

**MINUTES**  
**VONORE BOARD OF ZONING APPEALS**  
**May 7, 2019**

**Members Present**

Allen Cansler, Chair  
Bob Lovingood, Mayor  
Harold Davis  
Greg Fowler  
Michael Moore  
Tim Swafford

**Members Absent**

**Others Present**

Ruth Viergutz Hawk, Planner  
Greg Altum, Press

**Citizens Present:** Brittany Chandler, Shea Chandler, Chris Stephenson, Richard Graves, Britany Lance, Chelsey Farmer, and Stephany Atkins

**CALL TO ORDER**

Chairman Cansler called the meeting to order at 6:00 p.m.

**APPROVAL OF MINUTES**

Commissioner Davis moved to approve the minutes of February 6, 2018. Commissioner Swafford seconded the motion and the motion passed unanimously.

**PUBLIC HEARING ON REQUEST FOR SPECIAL EXCEPTION FOR A GROUP CARE FACILITY, KNOWN AS THE MAGNOLIA HOUSE AND LOCATED AT 350 DAWSON STREET, MONROE COUNTY TAX MAP 028, PARCEL 030.19, ZONED R-2 (MSHN, LLC c/o Brittany Chandler, Applicant)**

Hawk reviewed the history of the project, the subsequent law suit, and the Memorandum of Understanding that the Town of Vonore, David Gaither, and MSHN Enterprises, LLC entered into in April 2018. Hawk reviewed the Memorandum of Understanding (MOU) and the Group Care Facility Special Exception requirements in the R-2 District. Per the MOU, it was understood that the fencing, building setbacks, and road improvement requirements may not fully meet the Special Exception requirements, but that the spirit and intent of the requirements would be adhered to as closely as possible. A general discussion followed.

**Fencing:** By consensus, the Board agreed that the existing privacy fencing located along Dawson Street met the spirit and intent of the Special Exception “fencing” requirements provided the fencing was supplemented with the additional security measures of five (5) motion sensor cameras with battery back-ups being located so as to cover the east, west, and north sides of the building where entrances/exits are located; the windows being tied to the fire alarm system so that when opened the alarm would sound; and all exit doors being tied to the fire alarm system so that when opened the alarm would sound.

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Setbacks: By consensus, the Board agreed that the Administration Building’s 3.0’ front yard setback violation and 2.8’ side yard setback violation were acceptable provided no residents were housed in that building; that the portable shed would be moved to comply with the thirty (30) foot Special Exception minimum building setback requirement; and that the dumpster pad location of 14.5 feet and 13.3 feet from the west property line rather than the minimum required twenty (20) feet was acceptable so as to better accommodate garbage truck access to the site.

Road: Per the Special Exception requirements, Dawson Street is to be improved to a width of twenty (20) feet with two (2) foot wide gravel or paved shoulders on each side. Per the MOU, such improvements would only be required where such expansion is physically feasible given the location of existing utilities and adequate existing road right-of-way widths. Hawk had acquired an as-built drawing of the Dawson Street water line from TASS. The as-built brought to light errors on the utility locations shown on the applicant’s survey prepared by Vick Surveying, LLC.

By consensus, the Board agreed that Dawson Street would only need to be improved to the first and western most entrance into the Magnolia House. The Board requested that the applicant finalize and confirm all the utility line locations on Dawson Street and to include pavement widths and the specific measurements from the existing edge of pavement to the utility lines on the survey. The revised survey should be submitted for next month’s Board of Zoning Appeals meeting.

Mayor Lovingood moved to table action on the Special Exception request for a Group Care Facility until a corrected survey is submitted. Commissioner Davis seconded the motion and the motion passed unanimously.

**ADJOURNMENT**

Commissioner Moore moved to adjourn. Commissioner Swafford seconded the motion and the meeting adjourned at 7:05 p.m.

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Secretary

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Date