

**MINUTES OF THE  
SPECIAL CALLED  
STORMWATER COMMITTEE MEETING  
FRIDAY, FEBRUARY 4 2015, 9:30 A.M.  
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Jay Ogle, Chairman  
Judy Harrell  
Jeff Dodgen  
Stephen Houser  
Tom Marsh

MEMBERS ABSENT

Jerry Clark

OTHERS PRESENT

David Taylor, Karl Kreis, Midge Jessiman, City Attorney Gass, Sammy Ownby, Brandon Williams, Jake Old, Mike Suttles, Brett Collier, Attorney Arther Seymour, Attorney Adam Carr, Mimi Kulp, others.

**BOARD OF ZONING APPEALS**

1. Call to order

Meeting was called to order at 11:00 A.M.

2. Old business

3. New business

**A. Request for Variance, Section 4, 6 (a) of the Stormwater Ordinance, Buffer Requirements, 3576 Parkway, Brent Collier and Mike Suttles.**

Mr. Mike Suttles, Mr. Brett Collier, Attorney Arthur Seymour, Attorney Adam Carr, and Bruce Cantrell were present to represent the request. Attorney Arthur Seymour started by stating he believed his client is an exception to the 30 ft buffer, because there is a "preexisting wall" on the property. He asked their project be exempt from the regulations. Mr. Suttles said there are photos from 1992 showing the wall. He said they are asking to build to the property line, which he reported is the wall. He believed McDonald's built the wall. He said exhibits 7 through 9 were letters from TDEC and Army Corps of Engineers, which said their proposal would "not violate" law. Attorney

Seymour said if that was the case they did not need variance of stormwater regulations.

STAFF RECOMMENDATION

Staff Planner Taylor said he does not know about any preexisting condition of the wall. He reported the property has been in an undeveloped vegetative state for 10 years, so it needs to be viewed as such for stormwater purposes. He said staff was not necessarily opposed to granting variance, but he felt staff does not have enough information to make a recommendation. He continued that their site plan has been denied, so there is no workable site plan for the property to base variance or mitigation. He said staff needs a workable site plan with engineered stormwater plans before making a recommendation. Discussion ensued. Mr. Collier said that he wants a variance (or exception) before he spends money on engineering a stormwater plan. Mr. Cantrell stated possibilities for how they could handle the stormwater. Mr. Taylor said that any recommendation or Board action would be premature without more concrete engineering plans. He added that their stormwater needs would likely need to be mitigated and there is no way to know how to mitigate the problem without engineering. After much discussion, it was agreed upon by all parties to adjourn until the next scheduled Planning Commission meeting, so further information can be obtain.

ACTION TAKEN

After much discussion, Commissioner Dodgen made a motion to adjourn the meeting and reconvene at the regular scheduled meeting on February 24<sup>th</sup> at 3p.m. Commissioner Houser seconded and all voted in favor.

4. Adjournment

The meeting was adjourned at 11:40 a.m.

\_\_\_\_\_  
Jay Ogle, Chairman

Attest:\_\_\_\_\_