

MINUTES OF THE
GATLINBURG MUNICIPAL BOARD OF ZONING APPEALS
AUGUST 25, 2022, Meeting,
THURSDAY, 3:00 PM, CITY HALL

MEMBERS PRESENT

Matt Zoder
Joe Waggoner
Amanda Caton
Jay Horner
Cyndi Bowling

MEMBERS ABSENT

OTHERS PRESENT

Bryce Bentz
Beatrice Davin
Chuck Starritt
Jack Maples
Robert Montgomery
Randy Watson
Hank Byma
Bob Bentz
Michael Moates

Staff Representative: Jeff Ownby, Building and Planning Director
Jodi Bible, Executive Secretary

Chairman Mr. Matt Zoder called the meeting to order at 3:00 P.M. Mr. Joe Waggoner made a motion to approve the minutes of the July 28, 2022, meeting, and Mrs. Cyndi Bowling provided a second.

Staff Report

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 observation platform located off Campbell Lead Road, Tax Map 126, Parcel 1, C-2 Zone, requested by Boyne Resorts. Staff presented the request for a proposed variance from Article VIII, being the “Area, Yard, and Height Requirements,” of the Municipal Zoning Ordinance for a proposed observation platform for Boyne Resorts. Staff began the presentation with a summary of the request being presented and reviewed reiterating that the height variance being requested is for 36.6’ for the center of the proposed bridge, not the observation platform- it sits down lower than the bridge. The highest point of this proposed structure is 36.6’ feet above the 84’ requirement for a C-2 (General Business) District. The request is only for the middle portion of the bridge (70’) of a 600’ pedestrian bridge. So, only in the middle of the bridge above the ravine is needed for the height variance.

Mr. Hank Byma, the architect, presented the request to the Board, Staff, and Public. Mr. Byma highlighted some of the talking points from their initial presentation and went into discussing the options being presented. Mr. Hank Byma presented three different variations of the proposed pedestrian bridge; he wanted to show the Board, Staff, and Public that there is a way to obtain the bridge without a variance, but it would come at a great cost to the land surrounding the attraction, i.e.,

land disturbance, tree removal, backfilling a ravine with dirt. Alternative #1 consists of backfilling the ravine to raise the base of the ground floor with three (3) fifteen (15') retaining walls. The draw back to alternative #1 is the large area of disturbance, significant environmental impacts, loss of approximately twenty (20) trees, less desirable experience for those experiencing the attraction and for adjoining parcels observing the attraction. Alternative #2 proposal has the bridge and nest repositioned closer to Campbell Lead Road. This alternative is not a compelling experience, and diminishes the bridge concept, creating more of a boardwalk than a suspension bridge, which goes against the concept of the attraction. Alternative #2 has a large area of disturbance, negative environmental impacts, loss of approximately thirteen (13) trees. Alternative #3 is the actual proposal being requested. Alternative #3 is for the 35.6' height variance above the maximum allowable of 84' for the C-2 Zone, but again, the height variance is only for 70' of a 600' foot pedestrian bridge. Alternative #3 has the least environmental impacts, best visitor experience, and no change in impact to the horizon line. In summary, the slope and buildable area of this property pose significant development and business challenges. Alternative #1 and #2 do not require zoning variances have been vetted but do not meet business needs as successfully. No meaningful difference in horizon line, visibility, or safety between viable alternatives. In conclusion of Mr. Hank Byma's presentation, he did remind the Board that they granted a similar height variance on the first pedestrian bridge built at Gatlinburg SkyLift Park.

Following Mr. Hank Byma's presentation, the Board opened the floor for petitions and communications from the Public. Precedence appeared to be the consensus from those voicing opposition. There is a lot of concern around the precedence this will set for future developments in the City of Gatlinburg. Those voicing concern also reiterated that the ordinances and building codes adopted by the City are in place to protect our natural surrounding scenery, the reason tourists visit our area as the gateway to the Great Smoky Mountain National Park.

There were a few members of the Public that expressed positive outlooks on this variance being passed due to the quality of the development, and the quality of the additional attraction to an already iconic attraction to Downtown Gatlinburg. Those voicing support reiterated the variance request itself, which is a height variance for only 12% of the entire structure.

Following a lengthy discussion amongst the Public, the Board, and Mr. Hank Byma, Mrs. Amanda Caton made a motion to approve the request. Mr. Joe Waggoner provided a second with all members voting, "aye."

Unscheduled Items

Adjournment

The meeting was unanimously adjourned at 3:40p.m. after a motion made by Mr. Joe Waggoner and Mr. Jay Horner provided a second with all members voting, "aye."

Approved:



MBZA Chairman



Date