

**MINUTES**  
**BOARD OF ADJUSTMENT MEETING**  
**January 27, 2020**  
**5:30 PM**  
**905 WEST AVENUE**

**MEMBERS PRESENT:**

Sharon T. 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:**

Board Member Scobie moved approval of the meeting minutes of December 17, 2019. Board Member Church seconded the motion, which was voted upon and passed by unanimous vote.

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

Chairperson Bryant introduced the variance case for Aspen Dental at 140 Blowing Rock Blvd NE, which was tabled at the last meeting. Aspen Dental asked for a variance to Sec. 714.12 which states that no more than 50% of the off-street parking area shall not be located between the front facade of the principal building and abutting streets.

City Attorney, TJ Rohr reopened the evidentiary quasi-judicial hearing for V# 2-19 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.

Mark Banks, the applicant presented additional evidence requested by the Board. Mr. Banks stated no progress has been made obtaining the easement from the property owner of Taco Bell. Since the easement was not granted the additional three spaces are needed.

Mr. Banks explained by obtaining this variance Lenoir would be receiving a new building, sales and property tax, and ten new jobs. The applicant addressed the 4

revised standards/conditions for the variance justification and answered the Board's questions.

Jenny Wheelock, Planning Director stated the City of Lenoir parking code requires 3 parking spaces per 1,000 square feet and explained how it relates to this variance request. Mrs. Wheelock spoke about the two site plans provided to the Board at the last meeting; the alternate site plan would meet code.

Chairperson Bryant closed the public hearing.

Board Member Hamilton stated she is unable see how the hardship is not self-created since Aspen Dental has their own parking requirements and chose a site that cannot meet the City of Lenoir parking requirements.

**Board Member McCarl made a motion that we adopt the findings of facts recommended by the staff 1-4 and that we deny the application for the variance. The motion was seconded by Board Member Hamilton. Sharon Bryant, Tim Scobie, Jeff Church, Leah Hamilton, and Lucy McCarl were in favor, Mac Martin denied.**

#### **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 T. Bryant, Chair**

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**Jenny Wheelock, Planning Director**