

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY, APRIL 28, 2015, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Jay Ogle, Chairman
Jeff Dodgen
Jerry Clark
Judy Harrell
Tom Marsh
Stephen Houser
Tony Kyker

MEMBERS ABSENT

OTHERS PRESENT

David Taylor, Karl Kreis, Mark Miller, Brandon Williams, Jerry Hanson, Tim Wallace, Betty Roode, Jason Hunt, Donald Short, Jackie Barnes, Leslie Thomas, Marcus Whaley, Brennon Garrett, Mimi Kulp, others.

Jim Gass, City Attorney
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BOARD OF ZONING APPEALS

1. Call to order
2. Old business

A. Request for variance to allow a 10 ft front setback instead of the required 30 ft in an R-1 district, Thurman Heights Subdivision 2, Lot 35, Center and Carolina Road, Darrell Keene.

Mr. Tim Wallace was present for the request. He explained that he was requesting front setback variance. He said their request is based on the lot being irregular shape (triangular), a greater than 30 percent slope in the front, and a creek that runs through the property.

STAFF RECOMMENDATION

Staff Planner Taylor said that as Mr. Wallace explained the conditions warrant variance of setback. However, he said in such cases the Board generally grants front setback of 15 ft instead of the requested 10 ft. He continued that the survey is showing a rear setback of 30 ft instead of the required 25 ft, so the build could easily go back an extra 5 ft. Mr. Wallace concurred.

ACTION TAKEN

Commissioner Houser stated the request met State's criterion for variance and made a motion to allow a 15 ft front setback per staff's recommendation. Commissioner Dodgen seconded and all voted in favor.

B. Request for variance to allow a 6.3 ft. side setback instead of the required 15 ft. in an R-1 district, 3134 Noland Drive, Betty Roode.

Ms. Roode was present. She asked the Board for variance stating the land is steep and the lot is odd shaped.

STAFF RECOMMENDATION

Staff Planner Taylor said the building site has been graded in and he said the property drops off severely from the proposed building site. Board members asked if there were any nearby structures. Mr. Taylor explained that the property was wooded and that the adjoining lot structure was not close.

ACTION TAKEN

Commissioner Dodgen made a motion to approve the variance as proposed. Commissioner Harrell seconded and all voted in favor.

C. Request for variance of Section 409.2.1 regarding drainage plans for commercial development, Courtyard Marriot – 112 Community Center Drive, Jason Hunt.

Mr. Hunt was present. He asked the Board for variance of site plan drainage requirements. He said that in his opinion it would increase the flow for the overall basin if detained and the only place for detention was the floodway, which he felt would not be effective. He proposed water quality controls instead of detention.

STAFF RECOMMENDATION

Staff Planner Taylor said that the request does not meet State requirements for grant zoning variance. He said that the detention does not have to be placed in the floodway, that there could be underground detention or pervious pavers to achieve compliance. He said that other developments adjacent to rivers/streams have been able to solve the problem through engineering. Discussion ensued. Board members expressed that granting this would set a bad precedence. They agreed that other developments have solved similar problems.

ACTION TAKEN

Commissioner Houser said that the applicant failed to meet State criterion for variance and made a motion to deny the request. Commissioner Clark seconded and all voted to deny it.

3. New business

4. Adjournment

PLANNING COMMISSION

CALL TO ORDER

Chairman Ogle noted that a quorum was present.

ELECTION OF OFFICERS

APPROVAL OF MINUTES

Commissioner Houser stated that at the March 24 meeting Commissioner Bradley was listed as calling the meeting to order and it should be changed to Commissioner Ogle. Commissioner Houser made a motion to approve the minutes with the correction. Commissioner Marsh seconded and all voted in favor.

OLD BUSINESS

None.

NEW BUSINESS

City of Pigeon Forge Items

A. Special Events

- 1. Relay for Life – 8th Annual Crawfish Boil, Saturday, June 13th, 2015, 11 AM – 6 PM, Norma Dan Motel (3864 Parkway), Donald Short.**

Mr. Short was there and explained his event.

STAFF RECOMMENDATION

Staff recommended in favor of this annual event.

ACTION TAKEN

Commissioner Harrell made a motion to approve the request.
Commissioner Marsh seconded and all voted in favor.

- 2. Smoky Mountain Sevier ABWA – Jingle, Jog, & Walk, Saturday, November 15, 2015, Patriot Park, Greenway, and City Parking Lot, Jackie Barnes.**

No one was present.

STAFF RECOMMENDATION

Staff Planner Taylor the original date was in conflict with other events in the area. He said this date was satisfactory with all parties involved. Staff recommended in favor of this event.

ACTION TAKEN

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

- 3. Mountain Breeze Motel – Comet and Avalanche Gatherings, Thursday, June 4th, through Sunday, June 7th, 2015 and Thursday, July 23rd, through Sunday, July 26th, 2015, 2926 Parkway, Suzy Campbell.**

Ms. Campbell showed too late to address the Commission.

STAFF RECOMMENDATION

Staff Planner Taylor said that there were no issues with this annual event.

ACTION TAKEN

Commissioner Marsh made a motion to approve the request.
Commissioner Dodgen seconded and all voted in favor.

4. July 4th Car Parking, Saturday, July 4th, 2015, 219 Old Mill Avenue, Brittney Carr.

No one was present for this request. Staff said she called to inform that she could not attend.

STAFF RECOMMENDATION

Staff recommended in favor of this annual event and stated that a business license must be obtained before the event.

ACTION TAKEN

Commissioner Kyker made a motion to approve the request.
Commissioner Marsh seconded and all voted in favor.

5. The Comedy Barn Theater 20th Anniversary Celebration, Tuesday, June 16th, 2015, 2775 Parkway, Leslie Thomas

Mr. Fee was present and explained the details of the event. He said they are proposing the world's largest pie fight (using shaving cream) in the Parkway ROW in front of The Comedy Barn. He stated in addition to activities listed in their application, he would like to block a lane of traffic on the Parkway and use The Island parking lot for the event.

STAFF RECOMMENDATION

Staff Planner Taylor said that staff has many concerns about the event. He was concerned about the use of Parkway ROW and lane closures to have the event; and, proposing the fire department hose the shaving cream into the river, which could violate TDEC regulations. He said there are many details yet to be worked out before staff can recommend the event. Some Commissioners expressed excitement about the event, but agreed details need to be worked out.

ACTION TAKEN

Mr. Fee withdrew the request due to several issues that must be discussed further. No action was taken.

6. Lumberjack Feud – Dock Dogs Wild Card Challenge, Friday, May, 8th through Sunday, May 10th, 2015, 2713 Parkway, Joey Spurlock.

No one was present.

ACTION TAKEN

Staff explained that this event was new and they were not ready to make a recommendation at this time. A representative was asked to be at the meeting to further explain event details to the Commission. Mr. Taylor said that unfortunately the event is proposed before the next meeting, so action will need to be taken this month.

STAFF RECOMMENDATION

Commissioner Harrell made a motion to deny the request due to lack of representation. Commissioner Clark seconded and all voted to deny.

B. Subdivisions

- 1. None.**

C. Planned Unit Developments (PUD)

- 1. None.**

D. Site Plans

- 1. Courtyard Marriot, Site Plan, 112 Community Center Drive, Jason Hunt.**

Mr. Hunt was present.

STAFF RECOMMENDATION

Staff Planner Taylor reminded the Commission that their request for variance from meeting drainage requirements was denied. He said therefore the site plan lacks an adequate drainage plan and he could not recommend the site plan without a drainage plan.

ACTION TAKEN

No motion was needed. The item was withdrawn by the applicant.

2. Up the Creek RV Campground, Phase 2, Site Plan, Little Valley Road, Marcus Whaley.

Mr. Whaley was present. He explained the site plan for this phase of the development. He said that are working on replacing the existing on-site septic system with City sewer.

STAFF RECOMMENDATION

Staff Planner Taylor explained that the site plan is mostly in order. He did report that the first phase of the development proposed a turn lane on Little Valley Road and staff is holding a bond for the turn lane. He continued that the site plan for this phase of development is no longer showing the turn lane. He said they are now proposing an on-site staging area for RV campers waiting to be checked in. Mr. Whaley explained to the Commission how the staging area will work. He showed an area on-site where up to four RVs would be able to wait to check-in. But, he said the need would never to more than one or two at a time.

ACTION TAKEN

Commissioner Harrell made a motion to approve the plan without the need for a turn lane on Little Valley Road. Commissioner Houser seconded and all voted in favor.

E. Requests for Rezoning

1. James Glynn & Ladonna Jean Twyman, approximately 0.3 acres, (Tax Map 94E, Group A, Parcel 1.00), 3331 S. River Road (Currently Jim Gray Gallery), C-1 (General Commercial) District to C-6 (Mixed-Use Commercial) District.

No one was present.

STAFF RECOMMENDATION

Staff recommended the request be tabled for one month.

ACTION TAKEN

Commissioner Houser made a motion to table the request for one month.
Commissioner Marsh seconded and all voted in favor.

F. Miscellaneous Requests or Required Actions

- 1. None.**

Planning Region Items

A. Subdivisions

- 1. None.**

B. Planned Unit Developments (PUD)

- 1. Final Re-Plat of Lots 161R – 185R and ROW of Sherwood Heights Way of Sherwood Forest Resort PUD, Phase 4, Unit 1, off Rush Branch Road, Brennan Garrett.**

Mr. Garrett was present. He explained that the ROW and cabins are being proposed in a location to better suit the area's topography.

STAFF RECOMMENDATION

Staff Planner Taylor said the plat was in order.

ACTION TAKEN

Commissioner Harrell made a motion to approve the request.
Commissioner Marsh seconded and all voted in favor.

C. Site Plans

- 1. None.**

D. Requests for Rezoning

- 1. None.**

E. Miscellaneous Requests or Required Actions.

- 1. None.**

4. Adjournment

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

Jay Ogle, Chairman

Attest:_____