



**BOARD OF ZONING APPEALS  
MINUTES  
OCTOBER 7, 2021**

The regularly scheduled meeting of the Sevierville Board of Zoning Appeals was held at the Civic Center, 130 Gary Wade Boulevard, Sevierville, Tennessee on Thursday, October 7, 2021 at 6:04 PM.

There were present and participating:

**MEMBERS PRESENT**

Vincent Snider, Chairman  
Austin Williams, Vice-Chairman  
Douglas Messer, Secretary  
Robbie Fox  
Wayne Helton  
Daryl Roberts

**MEMBERS ABSENT**

Butch Stott

**STAFF PRESENT**

Dustin Smith, Development Director  
Kristina Rodreick, Senior Planner  
David Black, Building Official  
JC Green, Fire Marshal  
Jim Ellison, City Surveyor  
Brooke Fradd, Recording Secretary

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

**APPROVAL OF MINUTES**

Mr. Williams made a motion, seconded by Mr. Helton to approve the minutes of the July 13, 2021 meeting. The motion passed with a unanimous vote.

**OLD BUSINESS**

None

## **NEW BUSINESS**

### **CASE NUMBER 21-11 – GOVERNORS CROSSING LEASING & MANAGEMENT REQUESTS A VARIANCE TO SECTION 3.4.11.4 OF THE ZONING ORDINANCE – 225 COLLIER DRIVE (CITY).**

Mr. Smith explained that Section 3.4.11.4 of the Sevierville Zoning Ordinance places limits on the permitting of temporary structures. Permits may be issued for four temporary structures per year at 10-day intervals, resulting in a total allowable time frame for temporary structures of 40 days per year. The applicant is requesting a variance so that he can erect a temporary tent for six months, allowing the business to operate outdoor activities through the winter.

Don Collier addressed the board, explaining that in previous years many of these activities have been held inside the resort. Due to COVID-19, the resort would like to move pumpkin painting, crafts, and other seasonal activities outside. He explained that the tent would not be visible from the city streets and would be kept to the interior of the development. The resort held the activities outside last year but were hampered by the weather.

The board questioned why the resort was pursuing a temporary structure, rather than a permanent pavilion. Mr. Collier explained that they were unaware of a need for a temporary structure permit. Once they learned of it, it was too late in the year, as a permanent structure would take six to nine months to construct. The temporary structure would be large enough to require emergency lights and power, which could be inspected by staff at regular intervals. He also stated that the activities would end daily at 9:00 PM and not go late into the evening.

#### **Action Taken**

Mr. Roberts made a motion to grant a one-time variance due to the COVID-19 hardship, subject to monthly inspections, a 6-month time limit beginning 9/23/2021 when the tent was erected, the limitation of activities to resort guests, and that the temporary structure is not visible from the road. Mr. Helton offered a second, and the motion passed unanimously.

### **CASE NUMBER 21-12 – VOGUE TOWERS REQUESTS AN INTERPRETATION ON HEIGHT OF COMMUNICATION TOWERS FOR SETBACK PURPOSES – 1419 PARKWAY (CITY).**

Mr. Smith stated that the applicant had previously submitted a request for a setback variance at this site, which was denied by the board. The new design submitted proposes a reduction in height to the tower, but still does not meet setbacks required of the TCL – Tourist Commercial zone.

Patricia Troxell-Tant of Vogue Towers addressed the board, explaining that new design lowers height of the tower, in addition to moving the location further from the property line. She also referenced a submitted letter from the engineer which explains fall zone construction. She requested that the height of the communication tower interpretation consider this engineering feature.

The board questioned if safety was the only factor in determining setbacks. Mr. Smith clarified that this site plan would work in many of the other zoning classifications, stating that the TCL zone requires larger setbacks, in part, to protect the view shed. The board expressed interest in revisiting the Wireless Telecommunication Facility regulations, in relation to updates with fall-zone safety features. They stated that this should be done in a comprehensive manner, rather than by variance to a single case.

**Action Taken**

The applicant withdrew interpretation request.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 6:45 PM.

\_\_\_\_\_  
Vincent Snider, Chairman

\_\_\_\_\_  
Douglas Messer, Secretary

\_\_\_\_\_  
Brooke Fradd, Recording Secretary