

Town of Yadkinville  
Board of Adjustment  
Minutes  
September 6, 2011 @ 6:30 p.m.

**MEMBERS PRESENT:**

Ruth Shermer, Chairman  
Mary Reavis  
J.E. Southard  
Ed Hartman  
Virgil Dodson  
Dale Wilhelm

**MEMBERS ABSENT:**

Danny Coe  
Aric Wilhelm

**Staff Present:**

Wanda Doss, Clerk  
Charles Mashburn, Interim Manager  
Perry Williams, Director of Public  
Works

Chairwoman Ruth Shermer called the meeting to order at 6:30 p.m. in the Yadkinville Town Hall and declared a quorum present.

**MINUTES**

Upon motion by Virgil Dodson and second by J.E. Southard the board voted unanimously to approve the minutes of August 16, 2010 as presented.

**PUBLIC HEARING – NEW JAIL SETBACK VARIANCE**

The chair called to order a public hearing for the purpose of considering a request by Yadkin County to be excused from the setback requirements in order to construct a new jail between Cherry Street and Hemlock Street. Charles Mashburn verified that a public notice had been published, that adjacent property owners had been notified by mail, and that a sign had been posted.

County Manager Aaron Church explained that a new jail is planned for the area between Cherry Street and Hemlock Street. The preliminary design indicates the building will be closer to Cherry Street than the setback limits allow. He reported that the Yadkinville Board of Commissioners has passed a resolution supporting the new jail. In that resolution the town board indicated a willingness to relocate utility lines and even a willingness to close part of Cherry Street if necessary.

No one spoke in opposition to the requested variance.

Charles Mashburn reported the staff findings of fact as follows:

1. The construction of a new jail in the downtown business district is not contrary to the public interest.
2. Refusing a setback variance will possibly create a hardship in the design of the new jail.
3. It appears that some existing buildings in the business district do not comply with the twenty-foot front setback or the rear yard and side yard setback requirements.
4. Public safety and welfare will not be harmed. The Yadkinville Town Board has committed to relocating utility lines and streets if necessary.
5. Article 8, 59-3-131 Table of Requirements on page 71 indicates with footnote © that the minimum side yard and rear yard requirements may apply in B-3 only when a building abuts a residential district. The new jail will not abut a residential neighborhood.

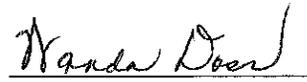
There being no further discussion the chairman declared the public hearing closed.

Mr. Ed Hartman made a motion to grant the setback variance to Yadkin County as requested for a new jail to be constructed between Cherry Street and Hemlock Street. The motion was seconded by Mr. J.E. Southard and all approved with raised hands.

#### **ADJOURNMENT**

The board voted unanimously to adjourn until September 26, 2011 at 7:00 p.m. to conduct an appeal of the downtown paint requirements for El Sarape Mexican Restaurant.

  
Ruth Shermer, Chairman

  
Wanda Doss, Secretary