

MINUTES OF THE
GATLINBURG MUNICIPAL BOARD OF ZONING APPEALS
FEBRUARY 23, 2023, Meeting,
THURSDAY, 3:00 PM, ROCKY TOP SPORTS WORLD

MEMBERS PRESENT

Matt Zoder
Joe Waggoner
Amanda Caton

MEMBERS ABSENT

Cyndi Bowling
Clay England

OTHERS PRESENT

Pat Troxell-Tant
Travis Stiles
Anna Ford
Tom Ford

Staff Representative: Jeff Ownby, Building and Planning Director
Gary Brackins, Assistant City Planner

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 January 26, 2023, meeting, and Mrs. 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 side yard variance to reduce the setback from 15' to 4' for a proposed addition to a single-family dwelling located at 858 Holston Drive, R-1 Zone, requested by Anna Ford.

Staff presented a request for review and consideration of a proposed variance from Article VIII, being the "Area, Yard, and Height Requirements," of the Municipal Zoning Ordinance for a proposed residential addition to a single-family dwelling to be constructed at 858 Holston Drive. The original SFD was constructed originally in 1939 and has had one remodel completed on the structure in the 1950's. The area where the structure will encroach is on the side yard setback adjoining the National Park. The required side yard setbacks for a R-1 Zone is 15'. With the proposed addition, Mrs. Anna Ford, the requestor, would need a variance granted to extend the family cabin into the setback. None of the adjoining property owners voiced any opposition to the request from Mrs. Anna Ford presented to the Board.

Following a discussion, Mr. Joe Waggoner made a motion to approve the request as presented. Mrs. Amanda Caton provided a second with all members voting, "aye."

Review and consideration for a side yard variance to reduce the setback from 22.5' to 15' for a proposed single-family dwelling to be constructed at 333 Sterling Drive, R-1 Zone, requested by Kenneth Hurst.

Staff presented a request for review and consideration of 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 333 Sterling Drive. This item had originally been presented to the Municipal Board of Zoning Appeals on February 24, 2022, the request consisted of 15' front yard

setback from the required 20' setback, leaving a 10' front yard area; and a 5' rear yard setback from the required 20' setback leaving a 15' rear yard area for a single-family dwelling. The original request was for a 1-bedroom residence consists of 720 square feet for floor area. The requestor decided that they wanted to build a larger home than originally requested. Their request went from a one-bedroom residence to a four-bedroom, three-story, 2,958 square foot residence. Since the structure is going to three-stories, the side yard setback goes from 15' to 22.5', hence their reasoning for the request. Staff noted that the property is an odd, shaped lot with slopes of 30% or greater. The property is bisected with an existing sewer line which limits the building area of the lot to the southeast portion of the property.

Following a brief discussion, Mr. Joe Waggoner made a motion to approve the request. Mrs. Amanda Caton provided a second with all members voting, "aye."

Review and consideration to reduce the fall zone setback from 150' to 44' for a proposed wireless tower to be constructed at 110 Bishop Lane, C-1 Zone, requested by Vogue Towers Partners, LLC.

Staff presented a request for review and consideration of a proposed variance from Article XIII, being the "Area, Yard, and Height Requirements," of the Municipal Zoning Ordinance for a proposed wireless tower to be constructed at 110 Bishop Lane. The proposed cell tower will provide wireless connections for downtown patrons, as well as provide wireless coverage/connections for Phi Beta Phi School. The applicant is seeking relief from the 150' setback; the Tower will be designed in such a manner that the top 44' will collapse over onto itself in the event of a catastrophic failure, reducing the impacted area via a reduced "fall zone." The Staff mentioned there is not a height requirement in our Zoning Ordinance that addresses the height of wireless towers. The variance is for the fall zone setback that was established around forty years ago in relation to wireless towers. Most regulations throughout the country have that fall zone area in their ordinances, however, in today's design wireless towers are designed to collapse within the footprint they are designed in.

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

Review and consideration for a Sign Regulation variance to increase the super graphic allotment from 140' to 1,322' for "The Escape Game," a commercial business, located at 105 Reagan Drive, C-1 Zone, requested by Tennessee Sign Company.

Staff presented a request for a proposed variance from Article IV, Section 411, being the "Sign Regulations," for "The Escape Game," commercial business, located at 105 Reagan Drive. A 1,182 square foot variance above the allowable 140', for a total super graphic square footage of 1,322'. The request is a unique one, Staff noted. The request is to add additional super graphics to conceal the game from bystanders and pedestrians. This item was presented on two separate occasions to our Environmental Design Review Board on January 26, 2023, and February 9, 2023, both instances cover the aesthetic and sign proposal approval, with the exception to the use of additional super graphics over the approved allotment. The Staff and Board engaged in a discussion about setting precedence, each group also mentioned "Speedworkx: An Exotic Car Experience," since they also requested a similar variance for their super graphic allotment. The Board wanted to stay consistent with their previous approval referencing "Speedworkx," so, the Board decided to stay within those perimeters. The Board suggested approving 3xs the allotment and suggesting that the owner black-out the remaining windows to conceal the game from pedestrians on the Parkway and Reagan Drive.

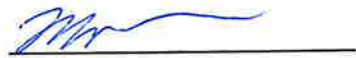
Following a brief discussion, Mr. Joe Waggoner made a motion to approve the request granting 3xs the allotted super graphics for the commercial business, the total coming out to 420 square feet. Mrs. Amanda Caton provided a second with all members voting, "aye."

Unscheduled Items

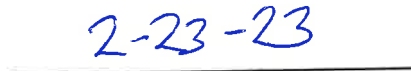
Adjournment

The meeting was unanimously adjourned at 3:26 p.m. after a motion made by Mr. Joe Waggoner and Mr. Clay England provided a second with all members voting, "aye."

Approved:



MBZA Chairman



Date

