

MINUTES OF THE  
GATLINBURG MUNICIPAL BOARD OF ZONING APPEALS  
SEPTEMBER 24, 2015  
THURSDAY, 3:00 P.M., CITY HALL

MEMBERS PRESENT

Joe Waggoner  
Jack Miller Jr.  
Ron Smith

MEMBERS ABSENT

Cyndi Bowling  
Kenny Maples

OTHERS PRESENT

Julie Neil, Mountain Press  
Bob Bentz  
Bruce Cantrell

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 variances 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Staff stated that, at the request of the applicant, the height variance portion of the request is withdrawn at this time. Mr. Bob Bentz was present and noted that the original tower design is being reevaluated and therefore most likely will be adjusted and brought forth at a later time. Staff stated that the setback request consists of a proposed 20’ perimeter setback variance from the required 25’ Planned Unit Development setback, leaving a 5’ setback area. Mr. Bentz then explained the details of the overall project and concepts which includes an onsite observation tower. Mr. Bentz stated that due to varying and difficult topography issues associated with the property, they are requesting the variance so that the tower can be strategically located on the ridge of the property where topography is less steep. Mr. Bentz noted that the objective is to create an observation area for visitors to the site which needs to at a certain elevation to be able to see over the existing dense vegetation. Mr. Bentz further noted that the further the tower is pushed from the property line, the steeper the property slope which effects the foundation design and height. Mr. Bentz stated that the proposed location will permit the foundation needed to erect the structure and reduce to overall height of the tower. The Board discussed the request and if the proposal would have any negative effect on the adjoining properties. Staff noted that there was significant elevation differences from the existing residences located on Baskins Creek Road to the base of the proposed tower. Staff noted that the adjoining property slopes are steep and slope up from the Baskins Creek Road. The Board concluded that due to the elevation differences and heavy vegetation that exists between the structures, the location did not appear to have any negative impact to the adjoining property. The Board asked if Staff had

heard from the adjoining property owner. Staff responded that no response has been received from the adjacent property owner. A motion was made by Mr. Jack Miller to approve the setback variance due to the hardship in the steep topography of the property. The motion unanimously passed after a second by Mr. Ron Smith.

Unscheduled Items

Adjournment

The meeting was unanimously adjourned at approximately 3:15 p.m. after a motion by Mr. Ron Smith, and a second by Mr. Jack Miller.

**Approved by:**

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**MBZA CHAIRMAN**

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**DATE**