

MINUTES OF THE
GATLINBURG MUNICIPAL BOARD OF ZONING APPEALS
OCTOBER 15, 2024
SPECIAL CALLED MEETING
TUESDAY, 3:00 PM, CITY HALL

MEMBERS PRESENT

Jerry McCarter
Matt Zoder
Amanda Caton
Clay England

MEMBERS ABSENT

Joe Waggoner

OTHERS PRESENT

David Ball
Chuck Laney

Staff Representative: Gary Carver, Planning Director
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 September 26, 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 height variance from the maximum of 15' to 43.5' for a proposed retaining wall to be constructed at 855 Campbell Lead Road, being Tax Map 126J, Group C, Parcel 24, R-3 (High Density) Residential District requested by C Laney & Sons.

Staff presented the request for a proposed height variance from the maximum of 15' to 43.5' for a proposed retaining wall to be constructed at 855 Campbell Lead Road. The proposal was brought to Staff after a discussion occurred with the applicant. The request is to allow for a 43.5' untterraced retaining wall, being 28.5' above the maximum allotment for an untterraced wall (15' being the height limit). The subject parcel has one building finished. The applicant began reconstruction following their losses in the 2016 Wildfires. This request pertains to the unconstructed structure located across the street from the finished building.

The applicant stated their hardship for the request is due to the topographical restraints of the parcel. It is noted that the proposed retaining wall is intended to go behind the multi-family building and will be less than 75% visible from the public. Staff mentioned that with proper engineering the request is not unreasonable, however, the request is well above the established maximum height for a retaining wall. Staff would only recommend approval if making the motion contingent on the wall having an earth-tone finish to avoid any potential visibility concerns from the Parkway and Campbell Lead Road and request an engineer report to be provided that the retaining wall poses no issue to the stability of the

mountainside. Applicable regulations: Title 12, Chapter 6, Section 12-614 (5) of the Gatlinburg Municipal Code. Mr. Chuck Laney and Mr. David Ball, Project Manager, were present and provided discussion pertaining to the request.

Following a brief discussion, Mr. Clay England made a motion to approve the request contingent upon an engineered report stating that the retaining wall poses no issue to the stability of the mountainside and that the retaining wall has an earth-tone finish. Ms. Amanda Caton provided a second with all members voting, "aye."

Unscheduled Items

The meeting was unanimously adjourned at 3:23 p.m. after a motion made by Mr. Clay England. Mr. Jerry McCarter provided a second with all members voting, "aye."

Approved:



MBZA Chairman

10-24-24

Date