

MINUTES OF THE  
GATLINBURG MUNICIPAL BOARD OF ZONING APPEALS  
January 27, 2011  
Thursday, 3:00 p.m., City Hall

MEMBERS PRESENT

Kenny Maples, Chairman  
Jim Johnson  
Fred McMahan

MEMBERS ABSENT

Jack Miller, Jr.  
Joe Waggoner

OTHERS PRESENT

Roger Cook  
Marshall Wolfe  
Brad Stewart

Staff Representatives:           David Ball, City Planner

The meeting was called to order at 3:00 p.m., with Chairman Kenny Maples presiding. The minutes, of the September 23, 2010, meeting, were unanimously approved following a motion by Mr. Jim Johnson and a second by Mr. Fred McMahan.

Petitions and Communications from the public

Staff Report

Old Business

New Business

**a) Review and consideration for a proposed front yard setback variance, located at 465 Ownby Circle, zoned R-1, requested by Roger Cook.**

Staff presented the request for a 10' front yard setback variance from the required 25' front setbacks, leaving a 15' front yard for a proposed 30' x 28'-6" garage addition and a 24' x 8' porch addition to an existing single-family residence. Staff stated that the structure will have a negative impact on open space in the proposed location. Staff noted that the surveyor has not certified the slope of the property; however the house is situated on the apex of the knoll and the terrain slopes steadily away from the structure. Mr. Robin Cook was present and gave a brief overview of the request. The Board inquired about the neighboring properties and if any objections had been received about the request. Mr. Cook stated that there had been no objections from any of the neighbors. After further discussion, Mr. Jim Johnson made the motion to approve as presented. Mr. Fred McMahan seconded the motion with all members voting aye.

**b) Election of Officers**

Chairman Maples called for nominations. Mr. Jim Johnson made a motion for Kenny Maples to continue as Chairman. Mr. Fred McMahan seconded the motion with all members voting aye. Mr. Jim Johnson nominated Mr. Fred McMahan as Vice Chairman. Mr. Kenny Maples seconded the motion with all members voting aye.

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Unscheduled Items

Adjournment

There being no further business to come before the Board, the meeting was unanimously adjourned at 3:07 p.m., after a motion by Mr. Jim Johnson and a second by Mr. Kenny Maples.

**Approved by:**

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**MBZA CHAIRMAN**

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**DATE**

MINUTES OF THE  
GATLINBURG MUNICIPAL BOARD OF ZONING APPEALS  
February 24, 2011  
Thursday, 3:00 p.m., City Hall

MEMBERS PRESENT

Kenny Maples, Chairman  
Fred McMahan  
Jack Miller, Jr.  
Joe Waggoner

MEMBERS ABSENT

Jim Johnson

OTHERS PRESENT

Tim Malone

Staff Representatives:           David Ball, City Planner

The meeting was called to order at 3:00 p.m., with Chairman Kenny Maples presiding. The minutes, of the January 28, 2010, meeting, were unanimously approved following a motion by Mr. Jack Miller, Jr. and a second by Mr. Fred McMahan.

Petitions and Communications from the public

Staff Report

Old Business

New Business

**a) Review and consideration for a proposed front yard setback variance located at 319 Hilltop Road, Zoned R-1, requested by Tim Malone.**

Staff presented the request for a 16' front yard setback variance from the required 25' foot setback, leaving a 9' front yard area for a proposed 14' by 23' garage addition to an existing single-family residence. Staff stated that the proposed addition is depicted to be constructed on the North side of the property between the existing structure and Walnut Drive. Staff noted that there have been two (2) previous variances granted for this property and those minutes were provided in member packets. Staff stated that the structure will have a negative impact on open-space in the proposed location. Staff added that due to the elevation difference between the proposed structure and Walnut Drive (the adjoining right-of-way), the request should have minimal to no impact to the use of the right-of-way. Staff pointed out that the property slopes downward from a south to north direction and is bordered on the north side with a retaining wall along Walnut Drive. Staff also stated that the lot is a narrow, corner lot and is depicted on the survey to be .229 acres (approximately 9,975.24 square feet) in size. Staff further stated that the existing lot is an existing non-conforming lot in that the current lot size is below the minimum lot size standards for the R-1 Zoning District. After further discussion, Mr. Joe Waggoner made the motion to approve as presented. Mr. Jack Miller, Jr. seconded the motion with all members voting aye.

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Unscheduled Items

Adjournment

There being no further business to come before the Board, the meeting was unanimously adjourned at 3:20 p.m., after a motion by Mr. Joe Waggoner and a second by Mr. Jack Miller, Jr.

**Approved by:**

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**MBZA CHAIRMAN**

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**DATE**

MINUTES OF THE  
GATLINBURG MUNICIPAL BOARD OF ZONING APPEALS  
Rescheduled to May 5, 2011  
Thursday, 3:00 p.m., City Hall

MEMBERS PRESENT

Kenny Maples, Chairman  
Jim Johnson  
Fred McMahan  
Jack Miller, Jr.

MEMBERS ABSENT

Joe Waggoner

OTHERS PRESENT

Kenny Loomis  
Mike & Judy Catron

Staff Representative: David Ball, City Planner

The meeting was called to order at 3:00 p.m., with Chairman Kenny Maples presiding. The minutes, of the February 24, 2011, meeting, were unanimously approved following a motion by Mr. Fred McMahan and a second by Mr. Jim Johnson.

Petitions and Communications from the public

Staff Report

Old Business

New Business

**a) Review and consideration for a proposed rear yard setback variance located at 1723 Arbon Lane South, Zoned R-1, requested by Ken Loomis.**

Staff presented the request for a 4 foot rear yard setback variance from the required 20' rear yard setback, leaving 16 feet of setback area for a proposed 18' x 24' addition to a single-family residence. Staff stated that the structure will have a negative impact on open space in the proposed location. Staff noted that the rear portion of the property slopes down and away from the existing structure at a grade of approximately 30% however, no physical hardship has been presented by the applicant. The Board asked if the adjoining property owners had been notified of the request. Staff stated that notices had been sent certified mail and that no objections from adjoining property owners had been received to date. Mr. Kenny Loomis was present and gave a brief overview of the request. Mr. Loomis stated that the adjoining structure, located on Lot 26, encroaches on the subject property, which affected the location of the applicants existing home. The Board inquired about the location of the structure on Lot 37. Mr. Loomis stated that the structure is well below the subject property and the area between the structures is heavily vegetated. After further discussion, Mr. Jim Johnson made the motion to approve the 4 foot rear yard setback variance from the required 20' rear yard setback, leaving 16 feet of setback area for a proposed 18' x 24' addition to a single-family residence. Mr. Jack Miller, Jr. seconded the motion with all members voting aye.

Unscheduled Items

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Adjournment

There being no further business to come before the Board, the meeting was unanimously adjourned at 3:15 p.m., after a motion by Mr. Jack Miller, Jr. and a second by Mr. Jim Johnson.

**Approved by:**

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**MBZA CHAIRMAN**

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**DATE**