

MINUTES OF THE
GATLINBURG MUNICIPAL BOARD OF ZONING APPEALS
JANUARY 23, 2025
THURSDAY, 3:00 PM, CITY HALL

MEMBERS PRESENT

Jerry McCarter
Matt Zoder
Clay England

MEMBERS ABSENT

Joe Waggoner
Amanda Caton

OTHERS PRESENT

Staff Representative: Dalton York, Assistant City Planner
Jodi Bible, Executive Secretary

Chairman Matt Zoder called the meeting to order at 3:00 P.M. Mr. Jerry McCarter made a motion to approve the minutes of the November 21, 2024, meeting, and Mr. Clay England 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 proposed variance to reduce the front yard setback from the required 25’ to 1’.70 and the side yard setback from the required 22.5’ to 10’ for a proposed single-family dwelling to be constructed at 334 Raccoon Ridge, being Tax Map 122H, Group C, Parcel 40.03, R-2 Zone, requested by Timothy Wallace.

Staff presented the request for a proposed variance to reduce the front yard setback from the required 25’ to 1’.70” and the side yard setback from the required 22.5’ to 10’ for a proposed single-family dwelling to be constructed at 334 Raccoon Ridge. The front yard setback request sounds radical, but Staff explained that per Article III, Definitions: Front Yard is defined as, “yard extending across the entire width of the lot along any adjoining public right-of-way. In the event the front property line and outside edge of the public right-of-way, sidewalk, or street do not coincide with, the front yard shall commence at the outside edge of the property line, roadway, sidewalk, or right-of-way, whichever is furthest from the roadway center.” So, for purposes of this request, the measurement is taken from the edge of road. The subject parcel is 0.23-acre lot, 10, 018 square feet, a nonconforming lot by current standards. The applicant is requesting a side yard setback variance due to the proposed structure being three-stories, per footnote #4 under Article VIII, which states, “an additional 7.5 feet of side yard setback shall be required for each additional building floor above two (2) stories, up to a 25’ side yard setback. The applicant does intend to build back on the previous foundation; this residence was lost in 2016 Wildfires, but due to the building plans, there will be an expansion of the foundation to accommodate the additional floor and square footage.

Staff received two (2) letters of opposition from neighboring parcels, both neighbors expressed concern for the parking provided for such a structure. Staff did reiterate that the parking spaces provided on the site plan are compliant with current regulations. The Board raise concern over the density and potential overdevelopment of Raccoon Ridge and mentioned that they would prefer the Fire Department verify access to the single-family dwelling. The applicant did not provide Staff with a hardship, and did not have a representative present to offer further explanation or commentary. Applicable Regulations: Article VIII, being the Area, Yard, and Height Requirements.

Following a brief discussion, Mr. Clay England made a motion to approve the construction of a two-story structure with the proposed front yard variance being 1'.70" from the required 25' and the side yard variance being 10' from the required 15'. Mr. Jerry McCarter 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 15' for a proposed single-family dwelling to be constructed at 522 Cherry Street, being Tax Map 126L, Group D, Parcel 26, R-1 Zone, requested by Clay England.

Staff presented the request for a proposed variance to reduce the side yard setback from the required 22.5' to 15' for a proposed single-family dwelling to be constructed at 522 Cherry Street. The subject parcel is a 0.29-acre tract, a nonconforming lot by current standards for the R-1 (Low Density Residential) District. The reason for the request is due to the structure being three-stories by current ICC Building code. The base floor will be utilized as a garage and will face the entry point off Cherry Street. The structure will visually look like a two-story structure on all sides except for front and right side of the structure. There is a pre-existing asphalt drive that will be utilized to enter the residence. The applicant stated that the nonconforming lot and slope of the lot. The Planning office receive zero opposition letters from neighboring owners. Applicable Regulations: Article VIII, being the Area, Yard, and Height Requirements.

Following a brief discussion, Mr. Jerry McCarter made a motion to approve the request as presented. Mr. Matt Zoder provided a second with all members voting, "aye." Mr. Clay England abstained from the vote.

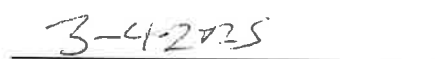
Unscheduled Items

The meeting was unanimously adjourned at 3:12 p.m. after a motion made by Mr. Clay England. Mr. Jerry McCarter provided a second with all members voting, "aye."

Approved:



MBZA Chairman



Date