

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

October 10, 2024 - Work Session

RESOLUTION #1 - To Consider the following zoning amendments (map or text) as reviewed by the Regional Planning Commission.

motion by: Calton

2nd by: Gardner

| Order of Cases  | Date of Application | Applicant's Name      | Neighbor Opposition | Staff's Recommendation | Planning Commission's Recommendation | Regional Planning Commission Jurisdiction | Current Zoning District | Requested Zoning District | Civil District | Commissioner District |
|-----------------|---------------------|-----------------------|---------------------|------------------------|--------------------------------------|---|-------------------------|---------------------------|----------------|-----------------------|
| 1               | 8/9/2024            | A Plus Plumbing, Inc  | no                  | no                     | yes                                  | Bristol Regional Planning Commission      | B-1                     | B-3                       | 22nd           | 1st                   |
| 2               | 8/12/2024           | Larry & Susan Mullins | yes                 | no                     | no                                   | Sullivan Co. Regional Planning Commission | R-1                     | R-1/B-3 split             | 14th           | 7th                   |
| 3               |                     |                       |                     |                        |                                      |   |                         |                           |                |                       |
| 4               |                     |                       |                     |                        |                                      |   |                         |                           |                |                       |
|                 |                     |                       |                     |                        |                                      |   |                         |                           |                |                       |
|                 |                     |                       |                     |                        |                                      |   |                         |                           |                |                       |
| Voting Summary: |                     |                       |                     |                        |                                      |   |                         |                           |                |                       |
| Name            | Case Order          | yes                   | no                  | pass / abstain         | absent                               | Approved (yes or no)                      |                         |                           |                |                       |
| A Plus Plumbing | 1                   | 15                    |                     |                        | 9                                    | YES                                       |                         |                           |                |                       |
| Mullins         | 2                   |                       | 15                  |                        | 9                                    | NO  |                         |                           |                |                       |
|                 | 3                   |                       |                     |                        |                                      |   |                         |                           |                |                       |
|                 | 4                   |                       |                     |                        |                                      |   |                         |                           |                |                       |
|                 |                     |                       |                     |                        |                                      |   |                         |                           |                |                       |

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

ZTA: Zoning Text Amendment

footnote:



Times News • Johnson City Press • The Tomahawk • Erwin Record • Herald & Tribune  
Main Office: 701 Lynn Garden Drive Kingsport, TN 37660 • 423-392-1311

## Classified Invoice

SULLIVAN CO PLANNING & CODES  
3425 TENN. HWY 126  
HISTORICAL SNOW HOUSE  
BLOUNTVILLE, TN 37617

Acct#:1047408  
Ad#:5861  
Phone#:423-323-6440  
Date:09/05/2024

Salesperson: MWILDER

Classification: Legal Notices

Ad Size: 2.0 x 26.00

### Advertisement Information:

| Description          | Start      | Stop       | Ins. | Cost/Day | Total |
|----------------------|------------|------------|------|----------|-------|
| Kingsport Times News | 09/09/2024 | 09/09/2024 | 1    | 98.80    | 98.80 |
| Affidavit            | -          | -          | -    | -        | 5.00  |
| Underline No Charge  | -          | -          | -    | -        | 0.00  |

### Payment Information:

Date: 09/05/2024      Order#: 5861      Type: ACCOUNT:Bill at Expiry

Total Amount: 103.80

Amount Due: 103.80

Thank you for your business.

### Ad Copy

#### PUBLIC NOTICE

Sullivan County Regional Planning Commission shall hold a public meeting on Tuesday, September 17, 2024 at 6PM within the Historic Courthouse, located at 3411 Hwy 126, Blountville. The purpose of the meeting is to an individual rezoning request for Larry and Susan Mullins, located at 112 Liberty Church Road. They have requested a portion of the property to be rezoned from R-1 to B-3, Tax Map 121B, Group A, Parcel 014.00. The Bristol Regional Planning Commission shall hear a rezoning request for A Plus Plumbing Inc, located at 1696 Bristol Caverns Hwy to be rezoned from B-1 to B-3, being Tax Map 039, parcel 038.10. This request shall be heard in the Easley Annex Conference Room located at 104 8th Street, Bristol, TN.

The final public hearing of the proposed two individual property rezoning map amendments shall be heard by the Sullivan County Commission during the October 10, 2024 Work Session Zoning Hearing, which is also 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@sullivancountyttn.gov](mailto:planning@sullivancountyttn.gov). Copies of the requests are filed in the Sullivan County Planning & Codes Department located next to the courthouse, within the Historic Snow House at 3425 Hwy 126, Blountville, TN.

PUB 1T: 9/9/24

**PETITION TO SULLIVAN COUNTY FOR REZONING**

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

Date: 08-09-24

Property Owner: A Plus Plumbing Inc

Address: PO Box 1585 Bristol, TN 37621

Phone number: 423-742-1953

Email: [apluplumbing22@gmail.com](mailto:apluplumbing22@gmail.com)

**Property Identification**

Tax Map: 039                      Group:                      Parcel: 038.10  
Zoning Map: 22                      Zoning District: B1                      Proposed District: B3                      Civil District: 22  
Property Location: 1696 Bristol Caverns Hwy Bristol, TN 37620                      Commission District: 1  
Purpose of Rezoning: Auto Garage

**Meetings**

**Planning Commission:**

Place: Easley Annex Conference Room, 104 8<sup>th</sup> St. Bristol TN (Bristol Development Services Building)

Date: 09-16-24

Time: 5:00 PM

Approved: ☒

Denied: ☐

**County Commission:**

Place: Historic Courthouse 2<sup>nd</sup> Floor Commission Chambers 3411 Highway 126, Blountville TN

Date: 10/10/2024

Time: 6:00 PM

Approved: ☒ APPROVED 15 YES, 9 ABSENT

Denied: ☐

**DEED RESTRICTIONS**

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

Owner's Signature: \_\_\_\_\_

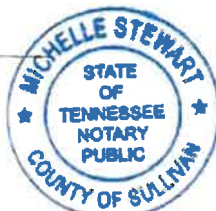
*James H. Smith Jr.*

Digitally signed by 15b1c3a5-  
ba72-45e2-9a81-fa04e40477eb  
Date: 2024.08.09 16:08:54 -04'00'

Date: 08-09-2024

Notary Public: \_\_\_\_\_

*Michelle Stewart*



My Commission Expires: 3-25-2026

**Ambre Torbett**

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**From:** Heather Moore <hmoore@bristoltn.org>  
**Sent:** Tuesday, September 17, 2024 11:35 AM  
**To:** Ambre Torbett  
**Subject:** \*\*EXTERNAL\*\*RE: 9.16.24 Bristol PC positive recommendation on 1696 Bristol Caverns Highway rezoning to B-3  
**Attachments:** 2 Rezoning Sullivan County.pdf

\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email \*\*\*

Ambre, please let me know how this comes through. Thank you! Heather

**From:** Heather Moore <hmoore@bristoltn.org>  
**Sent:** Tuesday, September 17, 2024 10:24 AM  
**To:** planning@sullivancountyttn.gov  
**Cc:** aplusplumbing22@gmail.com; Cherith Young <cyoung@bristoltn.org>  
**Subject:** RE: 9.16.24 Bristol PC positive recommendation on 1696 Bristol Caverns Highway rezoning to B-3

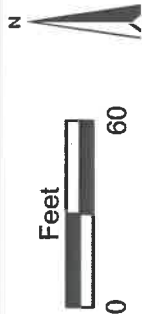
Ambre, I wanted to quickly get back to you and request to please disregard the message below, sent earlier today. That message was the product of mistaken understanding of communication (positive recommendation tangling with staff recommendation). The Bristol Planning Commission reviewed the Sullivan County rezoning request for 1696 Bristol Caverns Highway to B-3 at the September 16, 2024, monthly meeting. After a brief discussion, the vote was unanimous (9 in attendance) to send a positive recommendation to Sullivan County Commission. The Trivetts were in attendance. Again, I apologize for the confusion in sending the recommendation from last night's meeting. The recommendation was positive.

Please let me know if I can answer any questions. The packet reviewed by Bristol Planning Commission is attached. Thank you!

Regards,  
Heather Moore

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

**From:** Heather Moore <hmoore@bristoltn.org>  
**Sent:** Tuesday, September 17, 2024 9:27 AM  
**To:** [planning@sullivancountyttn.gov](mailto:planning@sullivancountyttn.gov)



**Notice:**

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

County Line

Parcel Acres

Parcel Numbers

Parcel Owner  
Labels

Parcel Lines

**Current Zoning**

A-1

A-2

A-5

AR

8-1

2

0



1

7-1A1

DAY 1

FBI

PC/SD

PMD-1

PMI

12-1

R-2

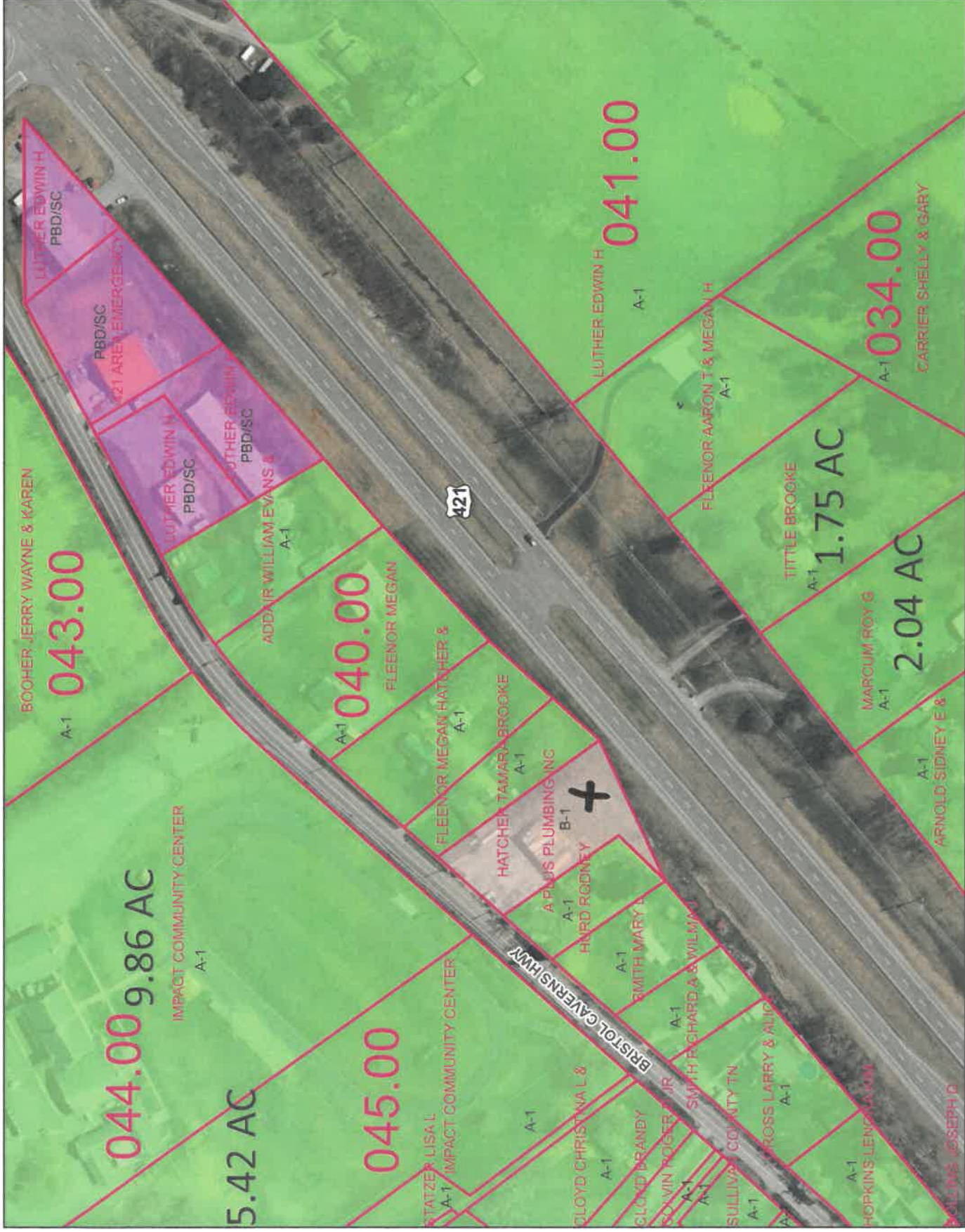
R-2

R-3

R-3

R-3

RRC



# SULLIVAN COUNTY

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



## NOTICE OF REZONING REQUEST

September 3, 2024

Dear Property Owner:

Please be advised that your adjacent landowner, A Plus Plumbing Inc, has applied for a rezoning for their property located at 1696 Bristol Caverns Hwy **from B-1 (Neighborhood Business) to B-3 (General Business)**. This property is located within Sullivan County but within the Bristol Urban Growth Boundary and Planning Area. The property tax ID is Tax Map 039, Parcel 038.10 approximately .55 of an acre. The stated purpose of the rezoning request is to allow for an auto garage for their business. Therefore, the Bristol Regional Planning Commission shall first hear this case prior to County Commission consideration. The following are the scheduled meeting dates for this request:

**Bristol Regional Planning Commission – Monday, September 16, 2024 at 5:00PM**  
(To be held at 104 8<sup>th</sup> Street, Bristol, TN within the Easley Annex Conference Room)

**Sullivan County Commission's Work Session – Thursday, October 10, 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@sullivancountyttn.gov](mailto:planning@sullivancountyttn.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

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

Notice:

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

**Parcel Numbers**  
Parcel Owner Labels

Parcel Owner Labels

Parcel Lines  
Future Growth Areas

Commercial  
Comm. / Industrial

Land Use Plan: 2006-2026

Ag / Single Fam Res

Ag / Open Space

Neighborhood Comm

Blountville-Mixed Use

General Commercial

Corridor Commercial

Manufac-Light Ind

High Impact Use

Plan Corridor Comm

Plan General Comm

Plan Manufac-Lt Ind

Plan Manufac-Hvy Ind

Plan Unit Devel

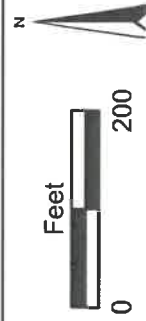
Low Density Res

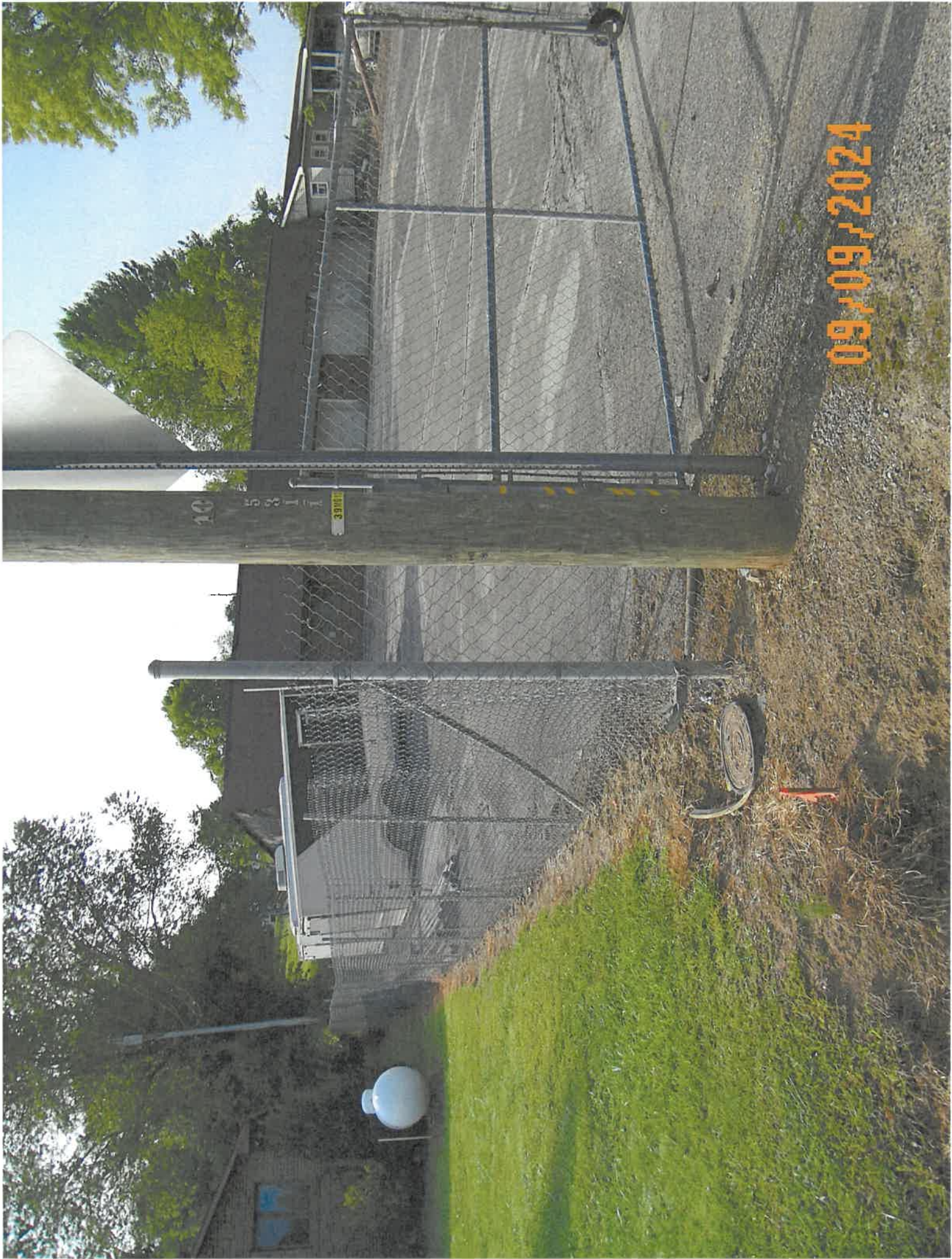
Medium Density Res

High Density Res

Mobile Home Park

Water

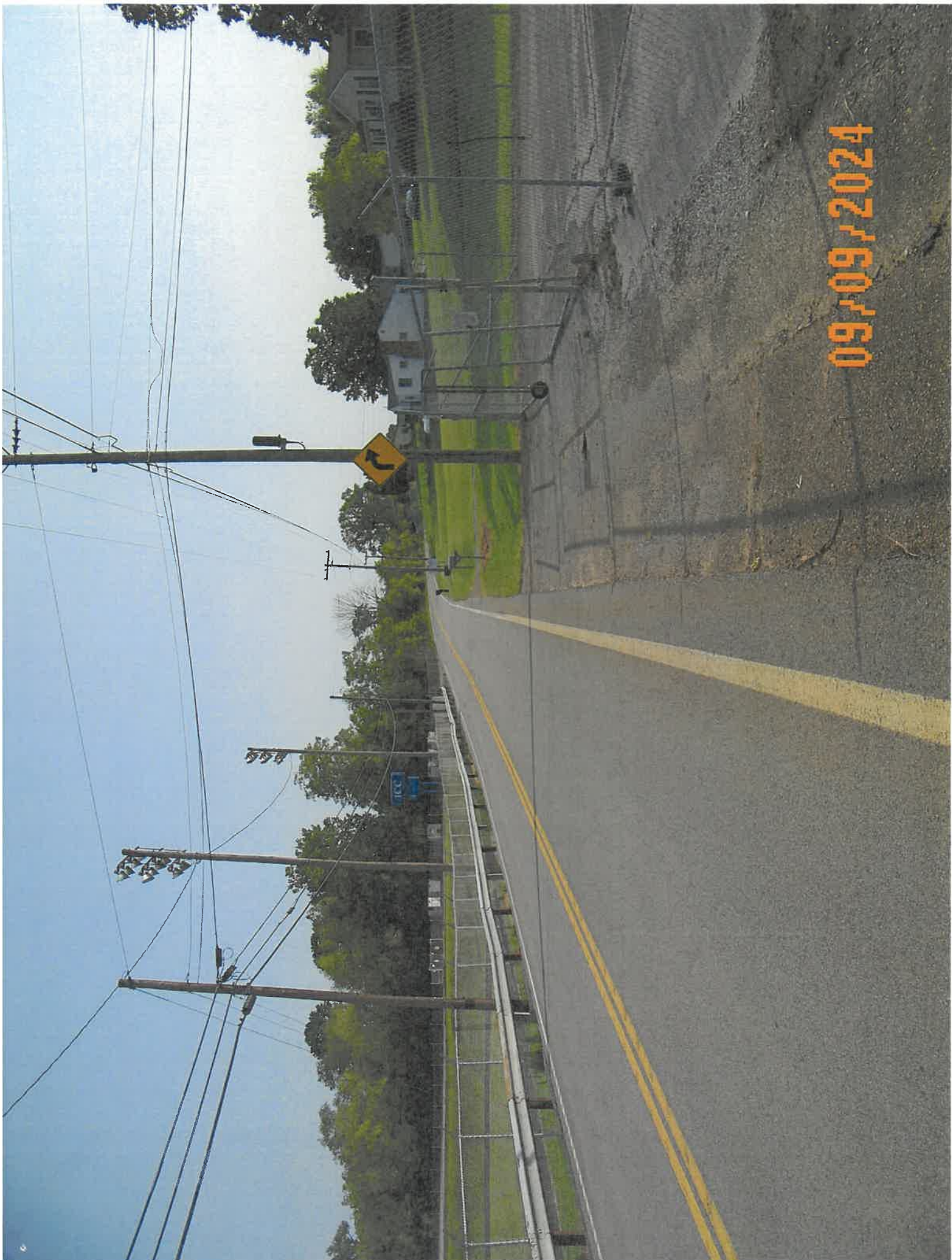




09,09,2024

Sullivan County, TN  
**NOTICE**  
THIS PROPERTY IS  
BEING CONSIDERED  
FOR RE-ZONING  
423-323-6440

09/09/2024



09/09/2024

## Sullivan County Rezoning Recommendation



### SUMMARY

|   |   |  |
|---|---|--|
| <p><b>Owner/Applicant:</b><br/>A Plus Plumbing, Inc.</p> <p><b>Location:</b><br/>1696 Bristol Caverns Highway</p> <p><b>Tax Map (TM):</b><br/>Sullivan County TM 039, Parcel 38.10</p> <p><b>Acreage:</b> 0.73 acres, approximately</p> <p><b>Zoning:</b><br/>B-1</p> | <p><b>Request:</b><br/>Rezone (within UGB) from B-1 to B-3</p> <p><b>Recent Land Use:</b> Vacant; Previously Commercial &amp; Residential (a mobile home)</p> <p><b>Future Land Use:</b><br/>Auto garage for plumbing business</p> <p><b>Water Service:</b><br/>City of Bristol</p> <p><b>Sanitary Sewer Service:</b><br/>Private</p> | <p><b>Staff Recommendation:</b><br/>Send an unfavorable recommendation to the Sullivan County Commission for this request.</p> <p><b>Public Notification:</b><br/>The notification process is handled by Sullivan County. The sign is on the property.</p> <p><b>Public Comments:</b><br/>None as of this writing</p> <p><b>Planner:</b><br/>Heather Moore</p> |
|---|---|--|

## BACKGROUND

A Plus Plumbing, Incorporated has requested that an approximate 0.73-acre property at 1696 Bristol Caverns Highway be rezoned from B-1 (Convenience Neighborhood Business District) to B-3 (General Business District). The property is located on the south side of Bristol Caverns Highway and the north side of Highway 421, across from former Holston Valley Middle School, now Impact Community Center (ICC) to the north. The property is in the eastern end of the Sullivan County Urban Growth Boundary.

The purpose of the rezoning, as stated on the application, is to establish an "Auto Garage." Jennifer Trivett, who serves as Secretary/Treasurer of A Plus Plumbing, explained through a telephone call on September 5, 2024, that the company plans to utilize the existing building facing Bristol Caverns Highway for storage and vehicle maintenance. Commercial use is not planned on the property currently. Ambre Torbett, Director of the Sullivan County Department of Planning and Codes, verified by telephone communication on September 5, 2024, that the site is considered by Sullivan County a legal nonconforming use, the current site pre-dating County zoning and regulations. Ms. Torbett continued that only a few nonresidential uses are allowable in the B-1 district, and more uses are allowed in the B-3 district.

Access to the property is via Bristol Caverns Highway, which is classified as a collector road in Bristol Road Plan.

State law requires the Bristol Tennessee Municipal-Regional Planning Commission to provide a recommendation on the proposed rezoning because the property is located within the city's Urban Growth Boundary. The recommendation will be forwarded to the Sullivan County Commission for final action on October 10, 2024.



1696 Bristol Caverns Hwy

## PREVIOUS ACTIONS

This is the first known application for the city's review.

## SPECIFICATIONS

### General

The property is in the eastern portion of Bristol's Urban Growth Boundary. It is relatively flat and the parcel has road frontage on Bristol Caverns Highway and Highway 421. The following map includes contour lines at 20-foot intervals.



The Public Works Division reviewed the site, and had the following guidance for future development:

1. Water is available through City of Bristol.
2. Sanitary sewer is not available.
3. Access is permitted by TDOT.

## Zoning and Land Use

The zoning of the subject property, surrounding parcels, and existing land uses are listed below.



|                         | Existing Zoning  | Existing Land Use  |
|-------------------------|--|--|
| <b>Subject Property</b> | Sullivan County B-1 (Convenience Neighborhood Business District) | Commercial, vacant   |
| <b>North</b>            | Sullivan County A-1 (General Agricultural/Estate Residential)    | Across Bristol Caverns Highway, old school – Used for special events |
| <b>South</b>            | Sullivan County A-1 (General Agricultural/Estate Residential)    | Across collector Highway 421, Residential – Single-family            |
| <b>East</b>             | Sullivan County A-1 (General Agricultural/Estate Residential)    | Residential – Single-family  |
| <b>West</b>             | Sullivan County A-1 (General Agricultural/Estate Residential)    | Residential – Single-family  |

Residential use and the Impact Community Center surround the subject. The property has previously had both a commercial and a residential use. The lot is recognized by Sullivan County as a legal nonconforming status. A mobile home existed on the parcel several years ago, located between the commercial building and Highway 421. It was removed several years ago.

## Land Use Plan and Policy

The Land Use Map indicates that the site will be developed as low density residential. Rezoning the site to B-3 disagrees with the Future Land Use Plan and Policy.



## ANALYSIS

The site on Bristol Caverns Highway, zoned B-1 when the County was originally zoned, has had both commercial and residential uses previously. The residential trailer has been removed from the property. Communication with Sullivan County Property Tax Office showed that a business license for an automobile collision business began in 2010. Records show that CNC Collision closed in 2023. The existing commercial building does not appear to meet any setback guidelines.

Per Sullivan County Zoning Resolution Article IV Commercial District Regulations, the requested B-3 (General Business Services District) is designed to provide a wide range of commercial uses concerned with retail trade and consumer services, amusement and entertainment establishments, automotive and vehicular service establishments, transient sleeping accommodations, drive-in stores, eating and drinking places, financial institutions, and offices. The uses in this district service a broad market spectrum and therefore ease of automotive access is a requirement.

B-3 district's density standards mirror those of B-1. Both have lot minimums of 10,000 square feet, and yard requirements of Front and Rear – 30 feet, and Sides – 30 feet. While both zones allow for residential uses, very few uses are allowed in B-1 without PC review or SUP approval. Where Restaurants, Self-Storage, and Automotive and Marine Craft Sales and Services are not allowed in B-1, they are permitted use in B-3.

The property is surrounded by properties that are zoned A-1, and the dominant land use is low density residential in a rural environment. The only non-residential zoning that is located nearby is the small PBD-SC (Planned Business and/or Shopping Center District) that is located 5 lots to the east where Bristol Caverns

Highway and Highway 421 intersect. The requested B-3 zoning is not adjacent to the subject, or in close proximity. The planned use of the subject property, if zoned to B-3, appears to benefit only the property owner. The zone would not blend well with the A-1 zone and use of the surrounding neighborhood.

Rezoning this parcel to B-3 would create a “spearhead” of non-residential zoning into a fairly established residential area. It is important to note that if rezoned, any use permittable in the B-3 zone could be placed on the property. B-3 uses include Automotive Parking, Automotive and Marine Craft Sales and Accessory Services, Automotive Body and Repair Shops, General Retail, Restaurant (Full Service and Fast Food), and Warehousing, to name a few. The variety of non-residential land uses allowable in the B-3 district do not agree with uses allowed in the surrounding A-1 district.

This request could be considered spot zoning, for the following reasons:

- B-3 Zoning would be a use classification different from the adjacent and surrounding area.
- The rezoning would not be consistent with the Future Land Use Plan and Policy.
- The reason for the rezoning request is for the sole benefit of the property owner.

## STAFF RECOMMENDATION

Staff recommends the Bristol Tennessee Municipal Regional Planning Commission send an unfavorable recommendation to the Sullivan County Commission for this request for the following reasons:

- B-3 zoning is a use classification different from the surrounding area, which is mostly single-family residential.
- B-3 zoning disagrees with the City of Bristol Future Land Use Plan and Policy, which projects low density residential use for the area.
- The reason for the rezoning request is for the sole benefit of the property owner.
- This could be considered spot zoning.

## REVIEW/APPROVAL PROCESS – NEXT STEPS

Staff will communicate the Bristol Municipal Regional Planning Commission’s recommendation to the Sullivan County Commission. The Sullivan County Commission is scheduled to hear this request on October 10, 2024.



Heather Moore, AICP  
Land Use Planner

| DISTRICTS   | PBD-3 | PBD/<br>SC | B-4 | B-3 | B-2 | B-1 |
|---|-------|------------|-----|-----|-----|-----|
| <b>III. COMMERCIAL ACTIVITIES – Amended 09 17 07</b>  |       |            |     |     |     |     |
| A. Adult Entertainment Establishments   | X     | X          | X   | X   | X   | X   |
| B. Animal Care and Veterinary Services  | PC    | PC         | SUP | SUP | SUP | SUP |
| C. Automotive Parking – open lots only in B-2 and B-1, no public garages or parking structures  | PC    | PC         | P   | P   | P*  | P*  |
| D. Automotive and Marine Craft Sales and Accessory Services   | PC    | PC         | P   | P   | X   | X   |
| E. Automotive Body and Repair Shops   | X     | PC         | X   | P   | X   | X   |
| F. Auto Towing and temporary storage  | X     | X          | X   | SUP | X   | X   |
| G. Banking, Financial, Insurance and Real Estate Services   | PC    | PC         | P   | P   | P   | P   |
| H. Convenience Retail Sales and Services  | PC    | PC         | SUP | SUP | SUP | SUP |
| I. Entertainment and Amusement Services - Limited   | PC    | PC         | SUP | SUP | SUP | X   |
| J. General Business and Communications  | PC    | PC         | P   | P   | P   | X   |
| K. General Retail Trade   | PC    | PC         | P   | P   | P   | X   |
| L. Group Assembly and Commercial Outdoor Recreation   | PC    | PC         | SUP | SUP | SUP | X   |
| M. Outdoor Material and Equipment Sales and Repair  | PC    | PC         | P   | P   | X   | X   |
| N. Professional Services – Medical  | PC    | PC         | P   | P   | P   | P   |
| O. Professional Services – Non-medical/Professional Offices   | PC    | PC         | P   | P   | P   | P   |
| P. Restaurant, Full Service   | PC    | PC         | P   | P   | P   | X   |
| Q. Restaurant, Fast Food  | PC    | PC         | P   | P   | X   | X   |
| R. Scrap Operations/junk yards  | X     | X          | X   | X   | X   | X   |
| S. Self-Storage/Mini-Warehouse Facilities   | PC    | PC         | P   | P   | X   | X   |
| T. Transient Habitation   | PC    | PC         | PC  | X   | X   | X   |
| U. Warehousing, Goods, Transport, and Storage   | X     | PC         | X   | X   | X   | X   |
| V. Wholesale Sales  | PC    | PC         | P   | P   | X   | X   |
| W. Indoor Sport Shooting Range Facilities <i>amended on 3/15/10</i>   | PC    | PC         | PC  | PC  | X   | X   |
| <b>IV. MANUFACTURING ACTIVITIES</b>   |       |            |     |     |     |     |
| A. Manufacturing – Limited  | PC    | PC         | SUP | SUP | X   | X   |
| <b>V. AGRICULTURAL AND EXTRACTIVE ACTIVITIES</b>  |       |            |     |     |     |     |
| A. Agricultural – General   | P     | P          | P   | P   | P   | P   |
| B. Agricultural – Intensive   | PC    | PC         | PC  | PC  | PC  | PC  |
| C. Agricultural Services  | P     | P          | P   | P   | P   | P   |
| D. Plant and Forest Nurseries   | PC    | PC         | PC  | PC  | PC  | PC  |
| <b>VI. ACCESSORY ACTIVITIES</b>   |       |            |     |     |     |     |
| A. Commercial Accessory Storage – Enclosed<br>(residential accessory structures permitted<br>where residential land uses are permitted) | X     | PC         | X   | P   | X   | X   |
| B. Accessory Day Care within business ctr.  | PC    | PC         | SUP | SUP | SUP | SUP |
| C. Administrative Office  | PC    | PC         | SUP | SUP | SUP | SUP |
| D. Bed and Breakfast Inn  | PC    | PC         | PC  | PC  | PC  | PC  |
| E. Columbarium/Mausoleum  | SUP   | SUP        | SUP | SUP | SUP | SUP |
| F. Operation of a Cafeteria   | PC    | PC         | PC  | PC  | X   | X   |
| G. Parents Day Out  | SUP   | SUP        | SUP | SUP | SUP | SUP |
| H. Production for Retail Sale   | PC    | PC         | SUP | SUP | SUP | X   |
| I. Residential Occupancy <i>(approved administratively – amended 09 17 07)</i>  | P     | P          | SUP | SUP | P   | P   |
| J. Special Public Event on Private Property   | BZA   | BZA        | BZA | BZA | SUP | BZA |

**KEY TO INTERPRETING USE CLASSIFICATIONS**

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

P = Use Permitted by Right Within the District

SUP = Principal Use Permitted with Supplemental Provisions

PC = Subject to Review and Approval by the Planning Commission

X – Not permitted

**TABLE 4-102A**  
**USES AND STRUCTURES ALLOWABLE**  
**WITHIN MIXED USE AND COMMERCIAL DISTRICTS**

| <b>DISTRICTS</b>   | <b>PBD-3</b> | <b>PBD/<br/>SC</b> | <b>B-4</b> | <b>B-3</b> | <b>B-2</b> | <b>B-1</b> |
|--|--------------|--------------------|------------|------------|------------|------------|
| <b>I. Residential Activities</b>   |              |                    |            |            |            |            |
| A. Permanent   |              |                    |            |            |            |            |
| 1. Single Family Dwelling  | X            | X                  | X          | P          | P          | P          |
| 2. Duplex Dwelling   | PC           | PC                 | P          | P          | X          | P          |
| 3. Multi-Family Dwelling   | PC           | PC                 | SUP        | SUP        | X          | X          |
| 4. Single-Family Flats on 2 <sup>nd</sup> story & above within mixed-use | PC           | PC                 | SUP        | SUP        | SUP        | SUP        |
| B. Semi-Transient  |              |                    |            |            |            |            |
| 1. Lodging House   | X            | X                  | P          | P          | X          | X          |
| 2. Boarding House  | X            | X                  | P          | P          | X          | X          |
| <b>II. COMMUNITY FACILITY ACTIVITIES</b>                                 |              |                    |            |            |            |            |
| A. Administrative Services   | PC           | PC                 | SUP        | SUP        | SUP        | SUP        |
| B. Child Care Facilities   | PC           | PC                 | SUP        | SUP        | SUP        | SUP        |
| C. Community Assembly  | PC           | PC                 | SUP        | SUP        | SUP        | SUP        |
| D. Cultural and Recreational Facilities                                  | PC           | PC                 | SUP        | SUP        | SUP        | PC         |
| E. Educational Facilities  | PC           | PC                 | SUP        | SUP        | SUP        | SUP        |
| F. Essential Public Transport, Communication & Utility                   | PC           | PC                 | SUP        | SUP        | SUP        | SUP        |
| G. Extensive Impact Facilities   | X            | X                  | X          | X          | X          | X          |
| H. Health Care Facilities  | PC           | PC                 | SUP        | SUP        | SUP        | SUP        |
| I. Intermediate Impact Facilities – see Supplemental Regulations         | PC           | PC                 | SUP        | SUP        | SUP        | SUP        |
| 1. Telecommunication Transmission Facilities                             | PC           | PC                 | PC         | PC         | PC         | PC         |
| 2. Funeral Homes and Crematoriums  | X            | SUP                | SUP        | X          | X          | X          |
| J. Religious Facilities  | PC           | PC                 | SUP        | SUP        | SUP        | SUP        |
| K. Special Institutional Care Facilities                                 | BZA          | BZA                | X          | X          | X          | X          |
| L. Special Personal and Group Care Facilities                            | PC           | PC                 | SUP        | X          | X          | X          |
| M. Waste Disposal Operations   | X            | X                  | X          | X          | X          | X          |



### 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:

Property Owner: Larry W. and Susan L. Mullins 8-5-2024

Address: 112 Liberty Church Rd. Kingsport, TN 37663

Phone number: 423-534-3082 Email: slm4vols@yahoo.com

#### Property Identification

Tax Map: 121B Group: A Parcel: 014.00  
Zoning Map: 25 Zoning District: R-1 Proposed District: B-3 Civil District: 14  
Property Location: 112 Liberty Church Rd, Kingsport TN 37663 Commission District: 7  
Purpose of Rezoning: to rezone from residential to commercial.

#### Meetings

Planning Commission: Sullivan County Planning  
Place: Historic Courthouse, 2nd Floor, 3411 Hwy 126 Blountville TN

Date: 9/17/24 Time: 6:00 PM

Approved: \_\_\_\_\_ Denied: ✓

#### County Commission:

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

Date: 10/10/24 Time: 6:00 PM

FAILED 15 NO, 9 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: Larry W. Mullins

Date: 8-12-24

Notary Public: Katelyn Herring

My Commission Expires: 2-22-27



**FINDINGS OF FACT –**

|                                  |                                      |
|----------------------------------|--------------------------------------|
| Landowner:                       | Larry W. and Susan L. Mullins        |
| Applicants:                      | same                                 |
| Representative:                  | same                                 |
| Location:                        | 112 Liberty Church Road, Kingsport   |
| Mailing Address of Owners:       | same                                 |
| Civil district of rezoning:      | 14 <sup>th</sup>                     |
| Commission District of rezoning: | 7 <sup>th</sup>                      |
| Parcel ID:                       | Tax Map 121B, Group A, Parcel 014.00 |
| Subdivision of Record:           | n/a                                  |
| PC1101 Growth Boundary:          | Sullivan County Planned Growth Area  |
| Existing Land Use:               | Single Family residential            |
| Utility District:                | Kingsport                            |
| Public Sewer:                    | none – private on-site septic        |
| Lot/Tract Acreage:               | total acreage – 1.82 acres           |
| Flood Plain:                     | n/a                                  |
| Existing Zoning:                 | R-1                                  |
| Surrounding Zoning:              | R-1,B-4, B-3, R-2                    |
| Proposed Zoning Request:         | B-3 – split zoning                   |
| Surrounding Land Uses:           | Low Density Residential, commercial  |
| 2006 Land Use Plan:              | Low Density Residential              |
| Neighborhood Opposition:         | yes                                  |

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

- The owner is requesting a rezoning of a portion of their residence to B-3. The split zoning boundary identifies the yard adjacent to Begley Construction to be rezoned B-3 and the house and immediate driveway and yard to remain R-1.
- Staff recommends against this request for the following reasons:
  - The Sullivan County Land Use Plan identifies this lot and neighborhood to remain low density residential with commercial development along SR 36;
  - The site is served by an on-site septic system, and the yard space should be reserved for the field bed lines and duplicate areas where public sewer is not available.
  - The commercial districts should be considered along the State Route and not within an established residential neighborhood.

**Meeting Notes at Planning Commission:**

- *The chairman introduced the rezoning request and asked the planner to provide the staff report. The planner read her report and findings. The chairman asked for anyone in the audience that would like to speak who oppose this request. The following citizens spoke in opposition to the rezoning requests:*
  - *Bryan Waldo, 116 Liberty Church Road, stated he has lived in his home directly next to the Mullins' property, for the last 30 years. Since 2019, when Begley Construction expanded, the noise coming from their laydown yard is very noisy and has become a nuisance all throughout the day and evening. He submitted a complaint and video of the operation to staff and some commissioners. The video shows an operator at Begley Construction, working late at night. The dust and noise from this expansion has already affected their enjoyment of their property.*
  - *Scott Warren, 112 Dillow Circle, stated he lives adjacent to the Begley Construction office and equipment lot. He stated they have lots of employees and rather than use the entrance of SR 36, they use the entrance off Dillow Circle. He added that he was concerned about increased traffic on the residential roads, additional noise, and flooding. He stated there are currently about 15 tandem trucks in and out each day.*
  - *Sydney Waldo, 116 Liberty Church Road, also spoke in opposition to this rezoning request for the Mullins on behalf of the buyer, Mr. Begley. She questioned, "how does it feel to unwind at the end of the day and then to come home to this noise and dust? This is a nuisance problem and kindly asks the board to deny the request."*
- *The chairman asked if anyone wanted to address the commission who was in favor of the request. The following spoke in favor of the request:*
  - *Jessica Mullins, speaking on behalf of her in-laws, the applicants, stated they wanted to sell the land and home to decrease the amount of property to take care of. She stated they want to rezone the property to make it more viable to sell. She explained that the proposed TDOT expansion of Hwy 36 will encroach the whole neighborhood and the business has to have an area to expand.*

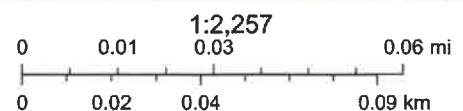
- Tyler Begley, 601 N. Mountain View Circle, Johnson City, stated he was the prospective buyer of the property. He stated it was not easy to grow the business and create more jobs.
- Member Calvin Clifton asked another Planning Commissioner, Laura McMillan, as a realtor, how would a split zoning affect the value and marketing of this property. Laura McMillan stated that a split zoning could hurt the value of the property if the buyer is seeking it for residential needs. It may hurt the value of the neighborhood as well. Discussion followed.
- Member, Mary Rouse, asked Tyler Begley why is his business is located in Sullivan County but lives in Johnson City? She qualified her question that he did not need to answer this as she was just curious. Mr. Begley stated he enjoyed the restaurants and night life of downtown area of Johnson City.
- After considerable discussion, Mary Rouse motioned to send an unfavorable recommendation on to the County Commission for this rezoning request passed upon the land use plan and location. Laura McMillan seconded the motion and the vote to send an **unfavorable recommendation** passed unanimously.

# Sullivan County - Parcel: 121B A 014.00




Date: September 13, 2024

County: Sullivan  
Owner: MULLINS LARRY W &  
Address: LIBERTY CHURCH RD 112  
Parcel Number: 121B A 014.00  
Deeded Acreage: 1.82  
Calculated Acreage: 0  
Date of TDOT Imagery: 2019  
Date of Vexcel Imagery: 2023



Eri Community Maps Contributors, Tennessee STS GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METU/ NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, State of Tennessee, Comptroller of the Treasury, Division of Property Assessments (DPA)

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

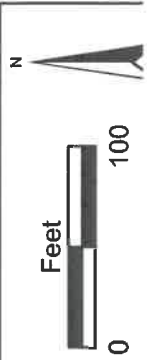
|   |                   |   |                        |              |
|---|-------------------|---|------------------------|--------------|
| General Notes<br><br>   |                   | No.<br><br>   | Revision/Issue<br><br> | Date<br><br> |
|  |                   | Project Name and Address<br>10402 Airport Parkway<br>Kingsport TN 37603 |                        |              |
| Project #<br>240404   | Date<br>8/12/2024 | Notes<br>As Noted   |                        |              |



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

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

- County Line  
Thoroughfares  
Arterial  
Collector  
Lot Lines  
Parcel Acres  
Parcel Numbers  
Parcel Owner  
Labels  
Parcel Lines

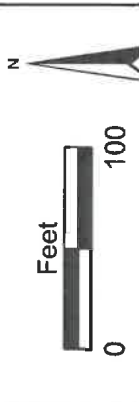
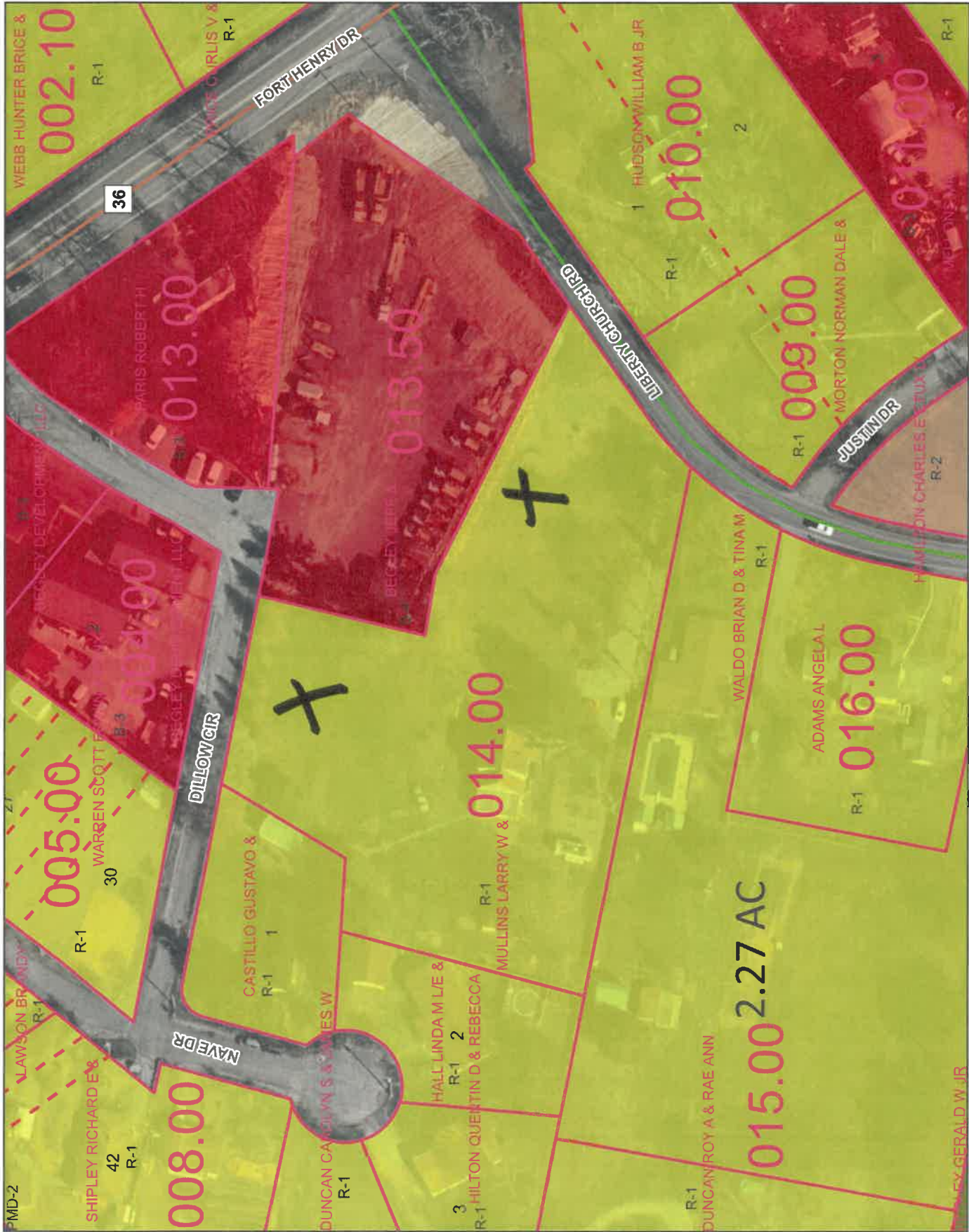


Address Data Source:  
Sullivan County, TN  
Kingsport: Kpt GIS  
Johnson City: JC GIS  
Bristol: Bristol GIS

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- Parcel Lines**
- Arterial
  - Collector
  - Lot Lines
  - Parcel Acres
  - Parcel Numbers
  - Parcel Owner Labels

- Current Zoning**
- A-1
  - A-2
  - A-5
  - AR
  - B-1
  - B-2
  - B-3
  - B-4
  - M-1
  - M-2
  - PAD
  - PBD-3
  - PBD/SC
  - PMD-1
  - PMD-2
  - R-1
  - R-2
  - R-2A
  - R-3
  - R-3A
  - R-3B
  - RRC
  - Water



# SULLIVAN COUNTY

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



## NOTICE OF REZONING REQUEST

September 3, 2024

Dear Property Owner:

Please be advised that your adjacent landowners, Larry and Susan Mullins, have requested their property located at 112 Liberty Church Road be rezoned from **R-1 (Single Family Residential)** to **B-3 (General Business)** for the purpose of selling their property to an adjacent business. The request is to leave the dwelling zoned residential but the remaining acreage to be commercial. A copy of the proposed rezoning plot plan is included in this letter. The property tax ID is Tax Map 121B, Group A, Parcel 014.00. The following are the scheduled meeting dates for this request:

**Sullivan County Regional Planning Commission – Tuesday, September 17, 2024 at 6:00PM**  
*(to be held in the Sullivan County Historic Courthouse, 3411 Hwy 126, Blountville, 2<sup>nd</sup> Floor)*

**Sullivan County Commission's Work Session – Thursday, October 10, 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@sullivancountyttn.gov](mailto:planning@sullivancountyttn.gov) or you may call me directly at 423.279.2603.

Regards,

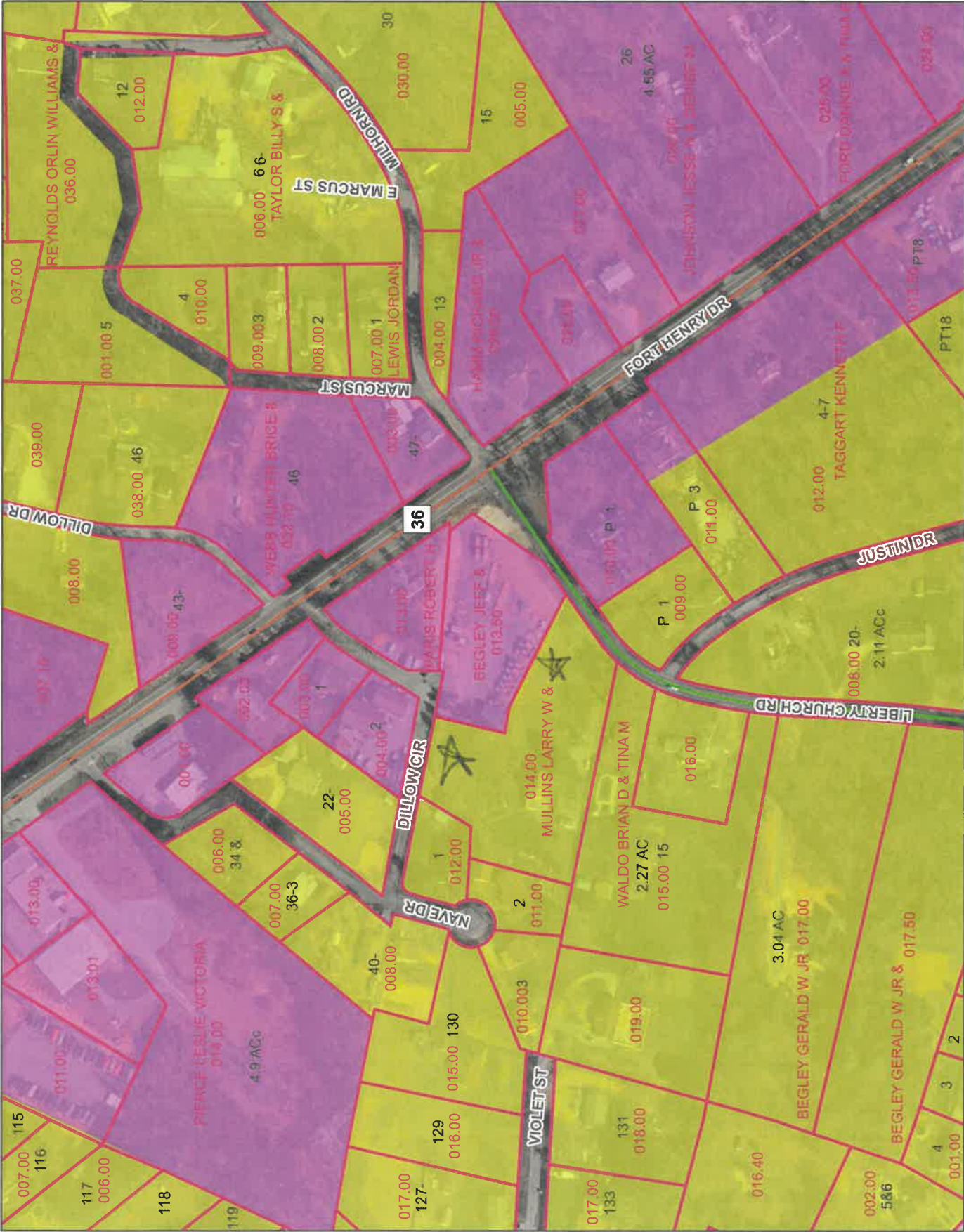
Ambre M. Torbett, AICP  
Director of Planning & Community Development  
Sullivan County Stormwater Coordinator

Land Use Plan

**Address Data Source**  
Sullivan County, Sull Co 911  
Kingsport: Kpi GIS  
Johnson City: JC GIS  
Bristol: Bristol 911

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- County Line
  - Thoroughfares
    - Arterial
    - Collector
  - Lot Numbers
  - Parcel Acres
  - Parcel Numbers
  - Parcel Owner Labels
  - Parcel Lines
- Land Use Plan: 2006-2026**
- Plan Corridor
  - Comm
  - Low Density Res



**Flood Insurance Rate Map (FIRM) 2024**  
Flood Insurance Rate Map (FIRM) 2024  
Zone A - No Base Flood Elevation Determined  
Zone AE - Base Flood Elevation Determined  
6-2 PCT Annual Chance Flood Hazard  
Floodway Areas in Zone AE

09/09/2024



09/09/2024



## Ambre Torbett

---

**From:** Scott & Lisa Hamilton <hambonesh@aol.com>  
**Sent:** Saturday, September 14, 2024 11:42 AM  
**To:** Ambre Torbett  
**Subject:** \*\*EXTERNAL\*\*112 Liberty Church Road rezoning

\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email \*\*\*

Ambre, I wanted to send you my concerns with the rezoning being considered for Larry and Susan Mullins property at 112 Liberty Church Road. We live in close proximity to the property residing across the street @ 121 Liberty Church Road. I understand that the Mullins would like to sell to Begley Construction adjacent to them. We are opposed to further infringement into our neighborhood with more commercial development. The Begley Construction business has already caused issues with the quality of life expected by our neighborhood residents and increasing the size of the business property is just going to cause us more distractions to have to deal with. The noise and traffic have already greatly changed the identity of the neighborhood. Giving Begley even more room for parking, storage, etc. is just going to add to our misery. Leaving a very small part of the Mullins' property residential is not going to create any barrier or buffer for protection against more of what we already have to deal with on a daily basis. In addition, the B-3 rezoning being considered would allow another possibility for more car repair business/sales etc. to locate on the property if Begley should decide to sell at a later date or not buy the property at all.

Ambre, we greatly appreciate your efforts so far in trying to keep a residential footprint in our neighborhood. But where is the commercialization going to end for our neighborhood? We already are dealing with the issues from B&H sales business located behind us and have been trying to keep Mr. Taggart's property located behind us as well from being rezoned to our back doorstep. But now Begley Construction LLC wants to buy Larry and Susan's property contingent on the rezone to B-3 so they can expand their parking lot! As I have said before I am not opposed for the Highway 36 corridor to have commercial development. That growth is vital for the county. But it should not come at the expense of the folks already living in the neighborhoods adjoining it. We should be able to enjoy the quality of life we expected to have when locating here long ago before the Corridor Growth area was ever realized.

Thank you!

Scott and Lisa Hamilton  
121 Liberty Church Road  
hambonesh@aol.com  
423-943-9941

## Ambre Torbett

---

**From:** Janet Ross <harleydmama69@yahoo.com>  
**Sent:** Sunday, September 15, 2024 12:03 PM  
**To:** Ambre Torbett  
**Subject:** \*\*EXTERNAL\*\*Property rezoning of Liberty Church Rd.

\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email \*\*\*

Dear Ambre,

I live on Liberty Church Rd. Concerning the rezoning request, we DO NOT Wish to see it rezoned. Thank you for doing your part to help this situation be resolved in favor of the residents on Liberty Church Rd.

Thank You,

Sincerely,

Janet & Greg Ross

224 Liberty Church Rd.

Sydney Waldo - 9/13/24  
4:18  
pm

concerns about  
rezoning

(473) 502 3616

116 Liberty Church<sup>PA</sup>

noise everyday  
even 8<sup>30</sup> Sat. night  
from Begley Constr.

Tina Waldi -  
Opposition  
to reopening  
for liberty church.

423 361 401?

BEGLEY, JEFF &  
TYLER BEGLEY  
PO BOX 6088  
KINGSPORT TN 37663

HUDSON, WILLIAM B JR  
105 LIBERTY CHURCH RD  
KINGSPORT TN 37663

MORTON, NORMAN DALE &  
KIMBERLY LEE TRUSTEES  
352 GLIDER PVT DR  
KINGSPORT TN 37663

WALDO, BRIAN D & TINA M  
116 LIBERTY CHURCH RD  
KINGSPORT TN 37663

HALL, LINDA M L/E &  
CHRISTOPHER W JARVIS R/M  
115 NAVE DR  
KINGSPORT TN 37663

CASTILLO, GUSTAVO &  
CHRISTINA TAVAREZ  
113 DILLOW CIR  
KINGSPORT TN 37663

WARREN, SCOTT EDWIN & ETUX  
112 DILLOW CIR  
KINGSPORT TN 37663

BEGLEY DEVELOPMENT LLC  
PO BOX 6088  
KINGSPORT TN 37663