

# HAMBLEN COUNTY PLANNING COMMISSION

## AGENDA

JULY 8, 2024



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### Workshop:

- I. Clarksville, TN Camper/RV Ordinance – Discussion
- II. General Camper Discussion
- III. Office Staff – Planner
- IV. Tiny Homes – State Inspections
- V. Incredible Tiny Homes “Southern Heights” Small Home Community

### Call to Order

### Public Comments

### Approval of the June 2024 minutes

### Site Plan Review

- I. Circle C Cowboy Church Expansion – 4682 Old Lowland Rd. (04-051-087.30)

### Customary Home Occupation – Variance

- I. Josh Gorman – 920 Shaver Dr. Talbott, TN (02-0470-G-031.00 R-1)  
Requesting a variance for CHO

### Special Exemption

- I. Gerald Kinsler / Corbin Stewart – 2955 Enka Hwy. (04-042-095.06 A-1)  
Requesting special exemption for A-1 zone to allow a warehouse. UGB.

### Other Business

### Adjournment

The next meeting of the Hamblen County Planning Commission is scheduled for August 5, at 4:30 p.m.  
The deadline to submit applications for this meeting is July 12, 2024.

**Minutes**  
**Hamblen County Planning Commission Meeting**  
**May 6, 2024**

**Members Present**

John Hofer, Chairman  
Charles Anderson, Vice Chairman  
Edgar Gray  
Bill Hicks  
Kay Hale  
Rodney Long

**Staff**

Tina Whitaker, Office Manager  
Donna Massey, Administrative Assistant  
Tommy McKinney, Codes Enforcement Officer  
Lindsey Horn, Clerical & Stormwater Assistant  
Darrell Chase, Building Inspector

Other guests, see attached roster

**Absent:**

Chris Capps, County Attorney  
Lori Matthews, City Planner  
Thomas Doty

Requested Security Officer

**Planning Commission Workshop**

- **Updated Website**

Staff member Lindsey Horn did a presentation on the new website for the commissioners. The website is meant to serve as a convenient place for the public to go to access information, applications, and other important information.

**Call to Order, Public Comments, and Approval of the Minutes**

Mr. John Hofer called the Planning Commission meeting to order. There were no public comments.

Mr. Hofer asked for a motion to approve the April 2024 minutes. Mr. Charles Anderson made a motion to approve the minutes. Ms. Kay Hale seconded the motion. All in favor; motion carried.

**Plat Approval**

- **Sylvia Dodson – Silver City Rd. (04-020-pt. of 44.05 A-1) 4 lots**

Ms. Pamela Jones represented the request. She informed the board that the property meets all requirements and has TDEC approval.

Mr. Anderson made a motion to approve the plat. Mr. Gray seconded the motion. All in favor; motion carried.

**Rezoning Request**

- **Karl and Kathy Killian – 8027 E. A.J. Hwy (03-013O-A-003.00) A-1 to C-1**

Ms. Katherine (Mandy) Killian and Mr. Karl Killian represented the request. This property has had a restaurant on it for over twenty years, but the family always believed the property was zoned commercial. Planner Josh Cole said that because there was proximity to other C-1 zoned properties that he would recommend approval.

Mr. Rodney Long motioned to approve the rezoning. Mr. Gray seconded the motion. All in favor; motion carried.

- **Karl and Kathy Killian – 8035 E. A.J. Hwy (03-013O-A-004.00) A-1 to C-1**

The Killian's own the adjoining property and wish to rezone it to commercial so they can possibly sell it in the future with the other property (listed above). Mr. Cole said he would recommend approval.

Mr. Gray made a motion to approve the rezoning. Mr. Long seconded the motion. All in favor; motion carried.

- **Nicholas Overbay - 989 Simpson Rd. (03-013-005.00) A-1 to C-1**

Mr. Nicholas Overbay and Mr. Joey Barnard represented the request. Mr. Overbay informed the board that over the last three years or so his business has grown. The current place is too small, and operations now require more staff and more training. He would like to add additional space of 2500 sq. ft. He informed the board that he has been at this location since

2008 or 2009. He discussed the road being up to standard with TDOT standards. He also spoke about paying commercial taxes since 2010.

He told the board that since they just approved another rezoning request to commercial, he didn't see why they couldn't do that for him.

Mr. Hofer informed Mr. Overbay that our department does not handle anything to do with taxes and he would need to discuss that with the Tax Assessor's office. He then asked Mr. Overbay about using the Customary Home Occupation for personal use. Mr. Overbay said that it was for personal use until 2011 when the company began to grow.

Mr. Long asked what was stored on the property. It has all kinds of equipment. He stated it also has a kitchen, bathroom, and is used as an office. Mr. Anderson asked about the apprenticeship program Mr. Overbay had mentioned in his opening statement. Mr. Overbay explained he wants to be able to train his workers in the office rather than them going to Knoxville for training and testing.

Mr. Hofer then stated that if there was a definition for spot zoning this would be it. He asked if anyone had any other questions. Ms. Kay Hale asked if Mr. Overbay knew what the zoning was when he first got his CHO. Mr. Overbay said it's been so long that he can't remember.

Planner Josh Cole then stated that the property is primarily farmland and so is all the surrounding parcels. Rezoning this property as commercial would be out of character with everything surrounding it. This could create a domino effect and many other people could attempt to do the same. Mr. Overbay stated he owned all the land around it and asked if the state road has any bearing on the decision. Despite being informed numerous times that the road has no bearing on the decision and that the primary reason for a denial is spot zoning, Mr. Overbay continued to argue with the board, wanting to know what could be done to secure his rezoning. He was informed that the only option is to appeal to the County Commission if this board votes to deny the request.

Mr. Hofer then asked for a motion. Mr. Gray made a motion to deny the request due to spot zoning and reaffirmed that Mr. Overbay could appeal to the County Commission.

Mr. Hicks seconded the motion. There was no further discussion. All in favor; motion carried.

**Adjournment**

With no other business to conduct, Mr. Bill Hicks made a motion to adjourn the meeting. Mr. Charles Anderson seconded the motion. All in favor; meeting adjourned.

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Signature

\_\_\_\_\_  
Date

**Minutes**  
**Hamblen County Planning Commission Meeting**  
**June 3, 2024**

**Members Present**

John Hofer, Chairman  
Charles Anderson, Vice Chairman  
Bill Hicks  
Kay Hale  
Rodney Long  
Thomas Doty

**Staff**

Donna Massey, Administrative Assistant  
Tommy McKinney, Codes Enforcement Officer  
Lindsey Horn, Clerical & Stormwater Assistant  
Darrell Chase, Building Inspector

Security Officer

Other guests, see attached roster

**Absent:**

Chris Capps, County Attorney  
Josh Cole, City Planner  
Edgar Gray

**Planning Commission Workshop**

- **Tiny Homes / Small Homes**

Mr. Rodney Long stated that he was called regarding the lot sizes for small homes and he told the gentleman to comply with our zoning regulations. Mr. Bill Hicks also spoke to the gentleman about small homes and stated he (Hicks) wants the lot size to come down some. They discuss the idea of decreasing the required size for lots.

- **Staff Change**

Mr. John Hofer announced that Office Manager Tina Whitaker will be leaving her position. Her last day is Friday, June 7<sup>th</sup>.

- **Site Plans**

Mr. Hofer suggested that it be a requirement that site plans be done by an engineer and to scale, rather than having hand-drawn site plans submitted. It might help to catch issues quicker. Mr. Long stated that it would slow the process down. Mr. Hicks requested clarification. This would be for anything submitted to the office. Mr. Hofer acknowledged that it would add time and money for people which no one likes, but it could be helpful. This will be discussed more in future.

- **Camper Letters**

Mr. Hofer brought up the camper issue. The letters state that recipients have ninety (90) days to unhook and vacate their campers or move them to another lot that isn't vacant. He acknowledged that people are very upset. He asked the board if they want to do anything about the deadline, such as extending it out further.

Mr. Long stated he would like to extend the ninety days with an additional ninety which would take the deadline to September. That will give people enough time to figure things out. Mr. Long wanted to make it known the board isn't heartless and if someone has a legitimate extension request they will "do that".

Mr. Doty stated that if there's a grievance against the letter, an appeal must be done in writing. But the people "don't know they can do that." He suggested the deadline be extended to the end of the year as ninety days isn't enough to get anything done.

Mr. Long clarified that that would make the extension one hundred-eighty (180) days.

Mr. Doty stated again he wants to see it (the deadline) go through the end of the calendar year. He stated some people have 5<sup>th</sup> wheel campers but no way to move them. It's a hardship to get all this done.

Mr. Anderson acknowledged that the cost of renting is outrageous. This earned 'amen's' from the audience.

Mr. Hofer stated that the board can talk about it or make a motion later on to send it to county commission. County Chairman Chirs Cutshaw, who was attending in the audience, stated that it would not be up to County Commission but it would be up to "this body" (meaning Planning Commission).

**Call to Order**

Mr. John Hofer called the Planning Commission meeting to order.

## Public Comments

- **Tom Miller**, who lives in Kentucky, stated that Mr. Anderson was the only one who tried to speak up for us. He has attended three meetings. He stated the city knew he had a camper in 2021 (note: unsure if he meant county, as this is a county board). He stated that he's driven around and noticed a lot of trailers that are in bad shape. He said he and his family visit the area two or three times a year. He stated a camper and a trailer are the same thing and that if a camper isn't certified then a single wide isn't certified. He stated that he worked hard for his place and started with nothing. He said that extending the deadline isn't going to fix the problem. He ended by stating that he will not move.
- **Wendy Ellis** stated that if people are hooked up to utilities or sewage they should have a right to live on their land. Shelter is a basic need. She said it goes against the 8<sup>th</sup> Amendment, which is about cruel and unusual punishment. She stated there is not affordable housing in the area and wait lists for government housing are over two years. She stated that people cannot afford to build in this economy, citing building a chicken coop for \$600 as an example. She asked if these laws are so important then why weren't campers enforced to begin with. She added that the Supreme Court has ruled homelessness as cruel and unusual punishment. She then demanded that campers be grandfathered in if they are hooked up to septic. She said that if the deadline is extended then it will cause people to be put out in the middle of winter and that those she's spoken with are not going to pay the fee to come before the board to appeal. She stated the only way that some of these people will be moved is in a body bag. She concluded with the statement, "Campers are homes!"
- **Christy Dalton** asked who on the board has children in school or taught in schools. After a show of hands that she requested, she asked if they want to see their children homeless. "I'm for the children. This needs to be resolved."
- **Sandra Marshall** said she is a lifelong resident. She stated that one of the commissioners used "Spock logic" that "the needs of the many outweigh the needs of the few" but that this isn't a fantasy, it's real life. She then stated that we (the audience) are the many and you are the few. She stated that extending the deadline won't do any good. She said she has her own land and has shelter to suit her needs. She doesn't want to pay someone else to live in a rental. She then said there is none so free as one who has nothing left to lose. "It's not going to be pretty. They're willing to die for it. Are you willing to kill for it? This is their Bunker Hill. There's no need for it. Lord how I long for a Trump economy." This was met with cheers.
- **Gwen Holden** stated that she is always at these meetings. She brought up Roe Junction and that the board "grandfathered in everything out there that you could." She said the board could grandfather the campers because the people have nowhere else to go. She thanked God that that she has a house but not everyone can afford a down payment. She stated that she loves Hamblen County but it hasn't been good to her. She then asked about Cedar Creek and whether it's a campground or are people just living down there.
- **Robert Vezzuso** stated that everyone in attendance seem like good people and clarified that his grievance doesn't apply to those who have already spoken. He has squatters and felons near him and they put drugs, needles, and paraphernalia on his property. He agreed that those who are doing things right should be helped and grandfathered in but that something should be done about the ones who are making the community worse. He stated that if neighbors are okay with someone living in a camper next to them then it shouldn't be a problem.
- **Linda Noe** stated that she went back to the July 2022 County Commission minutes where they were going to adopt the definition of RV's and campers. During that discussion Mr. Doty proposed an amendment that if things were attached to sewer/septic it should be okay. It passed 11 – 1. Next month, the mayor asked them to rescind it. "They dutifully did." She said the same issue is still here. She would love to see the Planning Commission propose something like what Mr. Doty originally stated. She said some people are in difficult situations and that any of us could be in that same situation. She asked that the board revise the original proposal and exempt or allow campers/RV's to be allowed if they are hooked to water, electric, and have a proper sewage disposal method (such as septic, sewer, or utilizing a dump station).
- **Franklin McFarland** said he spoke to the County Commission. His son, daughter-in-law, and grandson live in a camper and have only had one issue in the last few years which was quickly fixed. He doesn't see an issue and that it's been safe. He's asking for an extension. His son now has a house and he moved his mother into the camper to care for her as she is very sick. A week after she moved in he received a letter. He agreed with the other speaker that some places are bad but others aren't. He has a letter for appeal but wasn't sure who to give it to. Office Staff Lindsey Horn took the letter for him.

- **Rhonda Morgan** first became aware of the camper situation in 2001. She said she spoke with Tina and Tommy, and they said they were trying to pass the law but it hadn't passed at that point. She claimed she was told she didn't need to get a permit. She said her camper is hooked to septic and she had it pumped recently. She said everything is hooked up properly. She has a pretty yard. "I don't bother my neighbors. I'm not going anywhere. It's mine. I'm not leaving."
- **Edna Greene**, Hamlen County Commissioner (14<sup>th</sup> District) stated that she wasn't aware that extensions could be granted and that it needed to be made known. She stated she sent the commissioners (Planning and County) an email but hardly anyone confirmed they received it. She stated that she doesn't see why, as a resident of Hamblen County, if there is septic and water and electric, why can't the regulation be amended to let people stay. "It beats them being under a bridge in a box."

### Approval of the Minutes

Mr. Hofer asked for a motion to approve the May 2024 minutes. Mr. Charles Anderson made a motion to approve the minutes as amended. Mr. Doty was listed as the board member who seconded the adjournment of the Planning Commission meeting, but he was absent. It will be corrected to reflect that Mr. Anderson seconded the motion. Ms. Kay Hale seconded the motion. All in favor; motion carried.

### Site Plan Review

- **Creekside Campground – 440 Three Springs Rd. (03-018-134.00 A-1)**

Thomas Fraizer represented the request on behalf of Larry Baker. Mr. Fraizer was asked a few questions about the campground such as whether he had sewer (yes), how many acres (188 total; only using 5.5 for the campground), and how many days will people be allowed to stay consecutively (per state regs, twenty-one (21) consecutive days, and they must leave for 2-3 consecutive days before they can come back.)

Mr. Long asked if he had plans for future expansion. Mr. Fraizer stated he wasn't sure if Mr. Baker wanted to or not. He just wants to get this part up and running.

Additional questions about the taps were asked. He has three taps. He has a list of rules for the campground.

Mr. Anderson made a motion to approve the request. Mr. Doty seconded the motion. All in favor; motion carried.

- **Circle C Cowboy Church Expansion – 4682 Old Lowland Rd. (04-051-087.30)**

No one was present to represent the request. Mr. Anderson made a motion to move the request to the end of the meeting to give someone time to show up. No one seconded and no vote was made, but it was moved to the end of the meeting.

As the last order of business before Other Business, Mr. Anderson made a motion to move the request to the July meeting since no one was present to represent the request. Mr. Doty seconded the motion. All in favor; motion carried.

### Drainage Bond Release

- **MB&R Contractors – 4656 Old Lowland Rd. (04-058-061.01)**

A letter from stormwater engineer Clint Harrison stated he has reviewed everything and approves the release of the bond. Mr. Long made a motion to release the bond. Ms. Kay Hale seconded the motion. All in favor; motion carried.

### Rezoning Request

- **Robert Short II – 419 Pine Brooke Rd. (05-050-007.14) A-1 to I-1**

Robert Short II represented the request. City Planner Lori Matthews stated that she did not think rezoning the property was the right answer. She suggested a comprehensive rezoning for the area as much of it needs to be rezoned to reflect the use. Until that time, she suggested going to the Board of Zoning Appeals and asking for a special request.

Mr. Anderson asked why he wanted to rezone it to I-1. Mr. Short replied that I-1 allows freighting. Upon asking him, he stated that he only parks his vehicles there, nothing is offloaded or loaded. Ms. Matthews then stated her concern about the impact on Pine Brook Rd. She reiterated that it would be better to get a special exception and the county could come

back and rezone the area. There are a lot of non-conforming uses. It wouldn't be spot zoning but it could be considered as such. A special exception would be the best choice.

It was clarified that Morristown Iron and Metal is zoned A-1 as it was grandfathered.

Mr. Long asked if Mr. Short works on vehicles. Just his own. Mr. Doty asked where the runoff goes. Mr. Short stated that he has a pond. Comments from the audience stated it was "Turkey Springs".

Lori stated that at some point Mr. Short would have to turn in a site plan as the pond is wetlands.

Mr. Anderson asked again why Mr. Short wanted to rezone the property. Mr. Short said he went before the board before. Mr. Anderson remembers him.

Mr. Long made a motion to deny the request. Mr. Anderson seconded the motion. Mr. Doty opposed the motion. The motion to deny the request passed five to one.

Mr. Short asked if he should try for a heavier zone like H-1 or L-1. He was informed that those are city zones and are not used in the county. Mr. Anderson informed Mr. Short that he should just carry on as he has been.

### Other Business

- Camper Deadline Extension

***(Note: There was no motion, second, or vote to add the camper deadline extension to the agenda. Non-agenda items are not supposed to be voted on unless there is a proper vote is made to add that item to the agenda. Again, this was not done.)***

Mr. Doty made a motion to extend the deadline on camper removal to the end of the year to give people time to get their things in order or make a decision on what to do. Mr. Anderson immediately followed with his own motion to grandfather the campers in, to cheers from the audience. Mr. Hofer stated that the first motion hadn't died yet. With no second, Mr. Doty rescinded his motion. Mr. Doty then stated he would second Mr. Anderson's motion with the amendment that it is "as long as it is hooked up to proper septic/sewer. Same as the regulation on a mobile home."

Mr. Hicks asked who would determine what is "properly hooked up".

Mr. Doty stated that they will have to work that out later.

Mr. Hofer stated that if this passes, since campers are not built to code the way homes and mobile homes are, would the board need some kind of release that had to be signed to protect the county.

Mr. Hicks stated he isn't against the people in the audience. But if someone gets hurt in a camper, "you know what's going to happen."

Mr. Long stated that if they vote to grandfather it in, "you'll never get it cleaned up."

Mr. Hofer asks for any further discussion.

Ms. Hale states that if this were to pass, should it be up to the owners to notify the office that they have hookups and wish to be grandfathered?

Hofer stated that if they don't tell the office no one would know.

Ms. Hale stated that we follow the rules as they are.

Mr. Doty stated, "I worked with Volunteer Fire Department for many years. Yes, campers burn fast. But so do mobile homes. No, they don't have 2 doors. But they do have built in emergency escape windows. In my opinion, when do we stop?" He then stated, "If people decide they want to live in a camper, that's their right. But I've been in support of letting people have their rights on their property as long as they follow health regulations because then they aren't hurting people." He compared it to not liking a "jacked up truck" but he won't tell someone they can't drive one. He finished by stating that he feels, "We're encroaching on people's rights." This was met with cheers.

Mr. Hicks stated that there are people living in campers but there are also the squatters.

Mr. Hofer called for a vote:

Yes: Doty, Anderson

No: Hale, Long, Hicks, Hofer

Motion fails four to two.

Ms. Hale stated she voted 'no' now because it is against the rules, but she is not opposed to the rule being discussed.

Mr. Long made a motion to extend the deadline for ninety days. Mr. Doty seconded the motion.

Yes: Doty, Hale, Long, Hicks, Hofer                      No: Anderson

Motion to extend the camper deadline for ninety days passed five to 1.

**Adjournment**

With no other business to conduct, Mr. Doty made a motion to adjourn the meeting. Ms. Hale seconded the motion. All in favor; meeting adjourned.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

DRAFT