

MINUTES OF THE  
GATLINBURG MUNICIPAL BOARD OF ZONING APPEALS  
June 25, 2009  
Thursday, 3:00 p.m., City Hall

MEMBERS PRESENT

Kenny Maples, Chairman  
Fred McMahan  
Joe Waggoner

MEMBERS ABSENT

Jack Miller, Jr.  
Jim Johnson

OTHERS PRESENT

Craig Cooper

Staff Representatives:      David Ball, City Planner  
   Ashley Miller, Assistant City Planner

The meeting was called to order at 3:00 p.m., with Chairman Kenny Maples presiding. The minutes, of the May 28, 2009, meeting, were unanimously approved following a motion by Mr. Fred McMahan and a second by Mr. Joe Waggoner.

Petitions and Communications from the public

Staff Report

Mr. Joe Waggoner made a motion to count the two-hour workshop on June 18, 2009, towards their continuing education. Mr. Fred McMahan seconded the motion, with all members voting aye.

Old Business

New Business

**a) Review and consideration for a Special Use on Review Permit for “Gatlinburg Arts and Crafts,” located at 1133 Parkway, zoned C-1, requested by Craig Cooper.**

Staff presented the request for a Special Use on Review Permit for craft demonstrations at 1133 Parkway. Staff stated that the craft demonstrations may impede pedestrian traffic flow; therefore the ordinance requires that the demonstrations be conducted outside of the front yard setback area. Staff pointed out at this particular site, a demonstration area has been identified that complies with the setback requirements. Staff added that any demonstration that emits noise shall be held to the noise standards set forth in the Municipal Zoning Ordinance. Staff stated that the MBZA was appointed by City Commission to review such requests, which is in keeping with traditional planning practices. Staff also stated that the Board should be aware that the Special Use on Review Permits shall expire six (6) months from the date of approval. Staff then gave an overview of the newly adopted ordinance provisions. Staff stated that the application does not identify the specific type(s) of craft demonstrations the applicant is requesting to conduct on the property. Staff noted that the property has recently been used for chainsaw art demonstrations and the assumption is that the chainsaw art would continue at this location. Staff added that the ordinance provisions do not permit sale or monetary transactions outside the principle building.

Staff explained that since the use and proposed transaction method information have not been specified on the application, staff requests that the applicant state the type(s) of craft demonstrations and monetary transaction methods at the meeting so the Board is able to make an accurate determination if the proposed craft demonstrations are in keeping with the ordinance.

Mr. Craig Cooper was present and stated that only one craftsman at a time will be conducting demonstrations at the 1133 Parkway location. Mr. Cooper also stated that the Police Department has come by and checked the noise levels emitted from the chainsaw used for chainsaw artist. Mr. Kenny Maples asked if Mr. Cooper is permitted to request another Special Use on Review Permit. Staff stated that a Special Use on Review Permit may be reissued every six months, but only one craft demonstration may be conducted at a time. Mr. Waggoner asked if there could be more than one person demonstrating at a time. Staff stated that the ordinance allows for one permit for one exhibit. The Board questioned the prohibition of outdoor display of merchandise in the C-A Overlay District. Mr. Cooper stated that the items being produced outside of the building are brought inside once complete to be sold. Mr. Cooper added that if patrons want to purchase an unfinished piece, then the item is brought inside where all the monetary transactions will take place. Mr. Cooper also noted that the demonstration items outside of the store will not have price tags on them, only the items within the store. Mr. Cooper finally stated that 99% of the time the chainsaw artists will be conducting demonstrations, but local potters, painters, and a knife craftsman have expressed interest in conducting demonstrations at the store. Mr. Waggoner added that the phrase "traditional to the Appalachian Region," as it relates to this request, is a bit new age but demonstrates a woodworking craft. After further discussion, Mr. Joe Waggoner made the motion to approve the Special Use on Review. Mr. Fred McMahan seconded the motion with all members voting aye.

Unscheduled Items

Adjournment

There being no further business to come before the Board, the meeting was unanimously adjourned at 3:17 p.m., after a motion by Mr. Fred McMahan and a second by Mr. Joe Waggoner.

**Approved by:**

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**MBZA CHAIRMAN**

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**DATE**