



MINUTES

BOARD OF ZONING APPEALS

REGULAR MEETING

Thursday, May 12, 2022 - 4:00 p.m.
Greenville Convention Center, 1 Exposition Drive

NOTICE OF MEETING: Pursuant to Section 30-4-80 of the S.C. Code of Laws, annual notice of this Board's Meetings was provided on January 1, 2022 via the Greenville City Website. The Agenda for this Meeting was posted outside the meeting place and was emailed to all persons, organizations, and news media requesting notice. In addition, notice for public hearings was published in the Greenville News, posted on the properties subject of public hearing(s), mailed to all surrounding property owners, and emailed to all persons, organizations, and news media requesting notice pursuant to Section 6-29-760 of the S.C. Code of Laws and Section 19-2.2.9 of the Code of the City of Greenville.

A copy of staff reports and recommendations were posted with the meeting agenda.

1. Call to Order

Chairman Chris Price

2. Welcome and Opening Remarks from the Chair

Chairman Chris Price

3. Roll Call

The following member of the Board of Zoning Appeals were in attendance: Chris Price (Chair), Seph Wunder (Vice Chair), Stephanie Gates, Lauren Rounsville, and Krish Patel

Absent: Ken Betsch, Frederick Turner

4. Approval of Minutes

A. April 12, 2022 – Workshop

Approved as submitted

B. April 14, 2022 – Regular Meeting

Approved as submitted

Seph Wunder motioned to accept as written. Stephanie Gates seconded. Motion passed 5-0.

5. Call for Public Notice Affidavit from Applicants

Staff reported that all public notice affidavits were received.

6. Acceptance of Agenda

The agenda was accepted as distributed to the Board.

Seph Wunder motioned to accept. Stephanie Gates seconded. Motion passed 5-0.

7. Conflict of Interest Statement

Chris Price states that he has a conflict regarding application S 22-264. A conflict-of-interest form was completed and is on file with the Planning office.

8. OLD BUSINESS

A. None

9. NEW BUSINESS

A. S 22-206

Application by Hutton Development (Anel Sinanagic) for a **SPECIAL EXCEPTION** to establish an 'Automobile wash' use in a C-3, Regional commercial district at **1046 N PLEASANTBURG DR** (TM# 028000-01-00301)

(Presented by Senior Development Planner Ross Zelenske)

- Chairman Price notes that in the staff recommended approval conditions, the applicant should be revised to reflect the proposed tenant.

Applicant Presentation

Anel Sinanagic, 736 Cherry Street, Chattanooga, TN (Hutton Development)

- In response to the earlier comment by the Board, clarified that the tenant will be Mod Wash, LLC.

Daniel Esteban, 43 Timrod Way, Greenville (Stantec)

- Provided information on the discussion with SCDOT regarding street access as well as information on the amount of noise the use will create.

Public Comments

- *Marianne Wunderlin, 17 Rivoli Lane, Greenville*
 - Spoke of concerns with the proposal due to traffic this project would create. She stated that the "enter and exit" that is proposed would be a nightmare.
- *Michael Hawkins, 2402 E North Street, Greenville (Hawk 2402, LLC owner of adjacent property)*
 - Spoke adversely of the proposal and the use of the property. He stated that his property has an easement that this project is proposing to use as its only entrance.
 - The Board asked for clarification on where the easement runs on the property and what that entrance on his property is used for?
 - Mr. Hawkins responded that it was a service access and also for the fire department to access the rear of the shopping center.
- *Charlotte Rigby, 5 Micasa Court, Greenville*
 - Spoke against the project. She asked what the traffic count is predicted to be with this addition and for the Board to consider the difficulty it causes the shopping center.

Applicant Rebuttal

The Applicant discussed the traffic count and explained that the use of this site did not require a traffic study per City Traffic Engineering. An initial traffic study on the afternoon peak of the traffic count was completed and it was under the 100-trip count requiring the traffic study. The Applicant also discussed the easement, explaining the DOT limitations and that it was the only access to the property and is needed for the use.

Board Discussion

***Motion: Seph Wunder moved to approve the special exception request S 22-206 with conditions based on the findings that use is consistent with the Comprehensive Plan, the use is consistent with use-specific standards, the use is compatible with surrounding lands, and that the use does not have substantial adverse impacts. Conditions include:**

- 1. The Special Exception Permit is limited to the Applicant, Mod Wash LLC, and is not transferrable.**
- 2. The use of the property shall substantially conform to the testimony of the applicant and the content of the application. Approval of this application does not constitute building and site approvals for the use. The provided architectural and civil plans will be reviewed for full compliance with the nonresidential design standards during the administrative permitting process.**
- 3. A copy of the special exception permit shall be maintained on the premises with other related inspection, licensing, and occupancy information.**
- 4. The Applicant shall take measures to ensure that noise associated with the use will comply with the City's noise ordinance.**
- 5. The Applicant shall work with Planning and Traffic Engineering staff to improve the traffic pattern of the site, in particular the entrance location, to mitigate potential queuing issues that could block access to the site. Vehicular access shall only be permitted from the existing shared driveway at the southern end of the site that connects to North Pleasantburg Drive. Consideration for greater connectivity with the adjacent property (TM# 028000-01-00325) shall also be explored.**

Second by Stephanie Gates.

The motion passes by a vote of 5-0.

B. S 22-263 *Applicant has withdrawn this application*

Application by Hutton Greenville Old Airport SC LT, LLC (William Runge) for a **SPECIAL EXCEPTION** to establish an 'Automobile wash' use in a S-1, Service district at **516 HAYWOOD RD** (TM# 028400-02-01308 and 028400-02-01310)

Due to a conflict of interest on New Business Item C, Chris Price steps out.

C. S 22-264

Application by Franklin Real Estate Development (Kurt Wallenborn) for a **SPECIAL EXCEPTION** to establish an 'Office' use in a RM-2, Single-and multi-family residential district at **107 E PARK AV** (TM# 003400-02-01903)

(Presented by Senior Development Planner Ross Zelenske)

Applicant Presentation

Kurt Wallenborn, 107 East Park Avenue

- Presented project and offered to answer questions

Public Comments

- *Deidre Lee, 314 Welling Circle, Greenville*
 - Asked why does this application have to become before the Board of Zoning Appeals?
 - The Board responds by explaining the purpose and process for special exceptions.
- *Joe Farmer, 207 Alpine Way, Greenville*
 - Spoke in opposition of the project. He stated that this request should be considered commercial creep. He stated that it was a historic residence and prefers to keep it as residence and that he opposes the encroachment of office spaces into residential areas.

Applicant Rebuttal

The Applicant responded that their architect has worked to preserve the historic value of the property with the proposed addition. He also noted that several of their employees walk to the office, rather than drive.

Board Discussion

Board asks for clarification from staff on the request, should the request be denied by the Board.

- Staff confirms this property has already had a special exception for the office use, from 1988, and that the request was only for an expansion of such use. A denial would only prohibit expansion of the existing office use.

***Motion: Stephanie Gates moved to approve special exception request S 22-264 with conditions based on the findings that use is consistent with the Comprehensive Plan, the use is consistent with use-specific standards, the use is compatible with surrounding lands, and that the use does not have substantial adverse impacts. Conditions include:**

1. **The use of the property shall substantially conform to the testimony of the applicant and the content of the application.**
2. **Any future expansion of the office use shall require approval by the Board of Zoning Appeals.**

Second by Lauren Rounsville.

The motion passed by a vote of 4-0.

Chris Price rejoined meeting.

10. Other Business

A. Staff update on current planning projects.

(Presented by Principal Development Planner Kristopher Kurjiaka)

11. Adjournment

The meeting adjourned at 5:12 p.m.

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Staff Present: Leigh Paoletti, Interim City Attorney; Mary Douglas Hirsch, Planning Administrator; Shannon Lavrin, Assistant City Manager; Kristopher Kurjiaka, Principal Development Planner; Ross Zelenske, Senior Development Planner; Sharon Key Planning Coordinator
