

**MINUTES**  
**VONORE BOARD OF ZONING APPEALS**  
**September 1, 2020**

**Members Present**

Allen Cansler, Chair  
Harold Davis, Secretary  
Thomas Flynn  
Greg Fowler  
Tim Swafford

**Members Absent**

Bob Lovingood, Mayor  
Michael Moore

**Others Present**

Ruth Viergutz Hawk, Planner  
Greg Altum, Press

Citizens Present: Gene Rudesill, Steve Young, Bob Farnsworth, Sean Russell, Michelle Russell, James Lee, Barbara Axley, several other neighbors of the Assisted Care Living Facility request.

**CALL TO ORDER**

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

**APPROVAL OF MINUTES**

Commissioner Flynn moved to approve the minutes of May 5, 2020. Commissioner Davis seconded the motion and the motion passed unanimously.

**REQUEST FOR SPECIAL EXCEPTION FOR AN ASSISTED CARE LIVING FACILITY TO BE LOCATED ON THE NORTHEAST CORNER OF PARCEL 065.00, TAX MAP 038, ON THE EAST SIDE OF LAKEVIEW LANE BEHIND THE APARTMENTS FRONTING ON HIGHWAY 360, ZONED R-2 HIGH DENSITY RESIDENTIAL DISTRICT (Seth Schweitzer/oysk3architects, Applicant)**

Hawk presented the request and the minimum development requirements established in the R-2 zoning district. The approval of this use as a Special Exception would be the first step of a multi-step approval process for this facility. A preliminary plat for the improvements to Lakeview Lane would have to be approved as well as a site plan for the facility. Hawk reported that Lakeview Lane is between 10'2" and 12'6" in width and that the utility poles are between 8'6" and 12'2" from the edge of pavement. This implies there is adequate right-of-way to make the necessary improvements to Lakeview Lane. Commissioner Davis reported that there is also a twenty (20) foot wide sewer easement, so the owner can extend the sewer line to the site. A general discussion followed.

Commissioner Davis moved to approve the Special Exception request with the condition that the ten requirements identified in Section 11-405. R-2, High Density Residential District for Nursing Homes and Assisted Care Living Facilities be met. Commissioner Fowler seconded the motion and the motion passed unanimously.

**REQUEST FOR FRONT AND SIDE YARD SETBACK VARIANCES FOR ADDITION TO EXISTING NONCONFORMING BUILDING LOCATED ON PARCEL 012.00, GROUP D, TAX MAP 0280, 1142 HIGHWAY 411 ACROSS FROM THE SCHOOL, BLACK BEAR TRADING POST, ZONED C-3 HIGHWAY COMMERCIAL DISTRICT (Sean Russell, Applicant)**

Hawk presented the request. The property is zoned C-3 with a minimum thirty (30) foot front yard setback and ten (10) foot side yard setback. The current building is approximately ten (10) feet from the front property line and seventeen (17) from the side property line. The applicant would like to extend a covered porch on the southwest side of the building and in the front of the building to tie into the existing front porch and in order to do so is requesting a twenty (20) foot front yard variance and a three (3) foot side yard variance. Currently there is an electric line and associated easement in the side yard. Per Fort Loudon Electric Cooperative (FLEC), the line would need to be moved and the easement abandoned before a structure could be constructed. Mr. Russell is pursuing the variance and if granted, will work with FLEC to remove the power line and easement. Hawk stated the variance request does not meet the minimum requirements established in the Zoning Ordinance. A general discussion followed.

Commissioner Davis moved to approve a three (3) foot side yard variance along the southwest property line and a twenty (20) foot front yard variance provided the power line and associated easement is removed. Commissioner Flynn seconded the motion and the motion passed unanimously.

**OTHER**

James Lee approached the Board of Zoning Appeals and asked that they convene as the Planning Commission to hear his client's, Barbara Axley, subdivision plat variance request. The BZA agreed.

**ADJOURNMENT**

Commissioner Davis moved to adjourn. Commissioner Swafford seconded the motion and the meeting adjourned at 6:30 p.m.

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Secretary

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Date