

MINUTES OF THE HENDERSONVILLE BOARD OF ADJUSTMENT

Tuesday, August 11, 2026
1:30 p.m. in the Council Chambers

The Hendersonville Board of Adjustment held their regular meeting on August 11, 2026, at 1:30 p.m. in the 2nd Floor Meeting Room in City Hall, 160 6th Avenue East, Hendersonville, North Carolina. Those present were: Charles Webb, Reid Barwick, Vice-Chair, Rhona Reagen, Kyle Gilgis, Chair, Brett Werner, Libby Collina, Bob Pace, Sam Hayes, Planner II, Daniel Heyman, Assistant City Attorney.

Absent: Aubrey Parks

Chair called the meeting to order at 1:30 p.m. Chair stated a quorum has been established, and it takes four out of five votes in favor to approve a variance.

Approval of the Agenda:

Approval of the Minutes of the October 14, 2025 meeting. A motion was made by Ms. Collina to approve the minutes as written. The motion was seconded by Ms. Reagen and passed unanimously.

Election of Chair. Ms. Collina moved to nominate Kyle Gilgis as Chair. Ms. Reagen moved to nominate Reid Barwick. The vote was four in favor of Kyle Gilgis as Chair

Election of Vice-Chair. Ms. Reagen moved to nominate Reid Barwick as Vice-Chair. The vote was unanimous for Reid Barwick as Vice-Chair.

Variance – Sheetz -780 Upward Road – (26-50-VAR). Chair stated today we have one public hearing to consider. A variance from Jesse Hanlin of Blue Ridge Engineering for the property located at 780 Upward Road.

Chair swore in all persons to give testimony. Wes Hall, Devon Stanley and Sam Hayes were sworn in.

Chair opened the public hearing.

Sam Hayes, Planner II stated his name and title for the record. He formally entered the staff report and presentation into the record. He stated the City is in receipt of an application for a variance from the property known as Sheetz located on Upward Road.

Mr. Hayes gave the project background:

The location of the site is 780 Upward Road. That PIN is 9588-40-7325. He showed a map with the property highlighted in purple. The owner of the property is Quattlebaum Property FLLC, and the applicant is Jesse Hanlin with Blue Ridge Engineering PLLC.

The acreage of the property is 2.65 acres, and the zoning is Commercial Highway Mixed Use.

The variance request is to reduce the required corner clearance along a side street from 100 feet to 71.7 feet.

Site photos were shown and are included in the staff report. It is a vacant piece of property, and the proposal is to construct a gas station.

The site plan was shown and discussed and is included in the staff report and presentation.

Mr. Hayes stated looking at the zoning ordinance, the variance request is from Section 5-27-5. He discussed the specific variance. An image was shown showing the corner clearance.

Mr. Hayes stated the applicant has provided a helpful exhibit so that you all can see very similar to that last image what their site plan entails. Chair asked if that was a right turn only. Mr. Hayes stated he did not know and the applicant could answer that.

The standards (Section 10-9) for granting a variance were shown and were included in the staff report.

Mr. Hayes stated he will answer any questions the Board may have.

Mr. Barwick asked if there have been any similar variances approved. Mr. Hayes stated in the past two years, fairly certain we haven't had a commercial variance request, it's all been residential.

Discussion was made about the building being set back more. Mr. Hayes stated he did review the site plan, but the applicant can answer that question.

There were no further questions for staff.

Chair asked the applicant to address the Board.

Wes Hall stated he works for Sheetz and he stated he had Devon Stanley from Blue Ridge Engineering with him. Mr. Hall stated to answer your question regarding the rear of the site and why we positioned it the way we did. The way this site, is laid out mainly is because of the topography of the rear of the site, and how it falls off, steeply behind that back and curb back there. We originally were going to try to put a car wash back there, but because of the grades, we had to remove that from the site plan. This way, we can keep our grading on our property.

Devon Stanley with Blue Ridge Engineering explained the variance request to the Board and stated they are requesting the request to reduce the required corner clearance from 100 feet to 71.7 feet due to topographical constraints and the need for adequate truck access.

Chair asked if there were any questions for the applicant.

There were no questions for the applicant.

Chair asked if there was anyone that would like to speak against the application. No one spoke.

Chair asked if there was anyone that would like to speak. No one spoke.

Chair closed the public hearing for Board discussion.

Chair stated she would entertain a motion if there was no discussion.

Mr. Webb made the following motion: **With regard to the request by Jesse Hanlin for a variance from Section 5-27-5.2.1 to: 1.Reduce the 100 ft minimum corner clearance to 71.7 ft. I move the Board to find that :**

- 1) **An unnecessary hardship would result from the strict application of the ordinance.**

- 2) The hardship results from the conditions that are peculiar to the property, such as location, size, or topography.
- 3) The hardship did not result from actions taken by the applicant or the property owner.
- 4) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.

For the following reasons: the strict application of the ordinance would result in significant challenges to the internal vehicular flow, which is a direct result of the peculiar conditions of the property. *Ms. Collina seconded the motion.*

Chair called for the vote. A roll call vote was taken.

Ms. Reagan	Yes
Mr. Webb	Yes
Mr. Barwick	Yes
Ms. Collina	Yes
Ms. Gilgis	Yes

The vote was unanimous. Motion passed.

Meeting adjourned at 1:53 p.m.

Kyle Gilgis Chair

Terri Swann, Secretary