

Town of Cumberland Gap Planning and Zoning Commission  
Cumberland Gap, TN  
February 7, 2022

The Planning and Zoning Commission met in regular session on February 7, 2022 with the meeting being called to order at 6:00 pm at the Town Hall building, 330 Colwyn, Cumberland Gap, TN.

Members present were: Phyllis Hopson, Neal Pucciarelli, Linda McGaffee, John Ravnum, and Joe Wolfenbarger. Members absent were: Craig Callen, and David Evans.

Phyllis Hopson made a motion to approve the minutes, from the December 6, 2021 meeting, with a second by Neal Pucciarelli. On roll call vote all voted “yes”.

Building Inspector Report- Building Inspector, Don Bryant, gave the following update:

- A certificate of occupancy has been issued for the Nineteen19 Grill and Bar.
- The apartments above the restaurant should be completed by the end of the month, remaining work includes plumbing, floor repair, and setting up wireless smoke detectors.
- The old church is currently working on installing handicap bathrooms.
- The owners of 303 Colwyn are changing out dormers to create more space by adding a room.
- A complaint has been made against the Olde Mill Bed and Breakfast for unstable flooring. The owners were asked contact an engineer and report back to Mr. Bryant. At this time no progress has been made and no engineering report has been issued. Mr. Bryant was instructed to contact the owners for an update.
- Kevin Larew is adding another apartment above Angelo’s in the Gap.
- Another restaurant will be opening soon and will be located in the building on Lynn Street, where the blacksmith shop was once located.

Ordinance No. 1-2022- An Ordinance to Amend Title 14 of the Municipal Code by Adding the R-2 (A) Zoning District- This ordinance creates a zone, within the R-2 District, where short term rentals would be prohibited. This ordinance only creates the zone not the location the restriction will be applied to (there is a separate ordinance for the location of the restrictions).

If approved by the Planning and Zoning Commission, the ordinance will move on to the Board of Mayor and Alderman for the first reading later tonight, a public hearing will be held on February 28<sup>th</sup>, and the second and final reading of the ordinance will be at the March 7<sup>th</sup> Board of Mayor and Alderman meeting.

Neal Pucciarelli made a motion to approve Ordinance No. 1-2022, with a second by Linda McGaffee. Committee members voted as follows: Phyllis Hopson- yes; Neal Pucciarelli- yes; Linda McGaffee- yes; John Ravnum- yes; Joe Wolfenbarger-no. When clarified that this ordinance only creates the zone not specific locations of the restriction, Joe Wolfenbarger changed his vote to yes.

Citizens Comments- Before the vote was taken, the owners of 303 Colwyn Street were given a chance to speak regarding the ordinance (303 Colwyn Street falls into the area where the town is proposing to restrict short term rentals). They explained they purchased the house with the intent of renting it as a short term rental (Airbnb) and was not aware of any potential restriction. They felt the five bedroom house would be a nice compliment and would provide additional revenue to the town. They explained that potential renters would be properly vetted and no one would be allowed to stay in the Airbnb if

they had any complaints against them (renter profiles can be seen on the booking website). The owners stated they would take full responsibility themselves for any complaints were made against any of the renters. They further stated they were denied an application before the restriction was even passed. Mayor Pucciarelli stated when he informed the owners of the proposed restriction the house was not completed, and a certificate of occupancy had not been issued by the building inspector.

One of the committee members stated that some of the residents who live on that street don't want short term rentals next door and prefer having only long term renters. Another committee member spoke up stating he isn't aware of any complaints against any of the existing short term rentals, there are more problems with long term renters, and the positive outweighs the negative.

The owners were reminded of the date for the public hearing and their right to go door to door to speak to residents who live on that street and encourage them to attend the public hearing.

The next planning and zoning meeting is scheduled for March 7, 2022 at 6:00 p.m.

Phyllis Hopson made a motion to adjourn with a second by Linda McGaffee. On voice call vote all voted "aye".

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Chairman, Planning and Zoning