



## **BOARD OF ZONING APPEALS May 3, 2018**

The Board of Zoning Appeals met at the Civic Center, 130 Gary Wade Blvd., Sevierville, Tennessee on Thursday, May 3, 2018 at 5:20 P.M.

There were present and participating:

### **MEMBERS PRESENT**

Lyle Overbay, Chairman  
Jim Arwood, Vice Chairman  
Vincent Snider, Secretary  
Bryan Atchley, Mayor  
Wayne Helton  
Daryl Roberts  
Austin Williams

### **MEMBERS ABSENT**

None

### **STAFF PRESENT**

Pam Caskie, Development Director  
Butch Stott, Code Enforcement Director  
Judi Forkner, Senior Planner  
Dustin Smith, Planner  
David Black, Chief Building Inspector  
Charles Valentine, Building Inspector  
JC Green, Fire Marshal  
Jim Ellison, City Surveyor  
Brooke Fradd, Recording Secretary

Chairman Overbay declared a quorum present and announced the meeting would proceed.

### **APPROVAL OF MINUTES**

Mr. Arwood made a motion, seconded by Mr. Helton to approve the Minutes of the April 5, 2018 meeting. The motion passed with a unanimous vote.

## **OLD BUSINESS**

### **CASE NUMBER 18-05 – W.C. WHALEY REQUESTS A 5 FEET PERIMETER SETBACK VARIANCE – TAX MAP 61, PARCEL 016.00, ELIZABETH LANE (CITY).**

#### **Staff Comments**

Ms. Caskie reminded the board that when this subdivision was originally approved by the Planning Commission, the developer gave assurance that a house would fit on the lot as presented. The developer asked that the variance be granted based on the location of the pond. He also cited discussions with the Planning Commission as well as City staff, as to the universal acknowledgement that City setback requirements are too restrictive and need to be revised. Mr. Williams asked if this variance request would meet the setbacks required by the potential upcoming changes to the Zoning Ordinance. Ms. Caskie explained that any changes would not be available for already established subdivisions, to protect the property owners who purchased in the subdivision expecting the stricter regulations. Mr. Snider also pointed out that while these changes are proposed, there is no certainty they will be approved. Mr. Williams cited a previous variance, which was granted based on proposed changes to paving regulations.

#### **Action Taken**

Mr. Snider made a motion to deny the variance request, and Mr. Arwood offered a second. Chairman Overbay called for a roll call vote. The motion passed 4 to 2, with Mr. Arwood, Mayor Atchley, Mr. Helton, and Mr. Snider voting in the affirmative, and Mr. Roberts and Mr. Williams voting in the negative.

## **NEW BUSINESS**

### **CASE NUMBER 18-08 – NORVELL AND POE ENGINEERS REQUESTS A VARIANCE TO SECTION 5.1.2 OF THE ZONING ORDINANCE FOR AN EXPETION TO THE 400 FEET REQUIREMENT FOR PARKING – TAX MAP 72, PORTION OF PARCEL 053.00, NEW ERA ROAD (CITY).**

#### **Staff Comments**

Ms. Caskie informed the Planning Commission that the applicant has submitted a letter to clarify the intended use for this off-site parking. Standard customer parking is available on-site and only lack 60 of the spaces required for this project. The off-site lot would be used for valet parking when needed, which is customary at Dave & Buster's other locations. This location would also be used for bus parking, which is not a City regulation, but the applicant recognizes the need for, given the nature of the venue.

#### **Action Taken**

Mr. Snider made a motion to approve this variance. Mr. Williams seconded the motion, which passed unanimously.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 5:39 p.m.

---

Lyle Overbay, Chairman

---

Vincent Snider, Secretary

---

Brooke Fradd, Recording Secretary