

MINUTES OF THE  
GATLINBURG MUNICIPAL BOARD OF ZONING APPEALS  
January 14, 2021  
TUESDAY, 3:00 P.M., CITY HALL

MEMBERS PRESENT

Cyndi Bowling  
Matt Zoder  
Jay Horner

MEMBERS ABSENT

Joe Waggoner  
Ron Smith

OTHERS PRESENT

Brennon Garrett  
Stan Lowe  
William Jeffries  
Kathy Jeffries  
Bob Farrier

Staff Representatives: David Ball, Building & Planning Director

Chairman Mr. Matt Zoder called the meeting to order at 3:00 P.M. Mr. Jay Horner made a motion to approve the minutes for the November 24, 2020 meeting. Mrs. Cyndi Bowling seconded the motion which passed with all members voting "aye."

**Staff Report**

**Old Business**

**New Business**

**Review and consideration for a variance from Article IV, Section 402, being the "Off-Street Automobile Parking Requirements," and Article VIII, being the "Area, Yard, and Height Requirements," for a single-family dwelling to be located at 314 Raccoon Ridge Road, Tax Map 127I, Group C, Parcel 40.16, R-2 Zone, requested by Carel Janse Van Rensburg.**

Staff presented the request consisting of a variance from Article IV, Section 402 being the "Off-Street Automobile Parking" provisions to permit backing into the public right-of-way of Raccoon Ridge Road for four (4) parking spaces and two (2) side yard setback variances of 1.5' and 7.4' from the required 22.5', leaving a 21' and a 15.1' side yard setback area for a proposed single-family dwelling to be reconstructed on Lot 8 of the "Smoky Mountain Hide-A-Way Subdivision."

Staff explained that the property is zoned R-2, which does not permit backing into the adjoining public right-of-way. However, this property, as well as other adjoining properties, were previously developed with structures that backed into the right-of-way area for turnaround. The street is a dead-end street that is approximately 600' in length and is relatively flat and straight from Brownsridge Road to the termination point of Raccoon Ridge Road. Staff noted that there appears to be no sight distance issues that would prohibit backing into the right-of-way. The request also includes two (2) side yard setback variances of 1.5' and 7.4' from the required 22.5' for the three (3) story structure. As indicated on the site plan, the applicant wishes to utilize the existing foundation to reconstruct the dwelling. Since the proposed building is in the same location as the previous structure, the impact would seem very minimal to the adjoining properties and public right-of-way area.

Staff explained that the lot area is narrow and steep which limited areas on the property for parking and turnaround. The property is also impacted with an existing sewer line easement area on the upper west portion of the property.

After a brief discussion, Mrs. Cyndi Bowling made a motion to approve and Mr. Jay Horner, seconded the motion which was unanimously approved with all members voting "aye."

**Review and consideration for a variance from Article IV, Section 402, being the "Off-Street Automobile Parking Requirements," and Article IV, Section 408, being the "Ingress and Egress" provisions of the Gatlinburg Municipal Zoning Ordinance for a single-family dwelling to be located 718 Old Ridge Road, Tax Map 127A, Group A, Parcel 20.00, C-2 Zone, requested by Garrett Building Company.**

Staff presented the request for a variance from Article IV, Section 402, being the "Off-Street Automobile Parking" Provisions, to permit backing into the public right-of-way of Old Ridge Road for four (4) parking spaces. Staff explained that the property is zoned C-2 (General Business) District which is a commercially zoned property. Staff further noted that the provisions of Section 402 only allow backing into the adjoining public right-of-way in a R-1 (Low Density Residential) District. Staff stated that the request also involves a variance from Article IV, Section 408 being the "Ingress and Egress" provisions to permit the access point to exceed the maximum allotment of 26' in width. The proposed width for the access and parking is shown at approximately 42' in width resulting in a variance of an additional width of 16'.

Mr. Brennon Garrett was present and noted that, based on the house locations, there would be additional space from the back of the parking stall to the edge of pavement and that most automobile might not have to back into the street but just within the 14' area provided in front of the lot. Staff noted that it would be on the right-of-way but not in the street. Mr. Garrett concurred with Staff's statement. Mr. Garrett further verified that although the tax assessment data reflects a single parcel, the original of record subdivision consists of three (3) lots. Staff noted that the property had previously been developed with a single dwelling. Staff further explained that the request proposes to develop all three lots with new rental cabins. Staff stated that Old Ridge Road is a dead-end street that is approximately 750' in length. The street is approximately 18' in width and serves approximately 11 to 12 lots including the subject lots.

Mr. Jeffries, a neighbor to the property, was present and voiced concern about building three (3) dwellings on the property. Mr. Jeffries noted that with the existing warehouse and the added cabins, the traffic would increase on the street. Mr. Jeffries noted that many tourists pull onto Old Ridge Road thinking they are on Ridge Road and must turn around and exit back out to Ridge Road. Mr. Jeffries stated that this occurs quite often throughout the day. Mr. Zoder asked Mr. Jeffries what his suggestion would be regarding the request. Mr. Jeffries stated that instead of three (3) dwellings why couldn't the developer only develop the outside two lots and use the center lot for a turnaround area for the parking?

Mr. Garrett stated that the paving of the driveway will result in a widening affect to the existing street and the street should feel much wider and safer than the current situation. Mr. Garrett also stated that their intention is to discuss with the owner of the warehouse property the possibility of landscaping of the existing embankment immediately adjacent the warehouse facility to dress that side of the street up.

Staff explained that the property is extremely steep with slopes in excess of 50%. The portion along Old Ridge Road is flat and level with the paved street but slopes steeply down from the street to the rear property line boundary.

After a brief discussion, Mr. Jay Horner made a motion to approve and Mrs. Cyndi Bowling, seconded the motion which was unanimously approved with all members voting "aye."

**Review and consideration for a variance for Article IV, Section 402, being the "Off-Street Automobile Parking Requirements," and Article IV, Section 408, being the "ingress and Egress" provisions of the Gatlinburg Municipal Zoning Ordinance for a single -family dwelling to be located at 714 Old Ridge Road, Tax Map 127A, Group A, Parcel 20.00, C-2 Zone, requested by Garrett Building Company.**

Staff presented the request for a variance from Article IV, Section 402, being the "Off-Street Automobile Parking" Provisions, to permit backing into the public right-of-way of Old Ridge Road for four (4) parking spaces. Staff explained that the property is zoned C-2 (General Business) District which is a commercially zoned property. Staff further noted that the provisions of Section 402 only allow backing into the adjoining public right-of-way in a R-1 (Low Density Residential) District. Staff stated that the request also involves a variance from Article IV, Section 408 being the "Ingress and Egress" provisions to permit the access point to exceed the maximum allotment of 26' in width. The proposed width for the access and parking is shown at approximately 42' in width resulting in a variance of an additional width of 16'.

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Mr. Jeffries, a neighbor to the property, was present and voiced concern about building three (3) dwellings on the property. Mr. Jeffries noted that with the existing warehouse and the added cabins, the traffic would increase on the street. Mr. Jeffries noted that many tourists pull onto Old Ridge Road thinking they are on Ridge Road and must turn around and exit back out to Ridge Road. Mr. Jeffries stated that this occurs quite often throughout the day. Mr. Zoder asked Mr. Jeffries what his suggestion would be regarding the request. Mr. Jeffries stated that instead of three (3) dwellings why couldn't the developer only develop the outside two lots and use the center lot for a turnaround area for the parking?

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side of the street up. Staff explained that the property is extremely steep with slopes in excess of 50%. The portion along Old Ridge Road is flat and level with the paved street but slopes steeply down from the street to the rear property line boundary.

After a brief discussion, Mr. Jay Horner made a motion to approve and Mrs. Cyndi Bowling, seconded the motion which was unanimously approved with all members voting "aye."

**Review and consideration for a variance from Article IV, Section 402, being the "Off-Street Automobile Parking Requirements," and Article IV, Section 408, being the "Ingress and Egress" provisions of the Gatlinburg Municipal Zoning Ordinance for a single-family dwelling to be located 710 Old Ridge Road, Tax Map 127A, Group A, Parcel 20.00, C-2 Zone, requested by Garrett Building Company.**

Staff presented the request for a variance from Article IV, Section 402, being the "Off-Street Automobile Parking" Provisions, to permit backing into the public right-of-way of Old Ridge Road for four (4) parking spaces. Staff explained that the property is zoned C-2 (General Business) District which is a commercially zoned property. Staff further noted that the provisions of Section 402 only allow backing into the adjoining public right-of-way in a R-1 (Low Density Residential) District. Staff stated that the request also involves a variance from Article IV, Section 408 being the "Ingress and Egress" provisions to permit the access point to exceed the maximum allotment of 26' in width. The proposed width for the access and parking is shown at approximately 42' in width resulting in a variance of an additional width of 16'.

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Mr. Jeffries, a neighbor to the property, was present and voiced concern about building three (3) dwellings on the property. Mr. Jeffries noted that with the existing warehouse and the added cabins, the traffic would increase on the street. Mr. Jeffries noted that many tourists pull onto Old Ridge Road thinking they are on Ridge Road and must turn around and exit back out to Ridge Road. Mr. Jeffries stated that this occurs quite often throughout the day. Mr. Zoder asked Mr. Jeffries what his suggestion would be regarding the request. Mr. Jeffries stated that instead of three (3) dwellings why couldn't the developer only develop the outside two lots and use the center lot for a turnaround area for the parking?

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side of the street up. Staff explained that the property is extremely steep with slopes in excess of 50%. The portion along Old Ridge Road is flat and level with the paved street but slopes steeply down from the street to the rear property line boundary.

After a brief discussion, Mr. Jay Horner made a motion to approve and Mrs. Cyndi Bowling, seconded the motion which was unanimously approved with all members voting "aye."

**Review and consideration for a front yard setback variance for a proposed porch addition to a single-family dwelling, located at 454 Loop Road, being Tax Map 126M, Group F, Parcel 007.01, R-1 Zone, requested by Stanley and Julia Lowe.**

Staff presented the request for a variance from Article VIII, being the Area, Yard, and Height Requirements for a front yard setback variance. Specifically, the request consists of an 18.3' front yard setback variance, leaving a 6.57' front yard area for a proposed 6' x 7' covered porch addition to an existing single-family dwelling located at 454 Loop Road. Staff explained that the structure previously included a stone entrance that was uncovered. Staff noted that the applicant has removed the previous entrance structure and would like to replace it with a covered porch entrance. The proposed request does not appear to create much of an impact to the adjoining right-of-way area and will be located approximately 13' from the edge of the paved street.

Staff added that the property is long and shallow with an average depth of 68.26'. The property slopes down from Loop Road Right-of-way and is in excess of 30% below the back of the dwelling.

After a brief discussion, Mr. Jay Horner made a motion to approve and Mrs. Cyndi Bowling, seconded the motion which was unanimously approved with all members voting "aye."

**Review and consideration for a side yard setback variance for a proposed porch addition to a single-family dwelling, located at 726 Chewase Drive, Tax Map 137F, Group A, Parcel 09.00, R-1A Zone, requested by Bob Farrier.**

Staff presented the request for a variance from Article VIII, being the Area, Yard, and Height Requirements for a side yard setback variance. Staff stated that the request consists of an 9.75' side yard setback variance, leaving a 5.25' side yard area for a proposed roof addition to create a covered porch for the existing single-family dwelling located at 726 Chewase Drive. Mr. Farrier was present and confirmed that the deck is an existing deck and that the request is to just cover the deck with a porch.

Staff stated that due to the pre-existing condition of the structure and deck, the roof should have little to no impact to the adjoining property. Staff also noted that the property is long and very narrow, consisting of approximately 50' of width and public street frontage. The rear of the property consists of extremely steep slopes that are well in excess of 50%.

After a brief discussion, Mr. Jay Horner made a motion to approve and Mrs. Cyndi Bowling, seconded the motion which was unanimously approved with all members voting "aye."

**Petitions and Communications from the Public**

**Unscheduled Item**

**Adjournment**

The meeting was unanimously adjourned at approximately 3:50 p.m. after a motion by Mrs. Cyndi Bowling and a second by Mr. Jay Horner.

**Approved by:**

  
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**MBZA CHAIRMAN**

1-25-2021  
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**DATE**