

HAMBLEN COUNTY PLANNING COMMISSION

AGENDA

MAY 6, 2024



Workshop: New Website Design-Lindsey Horn

Call to Order

Public Comments

I. Approval of the April 1, 2024, minutes

II. Plat Approval

a.) Sylvia Dodson Prop-Silver City Road (04-020-pt. of 044.05 A-1) 4 lots

III. Rezoning Request

a.) Karl/Kathy Kilian-8035 E. A. J. Hwy. 37891 (03-013O-A-004.00) A-1 to C-1

b.) Karl/Kathy Kilian-8027 E. A. J. Hwy. 37891 (03-013O-A-003.00) A-1 to C-1

c.) Overbay-989 Simpson Road 37891 (03-013-005.00) A-1 to C-1

IV. Other Business: None

Adjournment

The next meeting of the Hamblen County Planning Commission is scheduled for June 3, 2024, at 4:30 p.m.
The deadline to submit applications for this meeting is May 10, 2024.

Minutes
Hamblen County Planning Commission Meeting
April 1, 2024

Members Present

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

Absent:

Chris Capps, County Attorney
Lori Matthews, City Planner

Staff

Tina Whitaker, Office Manager
Lindsey Horn, Clerical & Stormwater Assistant
Donna Massey, Administrative Assistant
Tommy McKinney, Codes Enforcement
Darrell Chase, Building Inspector
Josh Cole, City Planner
Requested Security Officer

Other guest; see attached

Planning Commission Workshop

• **Recognition of Service**

The board recognized Charles Anderson for twenty-six years of service to the Planning Commission/Board of Zoning Appeals.

• **TAPA Training**

Office Manager Tina Whitaker reminded the board to finish the TAPA Training and email us notice of completion. We will create a certificate to keep on file in the office as proof of completion.

• **Order of Approval**

Tina Whitaker reminded the board that anything that is sent to the County Commission for approval must return to the Planning Commission if the County Commissioners make any amendments.

• **Campground Discussion (on agenda)**

Tina informed the board that amendments had been made to the campground regulations. The changes are as follows:

1. Added A-1 Zone. **2.** Addition of the definition of Campers/Campground. **3.** The minimum size of the tract must be five (5) acres. **4.** There must be a 24-hour manager on site for all parks with ten (10) or more campers.

There was discussion about how long people can stay in their campers and whether or not they can be rented or sold. Rodney Long was uncertain about the ten (10) ft. buffer. Tina stated that applicants will have to come before the board for approval so if they need a buffer variance, they can ask for it then. Mr. Edgar Gray asked if a larger buffer was discussed. 10 ft. is the typical amount. After some discussion it was decided that an amendment to increase the buffer to fifteen (15) feet would be made during the meeting.

Thomas Doty asked about established campgrounds. All approved campgrounds will be considered non-conforming (grandfathered) after the adoption of the new regulations and will not be held to those standards. Tina replied that there are two campgrounds that are not currently in compliance but are working with the office to submit plans for approval by current requirements. Those two and the campground operated by Sherry Winburn will not be in compliance with the new regulations. At this point Mr. Doty asked about the poor conditions of the Cherokee Park Campground. Tina reminded the board that The Hamblen County Planning Office does not regulate Cherokee Park. These regulations are only for privately owned campgrounds,

while Cherokee Park is a county-owned and operated campground and any regulations for it would need to be handled by the County Commission.

- **Tiny Homes**

There was a brief discussion about tiny homes. Due to the fact that most tiny homes are not built up to 2018 codes and there are no proper inspections of them, the board is not interested in allowing or regulating them for the county. At this time Ms. Gwen Holden spoke up, from the audience, to inform the board that the City of Morristown allows tiny homes. Mr. Josh Cole, City Planner, added that the tiny homes are not the traditional “tiny homes” but are just small residences that must be built by a licensed contractor and will be inspected and held to city regulations. Tina agreed that county residents can build a small residence, but it must meet the 2018 building codes. For the purposes of the Hamblen County regulations, a residence must be a minimum of 400 sq ft.

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

Mr. John Hofer called the Planning Commission meeting to order and asked if there were any public comments.

Ms. Gwen Holden approached the board to inquire why the Planning Office no longer puts the entire board meeting packet online. Tina Whitaker explained that the decision to only post the agenda came from the fact that some packets contain personal information from neighbors of the applicant that we prefer not to post, but that anyone may request the whole packet, which the office is happy to provide.

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

Rezoning Request

- **Emiliano Garcia / Patricia Bautista – 5784 Fall Creek Dock Rd.**

Mr. Garcia, the property owner, presented the request. He would like to request the zoning of his property be changed from C-1 (Commercial) to R-1 (Residential) to construction a residential home. The property was originally rezoned to C-1 so the owner could have a small engine repair business. When the current owners bought the property, their plan was to convert the existing garage into their residential home but were unaware that it was zoned C-1 and would not allow a residence. The family also owns a construction company, but they have been advised and have signed a statement that they understand that once the property is rezoned to R-1 (Residential) the business will not be allowed to operate at this location. Mr. Anderson asked if they were sure they wanted to rezone the property. Mr. Garcia said yes. Mr. Anderson made a motion to approve the rezoning and forward it onto the County Commission for their approval. Mr. Long seconded the motion. All in favor; motion carried.

Zoning Regulations - Campgrounds

This was discussed in the workshop (see above). Mr. Gray made a motion to amend the buffer from ten (10) feet to fifteen (15) feet and then submit the amendment to the City Planning for their review and then forward onto County Commission. There was more discussion about the change before Mr. Hicks seconded the motion. All in favor; motion carried.

Adjournment

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

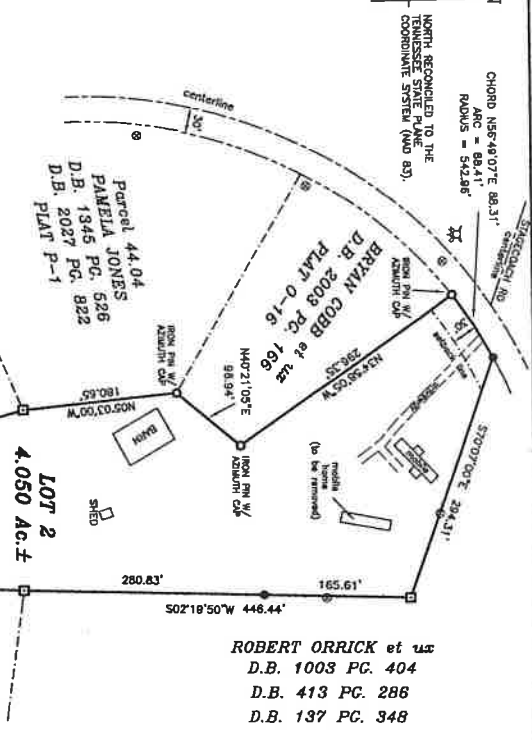
Signature

Date

RESERVED FOR DIVISION OF GROUNDWATER PROTECTION

CERTIFICATE FOR VERIFICATION OF EXISTING SEPTIC SYSTEM(S)

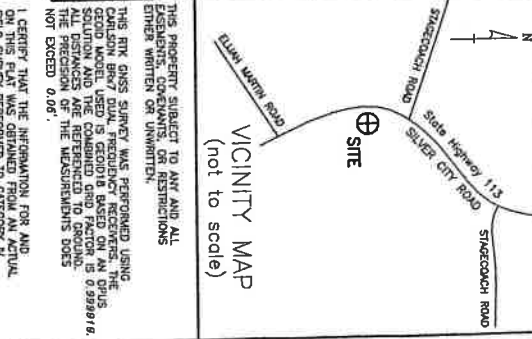
I hereby certify that Lots 2, 3, & 4 contain a septic system (welded steel tank) with a 4" pipe to a 4" riser pipe and a 4" pipe to a 4" riser pipe. The septic system is located on the east side of the lot and is connected to the main sewer line on the east side of the lot. The septic system is located on the east side of the lot and is connected to the main sewer line on the east side of the lot.



RESERVED FOR REGISTER OF DEEDS

CERTIFICATE OF APPROVAL FOR RECORDING

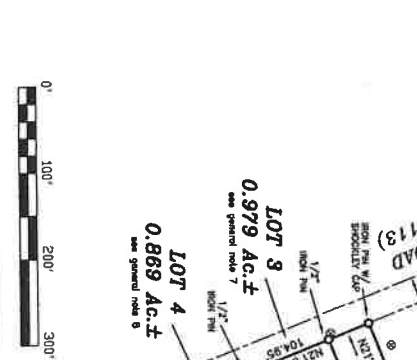
I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FILED TO COMPLY WITH THE SUBDIVISION ACT AND THE REQUIREMENTS OF THE LOCAL ORDINANCES AND THE REQUIREMENTS OF THE LOCAL PLANNING COMMISSION AND THE LOCAL HEALTH DEPARTMENT. I HAVE REVIEWED THE PLAT AND THE RECORDS OF THE LOCAL PLANNING COMMISSION AND THE LOCAL HEALTH DEPARTMENT AND I AM SATISFIED THAT THE PLAT COMPLETION AND SUBDIVISION OF RECORDS IS APPROPRIATE.



- GENERAL NOTES:
- 1) SETBACKS SHALL COMPLY TO THE HAMILTON COUNTY ZONING ORDINANCE.
 - 2) DIVISION OF GROUNDWATER PROTECTION APPROVAL OF SUBSURFACE GEOTECHNICAL AREA IS REQUIRED PRIOR TO USE FOR BUILDING PURPOSES.
 - 3) CORRECT ZONING IS A-1
 - 4) UNKNOWN BUILDING SETBACKS ARE:
 - REAR: 10'
 - SIDE: 10'
 - 5) THERE IS A 5 FOOT UTILITY AND DRAINAGE EXISTENT ALONG THE WEST SIDE OF LOT 2 AND A 10 FOOT UTILITY AND DRAINAGE EXISTENT INSIDE ALL REAR LOTS.
 - 6) THE PLAT RECORDED IN PLAT BOOK 1 PAGE 137 DENOTES A 6" PIG WATER LINE ON THE WEST SIDE OF SILVER CITY ROAD.
 - 7) LOT 3 IS THE COMBINATION OF LOT 1 PLAT 0-187 WITH AN ADJACENT 0.389 ACRES. THE RESULTING SIZE WILL BE 0.979 A.C.±
 - 8) LOT 4 IS THE COMBINATION OF LOT 4 AND LOT 5 PLAT 0-179. THE RESULTING SIZE WILL BE 0.869 A.C.±

STATE HIGHWAY ENTRANCE STATEMENT

THE ROAD FRONTAGE FOR SUBJECT LOTS IS TO STATE HIGHWAY 113. THE ROAD FRONTAGE IS TO BE OBTAINED FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION PRIOR TO CONSTRUCTION OR MODIFICATION OF A BREAKIN OR ENTRANCE.



CERTIFICATE OF OWNERSHIP AND DEDICATION	
OWNER	DATE
OWNER	DATE
OWNER	DATE

CERTIFICATE OF ACCURACY	
RECORDED LAND SURVEYOR	DATE
DISTRICT COMMISSIONER OR STOWNSVILLE ADMINISTRATION	DATE

HYDROLOGY CERTIFICATION	
DATE	20

CERTIFICATION OF THE APPROVAL OF WATER SYSTEMS	
DATE	20

CERTIFICATION OF THE APPROVAL OF STREETS	
DATE	20

CERTIFICATION OF THE APPROVAL FOR RECORDING	
DATE	20

Tax Map 20 Parcel 47.02
 JAMES BRADY et ux
 D.B. 327 PG. 122
 TRACT 10 - KILGORE FARM
 PLAT A-137

LEGEND

- IRON PIN (found)
- 1/2" IRON PIN W/AZIMUTH CAP (set this survey)
- CORNER FENCE POST
- UTILITY POLE
- ⊕ FIRE HYDRANT

FLOOD CERTIFICATION

SUBJECT PROPERTY LOCATED OUTSIDE THE 100 YEAR FLOODPLAIN (FROM MAP #1000000'S 5) EFFECTIVE DATE: JULY 03, 2006

ADDRESS OF SUBJECT PROPERTY
 SILVER CITY ROAD
 WINDSOR, TN 37891

CERTIFICATION OF THE APPROVAL FOR 911-STREET ASSIGNMENT

I HEREBY CERTIFY THAT THE STREET/ROAD NAMED AS SHOWN ON THE PLAT IS A STREET/ROAD AS REQUIRED.

DATE: 20

4TH CIVIL DISTRICT HAMILTON CO., TN

AZIMUTH ENGINEERING, INC.
 Engineers • Surveyors • Planners
 P.O. BOX 1468 GREENSBORO, TN 37744 (423) 639-9191

SCALE: 1"=100'
 DATE: 03/27/2024
 JOB NO. 23SU038 DRAWN BY CAD: ADD
 FILE LOC. NET FILE NAME: 23SU038B3



TAX REF.: TAX MAP 20 PORTION OF PARCEL 44.05
 DEED REF.: D.B. 214 PG. 204 & D.B. 1969 PG. 818

REPLAT OF LOTS 1-3 OF THE SYLVIA DODDSON heirs PROPERTY

THIS PROPERTY SUBJECT TO ANY AND ALL EASEMENTS, COVENANTS, OR RESTRICTIONS EITHER WRITTEN OR UNWRITTEN.

THIS SURVEY WAS PERFORMED USING THE PROPERTY SUBJECT TO ANY AND ALL EASEMENTS, COVENANTS, OR RESTRICTIONS EITHER WRITTEN OR UNWRITTEN.

THE PROPERTY SUBJECT TO ANY AND ALL EASEMENTS, COVENANTS, OR RESTRICTIONS EITHER WRITTEN OR UNWRITTEN.

HAMILTON COUNTY PLANNING COMMISSION	
TOTAL ACRES	6.659 ±
ACRES NEW ROAD	0.00
MILES NEW ROAD	0.00
DEVELOPER	SYLVIA DODDSON heirs
SURVEYOR	AZIMUTH ENGINEERING
CIVIL DISTRICT	4TH
CLOSURE ERROR	1/10,000

Zoning Request Form

Notice to Applicants: Prior to the rezoning request being placed on the agenda for Planning Commission consideration, the applicant shall furnish to the Planning Department the following information:

1. Date: 3-8-24
2. Name of Property Owner(s): Karl + Kathy Kilian
Mailing Address: 8027 E. A. J. Hwy. Whitesburg 37891
Telephone #: (Home) _____ (Other) _____
3. Name of Applicant/Agent: Mandy Kilian
Mailing Address: _____
Telephone #: (Home) 423-523-2268 (Other) _____
4. Property Identification Information:
District 03 Approximate Parcel Size: 1.03
Tax Map: 0130 Group: A Control Map: _____ Parcel: 003.00
Lot: - Subdivision: -
Property Address: 8027 E. A. J. Hwy. Whitesburg 37891
5. Nature of Request:
Zoning Change: (From) A-1 to C-1
Proposed Use: To rezone restaurant as commercial

Planning Office Use Only

Deadline Date to Return to Planning Department: 4-5-24
Deadline Date to Post Sign on Property: 4-19-24
Date of Planning Commission Review: 5-6-24
Location of Meeting: Small Courtroom, Main Courthouse

Public Notice- May 8, 2024
Committee Meeting- May 13, 2024
Legislative Body Meeting- May 23, 2024

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Telephone #: (Home) _____ (Other) _____
3. Name of Applicant/Agent: Mandy Kilian
Mailing Address: _____
Telephone #: (Home) 423-523-2268 (Other) _____
4. Property Identification Information:
District 03 Approximate Parcel Size: 0.71 Acres
Tax Map: 0130 Group: A Control Map: _____ Parcel: 004.00
Lot: - Subdivision: -
Property Address: 8035 E. A. J. Hwy. Whitesburg 37891
5. Nature of Request:
Zoning Change: (From) A-1 to C-1
Proposed Use: To Sell as Commercial

Planning Office Use Only

Deadline Date to Return to Planning Department: 4-5-24
Deadline Date to Post Sign on Property: 4-19-24
Date of Planning Commission Review: 5-6-24
Location of Meeting: Small Courtroom, Main Courthouse

Public Notice- May 8, 2024
Committee Meeting- May 13, 2024
Legislative Body Meeting- May 23, 2024

The City of Morristown

Community Development & Planning



TO: Mrs. Tina Whitaker, Planning Director
FROM: Lori Matthews
DATE: April 23, 2024
REQUEST: Rezoning Request – 8027 and 8035 East Andrew Johnson Highway

Applicant and property owner(s) Karl, Kathy and Mandy Kilian are requesting their properties, 8027 and 8035 East Andrew Johnson Highway, be rezoned from their current designation of A-1 (agriculture) to C-1 (commercial). The subject properties are located just east of the intersection of East Andrew Johnson Highway with Simpson and Silver City Roads. 8027 East Andrew Johnson is approximately 1-acre in size and contains a (former) restaurant. 8035 East Andrew Johnson Highway is roughly ¾-acre in size and vacant.

Agriculture (A-1) zoning with residential and farming land use is prevalent to the north, east and west of the subject site. Commercial zoning does exist to the south of the site, however, the majority of these properties (past Silver City Road) are being used for residential purposes.

RECOMMENDATION:

Based on the surrounding commercial zoning and both properties fronting a major arterial, Staff would recommend the Hamblen County Planning Commission forward the request on to the County Commission for approval.



Zoning Request Form

Notice to Applicants: Prior to the rezoning request being placed on the agenda for Planning Commission consideration, the applicant shall furnish to the Planning Department the following information:

- 1. Date: April 3, 2024
- 2. Name of Property Owner(s): Nicholas Overbay
Mailing Address: 715 White Oak Circle 37814
Telephone #: (Home) _____ (Other) _____
- 3. Name of Applicant/Agent: Tyler Overbay (tloverbay@live.com)
Mailing Address: 8076 St. Clair Rd. Whitesburg 37891
Telephone #: (Home) _____ (Other) 273-2211

4. Property Identification Information:

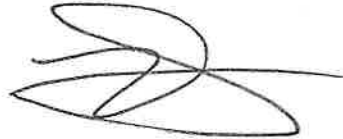
District 03 Approximate Parcel Size: 1.6 acres
Tax Map: 013 Group: _____ Control Map: _____ Parcel: pt. of 005.00
Lot: _____ Subdivision: _____
Property Address: 989 Simpson Rd. Whitesburg 37891

5. Nature of Request:

Zoning Change: (From) A-1 to C-1
Proposed Use: Landscaping / Construction Company
East TN Turf + Landscaping
Planning Office Use Only

Deadline Date to Return to Planning Department: April 5, 2024
Deadline Date to Post Sign on Property: April 19, 2024
Date of Planning Commission Review: May 6, 2024
Location of Meeting: Small Courtroom, Main Courthouse

Public Notice- May 8, 2024
Committee Meeting- Monday, May 13, 2024
Legislative Body Meeting- Thursday, May 23, 2024

X 

The City of Morristown

Community Development & Planning



TO: Mrs. Tina Whitaker, Planning Director
FROM: Lori Matthews
DATE: March 4th, 2024
REQUEST: Rezoning Request – 989 Simpson Road

Applicant and property owner(s) Nicholas and Tyler Overbay have requested their property, located at 989 Simpson Road, be rezoned from its current designation of A-1 (agriculture) to C-1 (commercial) to accommodate a construction business. The 40-acre tract sits inside a rural area of Hamblen County, almost touching Hawkins County. The owner previously operated a small landscape business from this address which has expanded over the past decade into a landscaping and construction business (East TN Turf and Landscape)

While the business itself occupies only a small percentage of the property as a whole, the surrounding community is used for pastureland and farms, all of which are zoned A-1. The closest zoning district to the subject property which is not zoned A-1 would be the Koch (cabinet) company which is more than 1-mile to the west.



Based on the surrounding land uses and zoning districts, along with the street system not being conducive to heavy truck traffic, Staff would not at this time recommend the property be rezoned to commercial.





