

MINUTES OF THE
GATLINBURG MUNICIPAL BOARD OF ZONING APPEALS
October 22, 2015
THURSDAY, 3:00 P.M., CITY HALL

MEMBERS PRESENT

Kenny Maples
Jack Miller Jr.
Cyndi Bowling
Joe Waggoner

MEMBERS ABSENT

Ron Smith

OTHERS PRESENT

Karen Bentz
Elizabeth Thor

Staff Representatives: David Ball, City Planner

Chairman Waggoner called the meeting to order at 3:00 P.M. The minutes of the August 27, 2015 meeting were unanimously approved following a motion by Mr. Ron Smith, and a second by Mr. Jack Miller.

Petitions and Communications from the Public

Staff Report

Old Business

New Business

a) Review and consideration for proposed variance from Article IV, Section 406.2.5 of the Municipal Zoning Ordinance, being the “Height, Density, and Area Regulations” for Planned Unit Developments for Tax Map 126M, Group A, Parcel 33.03, located off Baskins Creek Bypass, C-1 Zone, requested by Silverbell Investments, LLC.

Staff explained that the request, which was heard by the Board at the September meeting, was being re-heard due to the fact that the adjoining property owners did not receive the meeting notice prior to the hearing date. Staff noted that the rehearing provides the neighboring property an opportunity to voice concerns or objectives to the request.

Ms. Karen Bentz was present and gave a brief overview of the project. Ms. Bentz noted that the request is to locate the tower structure to within 5’ of the adjoining property line. Ms. Bentz further noted that due to the steep terrain of the property, the further distance from the property line the tower is moved, the more disturbance to the natural environment is required to build the tower. Ms. Bentz also stated that the proposed location of the tower is in close proximity to the emergency drive which provides emergency personnel access to the tower. Ms. Bentz stated that if the tower is forced away from the property line the terrain is such that a much more massive foundation will be required to support the tower which will also cause more land disturbance to the area. Ms. Bentz noted that since the September meeting, contact was made with the adjoining property owners, the Thor Family, to discuss a potential property purchase

in the area of the tower. Ms. Rebecca Thor was present and verified that negotiations with the Bentz' were underway to sell an upper portion of their property which would alleviate the need for a variance and further noted their support for the development.

Mr. Kenny Maples verified the location of the Thor property located off of Baskins Creek Road and noted the significant elevation difference from the current residence up to the proposed tower location. After a brief discussion by the Board related to the topography, elevation differences of the properties, Mr. Jack Miller, Jr. made a motion to grant the setback variance for the proposed tower due to the hardship created by the steep topography of the property. Mr. Kenny Maples seconded the motion which passed with all members voting aye.

Unscheduled Items

Adjournment

The meeting was unanimously adjourned at approximately 3:25 p.m. after a motion by Mr. Jack Miller, Jr. and a second by Ms. Cyndi Bowling.

Approved by:

MBZA CHAIRMAN

DATE