

**Town of Maggie Valley**  
**Regularly Scheduled Zoning Board of Adjustment Meeting**  
**Maggie Valley Town Hall**  
**Flossie White Room**  
**Thursday April 10, 5:30 p.m.**  
**MINUTES**

Members Present: Chairman Ron DeSimone, Nancy Fish, Catherine Young, Dean Tomlinson, Candy Way, and Caroline Edwards  
Staff Present: Manager Tim Barth, Planning Director Nathan Clark, and Town Clerk Vickie Best  
Others Present: Manuel Fick and William Banks

**1. Approval of the Minutes: February 14 & 21, 2008**

**MS DENNIS MADE A MOTION TO APPROVE THE MINUTES AS  
PRESENTED FOR FEBRUARY 14 AND 21, 2008.  
MS. YOUNG SECONDED THE MOTION.  
MOTION CARRIED UNANIMOUSLY.**

**2. Confirmation of New Member: Nancy Fish**

Clerk Best administered the oath of office to Ms. Fish. Ms. Fish will be serving as an Extra Territorial Jurisdiction member of the Zoning Board of Adjustments.

The Board welcomed Ms. Fish.

**3: Special Exception: Smoky Mountain Adventure Zone**

Mr. Fick previously appeared before the zoning board making the same request as today just for a different location. An agreement could not be made with the owner of the previous location that Mr. Fick intended to lease. Now Mr. Fick would like to move his business site to the BBQ Shack and Winter Valley Snowmobiles. Both owners of both businesses feel Smoky Mountain Adventure Zone would be a nice fit. Mr. Jason Moody, the owner of Winter Valley Snowmobiles, has previously received a special exception to allow him to run four-wheelers during the summer months. The four-wheeler will only run about seven mile per hour and is designed for children under 10 years of age.

With the increase in the volume of people, Mr. Fick has already updated the restrooms at the BBQ Shack to be handicap accessible.

The wood scraps from the Smokey Mountain Chainsaw Carver will be cleared away to allow for additional parking. The unmarked parking spaces will be in gravel other than the handicap spaces, which will be marked and paved.

As for lighting, Mr. Moody has some lighting; none of which have had a negative effect on the neighbors. Mr. Fick would like to add a few more lights. The additional lighting

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will be directed toward the trampoline. A light box will shine from the ground at a 45-degree angle toward the trampoline.

Mr. Moody has even discussed Mr. Fick operating his four-wheeler amusement. Mr. Fick will install a fence between Mr. Moody's venue and his own.

All rental/ lease agreements have been signed between all parties.

As for signage, Mr. Fick will utilize the allowed 1-month banner to announce his opening of Smoky Mountain Adventure Zone. Afterwards he will attach a small sign to the Winter Valley sign. The amusements i.e. trampoline and climbing rock will act as signage and draw attention alone without large distracting signage. Mr. Fick would like to have rope lights that do not flicker around the trampoline and the rock-climbing unit. This makes the poles look longer in the evening hours, thus making it look to be more of a challenge.

The area will be considered a unified business. Three businesses are considered a unified business. Two parcels make up this area, with two different owners.

NC Department of Labor and Insurance will be inspecting the amusements.

Mr. Tomlinson questioned how many businesses would be allowed on one site. The issue should be addressed in the ordinance rather than being subjective.

Director Clark explained that the four-wheelers are just an extension of the snowmobile business. These amusements will draw the same people; children ages 6 to 14 years old. The businesses are located in the community attraction area, per the land use plan. Another example is Fantasy Golf adding the gyroscope. The activities blend.

**MR. TOMLINSON MADE A MOTION TO APPROVE THE SITE PLAN AS PRESENTED ON THIS DATE BY SMOKY MOUNTAIN ADVENTURES WITH THE EXCEPTION OF USING WINTER VALLEY'S EXISTING SIGN FRAME. MS. WAY SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.**

#### **4: Other Business**

Four applications have been submitted to fill the three vacant seats on the Zoning Board of Adjustments. Interviews will be scheduled shortly. The seats that have expired belong to Connie Dennis, Garrett Anderson, and Torry Pinter. Mr. Pinter does not wish to reapply due to his business needing more of his time.

#### **5: Public Comment**

There were no comments presented.

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6: **Adjournment**

**ON MOTION OF MS. EDWARDS, SECONDED BY MS. DENNIS, THE  
MEETING ADJOURNED AT 7:15 P.M.  
ALL WERE IN FAVOR.**

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Roger McElroy, Mayor

Seal

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Vickie Best, CMC, Town Clerk