

MINUTES OF THE
GATLINBURG MUNICIPAL BOARD OF ZONING APPEALS
APRIL 7, 2026
TUESDAY, 3:00 PM, CITY HALL

MEMBERS PRESENT

Amanda Caton
Matt Zoder
Jerry McCarter
Clay England
Maggie Bowers

MEMBERS ABSENT

OTHERS PRESENT

Chris Kirkland
Gib Cantron
Tim Morrison

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

Chairman Matt Zoder called the meeting to order at 3:00 P.M. Ms. Maggie Bowers made a motion to approve the minutes of the March 3, 2026, meeting, and Ms. Amanda Caton 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 408, being Ingress and Egress, to back into Right-of-Way, for a proposed Planned Unit Development to be constructed at 335 East Holly Ridge Road, 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 408, being Ingress and Egress, to back into the right-of-way, for a proposed Planned Unit Development (PUD) to be constructed at 335 East Holly Ridge Road. The subject request involves a 1.23-acre (53,549 square feet) parcel situated within the Critical Slope Floating Zone, with an average slope of 30% or greater. This item follows a preliminary site plan review by the Planning Commission, which voted to table the project to allow the Board of Zoning Appeals to make a final determination regarding the parking configuration and the "backing into the right-of-way" provision.

The current proposal includes thirty (30) one-bedroom, single-family dwellings and one (1), five-story recreation/amenity building (4,646 square feet) noted to be open to the general public. The submitted site plan identifies fifty (50) total parking spaces; forty-three (43) of these spaces would require tenants to back directly into the East Holly Ridge travel lane.

Planning Staff consulted with the Police and Fire Departments regarding the safety implications of this high-density configuration:

Fire Department: expressed concerns that during emergency incidents, fire apparatus and hose lines would likely obstruct or limit roadways. This configuration could interfere with emergency operations, delay response times, and increase risk to both occupants and first responders.

Police Department: expressed concerns regarding the volume of vehicles (43) required to back into the roadway. They specifically noted potential difficulties in managing the area-wide evacuations given this parking layout.

Prior to Staff's presentation of the item, the Planning Office had received two letters in opposition to the proposed development's request for a special exception, citing similar concerns that are previously stated by both Fire and Police. The Board engaged in discussion with the applicant to try to come to a compromise on the request. The Board provided options to help the applicant achieve the on-site parking requirement, one suggestion was removing the larger cabins and adding parking down in the PUD or raising some of the structure close to the parking area to create parking spaces on-site. Applicable Regulations: Section 406.2.5, Planned Unit Development; Section 402, Off-Street Automobile Parking.

Following the discussion and presentation, Mr. Clay England made a motion to table the request to give the applicant some time to reconfigure the site plan for on-site parking accommodation. Ms. Amanda Caton provided a second with all members voting, "aye."

Review and consideration for a special exception from Section 701.5.1, being Off-Street Parking, to minimize the parking standard from 1.25 to 1, for a proposed Planned Unit Development to be constructed at 335 East Holly Ridge Road, 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 701.5.1, being Off-Street Automobile Parking, to minimize the parking standard from the required 1.25 to 1, for a proposed Planned Unit Development (PUD) to be constructed at 335 East Holly Ridge. The subject request involves a 1.23-acre (53, 549 square feet) parcel situated within the Critical Slope Floating Zone, maintaining an average slope of 30% or greater. This item follows a preliminary site plan review by the Planning Commission, which voted to table the project to allow the Board of Zoning Appeals to make a final determination regarding the parking configuration and the "backing into the roadway" provision.

The current proposal includes thirty (30) one-bedroom, single-family dwellings and one (1), five-story recreation/amenity building (4,646 square feet) noted to be open to the general public. The submitted site plan identifies fifty (50) total parking spaces. However, none of these spaces are noted as being dedicated to a specific use, creating a shared parking environment between residents and public.

Residential Deficit:

Under the City's 1.25 parking standard for Tourist Residencies, intended to account for observed trends in multi-vehicle travel, the thirty (30) cabin units alone required thirty-eight (38) parking stalls. While the applicant could technically meet this residential minimum for the site, the current application seeks to only provide thirty (30) spaces reserved for the overnight rental units, with the remaining twenty (20) spaces intended to serve the multi-use commercial building.

Commercial Data Gap:

The 4,644 sq. ft. amenities building is noted as being open to the general public. At the time of this report, the applicant has not provided building plans or a specific parking analysis for the bar and arcade. Consequently, Staff cannot calculate the total required parking for the commercial component. Without dedicated residential stalls or a comprehensive commercial parking plan, the development is

currently in a deficit for the residential portion and lacks the data necessary to determine total site compliance.

Prior to Staff's presentation of the item, the Planning Office received two letters of opposition to the proposed development's request for a special exception citing similar concerns as Staff. Applicable Regulations: Section 406.2.5, Planned Unit Development; Section 402, Off-Street Automobile Parking.

Following the discussion and presentation, Mr. Clay England made a motion to table the request since the applicant is making some revisions to the site plan to help accommodate the on-site parking. Ms. Amanda Caton provided a second with all members voting, "aye."

Review and consideration for a proposed variance to reduce the rear yard setback from the required 20' to 10' for an accessory structure located at 1209 Edelweiss Drive, being Tax Map 125M, Group E, Parcel 17, R-1 Zone, requested by Joseph Fallon.

Staff presented the request for a proposed variance to reduce the rear yard setback from the required 20' to 10' for an already constructed accessory structure located at 1209 Edelweiss Drive. The subject parcel consists of 0.35-acres (15,278 sq. ft.) and a three-bedroom dwelling currently on the overnight rental program. According to the City's GIS Software, the majority of the parcel contains slopes equal to or greater than 30%; however, the submitted survey does not provide exact slope percentages for the specific buildable area.

This request follows a review by the Planning Department following the applicant's request for a permit following the completion of the addition. The portion of the structure encroaching into the required setback area is an open balcony/deck serving as the southernmost unit, encompassing approximately 177 sq. ft. of surface area. The applicant states the modification was intended to relocate a hot tub from a second-story deck to a lower, safer height for guests.

While the applicant did not explicitly identify a hardship within the application, Staff analysis indicated the parcel is currently non-compliant with the minimum lot size requirements for new parcels under current standards. Additionally, the topography presents significant constraints due to the 30% or greater slopes found throughout the site. Staff did not receive any letters of opposition from the neighboring parcels. Applicable Regulations: Article VIII, being the Area, Yard, and Height Requirements.

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

Review and consideration for a special exception from Section 408, being Ingress and Egress, to back into Right-of-Way, for a proposed single-family dwelling to be constructed at 462 Winfield Heights Road, being Tax Map 126O, Group B, Parcel 14, R-2 Zone, requested by Elkmont Building Co.

Staff presented the request for a special exception from Section 408, Ingress and Egress to the back into the right-of-way, for a proposed single-family dwelling to be constructed at 462 Winfield Heights Road. The subject request involves a 0.21-acre (9,036 sq. ft.) parcel. A portion of the lot is situated within the Critical Slope Floating Zone, with approximately one-quarter (1/4) of the parcel maintaining an average slope of 30% of greater. The current proposal is for a two-story, six-bedroom, single-family dwelling measuring 30'-5" in height with a total area of 4,419 sq. ft. According to the applicant, the dwelling is intended for the overnight rental program. The submitted site plan identifies eight (8)

parking spaces, the configuration of which would require vehicles to back directly into the roadway travel lane.

Planning Staff consulted with the Police and Fire Departments regarding the safety implications of backing into the public right-of-way at this location. Both departments expressed limited concerns, noting that Winfield Heights is a minor residential street. Furthermore, this specific portion of the dead-end roadway serves only single-family dwellings, many of which already utilize similar maneuvers for egress. Staff did not receive any letters of opposition to this request. Mr. Tim Morrison was present at the meeting to express his opposition to the request. Applicable Regulations: Section 402, Off-Street Automobile Parking.

Following a brief discussion, Ms. Maggie Bowers made a motion to approve the special exception as presented. Mr. Clay England provided a second with all members voting, "aye."

Review and consideration for a proposed variance to reduce the side yard setback from the required 22.5' to 0' for a proposed single-family dwelling to be constructed at 483 Baskins Creek Road, being Tax Map 126M, Group A, Parcel 13, R-2 Zone, requested by David Dennis.

Staff presented the request for a proposed variance to reduce the side yard setback from the required 22.5' to 0' for a proposed single-family dwelling to be constructed at 483 Baskins Creek Road. The subject request involves a 0.16-acre (7,179 sq. ft.) parcel. According to the City's GIS Software, the parcel is situated almost entirely within the Critical Slope Floating Zone, although a formal average slope calculation has not been provided. Under current standards, a lot with an average slope of 30% or greater would typically require a minimum of one-acre; therefore, the subject parcel is significantly undersized by current standards.

The proposal consists of a *three-story*, 7,179 sq. ft., single-family dwelling intended for the overnight rental program. At the time of this review, building plans or elevations have not been provided to our office so Staff cannot confirm bedrooms and required parking for the residence.

The applicant states that this request seeks to utilize a footprint similar to the previous *one-story* residence lost in the 2016 wildfires, which was constructed with little to no setback from the property lines. The applicant contends that approving this variance would allow for the building placement that minimizes extensive excavation of the rear hillside, thereby assisting in erosion and drainage control.

Staff must advise the Board that International Building Code (IBC), separate from the Zoning Ordinance, requires a minimum five-foot setback from all property lines for life-safety and fire separation. These building code mandates supersede zoning variances. Additionally, the Fire Department has reviewed the request and stated their preference for a five-foot minimum setback to ensure adequate emergency access to all portions of the structure, if the Board deems the request reasonable. Staff did not receive any letters of opposition from the neighboring parcels. Applicable Regulations: Article VIII, being the Area, Yard, and Height Requirements.

Following a brief discussion, Mr. Clay England made a motion to table the request citing the need for building plans and elevations to make a more thorough determination. Ms. Maggie Bowers provided a second with all members voting, "aye."

Unscheduled Items

The meeting was unanimously adjourned at 4:15 p.m. after a motion made by Mr. Clay England and Mr. Jerry McCarter provided a second with all members voting, "aye."

Approved:



MBZA Chairman



Date