

MINUTES OF THE
GATLINBURG MUNICIPAL BOARD OF ZONING APPEALS
JULY 7, 2026
TUESDAY, 3:00 PM, CITY HALL

MEMBERS PRESENT

Clay England
Matt Zoder
Jerry McCarter
Maggie Bowers
Amanda Caton

MEMBERS ABSENT

OTHERS PRESENT

Jeremy Dilley
Bobby Patel
Mike Johnson
Taylor Forrester

Staff Representative: Dalton York, Planning Director
Jodi Bible, Deputy City Planner

Chairman Matt Zoder called the meeting to order at 3:00 P.M. Ms. Maggie Bowers made a motion to approve the minutes of the June 2, 2026, 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 20’ for proposed single-family dwelling to be constructed at 1507 Gillespie Way, being Tax Map 136D, Group A, Parcel 28, R-1 Zone, requested by Alejandro Sabater.

Staff presented the request for a proposed variance to reduce the front yard setback from the required 25’ to 20’ for a proposed single-family dwelling to be constructed at 1507 Gillespie Way. The subject parcel is zoned R-1 (Low Density Residential) District and is located entirely within the Critical Slope Floating Zone, as the parcel maintains an average slope of 30% or greater. The lot is significantly substandard for the R-1 District, encompassing 0.26-acres (11,326 sq. ft). Under current regulations, a lot with an average slope between 30%-49% must have a minimum of one-acre.

The proposed five-foot setback encroachment is localized strictly to the southern corner of the foundation footprint along Gillespie Way. Gillespie Way is an established private street off North Baden Drive and North Arbon Lane that lacks dedicated public right-of-way lines. Because the structural footprint terminates near the pavement edge rather than impacting city utility easements or municipal road-widening zones, it does not conflict with public infrastructure safety. Forcing the structure to completely clear the 25-foot front setback would push the foundation further into a steeper pitch of the Critical Slope Floating Zone, requiring excessive structural engineering, retaining walls, and increased natural canopy clearing. Applicable Regulations: Article VIII, being the Area, Yard, and Height Requirements.

Following a brief discussion, Ms. Maggie Bowers made a motion to approve the request as presented. Mr. Jerry McCarter provided a second with all members voting, "aye."

Review and consideration for a special exception from Section 701.5.1 to minimize the parking requirement from 2 to 1 for a proposed overnight rental to be constructed at 147 West Holly Ridge, being Tax Map 126N, Group E, Parcel 48, C-2 zone, requested by Jeremy Dilley.

Staff presented the request for a proposed special exception from Section 701.5.1 to minimize the parking requirement from 2 to 1 for a proposed single-family dwelling to be constructed at 147 West Holly Ridge. The subject parcel is zoned C-2 (General Business District) and is located entirely within the Critical Slope Floating Zone, maintaining an average slope exceeding 30%. The applicant is seeking a 50% reduction on the mandatory off-street parking requirement for tourist accommodation, proposing 1 space instead of the required 2 spaces. The submitted site layout identifies a single parallel parking space situated along the edge of West Holly Ridge.

Staff notes that while the C-2 District does not impose a minimum lot area requirement and the subject parcel is legally conforming under the base zoning regulations, the parking deficiency is a direct result of the applicant's decision to subdivide the original tract into smaller lots approximately one year ago. As illustrated on the submitted site plan, Lot 2E contains approximately 1,718 square feet (0.039 acres). Based on the lot's limited size and configuration, Staff finds that the parcel is not of sufficient dimensions to reasonably accommodate both the proposed cabin footprint and the ordinance-required minimum of two off-street parking spaces.

Staff also received opposition from neighboring property owners. The primary concern expressed was the continued lack of adequate on-site parking, which they indicated has become an increasing issue along East Holly Ridge Road and West Holly Ridge Road due to developments operating with nonconforming parking arrangements.

Additionally, Staff notes that the City's revised parking standards for Tourist Residencies, adopted in January of this year, were enacted specifically to address ongoing public safety and zoning concerns associated with inadequate on-site parking. These amendments were intended to ensure that new Tourist Residencies provide sufficient parking to accommodate occupants while minimizing impacts to adjacent properties and public rights-of-way.

Finally, Staff notes that the minimum requirement of two off-street parking spaces has long been the standard for residential dwellings within the City of Gatlinburg. The current request seeks relief from a longstanding requirement rather than a recently established obligation.

Following the discussion, Ms. Amanda Caton made motion to deny the request as presented. Mr. Clay England provided a second with all members voting, "aye."

Review and consideration for a special exception from Section 701.5.1 to minimize the parking requirement from 2 to 1 for a proposed overnight rental to be constructed at 149 West Holly Ridge, being Tax Map 126N, Group E, Parcel 48, C-2 zone, requested by Jeremy Dilley.

Staff presented the request for a proposed special exception from Section 701.5.1 to minimize the parking requirement from 2 to 1 for a proposed overnight rental to be constructed at 149 West Holly Ridge. The subject parcel is zoned C-2 (General Business District) and is located entirely within the Critical Slope Floating Zone, maintaining an average slope exceeding 30%. The applicant is seeking a 50% reduction in the mandatory off-street parking requirement for tourist accommodation, proposing

1 space instead of the 2 spaces required. The submitted site layout identifies a single parallel parking space situated along the edge of West Holly Ridge.

Staff notes that while the C-2 District does not establish a minimum lot area requirement, and the subject parcel is legally conforming under the base zoning regulations, the parking deficiency is a direct result of the applicant's decision to subdivide the original tract into smaller lots approximately one year ago.

As illustrated on the submitted site plan, Lot 2D contains approximately 2,100 square feet (0.048 acres). Based on the lot's limited size and configuration, Staff finds that the parcel is not of sufficient dimensions to reasonably accommodate both the proposed cabin footprint and the ordinance-required minimum of two off-street parking spaces.

Staff also received opposition from neighboring property owners. The primary concern expressed was the continued lack of adequate on-site parking, which they indicated has become an increasing issue along East Holly Ridge Road and West Holly Ridge Road due to developments operating with nonconforming parking arrangements.

Additionally, Staff notes that the City's revised parking standards for Tourist Residencies, adopted in January of this year, were enacted specifically to address ongoing public safety and zoning concerns associated with inadequate on-site parking. These amendments were intended to ensure that new Tourist Residencies provide sufficient parking to accommodate occupants while minimizing impacts to adjacent properties and public rights-of-way.

Finally, Staff notes that the minimum requirement of two off-street parking spaces has long been the standard for residential dwellings within the City of Gatlinburg. The current request seeks relief from a longstanding requirement rather than a recently established obligation.

Following the discussion, Ms. Amanda Caton made motion to deny the request as presented. Mr. Clay England provided a second with all members voting, "aye."

Review and consideration for a special exception from Section 701.5.1 to minimize the parking requirement from 2 to 1 for a proposed overnight rental to be constructed at 151 West Holly Ridge, being Tax Map 126N, Group E, Parcel 48, C-2 zone, requested Jeremy Dilley.

Staff presented the request for a proposed special exception from Section 701.5.1 to minimize the parking requirement from 2 to 1 for a proposed overnight rental to be constructed at 151 West Holly Ridge. The subject parcel is zoned C-2 (General Business District) and is located entirely within the Critical Slope Floating Zone, maintaining an average slope exceeding 30%. The applicant is seeking a 50% reduction in the mandatory off-street parking requirement for tourist accommodation, proposing 1 space instead of the required 2 spaces. The submitted site layout identifies a single parallel parking space situated along the edge of West Holly Ridge.

Staff notes that while the C-2 district maintains no minimum lot area regulations, being that the physical size of the parcel legally conforming under base zoning, the spatial parking deficit was directly generated by the applicant's choice to subdivide the original land area into smaller lots approximately one year ago. As shown on the site plan provided, Lot 2A encompasses a restrictive 2,025 Sq. Ft. (0.04 Acres). The configuration of this newly created parcel appears to be fundamentally too small to simultaneously support both the proposed cabin footprint and the mandatory 2-space parking minimum.

Staff also received opposition from neighboring property owners. The primary concern expressed was the continued lack of adequate on-site parking, which they indicated has become an increasing issue along East Holly Ridge Road and West Holly Ridge Road due to developments operating with nonconforming parking arrangements.

Additionally, Staff notes that the City's revised parking standards for Tourist Residencies, adopted in January of this year, were enacted specifically to address ongoing public safety and zoning concerns associated with inadequate on-site parking. These amendments were intended to ensure that new Tourist Residencies provide sufficient parking to accommodate occupants while minimizing impacts to adjacent properties and public rights-of-way.

Finally, Staff notes that the minimum requirement of two off-street parking spaces has long been the standard for residential dwellings within the City of Gatlinburg. The current request seeks relief from a longstanding requirement rather than a recently established obligation.

Following the discussion, Mr. Clay England made a motion to deny the request as presented. Ms. Amanda Caton provided a second with all members voting, "aye."

Review and consideration for a special exception from Section 701.5.1 to minimize the parking requirement from 2 to 1 for a proposed overnight rental to be constructed at 153 West Holly Ridge, being Tax Map 126N, Group E, Parcel 48, C-2 zone, requested by Jeremy Dilley.

Staff presented the request for a proposed special exception from Section 701.5.1 to minimize the parking requirement from 2 to 1 for a proposed overnight rental to be constructed at 153 West Holly Ridge. The subject parcel is zoned C-2 (General Business District) and is located entirely within the Critical Slope Floating Zone, maintaining an average slope exceeding 30%. The applicant is seeking a 50% reduction on the mandatory off-street parking requirement for tourist accommodation, proposing 1 space instead of the required 2 spaces. The submitted site layout identifies a single parallel parking space situated along the edge of West Holly Ridge.

Staff notes that while the C-2 district maintains no minimum lot area regulations, being that the physical size of the parcel legally conforming under base zoning, the spatial parking deficit was directly generated by the applicant's choice to subdivide the original land area into smaller lots approximately one year ago. As shown on the site plan provided, Lot 2B encompasses a restrictive 2,021 Sq. Ft. (0.046 Acres). The configuration of this newly created parcel appears to be fundamentally too small to simultaneously support both the proposed cabin footprint and the mandatory 2-space parking minimum.

Staff also received opposition from neighboring property owners. The primary concern expressed was the continued lack of adequate on-site parking, which they indicated has become an increasing issue along East Holly Ridge Road and West Holly Ridge Road due to developments operating with nonconforming parking arrangements.

Additionally, Staff notes that the City's revised parking standards for Tourist Residencies, adopted in January of this year, were enacted specifically to address ongoing public safety and zoning concerns associated with inadequate on-site parking. These amendments were intended to ensure that new Tourist Residencies provide sufficient parking to accommodate occupants while minimizing impacts to adjacent properties and public rights-of-way.

Finally, Staff notes that the minimum requirement of two off-street parking spaces has long been the standard for residential dwellings within the City of Gatlinburg. The current request seeks relief from a longstanding requirement rather than a recently established obligation.

Following the discussion, Mr. Clay England made a motion to deny the request as presented. Ms. Amanda Caton provided a second with all members voting, "aye."

Review and consideration for a special exception from Section 701.5.1 to minimize the parking requirement from 2 to 1 for a proposed overnight rental to be constructed at 155 West Holly Ridge, being Tax Map 126N, Group E, Parcel 48, C-2 zone, requested by Jeremy Dilley.

Staff presented the request for a proposed special exception from Section 701.5.1 to minimize the parking requirement from 2 to 1 for a proposed overnight rental to be constructed at 155 West Holly Ridge. The subject parcel is zoned C-2 (General Business District) and is located entirely within the Critical Slope Floating Zone, maintaining an average slope exceeding 30%. The applicant is seeking a 50% reduction on the mandatory off-street parking requirement for tourist accommodation, proposing 1 space instead of the required 2 spaces. The submitted site layout identifies a single parallel parking space situated along the edge of West Holly Ridge.

Staff notes that while the C-2 district maintains no minimum lot area regulations, being that the physical size of the parcel legally conforming under base zoning, the spatial parking deficit was directly generated by the applicant's choice to subdivide the original land area into smaller lots approximately one year ago. As shown on the site plan provided, Lot 2C encompasses a restrictive 2,024 Sq. Ft. (0.047 Acres). The configuration of this newly created parcel appears to be fundamentally too small to simultaneously support both the proposed cabin footprint and the mandatory 2-space parking minimum.

Staff also received opposition from neighboring property owners. The primary concern expressed was the continued lack of adequate on-site parking, which they indicated has become an increasing issue along East Holly Ridge Road and West Holly Ridge Road due to developments operating with nonconforming parking arrangements.

Additionally, Staff notes that the City's revised parking standards for Tourist Residencies, adopted in January of this year, were enacted specifically to address ongoing public safety and zoning concerns associated with inadequate on-site parking. These amendments were intended to ensure that new Tourist Residencies provide sufficient parking to accommodate occupants while minimizing impacts to adjacent properties and public rights-of-way.

Finally, Staff notes that the minimum requirement of two off-street parking spaces has long been the standard for residential dwellings within the City of Gatlinburg. The current request seeks relief from a longstanding requirement rather than a recently established obligation.

Following a brief discussion, Ms. Amanda Caton made a motion to deny the request as presented. Ms. Amanda Caton provided a second with all members voting, "aye."

Review and consideration for a special exception to reduce the front yard setback from the required 10' to 5' for proposed parking garage to be constructed at 337 Reagan Drive being Tax Map 126N, Group G, Parcel 9, C-1 Zone, requested by Mahavir Patel.

Staff presented the request for a special exception to reduce the front yard setback from the required 10' to 5' for a proposed parking garage to be constructed at 337 Reagan Drive. The subject parcel is zoned C-1 (Tourist Commercial) District. The applicant proposes the construction of a 3-level

commercial parking structure with a footprint of 14,673 sq. ft. and a total area of 44,019 sq. ft. The requested 5-foot setback reduction is confined entirely to the secondary frontage along Trentham Lane; the primary structural façade facing Reagan Drive will fully maintain the mandatory 10-foot front yard setback. Main vehicular access and automated gates are located on the Reagan Drive side of the development, ensuring no stacking or queuing loops occur along the Trentham Lane side of the project.

There is currently no public sidewalk infrastructure along this portion of Trentham Lane. In exchange for the dimensional relief, the developer has formally agreed to construct a brand-new public sidewalk along the frontage, which provides a definitive pedestrian safety benefit.

Staff received one formal letter of opposition, arguing that the request fails to meet the strict “exceptional topographical or undue hardship” standards required by Section 1104.3 of the Gatlinburg Zoning Ordinance. Staff notes for the record that the referenced code applies strictly to variance requests. Because this application has been processed as a special exception under Section 403, Tennessee Zoning common law dictates that the applicant is not required to provide a physical hardship. Instead, the request is evaluated based on its public safety impacts, compatibility, and whether it serves the general welfare. Applicable Regulations: Article VIII, being the Area, Yard, and Height Requirements, Article XI, Board of Zoning Appeals.

Following a brief discussion, Mr. Clay England made a motion to approve the request under specific conditions: prior to issuance of building permit, the developer must submit plans ensuring the installation of a public sidewalk along the entire Trentham Lane frontage, subject to final alignment approval by the Planning Department; secondly, the structure must full comply with all IBC/IFC fire-wall and structural rating requirements facing the 5-foot setback, subject to final technical approval by the Building Department. Ms. Amanda Caton provided a second with all members voting, “aye.”

Unscheduled Items

Mr. Jerry McCarter stated that he would like for Staff to investigate the lacking requirements regarding road frontage on commercially zoned lots with critical slope. Mr. Jerry McCarter stated that the need for more stringent requirements will help ensure hillside stability and promote responsible hillside development.

The meeting was unanimously adjourned at 4:00 pm after a motion made by Mr. Clay England and Mr. Jerry McCarter provided a second with all members voting, “aye.”

Approved:



MBZA Chairman



Date