

**MEETING SUMMARY OF THE HENDERSON COUNTY
BOARD OF ADJUSTMENT MEETINGS
February 23, 2024**

The Henderson County Board of Adjustment held its regularly scheduled and special called meetings at 4:00 p.m. at the King Street Meeting Room.

Board Members Present:

Steve Dozier
Andrew Riddle (Chair)
Carlos Ruiz
Mark Casoria
Louise St.Romain
Lynn Freeman Bush (alternate)

Staff Members Present:

Matt Champion
Autumn Radcliff
Russ Burrell

Call to Order: Andrew Riddle called the meetings back to order at 4:00 pm.

Affidavit from Bruce Hatfield and Michael Gregory: Chairman Riddle asked the Board to if they had a chance to read the two affidavits. Steve Dozier provided a response to the two affidavits. Chairman Riddle asked if there was a motion by any party regarding this matter. Mr. John Newcomer made a motion for Steve Dozier to recuse himself. Mr. Brian Gulden argued with the motion by John Newcomer. After the Board discussion, Carlos Ruiz made a motion for Steve Dozier to recuse himself. Louise St.Romain seconded the motion. All members voted in favor. Lynn Freeman Bush who attended the first meeting regarding the special use permit, stepped in to serve in Steve Dozier's absence.

SUP-23-05 Spirit Cove Office

Mr. John Newcomer and Mrs. Patricia Newcomer began to present their evidence. Mr. John Newcomer called Mrs. Patricia Newcomer as a witness. Mr. Brian Gulden objected to her presentation. Mr. John Newcomer began presenting more evidence regarding a letter from Kanuga Conference Center and a document detailing Spirit Cove's previous grant application.

Mr. Michael Gregory began to present his evidence. Mr. Michael Gregory presented evidence regarding existing plat for his property and the proposed major site plan. Additional evidence presented included recent news articles, animal waste, and NC bike routes.

Mr. John Newcomer called Mr. Jackson Tate as an expert witness. Mr. Jackson Tate was accepted as an expert witness and presented a real property appraisal consulting report. Mr. Brian Gulden cross examined Mr. Jackson Tate. Mr. Newcomer called Ms. Cynthia Ott as a character witness. Ms. Cynthia Ott presented expert testimony on her experience as a therapy dog owner. Mr. Brian Gulden cross examined Ms. Cynthia Ott.

Mr. Michael Gregory, Mr. John Newcomer, and Mr. Brian Gulden all made closing arguments.

Chairman Riddle motioned to close the public hearing.

After further Board discussion, Andrew Riddle moved to approved SUP-23-05 with conditions as discussed by the Board, Technical Review Committee, and outlined by the County Attorney. The conditions will include light mitigation, hours of operations 5-days per week from 8AM to 5PM, no more than 6 evening special event gatherings ending at 10PM, no employees living in the office, 6' tall fence at 100' in length as shown on the site plan, vegetative buffer behind fence as shown on the site plan, and move the proposed driveway to the subject area as far east as possible. Mark Casoria seconded the motion. All voted in favor.

Adjournment: Chairman Riddle motioned to adjourn at 8:56PM.

Andrew Riddle, Chairman

Matt Champion, Zoning Administrator