

**MINUTES OF THE  
CITY OF PIGEON FORGE PLANNING COMMISSION  
AND BOARD OF ZONING APPEALS  
TUESDAY MARCH 24, 2009, 3:00 P.M.  
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Bill Bradley  
Jerry Clark  
Robert Young  
Bill Howell

MEMBERS ABSENT

Jay Ogle  
Joyce Brackins

OTHERS PRESENT

David Taylor, Karl Kreis, Joe Dunn, Jerry Hanson, Donna Cantrell, Amanda Fox, Mike Suttles, Derek Hodges, Mimi Kulp, others.

City Attorney – Jim Gass  
Bart Hose – State Planner

CALL TO ORDER

Chairman Bradley noted that a quorum was present.

APPROVAL OF MINUTES

The minutes of the meeting February 24, 2009 were approved on a motion by Commissioner Howell and seconded by Commissioner Young.

NEW BUSINESS

**PLANNING COMMISSION**

**A. SPECIAL EVENTS**

- 1. Sevier County Marine Corp League #1206 Fundraiser, Friday, April 17 and Saturday, April 18, 2009, Red Roof Mall parking lot, John Linnert.**
- 2. Gold Wings Practice and Stalls Run – Belz Outlets, Wednesday, April 22 – Friday, April 24, 2009, Amanda Fox.**

- 3. March of Dimes – March for Babies, Pigeon Forge High School, Saturday, June 6, 2009, Maria Roberts.**
- 4. Rotary International – 5K Revenuer Run/1 Mile Garden Walk, Music Road Hotel, Saturday, May 9, 2009, 7a.m.-8:30 a.m., Henderson Chapel Road and Surrounding Neighborhood, Tim Baker.**
- 5. March of Dimes – Bikers for Babies, Starts and Ends at Dixie Stampede, Saturday, August 29, 2009, Maria Roberts.**
- 6. Alamo Restaurant, Request for a Temporary Use Permit (OPC Location), Alamo Restaurant – 3050 Parkway, Tim Dunnivant.**

STAFF RECOMMENDATIONS

Being recurring events, Staff recommended in favor of the requests.

ACTION TAKEN

Commissioner Young made a motion to approve the request.  
Commissioner Howell seconded and all voted in favor

- 4. Old Mill Square – Children’s Event, Saturday, April 25, 2009, 175 Old Mill Avenue, Marvelle Sewell.**

ACTION TAKEN

This item was withdrawn before the meeting.

- 7. Spring Truckload Sale - Belz Outlets Friday, April 17-Monday, April 20, 2009, Amanda Fox.**

STAFF RECOMMENDATIONS

Staff recommended in favor of the request.

ACTION TAKEN

Commissioner Young made a motion to approve the request.  
Commissioner Clark seconded and all voted in favor.

**B. SUBDIVISIONS**

**C. Planned Unit Developments (PUD)**

**1. Preliminary PUD Plat and Plan of Brookstone Village PUD (8 cabins), Phase 1, Brookstone Way, David Hurst.**

ACTION TAKEN

This item was withdrawn before the meeting.

**D. SITE PLANS**

**1. Premier Media, Billboard Relocation and Consolidation, Smith Family Theater and Miracle Theater Properties, Mike Fleming.**

Mr. Fleming was present.

STAFF RECOMMENDATIONS

Mr. Taylor explained that it is the Planning Commission's role is to determine if the billboard is 5 ft. off the right-of-way. City Attorney Gass stated that a standard agreement between the applicant and City Commission must still be negotiated and approved.

ACTION TAKEN

Commissioner Young made a motion to confirm that the proposed location is at least five feet off the public R.O.W. Commissioner Clark seconded and all voted in favor.

**2. Dollywood Sky Zip, Revised Site Plan, Center of Dollywood Theme Park, Guy Wantiez.**

Mr. Wantiez was present.

STAFF RECOMMENDATIONS

Staff recommended in favor of the site plan.

ACTION TAKEN

Commissioner Howell made a motion to approve the request. Commissioner Clark seconded and all voted in favor.

**E. Requests for Rezoning**

**1. Cindy Owens and Tommy Wear, Two parcels totaling approximately 12.3 acres at 362 & 370 Ogle Drive (Tax Map 94,**

**Parcels 156.00 and Tax Map 94F, Parcel 31.01), Ogle Drive, R-1 (Low Density Residential) to C-2 (Tourist Commercial) District.**

This item was withdrawn before the meeting.

**PLANNING REGION ITEMS**

**G. SUBDIVISIONS**

- 1. Preliminary Re-Subdivision Plat of Lots 1R, 2R, 3R, 4R, and 8R Americana Community (Tax Map 82, Parcel 98.00, District 5), Crestview Drive, Frank and Terry Aparicio/ Mike Suttles.**

Frank and Terry Aparicio were present.

STAFF RECOMMENDATIONS

Mr. Taylor reported that the plat was moving some existing lot lines to the front of the subdivision and adding a short road to better access the lots. He continued that they were also adding a 6" water line and hydrant to the lots. He pointed out that the public water and better access would improve fire and emergency protection. He stated that the proposal met subdivision and zoning requirements. Many were present in opposition to the plat. Jerry Britton stated that the plat violates their subdivision (Americana Community) covenants and restrictions. Discussion ensued. Both staff planner Taylor and Attorney Gass felt that any violations to the Americana Communities covenants and restrictions was something that would have to be worked out in Chancery Court. They stated that the Commission was tasked to review the plat on the merits in relation to governing subdivision and zoning regulation. The issue of adequate sight distance for the proposed road was also discussed.

ACTION TAKEN

Commissioner Howell made a motion to table the request for the next meeting for the two sides to attempt to work out a solution and for issues like sight distance to be investigated. Commissioner Clark seconded and all voted in favor.

**I. SITE PLANS**

- 1. Proposed expansion for D&S Automotive Repairs (Tax Map 073, Parcel 066.04), County Site Plan, Roberts Court, Donna Jo Steen.**

Ms. Steen was present.

### STAFF RECOMMENDATIONS

Mr. Taylor stated that staff recommends in favor of this request. The only concern is the proposed driveway being gravel. However, he stated that is allowed according to county restrictions.

### ACTION TAKEN

Commissioner Howell made a motion to approve the request. Commissioner Young seconded and all voted in favor.

## **J. REQUESTS FOR REZONING**

- 1. Ross Ogle and Ross Ogle Jr., approximately 22 acres on two parcels, (Tax Map 105, Parcel 91.03 & 91.04), Mill Creek Road, from R-1 (Rural Residential) to A-1 (Agricultural) District.**

Mr. Ogle was present.

### STAFF RECOMMENDATIONS

Mr. Taylor reported this is across the road from Mr. Ogle's previous commercial rezone request. The land is steep and staff had concerns about his original request to rezone this commercial. An agricultural district would allow the applicant to run his zip line operation without creating unnecessary commercial land. Staff recommended in favor of the request.

### ACTION TAKEN

Commissioner Howell made a motion to approve the request. Commissioner Young seconded and all voted in favor.

## **K. MISCELLANEOUS REQUESTS OR REQUIRED ACTIONS**

- 1. Request for annexation, approximately 10.5 acres at Little Valley Road, (Tax Map 93, Parcel 27.01), Tony Lee Rast.**

This item was withdrawn before the meeting.

- 2. Request for extension of preliminary plan approval for MacAllan Ridge PUD Development, Johnee Barnett.**

Ms. Cantrell was present.

STAFF RECOMMENDATIONS

Staff recommended in favor.

ACTION TAKEN

Commissioner Howell made a motion to extend this preliminary approval for 1 year. Commissioner Clark seconded and all voted in favor.

The meeting was adjourned at 4:00 p.m.

**BOARD OF ZONING APPEALS**

1. Call to order
2. Old business
3. New business

**A. Smoky Mountain Harley Davidson – Walden’s Landing, Variance request/second appeal of staff decision in determining number of signs and square footage of wall signage, 105 Waldens Main Street, Steve Ownby.**

No one was present.

STAFF RECOMMENDATIONS

Mr. Taylor reported that this business was given variance to have the signage that is currently on the business. The proposed sign would be in violation of either the number of wall signs and/or total square footage of signage. He recommended to deny the request.

ACTION TAKEN

Commissioner Howell made a motion to deny the request. Commissioner Clark seconded and all voted to deny it.

The meeting was adjourned at 4:10 p.m.

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Bill Bradley, Chairman

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