commission's Work Session – Thursday, July 11, 2024 at 6:00 PM (to be held in the Sullivan County Historic Courthouse, 3411 Hwy 126, Blountville, 2nd Floor)

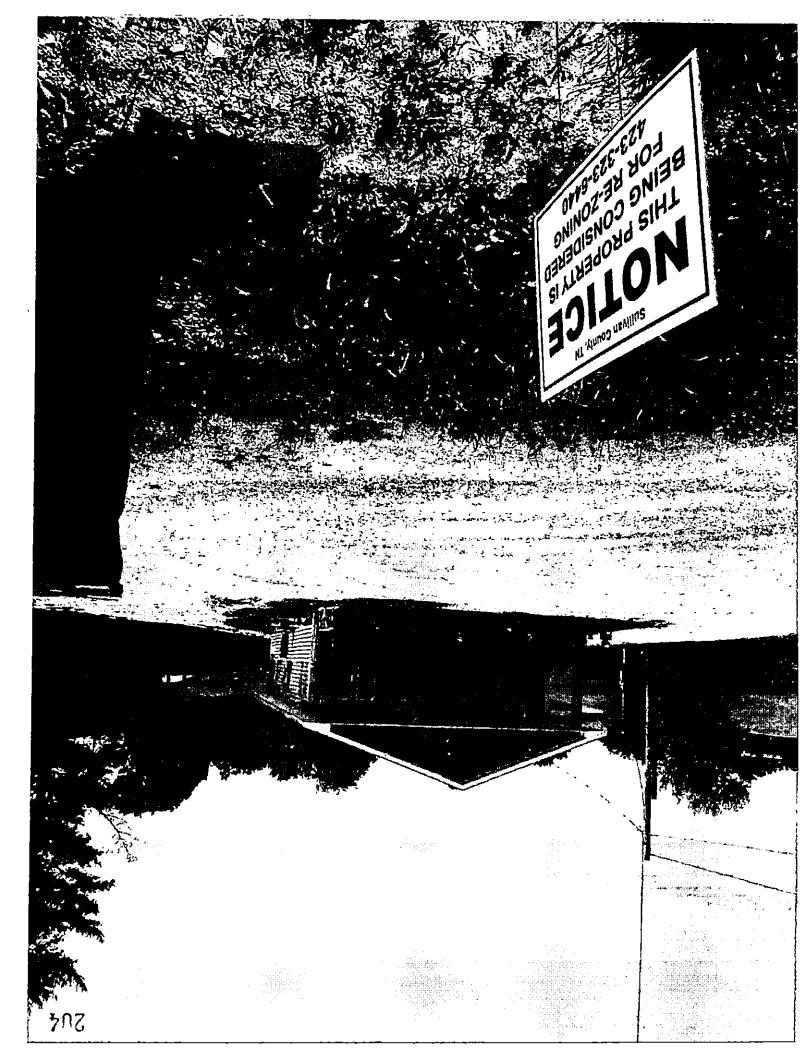
Please let me know if you need any special assistance for these public meetings. The meetings are open to the general public and you are welcome to attend. If you have any questions or concerns on this request, please contact me. You may call, email or stop by our office during normal business hours. My email address is planning@sullivancountytn.gov or you may call me directly at 423,279,2603.

Regards.

Ambre M. Torbett, AICP

Director of 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 Sullivan County Regional Planning Commission for recommendation to the Sullivan County Board of Commissioners.
Date: 5/16/24
Property Owner: Andrew Shivley
Address: 920 Packing House Rd, Kingsport TU 37666
Phone number: 484.5406 Email:
Property Identification
Tax Map: 0318 Group: G Parcel: 001-10, 2.05
Zoning Map: 6 Zoning District: B-3 Proposed District: R-2A Civil District: 10
Property Location: 158 New Beason Well Rd, Kingsport TN 37660 Commission District: 6Th
Purpose of Rezoning! William 1
and the state of t
Meetings  Commission S. 11/110 Co. Co. 201
Planning Commission: 5511/100 County Planning Commission Place: Historic Counthouse, 2nd Floor, 3411 Hwy 126 Blountville TN
Date: 500e 18 2024 Time: 6:00 PM
9 yes loabsent Approved: Denied:
County Commission:
Place: Historic Courthouse 2nd Floor Commission Chambers 3411 Highway 126, Blountville TN
Date: 50/4 1) 2084 Time: 6:00 PM
APPROVED 20 YES, 4 ABSENT
Approved: Denied:
DEED RESTRICTIONS
I understand that rezoning does not release my property from the requirements of private deed/Subdivision restrictions. The undersign, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.
Owner's Signature:   Owner's Signature:   OF  Notary Public:   OF  NOTARY  PUBLIC  AVAN COMMISSION Expires: 12   28   26

## Agenda subject voting report

Meeting name

Sullivan County Work Session July 11 2024

7/11/2024

3.2 Rezoning request #2 and public hearing Vote

Description

Andrew Shivley

Commission District 6

B-3 to R-2A

Chairman

Venable, Richard

Total vote result

Voting start time6:36:52 PMVoting stop time6:37:12 PMVoting configurationVoteVoting modeOpen

Vote result

Yes -	20
Abstain	 0
No	0
Total Present	 20
Absent	 4

#### Group voting result

Group	427	* · · · · · · · · · · · · · · · · · · ·	y the Mark	 4.5	Yes	Absent
No group					20	0
	<u>-</u>			Total result	20	B H

#### Individual voting result

Name	Yes	Abstain	, No	Absent
Akard, David ()	X			
Calton, Darlene ()	X			-
Carr, Joe ()	X			
Cole, Michael ()	X			
Crawford, Larry ()				X
Cross, Andrew ()				×
Crosswhite, Joyce ()	X			
Gardner, John ()	×			
Glover, Hershel ()	X			
Harvey, Cheryl ()	X			
Hayes, David ()	X			
Horne, Daniel ()				X
Ireson, Mark ()	X			
Jones, Sam ()	X			
King, Dwight ()	X			
Leonard, Tony ()	X			
Locke, Hunter ()	X			
McMurray, Joe ()	X			
Means, Jessica ()	X			
Pierce, Archie ()	X			
Slagle, Matt ()		_		X
Stidham, Gary ()	X			
Vanover, Zane ()	X			
Ward, Travis ()	X			

FINDINGS OF FACT-

F2.

Landowner: Andrew Shivley

Applicants: same Representative: same

Location: 158 New Beason Well Road, Kingsport 920 Packing House Road, Kingsport

Location of Existing Business: n/a Civil district of rezoning: 10<sup>th</sup> Commission District of rezoning: 6<sup>th</sup>

Parcel ID: Tax Map 031B, Group G, Parcels 001.10 and 002.05

Subdivision of Record: n/a

PC1101 Growth Boundary: Sullivan County Planned Growth Area

Existing Land Use of Lot: former hair salon

Utility District: Bloomingdale Utility District
Public Sewer: Kingsport Public Sewer
Lot/Tract Acreage: .183 and .13 of an acre

Flood Plain: n/a
Existing Zoning: B-3
Surrounding Zoning: R-1, B-3
Proposed Zoning Request: R-2A

Surrounding Land Uses: single family/low density residential and existing businesses 2006 Land Use Plan: Commercial Corridor with Low Density Residential behind

Neighborhood Opposition: opposition to proposed setback variance during BZA hearing, opposition to

grading issues in the past. No opposition to rezoning application received so

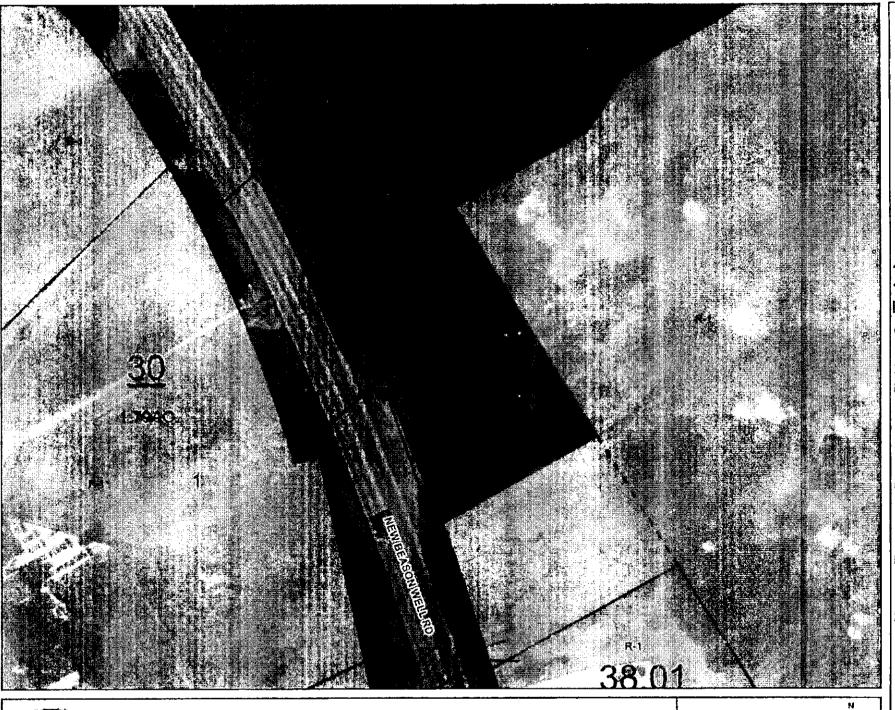
far.

#### Staff Field Notes and Findings of Facts:

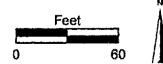
- The owner is requesting a rezoning of the two small lots-of record from General Business to Two-Family Residential in order to renovate the former beauty salon to a duplex home.
- Staff inspected the site and is recommending in favor of the rezoning request:
  - Public sewer is on site to support the density of a duplex should both lots be rezoned and replatted/combined;
  - o New Beason Well Road is a Collector Road with various land uses and residential development;
  - o The Land Use Plan would support this land use.

#### Meeting Notes at Planning Commission:

- Staff read her report and recommendation.
- The chair called for anyone who wanted to speak in opposition to the request. No one addressed the commission.
- The chair called for anyone who wanted to speak in favor of the request. The applicant, Mr. Shivley addressed the board and stated he was in favor of the request to rezone.
- Staff provided a summary of the recommendation for the rezoning request from the Board of Zoning Appeals. She stated that the landowner, Mr. Shivley, had initially requested a side yard setback variance in order to build on to the building and renovate it into a duplex. The BZA found no topographical hardship warranting the variance; however recommended rezoning to R-2A to put the lots into the proper zoning district for the intended use. If rezoned, then there will not be a need for a setback variance. Staff clarified that the building setbacks for B-3 are 30-feet on all sides; while the building setbacks for R-2A are 30 front; 30 rear and 10 sides.
- Linda Brittenham, as also a member of the BZA, confirmed the summary of findings and recommendations as stated by staff. She stated this rezoning would be cleaner, more efficient use of the land and would then become in conformance to use and setbacks.
- Linda Brittenham motioned to forward a favorable recommendation on to the County Commission for this rezoning.
   Commissioner Calton seconded the motion and the vote in favor passed unanimously.



Sullivan County, TN Planning and Codes Dept.



Address Data Sourc Suffixan County: Suff Co 911 Kingsport: Kpt Gis Johnson City: JC Gis Bristof: Bristof 911

#### Notice:

Notice:
Atax map has no legal stand other than the assessment of taxes, it cannot be used to establish boundary lines or transfer and convey property. Atand 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.

✓ KPT Sewer Liπes

Lot Lines

Parcel Lines (20220325)

#### **Current Zoning**

A-1

**≅ A-2** 

圖 A-5

AR

B-1

B-2

∰ B-3

₫, B-4

M-1

M-2 PAD

麗 PBD-3

: PBD/SC

PMD-1

图 PMD-2

R-1

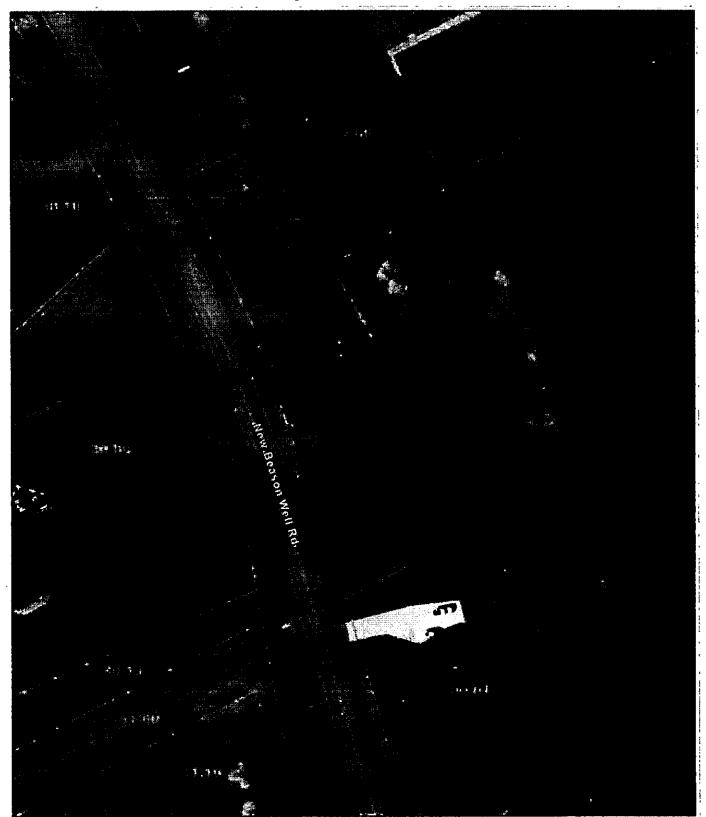
R-2

R-2A

R-3

R-3A

™ R-3B



Date: May 7, 2024

County: Sullivan

Owner: SHIVLEY ANDREW

Address: NEW BEASON WELL RD 158

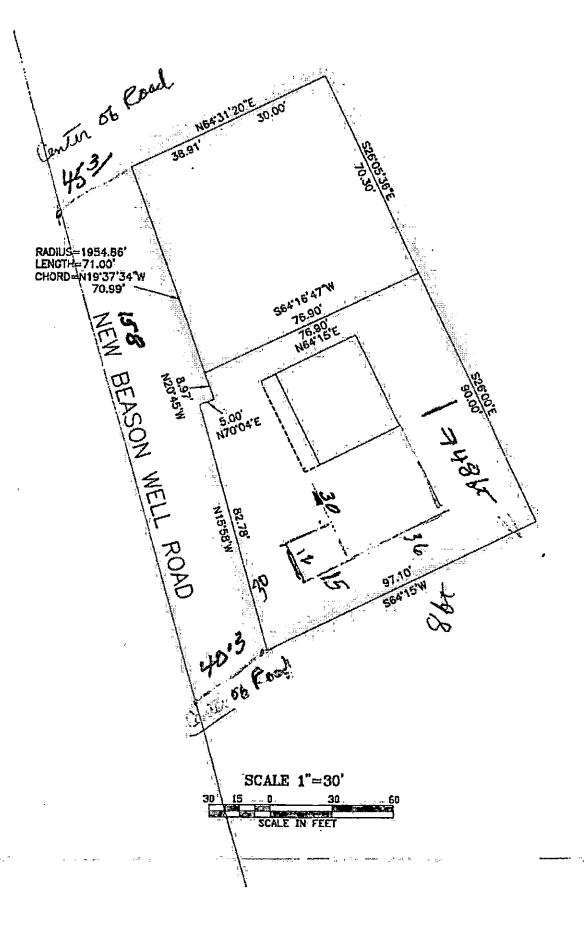
Parcel Number: 031B G 001.10

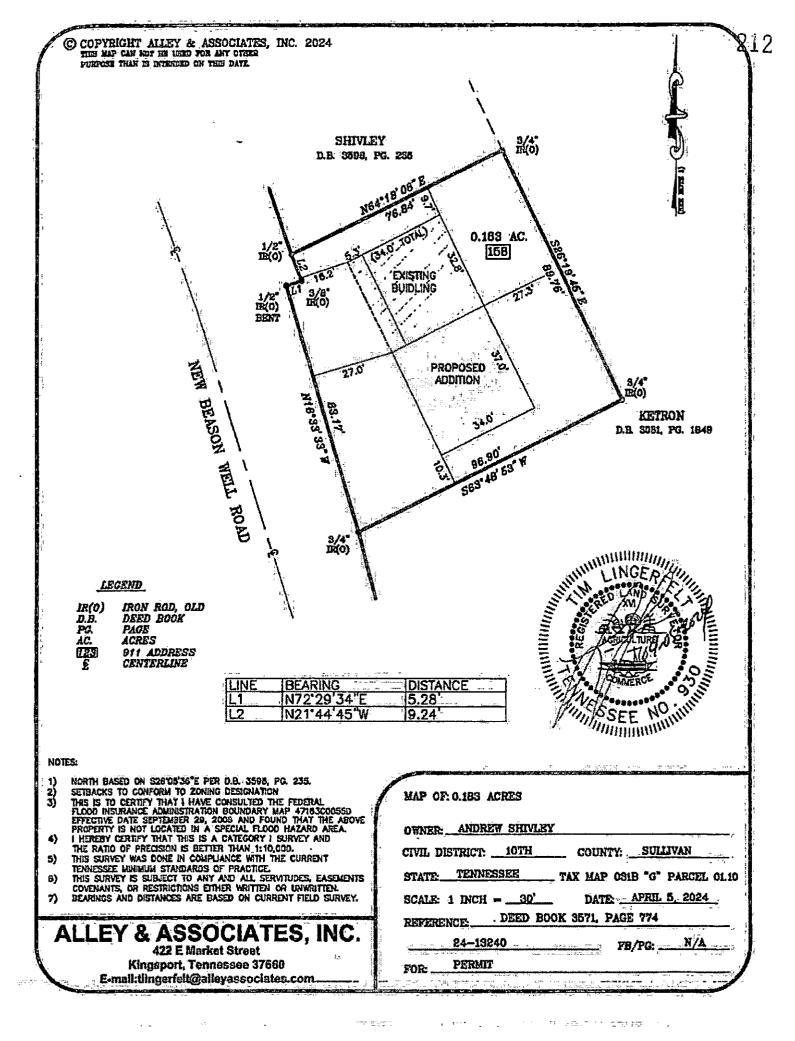
Deeded Acreage: 0
Calculated Acreage: 0,2
Date of TDOT Imagery: 2019
Date of Vexcel Imagery: 2023



Eint Community Maps Contributors, Tannessee STS GIS, VGIN, IO. OpenStreethtap, Microsoft, Estil, Tomforn, Garmin, SafeGraph, GaoTachnologies, Inc. METI/NASA, USGS, EPA, NPS, US Census Bureau, USOA, USFWS, State of Termsssee, Comptroller of the Treasury

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





## **SULLIVAN COUNTY**

Planning & Codes Department 3425 Highway 126 | Historic Snow House Blountville, TN 37617 Office: 423,323,6440



NOTICE OF REZONING REQUEST

June 3, 2024

Fax: 423.279,2886

Dear Property Owner:

Please be advised that your adjacent landowner, **Andrew Shivley**, has requested a rezoning of his property located at 158 New Beason Well Road, Kingsport, from General Business (B-3) to R-2A (medium density residential) for the purpose of expanding the existing building and convert it to a duplex residential dwelling. He is requesting the rezoning of approximately 0.183 of an acre, which is Tax Map 031B, Group G, Parcel 001.10 and approximately 0.13 of an acre which is parcel 002.05 to be rezoned. Attached is a survey illustrating these parcels. The following are the scheduled meeting dates for this request:

Sullivan County Regional Planning Commission — Tuesday, June 18, 2024 at 6:00PM (to be held in the Sullivan County Historic Courthouse, 3411 Hwy 126, Blountville, 2nd Floor)

Sullivan County Commission's Work Session - Thursday, July 11, 2024 at 6:00 PM (to be held in the Sullivan County Historic Courthouse, 3411 Hwy 126, Blountville, 2<sup>nd</sup> Floor)

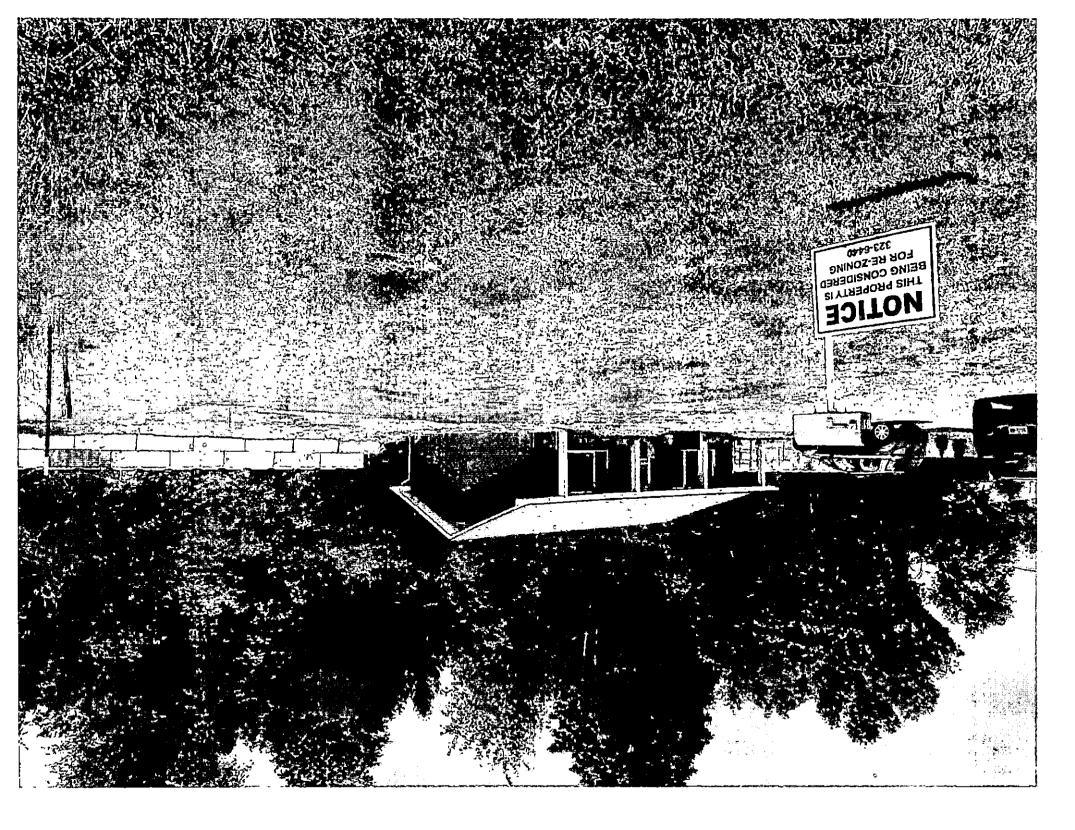
Please let me know if you need any special assistance for these public meetings. The meetings are open to the general public and you are welcome to attend. If you have any questions or concerns on this request; please contact me. You may call, email or stop by our office during normal business hours. My email address is planning@sullivancountytn.gov or you may call me directly at 423.279.2603.

Regards,

Ambre M. Torbett, AICP

Director of Planning & Community Development

Sullivan County Stormwater Coordinator



# SULLIVAN COUNTY BOARD OF COMMISSIONERS **Work Session**

# **PUBLIC COMMENT**

July 11, 2024

# PLEASE PRINT INFORMATION Name Street Address City ZOS PARK RIDGE GT 3 4 5 6 8 9 10 11 12 13 14

## RESOLUTIONS

July 18, 2024

#### **OLD BUSINESS**

NONE

#### **NEW BUSINESS**

Item 1 Resolution No. 2024-07-02

Sponsors: Cole/Ward

RESOLUTION TO APPROVE THE APPOINTMENT OF STEVE HATFIELD TO THE SULLIVAN COUNTY WORK RELEASE COMMISSION.

Item 2 Resolution No. 2024-07-03

Sponsors: Akard/Crosswhite

RESOLUTION TO ADOPT THE 2024 FLOOD INSURANCE RATE MAPS PER RECENT FEDERAL EMERGENCY MANAGEMENT AGENCY STUDY ALONG WITH THE UPDATED CORRESPONDING FLOOD DAMAGE PREVENTION RESOLUTION MODEL CODE.

Item 3 Resolution No. 2024-07-04

Sponsors: Jones/Crosswhite

RESOLUTION TO SELL COUNTY OWNED DELINQUENT TAX PROPERTY IN THE 1ST CIVIL DISTRICT, IDENTIFIED AS OFFIELD HOLLOW ROAD MAP 055 PARCEL 018.00 TO HUNTER WOODALL FOR \$800.00.

Item 4 Resolution No. 2024-07-05

Sponsors: Vanover/Crosswhite

RESOLUTION TO RECOGNIZE THE REMAINING FY 2024 SUMMER LEARNING CAMPS GRANT FUNDS (\$930,351.17) IN THE FY25 GENERAL PURPOSE SCHOOL FUND.



# Sullivan County Board of County Commissioners 244th Annual Session

Item 1 Resolution No. 2024-07-02

To the Honorable Richard Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of July 2024.

# RESOLUTION TO APPROVE THE APPOINTMENT OF STEVE HATFIELD TO THE SULLIVAN COUNTY WORK RELEASE COMMISSION.

WHEREAS, the Sullivan County Work Release Commission currently has a vacant position due to the retirement of Harry Noel effective July 01, 2024; and

WHEREAS, per T.C.A. 41-2-134 (a) (b) (c), the County Sheriff shall appoint the members of the Work Release Commission, subject to approval of the County Legislative Body: and

WHEREAS, the Sullivan County Sheriff, Jeff Cassidy, appoints Steve Hatfield, a former Sullivan County Deputy- Lieutenant, to fill the vacant position and serve as a Sullivan County Work Release Commissioner, along with current Work Release Commissioners Cindy Adams and Dennis Doran.

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the appointment of Steve Hatfield to the Sullivan County Work Release Commission.

#### Waiver of Rules Requested

This resolution shall take effect for herewith be and the same rescinded		
Duly passed and approved this	day of	2024.
Attested:Teresa Jacobs, County Clerk	Approved:Richard	Venable, County Mayor

**Sponsored by: Michael Cole** 

Prime Co-Sponsor(s): Travis Ward and Tony Leonard

2024-07-02 ACTIONS: 07/11/24 Introduced at Work Session and placed on Consent Calendar.



# Sullivan County

#### Board of County Commissioners 244th Annual Session

Item 2 Resolution No. 2024-07-03

To the Honorable Richard S. Venable, Sullivan County Mayor, and the Board of Sullivan County Commissioners meeting in Regular Session this 18<sup>th</sup> day of July 2024.

RESOLUTION TO ADOPT THE 2024 FLOOD INSURANCE RATE MAPS PER RECENT FEDERAL EMERGENCY MANAGEMENT AGENCY STUDY ALONG WITH THE UPDATED CORRESPONDING FLOOD DAMAGE PREVENTION RESOLUTION MODEL CODE.

WHEREAS, the Sullivan County Regional Planning Commission reviewed the updated model code and maps during their July 16, 2024 meeting; and

WHEREAS the Federal Emergency Management Agency (FEMA) led a full countywide study of the flood prone areas in 2019 and has undergone the full public review process; and

WHEREAS Sullivan County has been a part of the National Flood Insurance Rate program since 1982 in order to afford Sullivan County property owners the ability to purchase flood insurance; and

WHEREAS, the Planning & Codes Department has reviewed the updated Flood Insurance Rate Map panels (FIRM) and model Flood Damage Prevention Resolution (Code) along with the cities of Bristol, Kingsport, and Bluff City; and

WHEREAS it is mandated by the TEMA and FEMA for all communities to participate in the National Flood Insurance Program (NFIP); and

WHEREAS the updated 2024 FIRM panels reflect only minor changes in areas of special flooding along already designated floodplains, specifically Gammon Creek and Beaver Creek; and

WHEREAS the updated model code only reflects one minor update providing more guidance for landowners to follow should a request for their flood designation need to be amended per the Letter of Map Revision (LOMR) or Letter of Map Amendment (LOMA) process as described in the Definition Section (red text in code).

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby adopts the 2024 Flood Insurance Rate Maps along with the updated 2024 model Flood Damage Prevention Resolution as federally mandated to maintain participation in the National Flood Insurance Program.



This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

#### WAIVER OF RULES REQUESTED

Duly passed and approved this	day of	2024.
Attest:	Approve:	
Teresa Jacobs, County Clerk	Richard S. Ver	nable, County Mayor

Sponsored by: David Akard

Prime Co-Sponsors: Joyce Crosswhite, Michael Cole, Tony Leonard, Matt Slagle,

Darlene Calton, Cheryl Harvey

2024-07-03 ACTIONS: 07/11/24 Introduced at Work Session and placed on Waiver of Rules.



RESOLUTION NO.
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# SULLIVAN COUNTY FLOOD DAMAGE PREVENTION RESOLUTION

A RESOLUTION ADOPTED FOR THE PURPOSE OF AMENDING THE SULLIVAN COUNTY, TENNESSEE REGIONAL ZONING RESOLUTION REGULATING DEVELOPMENT WITHIN THE JURISDICTION OF SULLIVAN COUNTY, TENNESSEE, TO MINIMIZE DANGER TO LIFE AND PROPERTY DUE TO FLOODING, AND TO (ESTABLISH/MAINTAIN) ELIGIBILITY FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM.

# ARTICLE I. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

#### Section A. Statutory Authorization

The Legislature of the State of Tennessee has in Sections 13-7-101 through 13-7-115, <u>Tennessee Code Annotated</u> delegated the responsibility to the county legislative body to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the <u>Sullivan County</u>, Tennessee, Mayor and Board of County Commissioners do resolve as follows:

#### Section B. Findings of Fact

- 1. The Sullivan County, Tennessee, Mayor and its Legislative Body wish to (establish/maintain) eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Ch. 1, Section 60.3.
- 2. Areas of Sullivan County, Tennessee are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- 3. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

#### Section C. Statement of Purpose

It is the purpose of this Resolution to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. This Resolution is designed to:

1. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;

- 2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
- 3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
- 4. Control filling, grading, dredging and other development which may increase flood damage or erosion;
- 5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

#### Section D. Objectives

The objectives of this Resolution are:

- 1. To protect human life, health, safety and property;
- 2. To minimize expenditure of public funds for costly flood control projects;
- 3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- 4. To minimize prolonged business interruptions;
- 5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodprone areas:
- 6. To help maintain a stable tax base by providing for the sound use and development of floodprone areas to minimize blight in flood areas;
- 7. To ensure that potential homebuyers are notified that property is in a floodprone area:
- 8. To (establish/maintain) eligibility for participation in the NFIP.

#### ARTICLE II. DEFINITIONS

Unless specifically defined below, words or phrases used in this Resolution shall be interpreted as to give them the meaning they have in common usage and to give this Resolution its most reasonable application given its stated purpose and objectives.

"Accessory Structure" means a subordinate structure to the principal structure on the same lot and, for the purpose of this Resolution, shall conform to the following:

- 1. Accessory structures shall only be used for parking of vehicles and storage.
- 2. Accessory structures shall be designed to have low flood damage potential.
- 3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.

- 4. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures.
- 5. Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.
- "Addition (to an existing building)" means any walled and roofed expansion to the perimeter or height of a building.
- "Appeal" means a request for a review of the local enforcement officer's interpretation of any provision of this Resolution or a request for a variance.
- "Area of Shallow Flooding" means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- "Area of Special Flood-related Erosion Hazard" is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.

# "Area of Special Flood Hazard" see "Special Flood Hazard Area".

- "Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one (1)-percent annual chance flood.
- "Basement" means any portion of a building having its floor subgrade (below ground level) on all sides.

#### "Building" see "Structure".

- "Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.
- "Elevated Building" means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.
- "Emergency Flood Insurance Program" or "Emergency Program" means the program as implemented on an emergency basis in accordance with Section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.
- "Erosion" means the process of the gradual wearing away of land masses. This peril is not "per se" covered under the Program.

- "Exception" means a waiver from the provisions of this Resolution which relieves the applicant from the requirements of a rule, regulation, order or other determination made or issued pursuant to this Resolution.
- "Existing Construction" means any structure for which the "start of construction" commenced before the effective date of the initial floodplain management code or resolution adopted by the community as a basis for that community's participation in the NFIP.
- "Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or resolution adopted by the community as a basis for that community's participation in the NFIP.

#### "Existing Structures" see "Existing Construction".

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

#### "Flood" or "Flooding"

- (a) A general and temporary condition of partial or complete inundation of normally dry land areas from:
  - 1. The overflow of inland or tidal waters.
  - 2. The unusual and rapid accumulation or runoff of surface waters from any source.
  - 3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- (b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.
- "Flood Elevation Determination" means a determination by the Federal Emergency Management Agency (FEMA) of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.
- "Flood Elevation Study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.
- "Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by FEMA, where the boundaries of areas of special flood hazard have been designated as Zone A.

- "Flood Insurance Rate Map (FIRM)" means an official map of a community, issued by FEMA, delineating the areas of special flood hazard or the risk premium zones applicable to the community.
- "Flood Insurance Study" is the official report provided by FEMA, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.
- "Floodplain" or "Floodprone Area" means any land area susceptible to being inundated by water from any source (see definition of "flooding").
- "Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.
- "Flood Protection System" means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.
- "Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities and structures and their contents.
- "Flood-related Erosion" means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high-water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.
- "Flood-related Erosion Area" or "Flood-related Erosion Prone Area" means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high-water levels or wind-driven currents, is likely to suffer flood-related erosion damage.
- "Flood-related Erosion Area Management" means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and floodplain management regulations.
- <u>"Floodway"</u> means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
- "Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed.
- "Functionally Dependent Use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship

building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

# "Historic Structure" means any structure that is:

- 1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- 2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- 3. Individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- 4. Individually listed on the Sullivan County, Tennessee inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
  - a. By the approved Tennessee program as determined by the Secretary of the Interior or
  - b. Directly by the Secretary of the Interior.

"Letter of Map Change (LOMC)" means an official FEMA determination, by letter, that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

"Letter of Map Amendment (LOMA)" An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property or structure is not located in a special flood hazard area.

"Conditional Letter of Map Revision Based on Fill (CLOMR-F)" A determination that a parcel of land or proposed structure that will be elevated by fill would not be inundated by the base flood if fill is placed on the parcel as proposed or the structure is built as proposed.

"Letter of Map Revision Based on Fill (LOMR-F)" A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer exposed to flooding associated with the base flood. In

order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

"Conditional Letter of Map Revision (CLOMR)" A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA, to revise the effective FIRM.

"Letter of Map Revision (LOMR)" Letter of Map Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM), and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

"Levee System" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

"Lowest Floor" means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Resolution.

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle".

"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Map" means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by FEMA.

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this

Resolution, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

"National Geodetic Vertical Datum (NGVD)" means, as corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.

"New Construction" means any structure for which the "start of construction" commenced on or after the effective date of the initial floodplain management Resolution and includes any subsequent improvements to such structure.

"New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this resolution or the effective date of the initial floodplain management resolution and includes any subsequent improvements to such structure.

"North American Vertical Datum (NAVD)" means, as corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain.

# "100-year Flood" see "Base Flood".

"Person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

"Reasonably Safe from Flooding" means base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

### "Recreational Vehicle" means a vehicle which is:

- 1. Built on a single chassis;
- 400 square feet or less when measured at the largest horizontal projection;
- 3. Designed to be self-propelled or permanently towable by a light duty truck;
- 4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Regulatory Flood Protection Elevation" means the "Base Flood Elevation" plus the "Freeboard". In "Special Flood Hazard Areas" where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus 1 foot. In "Special Flood Hazard Areas" where no BFE has been established, this elevation shall be at least three (3) feet above the highest adjacent grade.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Special Flood Hazard Area" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

"Special Hazard Area" means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, or AH.

"Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"State Coordinating Agency" the Tennessee Emergency Management Agency, State NFIP Office, as designated by the Governor of the State of Tennessee at the request of FEMA to assist in the implementation of the NFIP for the State.

"Structure" for purposes of this Resolution, means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

"Substantial Improvement" means any reconstruction, rehabilitation, addition, alteration or other improvement of a structure in which the cost equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the initial improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring.

The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Substantially Improved Existing Manufactured Home Parks or Subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or

exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is a grant of relief from the requirements of this Resolution.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Resolution is presumed to be in violation until such time as that documentation is provided.

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

# ARTICLE III. GENERAL PROVISIONS

### Section A. Application

This Resolution shall apply to all areas within the unincorporated area of Sullivan County, Tennessee.

# Section B. Basis for Establishing the Areas of Special Flood Hazard

The Areas of Special Flood Hazard identified on the Sullivan County, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), Community Panel Number(s) 47163C0030D, 47163C0035D, 47163C0040D, 47163C0045D, 47163C0055D, 47163C0060D, 47163C0065D, 47163C0070D, 47163C0080D, 47163C0083D, 47163C0089D, 47163C0090D, 47163C0091D, 47163C0092D, 47163C0103D, 47163C0109D, 47163C0114D, 47163C0116D, 47163C0117D, 47163C0118D, 47163C0119D, 47163C0128D, 47163C0135D, 47163C0140D, 47163C0145D, 47163C0175D, 47163C0210D, 47163C0220D, 47163C0230D, 47163C0235D, 47163C0240D, 47163C0245D, 47163C0255D, 47163C0270D, 47163C0280D, 47163C0310D, and 47163C0350D dated September 29, 2006, and Panel Number(s) 47163C113E, 47163C0093E, 47163C0094E, 47163C0108E, 47163C0111E, 47163C0112E, 47163C0113E, 47163C0260E, 47163C0277E, and 47163C0281E dated July 31, 2024 along with all supporting technical data, are adopted by reference and declared to be a part of this Resolution.

# Section C. Requirement for Development Permit

A development permit shall be required in conformity with this Resolution prior to the commencement of any development activities.

## Section D. Compliance

No land, structure or use shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Resolution and other applicable regulations.

# Section E. Abrogation and Greater Restrictions

This Resolution is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where this Resolution conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

### Section F. Interpretation

In the interpretation and application of this Resolution, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body and; (3) deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

## Section G. Warning and Disclaimer of Liability

The degree of flood protection required by this Resolution is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Resolution does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This Resolution shall not create liability on the part of Sullivan County, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this Resolution or any administrative decision lawfully made hereunder.

#### Section H. Penalties for Violation

Violation of the provisions of this Resolution or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Any person who violates this resolution or fails to comply with any of its requirements shall, upon adjudication therefore, be fined as prescribed by Tennessee statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Sullivan County, Tennessee from taking such other lawful actions to prevent or remedy any violation.

#### ARTICLE IV. ADMINISTRATION

#### Section A. Designation of Resolution Administrator

The (Building Official and/or his/her designee) is hereby appointed as the Administrator to implement the provisions of this Resolution.

#### Section B. Permit Procedures

Application for a development permit shall be made to the Administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

# 1. Application stage

- a. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Resolution.
- b. Elevation in relation to mean sea level to which any non-residential building will be floodproofed where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Resolution.
- c. A FEMA Floodproofing Certificate from a Tennessee registered professional engineer or architect that the proposed non-residential floodproofed building will meet the floodproofing criteria in Article V, Sections A and B.
- d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- e. In order to determine if improvements or damage meet the Substantial Improvement or Substantial Damage criteria, the applicant shall provide to the Floodplain Administrator a detailed cost to repair all damages and/or cost of improvements which includes the complete costs associated with all types of work necessary to completely repair or improve a building. These include the costs of all materials, labor, and other items necessary to perform the proposed work. These must be in the form of:
  - An itemized costs of materials, and labor, or estimates of materials and labor that are prepared by licensed contractors or professional construction cost estimators
  - Building valuation tables published by building code organizations and cost-estimating manuals and tools available from professional building cost-estimating services.
  - A qualified estimate of costs that is prepared by the local official using professional judgement and knowledge of local and regional construction costs.
  - A detailed cost estimate provided and prepared by the building owner. This must include as much supporting documentation as possible (such as pricing information from lumber companies, plumbing and electrical suppliers, etc.). In addition, the estimate must include the value of labor, including the value of the owner's labor.

# 2. <u>Construction Stage</u>

Within AE Zones, where Base Flood Elevation data is available, any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a Tennessee registered land surveyor and certified by same. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential

building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

Within approximate A Zones, where Base Flood Elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

### 3. Finished Construction Stage

A final Finished Construction Elevation Certificate is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Administrator will keep the certificate on file in perpetuity.

#### Section C. Duties and Responsibilities of the Administrator

Duties of the Administrator shall include, but not be limited to, the following:

- 1. Review all development permits to assure that the permit requirements of this Resolution have been satisfied, and that proposed building sites will be reasonably safe from flooding.
- 2. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- 3. Notify adjacent communities and the Tennessee Emergency Management Agency, State NFIP Office, prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.
- 4. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA to ensure accuracy of community FIRM's through the Letter of Map Revision process.

- 5. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.
- 6. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with Article IV, Section B.
- 7. Record the actual elevation, in relation to mean sea level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Article IV, Section B.
- 8. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with Article IV, Section B.
- 9. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Resolution.
- 10. When Base Flood Elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Sullivan County, Tennessee FIRM meet the requirements of this Resolution.
- 11. Maintain all records pertaining to the provisions of this Resolution in the office of the Administrator and shall be open for public inspection. Permits issued under the provisions of this Resolution shall be maintained in a separate file or marked for expedited retrieval within combined files.
- A final Finished Construction Elevation Certificate (FEMA Form FF-206-FY-22-12. 152, formerly 086-0-33) required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy. The Finished Construction Elevation Certificate certifier shall provide at least 2 photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least 2 additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the

flood openings or vents. All photographs must be in color and measure at least 3" × 3". Digital photographs are acceptable.

# ARTICLE V. PROVISIONS FOR FLOOD HAZARD REDUCTION

### Section A. General Standards

In all areas of special flood hazard, the following provisions are required:

- 1. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
- 2. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces.
- 3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
- 4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
- 5. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- 6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- 7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- 8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
- 9. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Resolution, shall meet the requirements of "new construction" as contained in this Resolution;
- 10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Resolution, shall be undertaken only if said non-conformity is not further extended or replaced;
- All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;

- 12. All subdivision proposals and other proposed new development proposals shall meet the standards of Article V, Section B;
- 13. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction;
- 14. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation.

## Section B. Specific Standards

In all Areas of Special Flood Hazard, the following provisions, in addition to those set forth in Article V, Section A, are required:

#### 1. Residential Structures

In AE Zones where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

Within approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

## 2. Non-Residential Structures

In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than one (1) foot above the level of the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

In approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of

exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

Non-Residential buildings located in all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Administrator as set forth in Article IV, Section B.

## 3. <u>Enclosures</u>

All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.

- a. Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria.
  - 1) Provide a minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
  - 2) The bottom of all openings shall be no higher than one (1) foot above the finished grade;
  - 3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- b. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.
- c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Article V, Section B.

## 4. Standards for Manufactured Homes and Recreational Vehicles

- a. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction.
- b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:

- 1) In AE Zones, with Base Flood Elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no lower than one (1) foot above the level of the Base Flood Elevation or
- In approximate A Zones, without Base Flood Elevations, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent strength) that are at least three (3) feet in height above the highest adjacent grade (as defined in Article II).
- c. Any manufactured home, which has incurred "substantial damage" as the result of a flood, must meet the standards of Article V, Sections A and B.
- d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- e. All recreational vehicles placed in an identified Special Flood Hazard Area must either:
  - 1) Be on the site for fewer than 180 consecutive days;
  - Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions), or;
  - 3) The recreational vehicle must meet all the requirements for new construction.

# 5. Standards for Subdivisions and Other Proposed New Development Proposals

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.

- a. All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision and other proposed new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- d. In all approximate A Zones require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data (See Article V, Section E).

# Section C. Standards for Special Flood Hazard Areas with Established Base Flood Elevations and With Floodways Designated

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

- 1. Encroachments are prohibited, including fill, new construction, substantial improvements or other development within the adopted regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase in flood levels or floodway widths during a base flood discharge. A Tennessee registered professional engineer must provide supporting technical data, using the same methodologies as in the effective Flood Insurance Study for Sullivan County, Tennessee and certification thereof;
- 2. A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, floodway width or base flood discharge provided that the applicant first applies for a Conditional Letter of Map Revision (CLOMR) from FEMA prior to the start of construction. Upon completion of the project, the applicant shall apply for a Letter of Map Revision (LOMR) from FEMA. Submittal requirements and fees shall be the responsibility of the applicant as established under the provisions of § 65.12.
- 3. ONLY if Article V, Section C, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

# Section D. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions apply:

- 1. Require until a regulatory floodway is designated, that no new construction, substantial, or other development, including fill shall be permitted within Zone AE on the community's FIRM, unless it is demonstrated through hydrologic and hydraulic analyses performed that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. The engineering certification should be supported by technical data using the same methodologies used in the effective Flood Insurance Study for Sullivan County, Tennessee.
- 2. A community may permit encroachments within Zones AE on the community's FIRM, that would result in an increase in the water surface elevation of the base flood, provided that the applicant first applies for a Conditional Letter of Map Revision (CLOMR) from FEMA prior to the start of construction. Upon completion of the project, the applicant

shall apply for a Letter of Map Revision (LOMR) from FEMA. Submittal requirements and fees shall be the responsibility of the applicant as established under the provisions of § 65.12.

3. ONLY if Article V, Section D, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

# Section E. Standards for Streams without Established Base Flood Elevations and Floodways (A Zones)

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist, but no base flood data has been provided and where a Floodway has not been delineated, the following provisions shall apply:

- 1. The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (see 2 below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Article V, Sections A and B.
- 2. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data.
- 3. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Article IV, Section B. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Article V, Section B.
- 4. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet (20), whichever is greater, measured from the top of the stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within Sullivan County, Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
- 5. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V,

Sections A and B. Within approximate A Zones, require that those subsections of Article V Section B dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.

# Section F. Standards For Areas of Shallow Flooding (Zone AO)

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

- 1. The lowest floor (including basement) shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of one (1) foot above the highest adjacent grade; or at least three (3) feet above the highest adjacent grade, if no depth number is specified.
- 2. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Article V, Section F(1) so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required in accordance with Article IV, Section B(1) (c) and Article V, Section B(2).
- 3. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

# Section G. Standards For Areas of Shallow Flooding (Zone AH)

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas are subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are one (1) to three (3) feet. Base Flood Elevations are derived from detailed hydraulic analyses are shown in this zone. In addition to meeting the requirements of Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

1. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

# Section H. Standards For Areas Protected by Flood Protection System (A-99 Zones)

Located within the Areas of Special Flood Hazard established in Article III, Section B, are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations have not been determined. Within these areas (A-99 Zones) all provisions of Article IV and Article V shall apply.

### Section I. Standards for Unmapped Streams

Located within the Sullivan County, Tennessee, are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams, the following provisions shall apply:

- 1. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.
- 2. When a new flood hazard risk zone, and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Articles IV and V.
- 3. ONLY if Article V Section I, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

#### ARTICLE VI. VARIANCE PROCEDURES

#### Section A. Regional Board of Zoning Appeals

#### 1. Authority

The Sullivan County, Tennessee Regional Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Resolution.

#### 2. Procedure

Meetings of the Regional Board of Zoning Appeals shall be held at such times, as the Board shall determine. All meetings of the Regional Board of Zoning Appeals shall be open to the public. The Regional Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and actions thereof, which shall be a public record. Compensation of the members of the Regional Board of Zoning Appeals shall be set by the Legislative Body.

#### 3. Appeals: How Taken

An appeal to the Regional Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the Administrator based in whole or in part upon the provisions of this Resolution. Such appeal shall be taken by filing with the Regional Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee of (amount) dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Regional Board of Zoning Appeals all papers constituting the record upon which the appeal action was taken. The Regional Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than (15) days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

## 4. Powers

The Regional Board of Zoning Appeals shall have the following powers:

## a. Administrative Review

To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination, or refusal made by the Administrator or other administrative official in carrying out or enforcement of any provisions of this Resolution.

## b. Variance Procedures

In the case of a request for a variance the following shall apply:

- 1) The Sullivan County, Tennessee Regional Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Resolution.
- Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Resolution to preserve the historic character and design of the structure.
- In passing upon such applications, the Regional Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Resolution, and:
  - a) The danger that materials may be swept onto other property to the injury of others;
  - b) The danger to life and property due to flooding or erosion;

- c) The susceptibility of the proposed facility and its contents to flood damage;
- d) The importance of the services provided by the proposed facility to the community;
- e) The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
- f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- g) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
- i) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
- j) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.
- 4) Upon consideration of the factors listed above, and the purposes of this Resolution, the Regional Board of Zoning Appeals may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Resolution.
- 5) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

# Section B. Conditions for Variances

- 1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Article VI, Section A.
- Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Resolutions.
- 3. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance (as high as \$25 for

- \$100) coverage, and that such construction below the Base Flood Elevation increases risks to life and property.
- The Administrator shall maintain the records of all appeal actions and report any 4. variances to FEMA upon request.

#### **LEGAL STATUS PROVISIONS** ARTICLE VII.

#### Conflict with Other Resolutions Section A.

In case of conflict between this Resolution or any part thereof, and the whole or part of any existing or future Resolution of Sullivan County, Tennessee, the most restrictive shall in all cases apply.

Section B. **Severability** 

Date of Publication of Caption and Summary

If any section, clause, provision, or portion of this Resolution shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Resolution which is not of itself invalid or unconstitutional.

Section C.	Effective Date
This Resolution	on shall become effective on (ENTER DATE), the public welfare demanding it
Approved and	l adopted by the Sullivan County, Tennessee, Mayor and Legislative Body.
Date	
Mayor of Sull	ivan County, Tennessee
Attest:	County Clerk
Date of Public	e Hearing



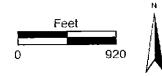
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#### Notice

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Changes Smootast FiRM



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County Line

Sullivan County, TN
Planning and Codes Dept.



Sullivan County, TN Planning and Codes Dept.

Address Data Source: Suman County Sur Co 911 Kingsouri Kai GIS Latinson Cip. LC GIS Briston Bristo 911

#### Notice:

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# Sullivan County Board of County Commissioners 244th Annual Session

Item 3 Resolution No. 2024-07-04

To the Honorable Richard S. Venable, Sullivan County Mayor, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of July 2024.

RESOLUTION To Sell County Owned Delinquent Tax Property in the 1st Civil District, identified as Offield Hollow Road Map 055 Parcel 018.00 to Hunter Woodall for \$800.00.

WHEREAS, Sullivan County acquired real property through a delinquent property tax proceeding; and

WHEREAS, the current amount owed against the property is \$ 3,750.50 for the parcel; and

WHEREAS, a bid in the amount of \$800.00 has been received from Hunter Woodall on the parcel of land located in the 1st Civil District identified as Offield Hollow Road Tax Map 055 Parcel 018.00; and

WHEREAS, in accordance with T.C.A. §67-5-2507 a legal notice has been published in a newspaper of general circulation in Sullivan County advising the public of such bid and potential sale of land; and

WHEREAS, during the ten-day period after publication, the Office of the County Mayor received no raised bids on such property; and

WHEREAS, the Sullivan County Delinquent Tax Committee has reviewed the delinquency period, location, condition, and value of the property and took into consideration the bid placed upon the property; and the Committee has recommended that the County accept the bid;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the sale of property located in the 1st Civil District identified as Offield Hollow Road Map 055 Parcel 018.00 to Hunter Woodall for \$800.00 for the parcel in accordance with T.C.A. §67-5-2507.

BE IT FURTHER RESOLVED that a provision of the sale be that the buyer agrees to bring the property into compliance with the Sullivan County Property Maintenance Code within one year of receiving the deed for this property.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.



Approved 1	this day of	_ 2024.		
Attested:			Approved:	
	Teresa Jacobs, County Clerk			Richard S. Venable, County Mayor

Sponsored By: Sam Jones

Prime Co-Sponsor(s): Joyce Crosswhite

2024-07-04 ACTIONS: 07/11/24 Introduced at Work Session and placed on Consent Calendar.



# Sullivan County

# Board of County Commissioners 244th Annual Session

Item 4 Resolution No. 2024-07-05

To the Honorable Richard S. Venable, Sullivan County Mayor, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of July 2024. To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of July 2024.

RESOLUTION TO RECOGNIZE THE REMAINING FY 2024 SUMMER LEARNING CAMPS GRANT FUNDS (\$930,351.17) IN THE FY25 GENERAL PURPOSE SCHOOL FUND.

WHEREAS, the Sullivan County Department of Education has received funding through the state of Tennessee to support Summer Learning Camps; and

WHEREAS, the funds granted to Sullivan County Department of Education for the 2023-24 year are \$983,357.08 and \$53,005.91 was spent during 2023-24; and

WHEREAS, funds not spent in the 2023-24 fiscal year are available to roll over into the 2024-25 school year.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the Sullivan County Department of Education to recognize said remaining grant funds in the General Purpose School Fund; not to exceed the above amount (\$930,351.17). The revenue and expenditure account codes for the grant are as follows:

Account Number	Account Description	Amount
46590-55	Other State Grants	678,060.02
47590-55	Other Federal Grants	101,319.31
46590-58	Other State Grants	150,971.84
71100-100-55	Personnel	469,128.00
71100-200-55	Employee Benefits	84,500.00
71100-300-55	Contracted Services	20,475.01
71100-400-55	Supplies & Materials	31,926.32
72120-100-55	Personnel	24,800.00
72120-200-55	Employee Benefits	4,100.00
72120-300-55	Contracted Services	1,000.00



Personnel	18,000.00
Employee Benefits	2,350.00
Personnel	54,715.00
Employee Benefits	10,050.00
Contracted Services	44,000.00
Personnel	2,075.00
Employee Benefits	403.00
Contracted Services	148,493.84
Personnel	13,200.00
Employee Benefits	1,135.00
	Employee Benefits Personnel Employee Benefits Contracted Services Personnel Employee Benefits Contracted Services Personnel

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this	day of	2024.			
Aftest:			Approve:		
Teresa Jacobs, C	County Clerk	_	ripprove.	Richard S. Venable, County Mayor	_

Sponsored By: Zane Vanover Co-Sponsor: Joyce Crosswhite

2024-07-05 ACTIONS: 07/11/24 Introduced at Work Session and placed on 1st Reading.



Holston Valley Medical Center Indian Path Community Hospital

# mpacting you!

Ballad Di Health

Holston Valley Medical Center\*



210

Average Daily Census



3,500 Emergency

Department visits



1,200 Discharges



600 Surgeries



\$2M

"I got the best of care. Keep up the great work."

- Patient

Indian Path Community Hospital\*



20

Average Daily Census

1,800 Adult

350 Pediatric



2,150 Emergency

Emergency Department visits



200 Discharges



300 Surgeries



\$2.1M



60 Deliveries

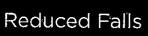


5,000 Oncology Treatments

\*Average over the last ten months of FY24, July - April



physicians recruited in FY24



Decrease in number of falls

# Reduced Length of Stay



Improved by almost a day over last 12 months

FY24 Holsont Valley Medical Center (O)

National turnover rate

Turnover rates
Benefited RNs

# Robotics

Indian Path Community
Hospital added a second
to Vindinopol for a total of
founding pone

# Robotic assisted surgery procedures

- M Holston Valley Medical Center
- Margarian Indian Path Community Hospital



Feb. 23



April '94

# Emergency Department



EMS offloads 92% <20 minutes

0.65%



3.00%

Left without being seen Holston Valley Medical Center is performing better than the national average

252

29,967
volunteer hours

65%

increase, year over year

New Volunteers

56 Students Participated in the Student Volunteer Program

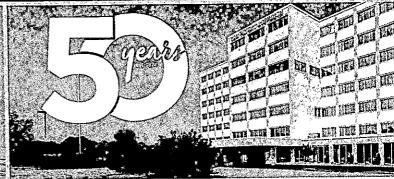


# **Holston Valley Medical Center**

- Ballad Health will build on Holston Valley Medical Center's national prominence in cardiovascular services and further develop this facility as a Cardiovascular Center of Excellence
- Team Member Engagement: Zone Rounding by Administration Team (weekly) — great feedback from team

#### Services:

- · Bariatrics
- · Cardiac Services
- Diabetes Treatment
- Emergency Services
- Imaging
- Inpatient Medical and Radiation Oncology
- Joint Program
- Laboratory
- Neurology
- · Outpatient Rehabilitation
- Palliative Care
- Respiratory
- · Surgery and Robotics
- · Wound Care



#### Indian Path Community Hospital

- · Age-friendly Health System Designation
- Opened the Pediatric Emergency Department in October 2022
- Received the Tennessee Department of Health BEST Award for Efforts to Decrease Infant Mortality
- Opened Phase I of the newly renovated Barbara Humphreys Family Birth Center

#### Services:

- Ballad Health Center for Post-COVID Care
- Ballad Health Medical Associates Spine and Rehabilitation
- Barbara Humphreys
   Family Birth Center
- Center for Healthy Aging
- Emergency Services
- Imaging
- · Laboratory
- Neurodiagnostics
- Outpatient Medical Oncology

- Outpatient Rehabilitation
- Pediatric Emergency Services
- Pediatric Rehabilitation
- Respiratory
- · Sleep Lab
- Surgery and Robotics
- · Transitional Care Clinic
- Urology

# Sullivan County



AND THEREUPON COUNTY COMMISSION ADJOURNED AT 7:12 P.M. UPON MOTION MADE BY COMMISSIONER CALTON TO MEET AGAIN IN REGULAR SESSION ON JULY 18, 2024.

Ochal Unall
RICHARD VENABLE

**COMMISSION CHAIRMAN**