MINUTES
BOARD OF ADJUSTMENT MEETING
December 17, 2019
5:30 PM
905 WEST AVENUE, 3RD FLOOR

MEMBERS PRESENT:
Sharon Bryant, Jeff Church, Mac Martin, Leah Hamilton, Lucy McCarl, Tim Scobie

MEMBERS ABSENT: James Bradshaw

STAFF PRESENT:
Jenny Wheelock, Hannah Williams, Lauren McKinney

A quorum was established and Chairperson Bryant called the meeting to order.

MINUTES:
The meeting minutes from the March 25, 2019 meeting were considered. Lucy McCarl made a motion to approve and Leah Hamilton seconded the motion. The motion passed unanimously.

NEW BUSINESS: VARIANCE APPLICATION V#2-19
140 Blowing Rock Blvd

City Attorney, TJ Rohr introduced the case and opened up the quasi-judicial evidentiary hearing for V# 2-19 140 Blowing Rock Blvd and explained the rules and procedures.

City Attorney, TJ Rohr requested that anyone wishing to provide testimony be placed under oath. Mark Banks and Jenny Wheelock were placed under oath.

Planning Director, Jenny Wheelock presented the staff report and the applicant's initial and modified site plan. Ms. Wheelock stated the properties current use is Pelican's Snoballs, the applicant has proposed to redevelop this site with Aspen Dental, which will be a demolition and reconstruction. The variance being requested is for section 714.12 parking lot orientation which states "for new construction to have no more than 50 percent of the off-street parking area for building or multi-building project shall be located between the front facade of the principal building and abutting streets".

Ms. Wheelock explained the initial site plan shows 60% of parking located in the front of the building with a total of 26 spaces. When zoning comments were provided to the applicant from Planning staff; a revised site plan was submitted which would meet the parking code, but would require additional easements from the Taco Bell property owner. Staff is recommending the revised site plan as meeting code, which could be permitted without a variance.

The applicant, Mark Banks asked the board to consider the initial site plan, which would need three additional spaces above what the code allows. The applicant stated Aspen Dental has a minimum of 26 parking spaces. Mr. Banks stated the revised site plan would need an easement from the property owner of Taco Bell, which is not guaranteed. The applicant addressed to the board the four standards/conditions for the variance justification.

Board member Martin suggested tabling the case to see if the easement is granted; if so the site plan would meet code and would not need to be approved by this board. Board member McCarl asked if the easement is granted what the cost differential would be.

Chairperson Bryant closed the public hearing.

Board Member Martin made a motion to table variance V#2-19 until January 27, 2020 so applicant could provide additional evidence. The motion was seconded by Board Member McCarl and the motion carried unanimously.

ADJOURNMENT:

There being no further business to be brought before the Board, Chairperson Bryant adjourned the meeting at 6:30 p.m.

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Sharon Bryant, Chair **Jenny Wheelock, Planning Director**