

MINUTES OF THE  
GATLINBURG MUNICIPAL BOARD OF ZONING APPEALS  
July 28, 2016  
THURSDAY, 3:00 P.M., CITY HALL

MEMBERS PRESENT

Joe Waggoner  
Kenny Maples  
Jack Miller, Jr.

MEMBERS ABSENT

Ron Smith  
Cyndi Bowling

OTHERS PRESENT

Robert Thornton, Jr.  
Jill Thornton  
Philip Henard  
Karen Henard  
Francisco Perricone

Staff Representatives: David Ball, City Planner  
Gerri Lawall, Executive Secretary

Chairman Waggoner called the meeting to order at 3:00 P.M. The minutes of the May 26, 2016 meeting were unanimously approved following a motion by Mr. Kenny Maples and a second by Mr. Jack Miller.

Petitions and Communications from the Public

There were no petitions or communications from the public.

Staff Report

There was no Staff report.

Old Business

There was no old business

New Business

**Review and consideration for a proposed side yard setback variance for a proposed covered patio addition located at 1116 Ski Mountain Road, Tax Map 125M, Group E, Parcel 20.00, Zoned R-1, requested by Mr. Philip Henard.**

Staff presented the request for a proposed 10' side yard setback variance from the required 15' setback for a proposed covered patio addition, leaving a 5' side yard setback area. Staff noted that the property consisted of steep slopes in the rear of the property behind the existing home. Staff also noted that because the patio area exists, and the area is not proposed to be enclosed, the roof addition appeared to have little or no impact to the adjoining property. Staff then added that there was a letter from the adjoining property owner approving the request, which was included in their packets. After a brief discussion, Mr. Kenny Maples made the motion to approve the 10' side yard setback variance request, with the stipulation that the patio area remained an open space, noting that if Mr. Henard ever wanted to enclose the patio area, an additional variance request would need to be submitted by the owner. Mr. Jack Miller, Jr seconded the motion, which passed with all members voting "Aye."

**Review and consideration for a proposed side yard setback variance for a proposed garage addition located at 712 Nocks Drive, Tax Map 116M, Group A, Parcel 29.00, Zoned R-1, requested by Mr. Francisco Perricone.**

Staff presented the request for a proposed 1' side yard setback variance from the required 15' setback for a proposed garage addition, leaving a 14' side yard setback area. Staff noted that the request was for construction of a 9'4" single car garage on the south side of the building resulting in a reduced side yard setback of 14'. Staff added that the proposed request appears to have little or no impact to the adjoining property and that no response to the notification letter had been received from the adjoining property owner.

Mr. Kenny Maples asked if the variance request was from the wall of the structure or would it also compensate for the overhang of the garage roof. Mr. Perricone explained that it was from the wall. After a brief discussion, Mr. Kenny Maples made the motion to approve a 2'6" variance, leaving the setback at 12'6" to property line, to compensate for the roof overhang. Mr. Jack Miller, Jr. seconded the motion, and all members voted "Aye."

Unscheduled Items

Adjournment

The meeting was unanimously adjourned at approximately 3:12 p.m. after a motion by Mr. Kenny Maples, and a second by Mr. Jack Miller.

**Approved by:**

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**MBZA CHAIRMAN**

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**DATE**