

CITY OF ELIZABETH CITY
BOARD OF ZONING ADJUSTMENT
REGULAR MEETING
TUESDAY, March 18, 2014
5:30 PM

MEMBERS PRESENT

Carlton Etheridge
Peggy Davenport
Lee Gutman
David Harris
Lemuel Lamb
Robert Thorne

Also present were June Brooks, Planning Director, Angela Cole, Senior Planner and Dawn Harris, Secretary to the Board.

Vice-Chairman Etheridge opened the meeting with a roll call and determination of a quorum.

First item on the agenda was Election of Officers.

Mr. Thorne made a motion that Mr. Carlton Etheridge move from vice-chair to chairman. Mr. Harris seconded the motion. ***ALL IN FAVOR: DAVENPORT, GUTMAN, HARRIS, LAMB and THORNE. NONE OPPOSED. MOTION PASSED.***

Mr. Lamb made a motion to nominate Robert Thorne as vice-chair. Mr. Harris seconded the motion. ***ALL IN FAVOR: ETHERIDGE, DAVENPORT, GUTMAN, HARRIS and LAMB. NONE OPPOSED. MOTION PASSED.***

Next item was the Adoption of the Agenda. Mr. Thorne made a motion to adopt the March 18, 2014 agenda as presented. Mr. Gutman seconded the motion. ***ALL IN FAVOR: ETHERIDGE, DAVENPORT, GUTMAN, HARRIS, LAMB and THORNE. NONE OPPOSED. MOTION PASSED.***

Next item was the Adoption of the February 18, 2014 minutes. Mr. Thorne made a motion to approve the February minutes. Mr. Lamb seconded the motion. ***ALL IN FAVOR: ETHERIDGE, DAVENPORT, GUTMAN, HARRIS, LAMB and THORNE. NONE OPPOSED. MOTION PASSED.***

Next was the Public Hearing for CASE NO.: V-01-14 submitted by WEDG Holdings, LLC for +.38 acres located at 1510 West Ehringhaus Street. The applicant is seeking Variances from the Unified Development Ordinance. One from Article XI Development Standards Article 11 Section 11-2.4 Design Standards for Parking, Stacking and Loading Areas, Table 11-2-1 Off-Street Parking and Stacking Requirements, Table Sub-Heading: Retail Trade, Number 7 Restaurants. The second Variance request is from Article XI Development Standards, Sections 11-3.1(A) Street side Buffer Yard Requirements, (B) Property Line Buffer Yard Requirements and (C) Street Landscape Buffers.

At this time Mr. Thorne stated that he had a possible conflict of interest; although he did not think there was one. He is friends with the current owners of the property. He stated that he has no financial stake, no interest, no vested interest and he appealed to the Board for permission to hear the case.

Mr. Harris stated that he is in the same position as Mr. Thorne. Mr. Harris is personal friends with the property owners; however, he has no interest and would not have any gain whatsoever from any actions that the Board takes. Mr. Harris stated that he has not had any discussions with the owners concerning this application.

Ms. Brooks stated that Staff had discussed this with the City Attorney today about the possible two conflicts of interest. The City Attorney relayed that as long as the two Board members do not have a financial gain, he indicated that it would be alright for them to participate in the discussion if they feel they can make a fair and objectionable decision on this case. Both Mr. Thorne and Mr. Harris stated yes they can make a fair and objectionable decision. Chairman Etheridge asked if there were any objections to Mr. Thorne and Mr. Harris continuing with the case. There were no objections.

Chairman Etheridge asked for those speaking tonight to come forward to be sworn in. The following persons were sworn in: Gregg Nigro, Michael Strader, Dale Horn, Michael Twiddy, Shirley Sample, Geraldine Weeks, Phyllis Sawyer and Tommy Powell.

Chairman Etheridge gave an explanation of the Order of Business for this hearing as follows: First we will hear from the Planning Staff. Then we will hear from the applicant and their witnesses and then we will hear from the opponents to the request. Parties may cross-examine witnesses after the witness testifies when questions are called for. If you want the Board to see written evidence such as reports and maps or exhibits, the witness who is familiar with the evidence should ask that it be introduced during or at the end of his/her testimony. We cannot accept reports from persons who are not here to testify. Attorneys who speak should not give factual testimony but may summarize their client's case. Before you begin your testimony, please clearly identify yourself for the record.

Ms. Cole gave the following report.

STAFF REPORT

The case is Variance Request 01-14 for property located at 1510 West Ehringhaus Street. The property owner of record is Mr. John and Geraldine Weeks. The applicant this evening is WEDG Holdings, LLC of Kitty Hawk, North Carolina represented tonight by Michael Strader and Gregg Nigro. As noted previously, the Variance request is to demolish the existing structures and site as to redevelop the property for commercial or food retail land use. The proposed site plan is not in accordance with the Unified Development Ordinance. The applicant is seeking Variances from Development Standards Article 11 Section 11-2.3, the number of parking and stacking spaces required—specifically Design Standards for Parking, Stacking and Loading Areas, Table 11-2-1 Off-Street Parking and Stacking Requirements, Table Sub-Heading: Retail Trade, Number 7 Restaurants. The second Variance request is from Article XI Development Standards, Sections 11-3.1(A) Street side Buffer Yard Requirements, (B) Property Line Buffer Yard Requirements and (C) Street Landscape Buffers.

The current site is just over 16,000 square foot corner lot having a 4,500 square foot primary structure with a shed of 720 square feet. Based on historic aerials, the site has been used for commercial uses

since 1952. File records since 2006 indicates no applications for rezoning, conditional use or variance for this subject property. The applicant has submitted a site plan application for Technical Review Committee consideration so as to redevelop the Southeastern Pool site into a Dunkin' Donuts® establishment. The improvements include a 2,174 square foot restaurant with a drive through window and eleven parking spaces. Prior to filing application, a Site Plan Review pre-application meeting was held to determine if, and what, variances would be required to construct said development.

Staff has provided for the Board throughout this report Technical Review Committee responses to the application. The Board would also want to note that the adjacent zoning and land uses include General Business (GB), commercial development, as well as Residential Zoning Classification and a single-family residential dwelling unit. The property has an appropriate Zoning Classification for the commercial land use. The property surveys included with the application indicates that the subject parcel does not satisfy the minimum dimensional requirements. Any commercial redevelopment of this site will require review by the Zoning Administrator and/or a Variance issued by the Board of Adjustment.

Also included in the Staff Report are excerpts from the Unified Development Ordinance—those that have been mentioned in the summary and additionally those that are applicable to the overall development in terms of standards for parking and landscaping. Also provided beginning on page 15 of the Staff Report is the Variance Criteria. The Board will want to be mindful that these are the criteria they must regard and adhere to when deciding this matter. The applicant must comply with all seven of the criteria listed.

Ms. Cole pointed out the Addendum A Table. It summarizes the existing improvements as to what is found on the site right now versus what the applicant proposes. Looking at the right-hand bolded column “Proposed Improvements” the Building Setbacks conforms to the Ordinance requirement. The Building Size also complies with the Ordinance. The Required On-site Parking: there are 11 spaces required and 11 spaces have been provided. Streetside Landscape Buffer-Ehringhaus Street is required to have a 25 foot width. As presented in the applicant’s plan it is only 15 feet. It does not conform to the Ordinance requirement. The Streetside Landscape Buffer-Garden Street is required to have 15 feet in width. What is provided on the applicant’s plan is anywhere from 0 to 8 feet. It does not conform to the Ordinance standards. The Non-compatible Land Use Buffer is required to be 15 to 25 feet. There are contingencies in the Ordinance made. You can reduce the buffer if you put up a wall; however, that wall/fence still has to have the additional landscaping to go along with it. The applicant has provided a site plan that does comply with that element of our Ordinance. Looking at the left hand column of “Existing Improvements” you can see where none of the items conform to our current Ordinance standards; be mindful, of course, that the development was constructed prior to our current Ordinance.

Staff has listed three conditions that the Board should attach to the Variance request. These are typical of any Variance and are not special to this particular applicant’s request. Regarding the final items that can be considered; Staff is asking that the Board attaches them to this Variance.

In addition to consideration and passing of the Variance, and in an effort to protect the greater public interest and investment, the Board **MAY ALSO IMPOSE** the following conditions with time-certain or indefinite duration:

1. So as to mitigate the reduction of the landscape buffers and the untoward appearance of a rear-facing building, the owner/applicant shall be required to provide a rear façade which is architecturally compatible with the front of the structure so that the portion of the building facing W Ehringhaus Street does not have the appearance of a utility-type building;
2. So as to mitigate on-site congestion and facilitate vehicular traffic flow the plan shall be updated to create one-way entrance at the northern-most entrance;
3. The rear/property line buffer yard improvements shall not reduce the visibility of on- and/or off-site motorist visibility; and
4. If the request for Variance is denied, in whole or in part, a revised site plan shall be prepared, reviewed and approved by the Technical Review Committee prior to any building permits being issued.

That concluded Ms. Cole's overview and she offered to answer any questions the Board may have.

Chairman Etheridge asked if the applicant meets all the criteria than there is no problem. Ms. Cole stated that if the applicant had submitted a site plan that satisfies the Ordinance there would not be a request for a Variance and they would be able to move through the Site Plan Review process. They have presented an alternative and the Board is asked to consider the waiver from the Ordinance standard.

Chairman Etheridge asked for the applicant to come forward and present their application. Mr. Michael Strader with Quible and Associates come forward. Mr. Strader stated that if the request for the Variances were approved tonight they would subsequently follow up with a site plan that would be reviewed and approved by Staff. He stated that as Ms. Cole has mentioned, the proposed site plan is zoned for the proposed use and meets all of the dimensional and parking requirements set forth in the Ordinance with the exception of the required number of stacking spaces and the streetside buffers along Ehringhaus Street and Garden Street. He stated that they are therefore requesting a variance for those two items. Mr. Strader stated that they do appreciate the willingness of Staff to meet with them during the preliminary layout. They took the feedback received during that pre-application meeting into account as they reconfigured the site to address many of the concerns they heard during that pre-application meeting. He stated that they feel that the new layout better suits the surrounding properties and traffic pattern. While the site plan has addressed many of the initial concerns, it does not meet the stacking requirements set forth in the Ordinance. Mr. Strader stated that they are short two stacking spaces. They are requesting a variance from that stacking requirement. Mr. Strader asked that the Board please acknowledge that while those two stacking spaces are not shown on the site plan as they would encumber access to all of the proposed parking spaces. In the event that those additional stacking spaces are needed, they could be provided on the property and not create a backup on Garden Street or onto Ehringhaus Street. Also, due to the narrow width of the parcel and the desire for a restaurant with a drive through lane, a variance from the streetside buffers is being requested. Mr. Strader stated that they have tried their best to provide as much buffer along those two streets as is feasible while proposing landscaping within those provided buffers to meet the intent of the Ordinance. He stated that they feel these proposed improvements will provide a better use of land and address the current lack of streetside buffers, the current parking situation directly off of Garden Street and the illumination of the existing entrance of Ehringhaus Street which is in really close proximity to the Golden Corral entrance. Mr. Strader stated that overall they feel this variance

is in harmony with the intent of the Ordinance and the granting of this variance public safety and welfare would be assured. Mr. Strader stated that they would agree to those first three conditions and would like the opportunity as it is discussed to weigh-in on any additional conditions. He stated that he would try to address any technical questions that the Board may have.

Chairman Etheridge asked if there were questions from the Board for Mr. Strader.

Mr. Thorne stated that Mr. Strader had said that he would address the first of the second series of conditions—the making of the back of the building compatible with the front. Mr. Strader stated that they would agree to that condition, as well.

Ms. Davenport asked if Mr. Strader had said that the stacking now would be nine instead of eleven. Mr. Strader stated yes. What they have proposed on the current site plan are nine stacking spaces. There are eleven stacking spaces required per the Ordinance. They are two short of meeting the requirement. He stated that although they show and can provide the nine stacking spaces, additional stacking can be provided behind the nine shown on the site plan. They cannot show them because all of the proposed parking spaces would not have full access. Mr. Thorne stated that he is sure that they would always like to have eleven stacked. He asked if it was the applicant's experience that it is not always stacked to the maximum. Mr. Strader asked Mr. Nigro to weigh-in. Mr. Strader stated that it is a peak hour stacking situation that may not occur but for a short period of time. Mr. Nigro stated that many of their sites stack from three cars up to as this many. Typically, the stack you look for is the menu board and the window. That's where it would occur.

There were no more questions at this time from the Board. At this time the floor was open for public comments.

Mr. Michael Twiddy came forward as representative for Ms. Phyllis Sawyer. Ms. Sawyer owns and lives on the property immediately behind the proposed site. He stated that they have four concerns. One is where the trash containers were to be on the lot. They are concerned with the foot traffic from the Hampton Inn trying to get to the proposed restaurant facility. Mr. Twiddy stated that the street parking is also a concern. He has heard them speak about it. That street is a very narrow street, just enough for two vehicles to go back and forth. He stated by what he has heard discussed tonight it looks like during those peak times that there are going to be two stacking spaces that are going to be on Garden Street. The traffic is bad there and the street is in pretty bad shape. Mr. Twiddy stated that their biggest concern is with drainage. He stated that he thinks that is going to be addressed at technical review meeting at a later date. He stated that looking at this there are still some things to be done to take of the foot traffic and the noise from the trash containers.

Mr. Gutman stated that it did raise some questions in his mind. He thought during Mr. Strader's presentation that the two additional stacking spaces under consideration would be on the restaurant property not in the street. Mr. Nigro stated that was correct. He referred to the site plan and where the location of the two additional stacking spaces would be. The applicant's went over the site plan showing Mr. Twiddy where the stacking spaces would be located. Mr. Twiddy is concerned with the amount of traffic during peak time and cars on Garden Street. There was conversation between the applicants, Mr. Twiddy and Ms. Sawyer. Mr. Nigro commented to keep in mind that the drive through is not a (inaudible) situation that it is a flowing situation. It should be a moving lane.

Mr. Thorne asked if street parking is allowed on Garden Street. Ms. Cole stated that there are no signs posted indicating no parking on the street. Mr. Gutman stated that is a real concern. He drove that street today looking at the property. He stated that perhaps some “No Parking” signs should be established. Ms. Cole stated okay.

Tommy Powell came forward. He has rentals on Garden Street. He stated that there are eight people that live on Garden Street. He stated that within 30 years he has seen time and time again where people buy this lot and they have no parking. Mr. Powell stated that he has seen five different companies buy this lot and they had no parking. He asked where the people that work at the restaurant going to park. His concern is that they leave Garden Street open.

Mr. Nigro was asked where his employees were going to park. Mr. Nigro stated that those with vehicles will park onsite. Mr. Strader stated that they have met the parking requirements set forth by the Ordinance with the number of seats being the 25 seats; 1 space per four seats and also with six employees at peak shifts at two spaces per three employees. The parking that is proposed is in conformance with the Ordinance.

Mr. Powell was asked if he was not recommending putting up “No Parking” on Garden Street. Mr. Powell stated that they don’t need parking on Garden Street. He stated that there needs to be more signs. He stated that the signs disappear and they don’t really mean anything to someone that wants to park there.

Ms. Shirley Sample came forward to speak. She stated that she and her husband own 1504 West Ehringhaus Street. Their driveway is on Garden Street. She stated that it is going to be a bottleneck just like we have in a lot of other places. She stated that like Mr. Powell said there is only one No Parking sign left, a sign that says “Dead End” and a sign that says “Children at Play.” That is what is left on the street. She stated that she thinks it will cause a real problem for Mr. Powell’s tenants plus she and her husband to go where they want to go.

Mr. Gutman asked if the people could not park on their own property—is there no room. Mr. Powell stated yes. Anytime he rents back there they have to have their own parking space. Mr. Gutman asked Mr. Powell if they have parking space on their own property what is his concern about parking. Mr. Powell stated that his concern is that the restaurant’s customers and employees will be parking on Garden Street. It will keep the road blocked. He stated that this is about the fifth tenant to own this building.

Chairman Etheridge had the applicant clarify that he had stated that they would have onsite parking for their employees. Mr. Strader stated that it correct and that they are no proposing any parking on the street.

Mr. Horn owner of the Golden Corral came forward to make comment. He stated that he has concerns. He stated that everyone that has tried to go into this place has come to him and asked him if they could use his parking. Mr. Horn stated that he can see it becoming a big problem. If you have six coworkers show up for work with nine parking places; you have 25 seats—three parking spaces to park 25 people. They have to go somewhere. He stated that half of them go into his parking lot or puts them on the road. He stated that there will be issues because the people will not be able to figure out how to get into the parking and they will be pulling into his parking lot. He stated that he doesn’t want to become a police officer for the City and tell people they have to get on the other site and not

his parking lot. Mr. Horn stated that on Sundays he has to have every space he has and on Saturdays. On Mother's Day he has to have his parking, plus Hampton Inn plus Dunkin' Donut. He is busy. His other concern is where the drive through is going there is no buffer between his parking and the drive through. He is a family restaurant and there are kids that run all over his parking lot. He asked what's going to stop that child running from the parking space to the drive through. There is no buffer or fence to stop them from running in front of the cars. He stated that there should be some fencing or something to prevent that from happening. Mr. Horn stated that the parking is the biggest issue. Everyone that has been on that property has come over and spoken with him but Dunkin' Donuts has not even spoken to him about it. He stated that he has had people ask him to lease parking; people ask if they could put a driveway through the back of the proposed property to allow more people to have access, but he has not heard anything from this applicant to see what can be worked out.

Mr. Nigro came forward and stated that according to the Unified Development Ordinance they are in compliance with the parking. They met the requirements. He stated that not all of their employees drive. They have a lot of high schoolers on the weekend and young people that get dropped off. He stated that he knows that sidewalks are being added to encourage a lot of foot traffic. Mr. Nigro stated that he has been in and around Elizabeth City for many years and he sees a lot of people on bikes and moving about. There are certainly causes for people to use cars; however, he stated that they meet the Ordinance requirement. Mr. Nigro was asked about the buffer onto the Golden Corral parking area. Mr. Strader asked if there was anything that the Board or the Mr. Horn would suggest for the buffer. He asked if a fence was being requested or some form of a barrier. That pedestrian flow of traffic from the Golden Corral parking spaces into the drive through lane...he asked if this was something that even needed to be discussed at this Board meeting during a variance review. He asked if it could be discussed at the Technical Review level. Ms. Cole stated to Board Member Thorne that the buffer requirement as far as the landscaping and the wall to the rear satisfy the Ordinance. Zoning Ordinance requirements for commercial zoning classifications have a zero setback line. There is not additional buffering or physical barriers that are required unless the applicant that we have or Golden Corral chooses to do so. Ms. Cole stated that she would respond to the applicant saying yes that this is something that can be visited at TRC. It is not a request of the applicant's variance tonight. Mr. Strader stated that if the concern is from the adjoining property owner and their concern is their patrons exiting the primitive site than perhaps that fence or barrier could be a solution from their side. Mr. Nigro stated to Mr. Horn if they have room for additional parking he would be all ears and would take him up on that. He stated that he would give Mr. Horn his contact information after the meeting. Mr. Nigro stated he would be happy to work out some arrangements with Mr. Horn. Ms. Cole stated that if Mr. Horn chooses to make the improvement it would be on his property. If they do the fence/barrier jointly and it is on the property line, then it would be a civil arrangement where they would have an agreement for maintenance.

This ended the public comment section of the hearing.

Ms. Cole stated that when she gave the Staff Report she had not pointed out that the application had met the notification and advertisement requirements. There was also a citizen mentioned of onsite parking overflow onto Garden Street with previous land uses. Ms. Cole stated that she has not been here as long as the site has been developed, but she can guess that the Southern Pool's operation had quite a few commercial vehicles. Actually, some are still parked on the site. Anywhere from five to ten trucks being parked on site they would physically overflow into the Garden Street right-of-way. Ms. Cole stated that when you combine that with employee vehicles she could see where that

overflow became a problem for the adjacent residents. She stated that she cannot see into the future for the Dunkin' Donuts® operation; again the applicant has presented a plan that satisfies the parking standard. She stated that the Board could see where any overflow of stacking is possibly addressed on the site not onto Garden Street. Lastly, "No on Street Parking" signage would be handled by the City. Staff at the TRC level can work with the City engineer and Public Works Department to make sure those signs are visible where they are not presently.

Mr. Harris asked Ms. Cole if the Board could make a recommendation to the Technical Review Committee that they put "No Parking" on the street to try and help the residents so there is not a parking issue. Ms. Cole stated yes the Board can make recommendation.

Mr. Gutman stated that he assumes that once in place that if people violate the "No Parking" those persons inconvenienced would then call the police. Ms. Cole stated yes.

Mr. Harris asked Ms. Cole if the fence between the Golden Corral and the Dunkin' Donuts® site would be something that this Board would not look at tonight. It goes back to the Technical Review Committee at the time they submit their site plans and all specifications. Ms. Cole stated that is correct.

Mr. Thorne stated that the Board only considers just the two variances—parking stacking and the buffer. Ms. Cole stated yes; the buffer for Ehringhaus and buffer for Garden.

Mr. Gutman asked if a different business was looking at this property would they also be restricted from having an entry on Ehringhaus Street. Ms. Cole stated that most likely yes. Mr. Gutman stated that Golden Corral's argument was compelling and he can well imagine that people will pass by and then pull into Golden Corral to park. He stated that he was wondering if that would be true of any business that was in that location. Would there be a tendency to pass by the Garden Street and then turn into the next parking lot they come across. Ms. Cole stated until the travel pattern is memorized. Mr. Gutman stated that this is something that very well may happen no matter who buys this piece of property. Ms. Cole stated yes.

Mr. Thorne stated that what he has noticed before is that usually signs posted "Golden Corral Parking Only" want help (inaudible).

Chairman Etheridge called for a motion to vote on the Variance for the parking stacking spaces, landscape buffers and "No Parking" signs with the addition of Staff's recommendation of conditions that the applicant has agreed upon. Ms. Cole read into record the following: The criteria that this applicant must meet is as follows: Section 7-2.1 of the Unified Development Ordinance states that a variance may be granted by the Board of Adjustment if it concludes that strict enforcement of the Ordinance would result in practical difficulties or unnecessary hardships for the applicant. The Ordinance also acknowledges that, by granting the variance, the spirit of said Ordinance is observed, and that public safety and welfare are secured and substantial justice done. The Board must find that the applicant meets all seven of the following criteria in order for a variance to be approved: (1) Unnecessary hardship would result if the applicant complies strictly with the provisions of the Ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property; (2) The hardship results from conditions that relate to the applicant's land and are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the

neighborhood or the general public, may not be the basis for granting a variance; (3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship; (6) The variance will neither result in the extension of a nonconforming situation in violation of Article VI nor authorize the initiation of a nonconforming use of land; and (7) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

The motion is to grant a Variance for Development Standards Article 11 Section 11-2.4 Design Standards for Parking, Stacking and Loading Areas, Table 11-2-1 Off-Street Parking and Stacking Requirements, Table Sub-Heading: Retail Trade, Number 7 Restaurants to allow the applicant to have nine stacking spaces as opposed to eleven spaces. The second Variance request is from Article XI Development Standards, Sections 11-3.1(A) Street side Buffer Yard Requirements, (B) Property Line Buffer Yard Requirements and (C) Street Landscape Buffer Yard Requirements. Those address Garden Street and Ehringhaus buffer yards. This motion also includes the three additional conditions are as follows: (1) for development, the owner/applicant must submit a site plan for review, obtain all necessary City and State permits and authorizations; comply with all other sections of the Elizabeth City Unified Development Ordinance; and all necessary site improvements be completed prior to the issuance of the certificate of occupancy; (2) the owner/applicant shall submit a plat, with the nature of the variance and any conditions attached to them entered on the face of the recorded plat, or simply note the issuance of the variance and refer to the written record for further information, for review and approval; (3) the property owner shall have recorded with the Pasquotank County Register of Deeds the aforementioned plat and variance with the conditions attached thereto prior to commencing construction. Last are the four possible conditions for the Board to add in addition to the “No Parking” on Garden Street. They are as follows: (1) So as to mitigate the reduction of the landscape buffers and the untoward appearance of a rear-facing building, the owner/applicant shall be required to provide a rear façade which is architecturally compatible with the front of the structure so that the portion of the building facing W Ehringhaus Street does not have the appearance of a utility-type building; (2) So as to mitigate on-site congestion and facilitate vehicular traffic flow the plan shall be updated to create one-way entrance at the northern-most entrance; (3) The rear/property line buffer yard improvements shall not reduce the visibility of on-and/or off-site motorist visibility; and (4) If the request for Variance is denied, in whole or in part, a revised site plan shall be prepared, reviewed and approved by the Technical Review Committee prior to any building permits being issues.

At this time Mr. Thorne moved to accept the motion as presented. Mr. Gutman seconded this motion. ***ALL IN FAVOR: ETHERIDGE, DAVENPORT, GUTMAN, HARRIS, LAMB and THORNE. NONE OPPOSED. MOTION PASSED.***

Ms. Cole stated to the applicants that this concluded their case for this evening. The applicants have their requested Variance and they will receive official notification from the Board of Adjustment with the decision rendered this afternoon. All that signed up to speak this evening will also receive a copy of that order. Ms. Cole told those signed up to speak if they would like to attend the Technical Review Committee they are welcome to attend that meeting. Public input is generally not taken at that meeting, but the comments made tonight will be forwarded to the appropriate Planning staff and City Administration.

There are no Standing Committees at this time.

Ms. Cole reminded the Board of their training session scheduled for April 15, 2014 at 1:00 PM. Everyone will receive a reminder through the mail. Mr. David Owens from the School of Government will be conducting the training. Pasquotank Board of Adjustment as well as their Planning staff has been invited to participate. Also, Camden County has been invited. The workshop will be held in the City Council Chambers.

The Board of Adjustment's newest member, Ms. Peggy Davenport was introduced.

There being no other business for the Board, the meeting was adjourned.

*Respectfully Submitted,
Dawn Harris, Secretary of the Board*