

MINUTES OF THE
GATLINBURG MUNICIPAL BOARD OF ZONING APPEALS
MARCH 3, 2026
TUESDAY, 3:00 PM, CITY HALL

MEMBERS PRESENT

Amanda Caton
Maggie Bowers
Jerry McCarter
Clay England

MEMBERS ABSENT

Matt Zoder

OTHERS PRESENT

Luke Laney
David Ball
Jeff Ownby
Chris Kirkland
Jeremy Puckett

Staff Representative: Dalton York, Planning Director
Jodi Bible, Deputy City Planner

Mr. Clay England called the meeting to order at 3:00 P.M. Ms. Amanda Caton made a motion to approve the minutes of the February 3, 2026, meeting, and Ms. Maggie Bowers provided a second with all members voting, "aye."

Staff Report

Petitions and Communications from the Public

Old Business

New Business

Review and consideration for a special exception from Section 406.2.5, to reduce the building separation from the required 20' to 5' for a proposed Planned Unit Development to be constructed at 335 East Holly Ridge, being Tax Map 126N, Group E, Parcels 22 and 42.01, C-2 Zone, requested by Chris Kirkland.

Staff presented the request for a special exception from Section 406.2.5, to reduce the building separation from the required 20' to 5' for a proposed Planned Unit Development to be constructed at 335 East Holly Ridge Road. The subject parcel involves a 1.23-acre (53,549 square feet) parcel. The parcel is situated within the Critical Slope Floating Zone, maintaining an average slope of 30% or greater. This request follows a preliminary site plan review by the Planning Commission and was tabled allowing for the Board of Zoning Appeals to provide a final determination regarding the building separation requirements.

The applicant is seeking a special exception from Section 406.2.5 to reduce the required building separation. While the original request and public notice mentioned a reduction to 5', the applicant has since modified the plan to provide a minimum 10' structure separation in all instances. This modification also reduced the proposed unit count from 37 to 30. The current proposal consists of 30, one-bedroom, single-family dwellings and one recreational/amenities building (5-story, 4,646 square feet). The site plan identifies 50 parking spaces; however, staff notes the layout would prompt tenants to back directly into the roadway travel lane. The applicant has indicated they will seek the necessary special exception for this parking configuration following the Board's determination regarding building

separation. Lastly, it should be noted that the applicant has submitted a landscaping plan intended to satisfy the 75% screening requirement of the Hillside Overlay District (HOD) to mitigate the visual impact of the development.

Staff did receive two letters of opposition from the adjoining property owners citing concerns regarding fire safety, stormwater runoff, ordinance consistency, parking layout, and overall density. Applicable Regulations: Section 406.2.5 Planned Unit Development, Article VIII, being the Area, Yard, and Height Requirements.

Following Staff presentation of the item, the applicant provided some remarks regarding the opposition letters received and the overall request as well. The Fire Department and Building Department were present to answer any questions regarding fire separation and safety. The Fire Department did state that an ADA compliant flat footpath would need to be placed within the development to ensure safe passage of medical personnel in the event of an emergency. The Fire Marshall stated that a minimum of 3' in width for the footpath at 1/12th grade.

Following the presentation and discussion, Ms. Amanda Caton made motion to ***approve the 10' separation and contingent upon the plan adhering to all applicable Fire and Building standards*** provided by the applicant. Ms. Maggie Bowers provided a second with all members voting, "aye."

Review and consideration for a special exception from Section 408, Ingress and Egress, to back into roadway, for a proposed single-family dwelling to be constructed at 865 Highland Road, being Tax Map 137C, Group C Parcel 11, R-1 Zone, requested by Patrick Desmarais.

Staff presented the request for a proposed special exception from Section 408, Ingress and Egress, to back into roadway, for a proposed single-family dwelling located at 865 Highland Road. The subject request involves a 0.25-acre lot (11,195.6 square feet) located on Highland Road. The parcel is situated within the Critical Slope Floating Zone, with the submitted plans indicating an extreme average slope calculation of 60.82%. Based on the data available, the lot is below minimum lot size for a parcel by current standards, which would require a minimum of 2-acres for lots with an average slope of 30% or greater. The proposal is for a three-story, five-bedroom single-family dwelling encompassing 3,848 square feet of enclosed area, which the property owners intend to add to the overnight rental program.

In support of this request, the applicant provided a letter outlining significant topographical constraints and economic hardship that limit the ability to provide a standard "head-out" turnaround on-site. The letter identifies neighboring properties with similar driveways that require tenants to back into the roadway. Furthermore, the applicant contends that this request results in minimal impact on public safety as Highland Road is a dead-end street serviced by a cul-de-sac, with only two properties location above the subject development.

The request was reviewed by the Fire and Police Departments. Each department stated there are no foreseeable issues with the request. Both departments cited the fact that the roadway is a dead-end with minimal traffic and existing developments already utilize back-out configurations. Applicable Regulations: Article IV, being General Provisions, specifically Section 402 being Off-Street Automobile Parking.

Following a brief discussion, Ms. Amanda Caton made a motion to approve the request as presented. Mr. Jerry McCarter provided a second with all members voting, "aye."

Review and consideration for a special exception from Section 406.2.5, to reduce the proximity to the exterior property line from the required 25' to 13' and to reduce the setback requirement to the private street from the required 15' to 8' for a proposed Planned Unit Development located at 855 Campbell Lead Road, being Tax Map 126J, Group C, Parcel 24, R-3 Zone, requested by Elevation Development, LLC.

Staff presented the request for a special exception from Section 406.2.5., to reduce the proximity to the exterior property line from the required 25' to 13' and to reduce the setback requirement to the private street from the required 15' to 8' for a proposed Planned Unit Development. The subject request involves a 5.7-acre (248,292 square feet) parcel located at 855 Campbell Lead Road. Based on the City's GIS software, approximately half of the parcel's slope is equal to or greater than 30%; however, the submitted survey does not note the exact slope percentage. Based on available data, the lot meets the current minimum lot size requirements. Historically, this parcel received Planning Commission approval in 1986 for a 77-unit Planned Unit Development consisting of a mixture of condominiums and duplex/triplex units.

The current request seeks a special exception from Section 406.2.5 (Height, Density, and Area Regulations for PUDS) to allow for the construction of four (4) single-family residences in lieu of the triplexes and duplexes previously located on the site which were lost in the 2016 Wildfires. These dwellings are intended for the overnight rental program. Specifically, the applicant is seeking a reduction from the required 25' exterior boundary setback to 13' along the boundary adjoining the Great Smoky Mountains National Park (Gatlinburg Bypass) right-of-way, as well as a reduction from the required 15' private street setback to 8' from the private street edge servicing the dwellings. The proposed units consist of three (3) 5-bedroom units (4,156 square feet) and one (1) 4-bedroom unit (4,411 square feet). The applicant contends that the request reductions are necessary to accommodate the new building footprints within the constraints of the existing developed footprint and the site's challenging topography.

The request has been reviewed by the Building Department and Fire Department. The Building Department noted no concerns with the request given that the adjoining property is the National Park ROW where no development will occur. The Fire Department provided comments recommending that prior to any work beginning, the current retaining wall be modified in a manner to allow free and clear operation of the fire hydrant located at the entrance of this property. Late last year, it was determined that the retaining wall was hindering the safe and effective operation of this hydrant. While the matter was previously deferred because no structures were in the immediate area and that Highlands Condos had adequate hydrants at the summit, the Fire Department recommends this issue be resolved now to provide adequate and efficient fire protection to the proposed buildings during and after construction. Applicable Regulations: Article IV being General Provisions, specifically Section 406.2.5 being the Height, Density, and Area Regulations for a Planned Unit Developments (PUD).

Following a brief discussion, Ms. Maggie Bowers made a motion to approve the request as presented contingent upon the applicant addressing the fire hydrant access issue noted by the Fire Department. Ms. Amanda Caton provided a second with all members voting, "aye."

Review and consideration for a proposed variance to reduce the front yard setback from the required 15' to 5' and to reduce the side yard setback from the required 15' to 5' for a proposed single-family dwelling to be constructed at 1118 Upper Alpine Way, being Tax Map 125M, Group B, Parcel 4, R-1 Zone, requested by Jeremy Puckett.

Staff presented the request for a proposed variance to reduce the front yard setback from the required 15' to 5' and to reduce the side yard setback from the required 15' to 5' for a proposed single-family

dwelling. The subject request involves a parcel approximately 19,414 square feet (0.44-acre) located at 1118 Upper Alpine Way. The property is situated within the Critical Slope Floating Zone as it maintains an average slope greater than 30%. Based on current standards, the lot is below minimum lot size for the zone, which typically requires a minimum of 2-acres for parcels with an average slope of 30% or greater. Staff would like to note that due to the parcel having an average slope of 30% or greater, it is automatically eligible for a front yard reduction from the required 25' to 15', as authorized within Footnote 2 of Article VIII. The applicant proposed the construction of a two-story, three-bedroom single-family residence encompassing 1,550 square feet of the enclosed area.

This request seeks a variance to further reduce the front yard setback from 15' to 5', and to reduce the required 15' side yard setback to 5'. A significant portion of the subject parcel is currently occupied by cellular communications tower positions on the lower section of the lot. The applicant has demonstrated that the proposed building footprint remains outside of the tower's designated "fall zone." The presence of this tower and its associated safety buffers significantly reduces the building area of the parcel, which the applicant cites as the primary justification for the requested variance. Staff did note that the applicant would have to return for a special exception request to back into the right-of-way prior to receiving Zoning approval. Applicable Regulations: Article VIII, being the Height, Density, and Area Regulations.

Following a brief discussion, Mr. Jerry McCarter made a motion to approve the request as presented. Ms. Maggie Bowers provided a second with all members voting, "aye."

Unscheduled Items

The meeting was unanimously adjourned at 3:40 p.m. after a motion made by Ms. Maggie Bowers and Ms. Amanda Caton provided a second with all members voting, "aye."

Approved:



MBZA Chairman

4-7-26

Date