

MINUTES OF THE
GATLINBURG MUNICIPAL BOARD OF ZONING APPEALS
MAY 26, 2022, Meeting,
THURSDAY, 3:00 PM, CITY HALL

MEMBERS PRESENT

Matt Zoder
Joe Waggoner
Jay Horner

MEMBERS ABSENT

Cyndi Bowling

OTHERS PRESENT

Tim Patterson
Andrew Wileczek
Annette Wileczek

Staff Representative: David Ball, Building & Planning Director
Jeff Ownby, Building & Planning Director
Gary Brackins, Assistant City Planner
Jodi Bible, Executive Secretary

Chairman Mr. Matt Zoder called the meeting to order at 3:10 P.M. Mr. Jay Horner made a motion to approve the minutes of the April 28, 2022, meeting, and Mr. Joe Waggoner provided a second.

Staff Report

Staff introduced new Building and Planning Director, Jeff Ownby, to the Board.

Petitions and Communications from the Public

Old Business

New Business

Review and consideration for a proposed variance from Article VIII, being the “Area, Yard, and Height Requirements” of the Municipal Zoning Ordinance, for a proposed single-family dwelling to be constructed at 110 W. Holly Ridge Rd., Tax Map 126N Group E, Parcel 126, R-2 Zone, requested by Marty Phillips.

Staff presented a review and consideration for a variance from Article VIII, being the Area, Yard, and Height Requirements for front and side yard setback variances. Specifically, the request consists of a 25’ front yard setback variance from the 25’ front yard setback requirement, leaving a 0’ front yard area; and a 16’ side yard setback variance from the required 22’-6” side yard setback requirement, leaving a 6.5’ side yard area for a proposed single-family residence, accessory pool, and associated retaining walls, to be constructed at 110 W. Holly Ridge Road. Note, the variances all relate to the retaining walls and the swimming pool.

The property currently is an undeveloped parcel located on W. Holly Ridge Road. The property was previously developed with a single-family dwelling that was destroyed in the 2016 Wildfires. Due to the size and location of the proposed structures, there is potential for impact to the open-space areas of the property in comparison to the previous development that existed on the property. The lot is approximately 10,441 sq. ft. in size. The designer indicates that the proposed dwelling is 5,120 sq. ft. which is just below the allowable maximum density for the property. The property is relatively flat with a grade of approximately 13% slope. No physical hardship has been presented for this request. Mr. Tim Patterson was present to discuss the site plan. Staff did suggest pulling back three (3) feet off the property line for the retaining wall foundation to ensure that none of the structure is outside property lines.

After considerable discussion regarding the request, Mr. Jay Horner made a motion to approve the request with Staff's suggestion to pull back three (3) feet off property line to keep the foundation on property. Mr. Joe Waggoner provided a second with all members voting, "aye."

Review and consideration for a proposed variance from Article VIII, being the "Area, Yard, and Height Requirements" of the Municipal Zoning Ordinance, for a proposed retaining wall at 1646 Arbon Court, Tax Map 136E Group B, Parcel 2, R-1 Zone, requested by Megan Brown. Staff presented the request for a variance from Article VIII, being the Area, Yard, and Height Requirements for side and rear yard setback variances. Specifically, the request consists of a 15' front yard setback from the required 25' setback, leaving a 10' front yard area; a 10' side yard setback variance from the required 22.5' setback, leaving a 12.5' side yard area; and a 10' rear yard setback variance from the required 20' setback, leaving a 10' rear yard setback area for a proposed single-family dwelling. Staff noted that the side and rear yard setback variances relate to a retaining wall to be placed on the property to retain the slope behind the structure and required parking area.

Staff explained the lot is a vacant lot consisting of 11,331 square feet. The property slopes up from Shields View Drive and Maples Road at a slope of approximately 32%. Staff explained that the actual dwelling only encroaches into the front yard setback area. The building will be located approximately 30' from paved street edge of Maples Road and therefore will have little to no impact to the use of the adjoining right-of-way area. The remaining setback encroachments relate to the proposed retaining wall that is located in the north (rear) and west portions of the property that provide slope retention around the building and parking area. Based on the topography, the wall would only be visible to the occupants of the subject property and therefore little to no impact to the adjacent properties. The property is small, and the building area is limited by the individual septic tank and field line area location as well as the driveway and parking for the site.

After a brief discussion, Mr. Jay Horner made a motion to approve the request, and Mr. Joe Waggoner provided a second, which passed unanimously with all members voting, "aye."

Review and consideration for a proposed variance from Article VIII, being the "Area, Yard, and Height Requirements" of the Municipal Board of Zoning Ordinance, for a proposed pedestrian bridge and observation tower located at 745 Parkway and off Campbell Lead Rd., Tax Map 126, Parcel 1, R-2 and C-2 Zone, requested by Randy Watson for Boyne Resorts.

Staff presented a variance from Article VIII, being the "Area, Yard, and Height Requirements" for site density variance. Staff explained that the applicant had decided to formally withdraw this request for consideration by the Board.

Unscheduled Items

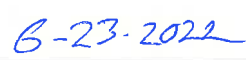
Adjournment

The meeting was unanimously adjourned at 3:30 p.m. after a motion made by Mr. Jay Horner and Mr. Joe Waggoner provided a second with all members voting, "aye."

Approved:



MBZA Chairman



Date