

**MINUTES OF THE  
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION  
December 17, 2015  
THURSDAY, 5:00 P.M., CITY HALL**

**MEMBERS PRESENT**

Robert Maples  
Dana Soehn  
Teresa Cantrell  
Larry Claiborne  
Don Smith  
Jackie Leatherwood

**MEMBERS ABSENT**

Kirby Smith  
Bud Ogle  
Charlie Moore

**OTHERS PRESENT**

Marty Duncan  
Bruce Cantrell  
Donna Cantrell

Staff Representatives:        David Ball, Building & Planning Director  
   Chad Davis, ETDD  
   Gerri Lawall, Executive Secretary

**CALL TO ORDER AND APPROVAL OF MINUTES**

Chairman Maples called the meeting to order at 5:00 P.M. The minutes of the November 19, 2015 meeting were unanimously approved following a motion by Ms. Teresa Cantrell and a second by Ms. Dana Soehn.

**STAFF REPORT**

Staff reminded the Board about the Ethics form that needed to be completed and submitted sometime between January 1 and January 31.

**PETITIONS AND COMMUNICATONS FROM THE PUBLIC**

No petitions or communications from the public.

**OLD BUSINESS**

No old business.

**NEW BUSINESS**

**Review and consideration for a proposed rezoning of Tax Map 118, Parcel 46 located at 163 Proffitt Rd from R-1A “Low Density Residential“ to R-1 “Low Density Residential,” requested by Marty Duncan.**

Staff presented the request for the rezoning of Tax Map 118, Parcel 46, from the current R-1A zoning designation to a proposed R-1 Zone reclassification. Staff stated that the property consists of 2.13 acres that is accessed from Proffitt Road and that the property is developed with a single family residence. Staff noted that the property is adjoined by R-1A and C-2 zoned properties.

Staff stated that the current zoning is a “Low Density Residential” district that was established for single family residential neighborhoods. However, the R-1A does not permit overnight rentals as a permitted use in the district. The applicant has indicated that the request to rezone the property to R-1 is to utilize the existing residence as an overnight rental property.

Staff noted that the current Land Use Plan does depict the property as residential property and that the current R-1A and R-1 classifications are both “low density residential” designations. Staff further noted that the Land Use Plan does promote the use of tourist residencies within the residential districts but that the Land Use Plan also recommends preserving the permanent residential neighborhoods. Staff further stated that the property is unique in that the majority of the property boundary is adjoined by commercially zoned property and is directly across from Gatlinburg Pittman High School and the associated facilities. The property does not immediately adjoin any R-1 Zone property but there is an R-1 District approximately 170 feet away to the west of the property. Staff stated that no objections to the request have been received by the City.

The Board inquired about the immediate adjoining property owner and if there was any object to the rezoning. Staff stated that Ms. Carr had not contacted the City to voice an objection. Mr. Marty Duncan was present and stated that he had spoken with the immediate neighbor, Ms. Carr about the rezoning and that she has no problem with the request. The Board also discussed the differences between a residential versus a commercial designation which would match the adjoining property to the south.

After brief deliberations, Ms. Dana Soehn made a motion to recommend approval for presentation to the City Commissioners a rezoning of the property from R-1A to R-1. The motion was seconded by Ms. Teresa Cantrell and it passed with all members voting “Aye.”

**Review and consideration for a plat approval of a minor subdivision of the “Rebecca R. Thor, ETAL – Tracts 1 & 2,” located on Baskins Creek Road, Tax Map 126M, Group A, Parcel 31, Zoned R-1, requested by Silverbell Investments, LLC.**

Staff presented the request and stated that the minor subdivision consists of a division of the 5.68 acres to create two tracts being “Tract 1” (3.8 acres) and “Tract 2” (1.88 acres) for the purposes of combining Tract 2 with the adjoining Tax Map 126M, Group A, Parcel 33.03 that consists of 54.55 acres. Ms. Donna Cantrell was present and provided a revised map that shows the interior lot line “to be deleted” between Tract 2 and the adjoining Parcel 33.03. Staff noted that the plat depicts a new property boundary between “Tracts 1 and 2,” creating the land division so that the upper portion (Tract 2) can be combined with the adjoining Parcel 33.03. Staff further advised that the proposed minor subdivision appears to meet the minimum design standards of the adopted subdivision regulations and lacks only the following signatures: Owner Signature of Ownership and Dedication, E-911 Signature of Approval, Utility Department Signature of Approval, and Sevier County Electric System Signature of Approval.

After discussion about the property in question and the intended potential use, Mr. Robert Maples voiced concern about how far over the ridge that potential attractions could be extended. Mr. Maples further noted that the concern stems from the previous month’s meeting where area residents raised concerns about noise from the development. Mr. Bruce Cantrell advised the Board that there are no plans to develop that property at this time, however there may possibly be some tree house development – rental cabins that would only be accessible via all-terrain vehicles operated by the Resort and no access via public vehicles. Staff noted that if the rental treehouses were the intended use, a rezoning to C-2 would not be needed as the rentals could be located in the R-1 zone. Ms. Teresa Cantrell made a motion to approve the minor subdivision plat subject to the addition of the lacking signatures and revisions. Mr. Larry Claiborne seconded the motion and it passed with all members voting “Aye”.

**Review and consideration for a plat approval of a minor subdivision of the “Silverbell Investments, Inc. - Tract 1,” located on Baskins Creek By-pass, Tax Map 126M, Group A, Parcel 33.03, Zoned C-1, requested by Silverbell Investments, LLC.**

Staff presented the request involving the consolidation of Parcel 14 and Parcel 33.03 to create a single parcel of 62.63 acres that is located of Baskins Creek By-Pass. Staff noted that Tax Map 126M, Group A, Parcel 14 is the 8.08 acres of property that was previously owned by the Bales Family which has recently been purchased by Silverbell Investments, LLC. Staff further noted that the property is currently undergoing a rezoning from R-1 to C-1 zoning classification.

Staff stated that the plat depicts the interior lot line of the two parcels to be deleted to create the larger tract. Staff added that the proposed minor subdivision appears to meet the minimum design standards of the adopted subdivision regulations and lacks only the following signatures: Owner Signature of Ownership and Dedication, E-911 Signature of Approval, Utility Department Signature of Approval, and Sevier County Electric System Signature of Approval.

Following a brief discussion, Mr. Don Smith made a motion to approve the request subject to the lacking signatures and items. Mr. Larry Clairborne provided the second and the motion passed unanimously.

**Review and consideration for a PUD site plan approval of “Gatlinburg Skylift”, located on 765 Parkway, Tax Map 126K, Group D, Parcel 22.01, Zoned C-2, requested by Boyne Resorts.**

**Staff noted that the applicant has requested that this item be removed from the agenda.**

**UNSCHEDULED ITEMS**

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was unanimously adjourned at 6:15 p.m. after a motion by Mr. Don Smith, and a second by Mr. Larry Clairborne.

**Approved:**

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**Planning Commission Secretary**

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**Date**