

Board of Zoning Appeals

Official Agenda



AGENDA

BOARD OF ZONING APPEALS

A G E N D A

Regular Meeting

February 13, 2020

4:00 PM

10th Floor Council Chambers, City Hall

1. Call to Order
2. Welcome and Opening Remarks from the Chair
3. Roll Call
4. Approval of Minutes – January 9, 2020
5. Call for Public Notice Affidavit from Applicants
6. Acceptance of Agenda
7. Conflict of Interest Statement
8. Old Business

. . A. V 19-880

Application by CHAD STEPP for a VARIANCE to front setback located at WILSHIRE DR (TM# 018400-05-06409)

Documents:

[V 19-880 WILSHIRE DR.PDF](#)

. . . . ,

9. New Business

. . . . A. S 19-903

Application by BRADSHAW FAMILY LP for a SPECIAL EXCEPTION to expand the existing outbuilding located in front of an automobile sales use located at 330 WOODRUFF RD (TM# 026200-01-00103)

Documents:

[S 19-903 330 WOODRUFF RD.PDF](#)

. . . . B. S 20-004

Application by Northside Traders LLC for a SPECIAL EXCEPTION to establish visitor accommodations located at 510 S ACADEMY ST (TM# 007400-03-00300)

Documents:

[S 20-4 510 S ACADEMY ST.PDF](#)

. . . . C. S 20-014

Application by BRADSHAW FAMILY LP for a SPECIAL EXCEPTION to allow automobile sales located at 9 KELLETT DR, 2508 LAURENS RD, 2510 LAURENS RD, & 2512 LAURENS RD (TM# 026300-01-01301, 026300-01-01200, 026300-01-01501, & 026300-01-01800)

Documents:

[S 20-14 2512 LAURENS RD.PDF](#)

. . . . D. S 20-025

Application by Flying Rabbit Adventures LLC for a SPECIAL EXCEPTION to allow a park located at RECTOR ST & E WASHINGTON ST (TM# 019500-05-01400, 019500-05-02300, 019500-05-02500, & 019500-05-02600)

Documents:

[S 20-25 RECTOR AND E WASHINGTON ST.PDF](#)

. . . .

10. Adjournment



**Planning Staff Report to
Board of Zoning Appeals
February 3, 2020**
for the February 13, 2020 Public Hearing

Docket Number: V 19-880
Applicant: CHAD STEPP
Property Owner: CHAD R STEPP
Property Location: WILSHIRE DR
Tax Map Number: 018400-05-06409
Acreage: 0.151
Zoning: R-6, Single-Family Residential District
Proposal: Variance to reduce the front setback
Staff Recommendation: Approval

Applicable Sections of the City of Greenville Code of Ordinances:

Sec. 19-2.13 (A) (2), *Board of Zoning Appeals, Powers and Duties, Variances*
Sec. 19-2.3.7, *Variance Permit*
Sec. 19-5.1, *Table of Dimensional Standards*
Sec. 19-5.2.4 (B) (1), *Setback, Front*

Staff Analysis:

The applicant requests a variance from subsection 19-5.2.4(B)(1) of the City Code of Ordinances that requires the administrator to establish a front setback for a single-family dwelling that “maintain[s] the existing pattern of front yards established by the principal uses contiguous to, and on either side of, the dwelling.” The subject property is a vacant parcel located on Wilshire Drive near Rutherford Road in the North Main neighborhood. The property was established in 2001 and is irregularly shaped. Although the property is 40 feet wide at the road, a sewer line and easement that runs along the left side of the property limits the buildable area.

The applicant proposes to build a single-family home set back 50 feet from the front property line. In 2001, the approved subdivision plat showed a proposed single-family home set back 50 feet from the front property line.

A variance permit shall be approved only upon finding that the applicant will suffer undue hardship if the chapter is strictly enforced and the Board finds that following standards are met. Staff offers the following responses to the standards for a variance in Section 19-2.3.7:

- **There are extraordinary and exceptional conditions pertaining to the property that do not generally apply to other land in the vicinity:**

There is a 12.5 foot easement along the northern border of the property that substantially limits the developable portion of the property. The subdivision plat approved in 2001 shows a proposed house setback 50 feet from the front property line that may lead to believe that the subdivision was contemplated along with the proposed house.

- **The special circumstances are not the result of actions of the Applicant:** The sewer easement is not a result of the actions of the applicant. Proposed structures are generally not recorded with new subdivision plats.
- **Because of the stated extraordinary and exceptional conditions, the application of this Ordinance to the property would effectively prohibit or unreasonably restrict the utilization of the property:** The current dimensional standards require single-family homes to maintain front setbacks that respect the existing pattern of front yards. Because of the sewer easement, a 50 foot setback would allow the applicant to construct a home that is at least 15 feet wide at the setback line that is more in keeping with the other homes on the block.
- **Granting the Variance is the minimum action that will make possible the reasonable use of the land which is not contrary to the public interest and which will carry out the spirit of this Ordinance:** A 50 foot front setback is the minimum action to allow a reasonably designed house.
- **The Authorization of the Variance will not result in a substantial detriment to adjacent property or to the Public Good, and the Character of the District will not be harmed by granting the Variance:** A 50 foot setback would only put the applicant's single-family home eight feet behind the adjoining single-family home addressed from Wilshire Drive.
- **The granting of the Variance will be generally consistent with the purposes and intent of the Ordinance:** Granting the variance seems consistent with subsection 19-1.3, Purposes and Intent, of the Ordinance, with respect to:
 - Promote quality housing, protect neighborhoods;
 - Encourage quality development to blend with existing development; and
 - Facilitate the creation of a convenient, attractive, and harmonious community.



city of
greenville

Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

**APPLICATION FOR VARIANCE
CITY OF GREENVILLE, SOUTH CAROLINA**

APPLICANT: Chad Stepp

Name

Title / Organization

MAILING ADDRESS: 146 Broughton Drive, Greenville, SC, 29609

PHONE: 864.641.8536 EMAIL: cstepp@lee-associates.com

PROPERTY OWNER: Chad R Stepp

MAILING ADDRESS: 146 Broughton Drive, Greenville, SC 29609

PHONE: 864.641.8536 EMAIL: cstepp@lee-associates.com

PROPERTY INFORMATION

STREET ADDRESS: NPA Wilshire Dr

TAX PARCEL #: 0184000506409 DEED BOOK/PAGE: 25751 804 RECORDED DATE: 9/6/19

ZONING DESIGNATION: R-6 ACREAGE: 0.151

REQUEST

*Unless limited by a condition of approval, a variance permit shall run with the land
and not be affected by a change in ownership.*

CODE SECTION FROM WHICH A VARIANCE IS REQUESTED: Table 19-5.1-1

DESCRIPTION OF REQUEST:

Asking for house to be pushed back further on the lot due a sewer easement and utility & drainage easement in place.

INSTRUCTIONS

1. The application and fee, made payable to the City of Greenville, must be received by the Planning and Development office on or before the filing date reflected on the calendar schedule of the Board of Zoning Appeals. Submit the application by 2:00PM (business days) to ensure that it is accepted and processed the same day.
2. Special Exception and Variance applications require a public hearing before the Board of Zoning Appeals. Public hearing signs are required to be posted on the subject properties at least 15 days (but not more than 18 days) prior to the scheduled hearing date. The applicant is responsible for picking up signs at the Planning and Development office in City Hall, at the time of application submittal.

3. The applicant/owner must respond the "findings" questions on page 3 of this application (you must answer "why" you believe the application meets the tests for the granting of a variance). See also **Section 19-2.3.7, Variance Permit**, for additional information. You may attach a separate sheet addressing these questions.

4. You must attach a scaled drawing of the property that reflects, at a minimum, the following: (a) property lines, existing buildings, and other relevant site improvements; (b) the nature (and dimensions) of the requested variance; (c) existing buildings and other relevant site improvements on adjacent properties; and, (d) topographic, natural features, etc. relevant to the requested variance.

5. You must attach the required application fee:
(a) Single-Family Residential Uses: \$150.00
(b) All Other Uses: \$250.00

6. The administrator will review the application for "sufficiency" pursuant to **Section 19-2.2.6, Determination of Sufficiency**, prior to placing the application on the BZA agenda. If the application is determined to be "insufficient", the administrator will contact the applicant to request that the applicant resolve the deficiencies. **You are encouraged to schedule an application conference with a planner, who will review your application for "sufficiency" at the time it is submitted. Call (864) 467-4476 to schedule an appointment.**

7. **Please read carefully:** The applicant and property owner affirm that all information submitted with this application; including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

In addition the applicant affirms that the applicant or someone acting on the applicant's behalf has made a reasonable effort to determine whether a deed or other document places one or more restrictions on the property that preclude or impede the intended use and has found no record of such a restriction.

If the Planning Office by separate inquiry determines that such a restriction exists, it shall notify the applicant. If the applicant does not withdraw or modify the application in a timely manner, or act to have the restriction terminated or waived, then the Planning Office will indicate in its report to the Board of Zoning Appeals that granting the requested change would not likely result in the benefit the applicant seeks.

To that end, the applicant hereby affirms that the tract or parcel of land subject of the attached application is ☒ is not ☒ restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity. (CS)

Cheryl J. Lee
12-9-19

Cheryl J. Lee
12-9-19
Applicant Signature
Date
Property Owner Signature
Date

STOP: To be filled when application submitted to Planning & Development office – 5 th floor of City Hall	
1 (CS)	'Public Hearing' signs are acknowledged as received by the applicant
	Received information for neighborhood meeting - PDF Online

APPLICANT SIGNATURE _____
Cheryl J. Lee

APPLICANT RESPONSE TO
SECTION 19-2.3.7(D)(1), FINDINGS
(You may attach a separate sheet)

1. Describe the extraordinary and exceptional condition (such as size, shape, and topography) that pertains to the subject property that does not generally apply to other land or structures in the vicinity.

2. Are the circumstances affecting the subject property the result of actions by the applicant/owner?

3. Describe the ways in which application of the requirement(s) of the ordinance effectively prohibit or unreasonably restrict the utilization of the subject property.

4. Is the request the minimum action that will make possible the reasonable use of land or structure which is not contrary to the public interest and which will carry out the spirit of the ordinance?

5. Describe the ways in which the granting of the variance will not result in substantial detriment to adjacent property or to the public good. In what way(s) will the granting of the variance not harm the character of the district?

6. Describe the ways in which the granting of the variance will be generally consistent with the purposes and intent of the ordinance.

DESCRIPTION OF REQUEST : Asking for the house to be pushed back further on the lot due to a 25' sewer easement and 10' utility & drainage easement that run on the lot (see plat). Currently the house to the left of the subject property sits back 14.2' and the house to the right of the subject property sits back approximately 41.6'. Per my meeting with Brennan Williams, the future house on the subject property would need to sit back 27.9' feet. As you can see on the plat, there is a sewer easement and utility & drainage easement in the way and the house would have to be roughly 7' – 9' wide. When the lot was originally subdivided in 2001, it was approved to sit back 50'. Since 2001, there has been another easement uncovered (10' utility & drainage easement) and I am requesting that I sit back 71' per the attached plat so I can accommodate a 30' x 37' footprint.

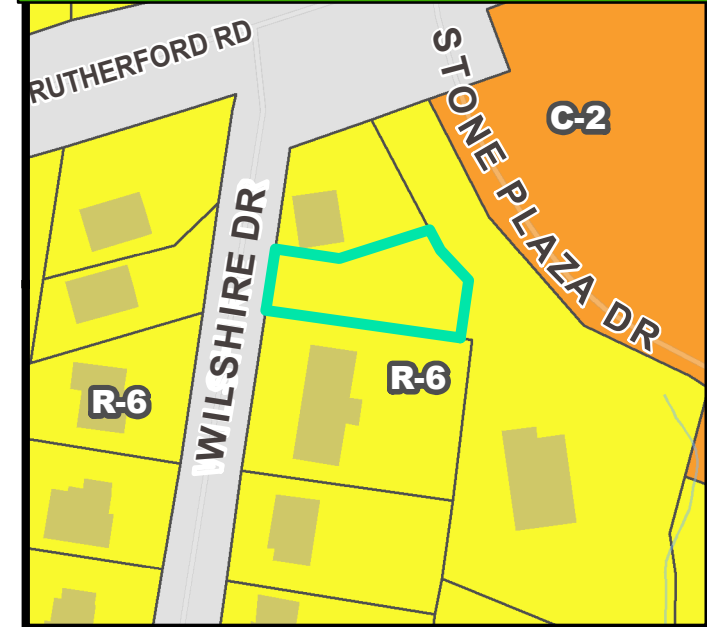
1. Describe the extraordinary and exceptional condition (such as size, shape, and topography) that pertains to the subject property that does not generally apply to other land or structures in the vicinity. The lot has a 25' sewer easement & a 10' drainage & utility easement running through the lot.
2. Are the circumstances affecting the subject property the result of actions by the applicant/owner? They are not as I bought the lot with these easements in place. I was told by the City of Greenville prior to purchasing that it was a buildable lot. Please see email attached.
3. Describe the ways in which application of the requirement(s) of the ordinance effectively prohibit or unreasonably restrict the utilization of the subject property. It would only allow to build a 7' – 9' wide home.
4. Is the request the minimum action that will make possible the reasonable use of land or structure which is not contrary to the public interest and which will carry out the spirit of the ordinance? This request is the minimum to build a reasonable size home. 30' x 37'
5. Describe the ways in which the granting of the variance will not result in substantial detriment to adjacent property or to the public good. In what way(s) will the granting of the variance not harm the character of the district? It will not result in the detriment to the adjacent property or character of the of the district as it will be a very fitting home for the area. (Please see rendering attached. It is currently being modified.)
6. Describe the ways in which the granting of the variance will be generally consistent with the purposes and intent of the ordinance. It will be generally consistent as the house to the left of the subject property does line up with the rest of the homes on the street and the home to the rear of the subject property does not line up with any of the homes.

V 19-880 • WILSHIRE DRIVE

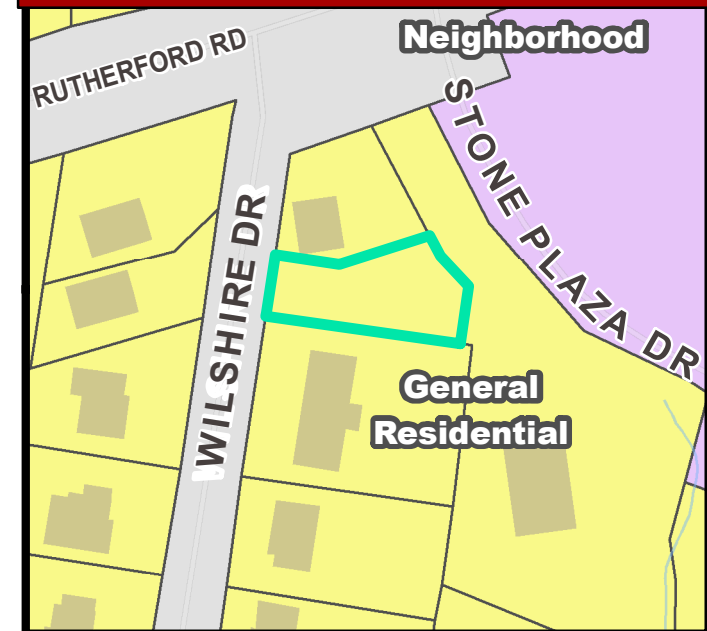
AERIAL VIEW



CURRENT ZONING



FUTURE LAND USE

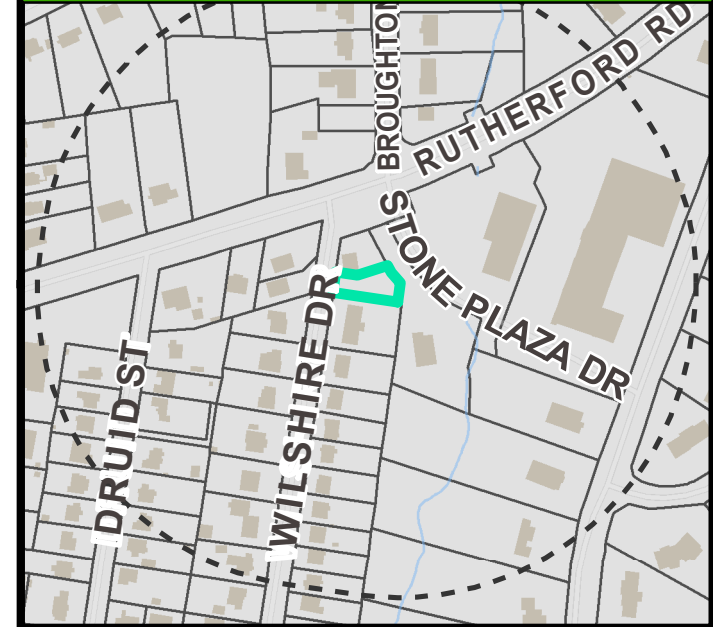


V 19-880 • WILSHIRE DRIVE

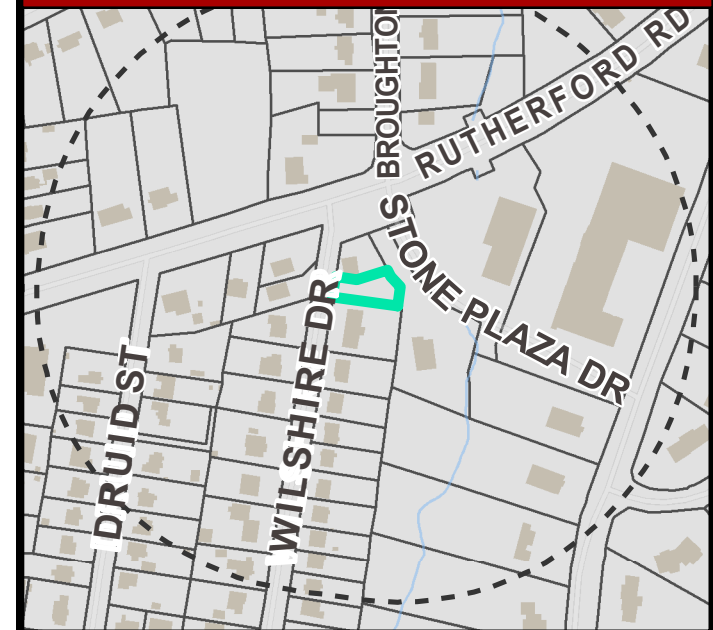
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS





Original Site Plan

**Tax Map 0184000506400
N/F George G.B. Griffin Tr.
DB 2102-570, PB 44W-9**

Tax Map 0184000506410
N/F Deborah R. & Michael J. Kuntz
DB 2157-1925, PB 44S-59

Tax Map 0184000501000
N/F Cynthia J. & Randy B. Childers
DB 1896-753

"I hereby state that to the best of my professional knowledge, information and belief, the survey shown herein was made in accordance with the Minimum Standards Manual for the Practice of Land Surveying in South Carolina and meets or exceeds the requirements for a Class "A" survey as specified therein.

Note: Plat revised 12-06-2019 to show adjustment to proposed homesite.

This property is subject to any and all easements and/or rights-of-way of record or not of record.

"This plat is not a subdivision as defined in the Greenville County Land Development Regulations, Article 2, Definitions."

Except as specifically shown or stated on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements that were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision regulations; zoning or other land use regulations, and any other facts that an accurate and current title search may disclose. This survey does not constitute a title search by the Surveyor.

Wallace & Associates does not warrant the existence or nonexistence of Jurisdictional Wetlands or areas that may be affected by hazardous materials on the survey site.

This survey is not a true and valid print of the original document unless it bears an original signature and raised embossed seal of the Surveyor.



Wallace & Associates

Complete Surveying Services

Jeffry M. Wallace (864) 297-6989
P.O. Box 903, Taylors, S.C. 29687

State Of South Carolina
County Of Greenville
Surveyed At The Request Of

Chad Stepp

Survey For Alex Acree
Lot 1



Jeffrey M. Wallace R.L.S. 12251

There is a 5' drainage and utility easement along all side and interior rear lot lines and a 10' drainage and utility easement along the exterior boundary of the subdivision unless adjoining property owners have established easements. There is a 5' utility easement along all front property lines.

10 0 10 20 1" = 20'

Date: June 06, 2019

Tax Map: 0184000506409

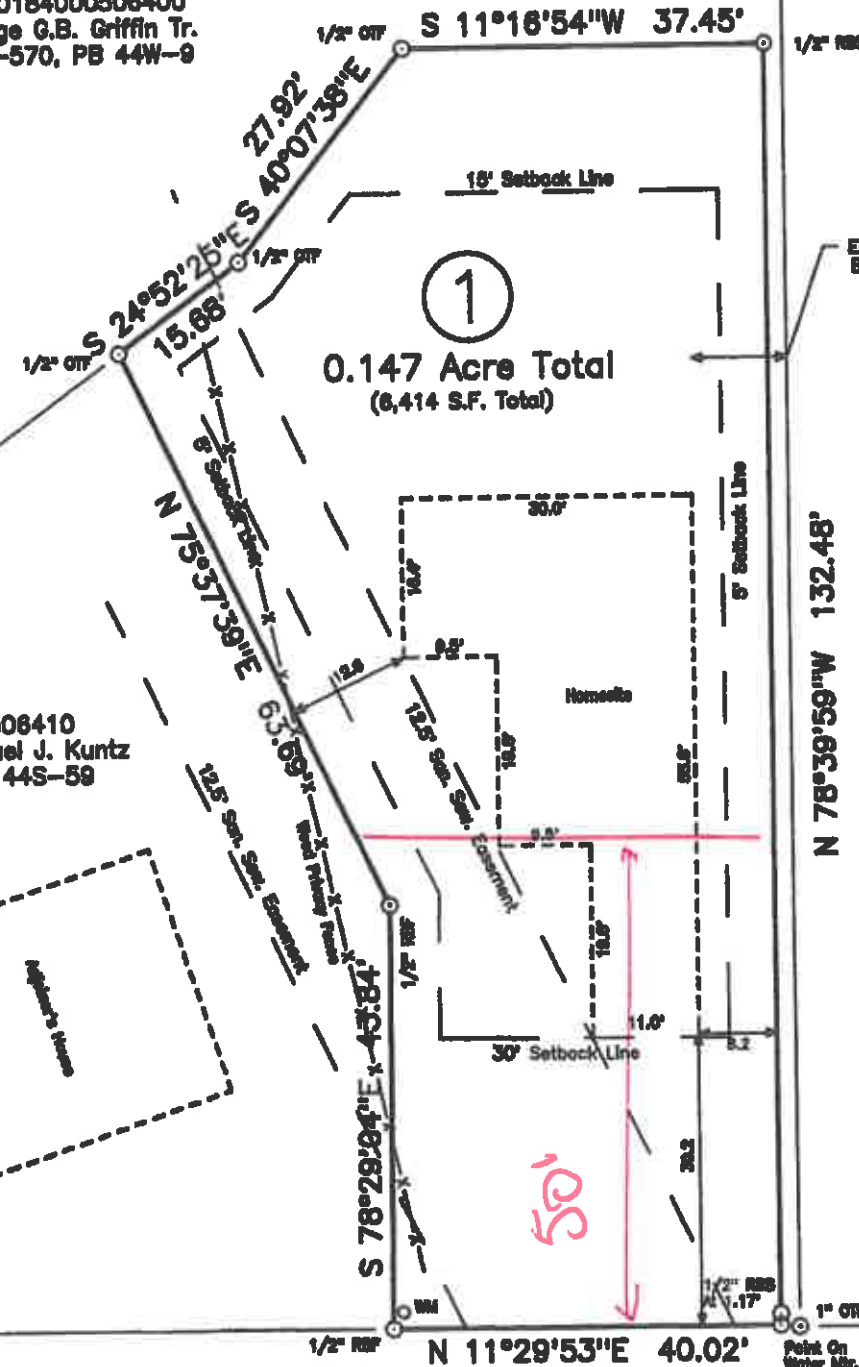
Reference Deed: 2157-1925

Drawn By: JMW

Project # 195444

Revised Site Plan

Tax Map 0184000508400
N/F George G.B. Griffin Tr.
DB 2102-570, PB 44W-9



0.147 Acre Total
(8,414 S.F. Total)

Tax Map 0184000501000
N/F Cynthia J. & Randy B. Childers
DB 1896-753

Tax Map 0184000508410
N/F Deborah R. & Michael J. Kuntz
DB 2157-1925, PB 44S-58

Wilshire Drive

There is a 5' drainage and utility easement along all side and interior rear lot lines and a 10' drainage and utility easement along the exterior boundary of the subdivision unless adjoining property owners have established easements. There is a 5' utility easement along all front property lines.

"I hereby state that to the best of my professional knowledge, information and belief, the survey shown herein was made in accordance with the Minimum Standards Manual for the Practice of Land Surveying in South Carolina and meets or exceeds the requirements for a Class "A" survey as specified therein.

Note: Plat revised 12-08-2019 to show adjustment to proposed homesite.
Plat revised to show revision of homesite foot print and front setback.

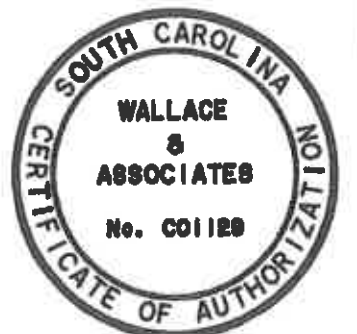
This property is subject to any and all easements and/or rights-of-way of record or not of record.

"This plat is not a subdivision as defined in the Greenville County Land Development Regulations, Article 2, Definitions."

Except as specifically shown or stated on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements that were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision regulations; zoning or other land use regulations, and any other facts that an accurate and current title search may disclose. This survey does not constitute a title search by the Surveyor.

Wallace & Associates does not warrant the existence or nonexistence of Jurisdictional Wetlands or areas that may be affected by hazardous materials on the survey site.

This survey is not a true and valid print of the original document unless it bears an original signature and raised embossed seal of the Surveyor.



Wallace & Associates
Complete Surveying Services

Jeffrey M. Wallace (864) 297-8889
P.O. Box 903, Taylors, S.C. 29687

State Of South Carolina
County Of Greenville
Surveyed At The Request Of

Chad Stepp

Survey For Alex Acree
Lot 1



Jeffrey M. Wallace R.L.S. 12251

10 0 10 20
1" = 20'

Date: June 08, 2019

Tax Map: 0184000506409

Reference Deed: 2157-1925

Drawn By: JMW

Field Book: Ranger, Page 5444

Field Crew: JW, JB

Reference Plat: 44W-9

Project # 195444

Front setback as required by Code

Tax Map 0184000506400
N/F George G.B. Griffin Tr.
DB 2102-570, PB 44W-9

Tax Map 0184000506410
N/F Deborah R. & Michael J. Kuntz
DB 2157-1925, PB 44S-59

Tax Map 0184000501000
N/F Cynthia J. & Randy B. Childers
DB 1896-753

"I hereby state that to the best of my professional knowledge, information and belief, the survey shown herein was made in accordance with the Minimum Standards Manual for the Practice of Land Surveying in South Carolina and meets or exceeds the requirements for a Class "A" survey as specified therein.

Note: Plot revised 12-06-2019 to show adjustment to proposed homesite.

This property is subject to any and all easements and/or rights-of-way of record or not of record.

"This plat is not a subdivision as defined in the Greenville County Land Development Regulations, Article 2, Definitions."

Except as specifically shown or stated on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements that were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision regulations; zoning or other land use regulations, and any other facts that an accurate and current title search may disclose. This survey does not constitute a title search by the Surveyor.

Wallace & Associates does not warrant the existence or nonexistence of Jurisdictional Wetlands or areas that may be affected by hazardous materials on the survey site.

This survey is not a true and valid print of the original document unless it bears an original signature and raised embossed seal of the Surveyor.



Wallace & Associates

Complete Surveying Services

Jeffrey M. Wallace (864) 297-6989
P.O. Box 903, Taylors, S.C. 29687

State Of South Carolina
County Of Greenville
Surveyed At The Request Of

Chad Stepp

Survey For Alex Acree
Lot 1



Jeffrey M. Wallace R.L.S. 12251

Date: June 06, 2019

Tax Map: 0184000506409

Reference Deed: 2157-1925

Drawn By: JMW

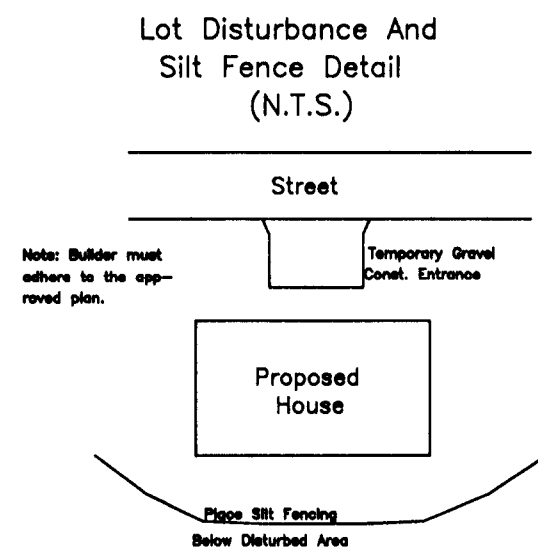
Field Book: Ranger. Page 5444

Field Crew: JW,JB

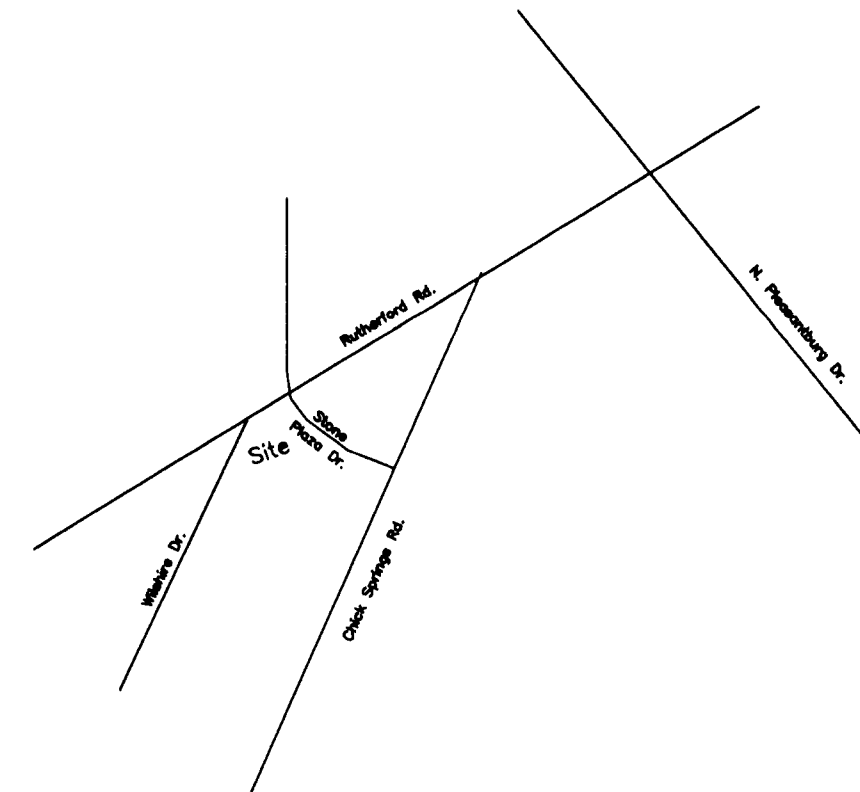
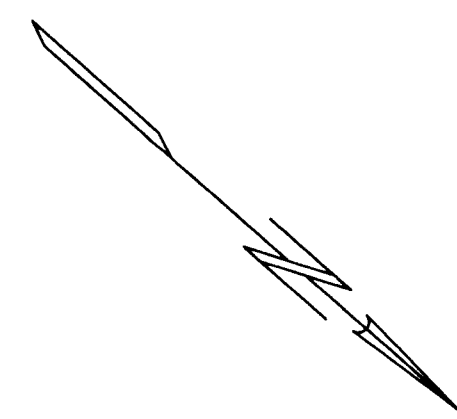
Reference Plat: 44W-9

Project # 195444

There is a 5' drainage and utility easement along all side and interior rear lot lines and a 10' drainage and utility easement along the exterior boundary of the subdivision unless adjoining property owners have established easements. There is a 5' utility easement along all front property lines.



FILED
NOV 19 2001



Location Map N.T.S.

Certificate Of Ownership And Dedication

"The undersigned hereby acknowledge that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent and that I (we) establish the minimum building restriction lines and hereby dedicate to public use as roads, streets and easements, forever all areas as shown or indicated on said plat."

Date: _____	Signed: _____
Date: _____	Signed: _____
Date: _____	Signed: _____
Date: _____	Signed: _____

Certificate Of Accuracy

"I hereby state that to the best of my professional knowledge, information and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in the State of South Carolina and meets or exceeds the requirements of a Class A survey as specified therein; and that the boundaries not surveyed are shown as broken lines plotted from various information as shown on this plat, and that this plat was prepared in accordance to the Greenville County Subdivision Regulations as adopted."

11-15-01
Date

Jeff M. Wallace
Registered Surveyor

Certificate Of Approval For Recording

"I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for the City of Greenville, Greenville County, SC with the exception of such variances, if any, as are noted in the minutes of the Greenville County Planning Commission of Greenville County, SC and that it has been approved for recording in the office of the County Register of Mesne Conveyance."

11-16-01
Date

DA Zogh
City Engineer

11/19/01
Date

Patricia E. Webb
Subdivision Administrator
Greenville County
Planning Commission

Summary Plat

File Number

01-266

Survey For Alex Acree

Lot No.	Area (S.F.)
1	6,426
2	6,538
3	37,823

38,122 S.F. More Or Less
To Center Of Creek

44-W-9

104223

Revised 11-15-01 Changed Lots 1 and 3

FILED FOR RECORD IN GREENVILLE
COUNTY SC R.O.D. OFFICE AT 02:33 PM
11-19-01 RECORDED IN PLAT
BOOK 44-W PAGE 0009 THRU 0000
DOC # 2001104223
Judy B. Hix

11/19/01 pfm
DATE

According to F.E.M.A. floodway data, this property is located in an established flood hazard area. Reference F.I.R.M. Community Panel No. 450091-0002B. Effective Date 9-16-92.

This property is subject to any and all easements and/or rights-of-way of record or not of record.

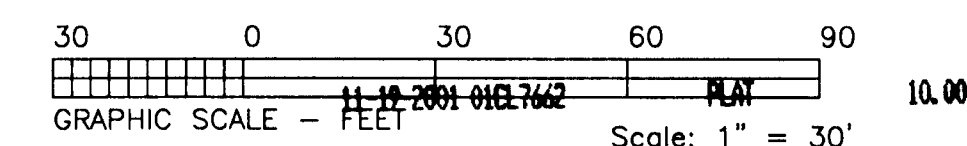
A stormwater management and sediment reduction plan has been prepared for this property and will be applied for land disturbing activities. Each property owner will comply with this plan unless an individual plan is prepared and approved for that property.

There is a 5' drainage and utility easement along all side and interior rear lot lines & a 10' drainage and utility easement along the exterior boundary of the subdivision unless adjoining property owners have established easements. There is a 5' utility easement along all front property lines.

Wallace & Associates does not warrant the existence or non-existence of Jurisdictional Wetlands or areas that may be affected by hazardous materials on the survey site.

1/2" rebars placed at all corners unless noted otherwise.

The Base Flood Elevation (BFE) for this property is 964.5' per F.E.M.A. floodway data.
The Minimum Finished Floor for Lot 3 is 968.5' M.S.L. (F.E.M.A. Base Flood Elev. + 4').





**Planning Staff Report to
Board of Zoning Appeals
February 4, 2020**
for the February 13, 2020 Public Hearing

Docket Number:	S 19-903
Applicant:	CHIP FOGLEMAN
Property Owner:	BRADSHAW FAMILY LIMITED PARTNS
Property Location:	330 WOODRUFF RD
Tax Map Number:	026200-01-00103
Acreage:	18.93
Zoning:	S-1, Service District
Proposal:	Special exception to expand existing used car sales building located

Applicable Sections of the City of Greenville Code of Ordinances:

Sec.19-2.1.3 (A) (1), *Board of Zoning Appeals/Powers and Duties/Special Exceptions*

Sec.19-2.3.5, *Special Exception Permit*

Sec.19-4.1, *Table of Uses*

Sec. 19-4.3.3 (G), *Use Specific Standards, Vehicle Sales and Services*

Staff Recommendation: Staff concludes that the application complies with the standards for granting a Special Exception Permit for “automobile sales”. If the Board decides to grant the permit, staff recommends the following conditions:

1. The use of the property shall substantially conform to the testimony of the applicant and the content of the application.
2. The special exception permit shall be limited to the applicant, Bradshaw Family, Limited Partnership, and is not transferrable.

Staff Analysis:

The applicant proposes to expand the existing automobile sales use for Breakaway Honda at 330 Woodruff Road near the intersection of Laurens Road and Woodruff Road. The expansion would enlarge the existing used car sales space and provide for car detailing space.

A Special Exception Permit shall be approved only upon finding that the applicant demonstrates all of the following are met:

1. *Consistent with the comprehensive plan*

The Future Land Use Map of the City’s Comprehensive Plan designates the area as “Transit Oriented Development,” which encourages a blend of multi-family residential, high-intensity employment, office civic, entertainment and institutional uses, as well as a limited amount of retail use in a pedestrian-friendly area. Although this designation does not speak directly to the proposed use, this Board has approved automobile sales uses in this area in the past.

Therefore, staff believes the proposed use is consistent with the comprehensive plan.

2. Complies with use specific standards

(G) Vehicle sales and services. *All such uses shall comply with the following standards:*

- (1) *Vehicles, parts, or equipment shall not be stored, parked or displayed in any landscape area, the right-of-way, or in a location which obstructs visibility in sight triangles for streets and driveways.*
- (2) *All automobiles not displayed for sale or lease, automobile parts, discarded parts, and similar materials shall be stored within an enclosed building or within an outdoor storage area which complies with screening requirements in subsection 19-6.2.5, additional screening requirements.*
- (3) *Automobile sales and rental. Automobile sales and rental uses shall be subject to the following standards:*

(a) Site configuration.

1. *Minimum site size. Automobile sales or rental uses shall be located on a site at least two acres in area. Contiguous or adjacent parcels, including rights-of-way, under the same ownership and used for automobile sales or rental, shall be counted as one parcel to meet the minimum lot size.*
2. *Multi-building developments. Developments of three or more buildings shall cluster the buildings close to one another in a campus-style configuration.*

(b) Vehicle display/storage areas. *Vehicle display/storage areas shall be subject to the following standards:*

1. *A vehicle display/storage area shall not be located within a required setback, required landscaping area, or required parking space.*
2. *Vehicle display devices shall not be elevated more than two feet above grade.*
3. *Areas used for display or storage of vehicles shall be paved. Use of permeable pavers or porous pavement is strongly encouraged.*
4. *Display vehicles shall be arranged in an orderly fashion and provide reasonable room for pedestrian and vehicular maneuvering.*
5. *No vehicles shall be displayed on top of a building.*
6. *Junked or salvage vehicles are prohibited. All motor vehicles for sale shall be maintained in running condition.*

(c) Service areas. *Automobile service areas shall take place entirely within an enclosed building. Service bay or garage doors that face a public right-of-way shall be recessed at least 15 feet beyond the main facade of the building. Service bay and garage doors shall not face residential districts.*

(d) Site features.

1. *Public address system. Automobile sales and rental uses shall not include a public address system that is audible off-site.*
2. *Refuse and recycling containers. Refuse and recycling containers shall be located so as to minimize their visibility from adjacent public streets and be fully screened by a wall that is constructed of the same material as the principal structure. The wall shall be of the minimum height necessary to fully screen the refuse and recycling*

containers from off-site view. Refuse and recycling container enclosures shall incorporate opaque entry gates.

3. Exterior lighting. *In addition to lighting standards in section 19-6.4, automobile sales and rental uses that are adjacent to existing single-family homes shall extinguish all exterior lighting located within 100 feet of the single-family parcel, except lighting necessary for security or emergency purposes, by 10:00 p.m. or within one hour of closing, whichever occurs first. For the purposes of this subsection, the term "lighting necessary for security or emergency purposes" shall be construed to mean the minimum amount of exterior lighting necessary to illuminate possible points of entry or exit into a structure, to illuminate exterior walkways, or to illuminate outdoor storage areas. Such lighting may be activated by motion sensor devices.*
4. Screening wall. *Lot lines abutting residentially zoned land shall incorporate a solid masonry wall with a minimum height of six feet. Canopy trees meeting the requirements of table 19-6.2-1 shall be planted along the wall with a maximum on-center spacing of 15 feet. Trees may be placed on either side of the wall. When trees are placed between the wall and lot line, a minimum planting strip of five feet in width shall be maintained between the wall and the lot line.*
5. Outdoor storage prohibited. *Outdoor storage of materials, supplies, and equipment shall be prohibited.*

- (4) *The special exception permit shall be limited to the applicant and shall not be transferrable.*

The applicant will be required to comply with the use specific standards.

3. Compatibility with the surrounding lands

The character of the surrounding area consists of automotive dealerships and big-box retailers along Laurens Road and smaller office uses along Woodruff Road. The area is considered to be the outer limit of the motor mile which includes over 30 car dealerships in the area.

Staff believes the use is compatible with the surrounding lands.

4. Design does not have substantial adverse impact

The development will be required to meet all applicable use specific standards which are designed to minimize impacts on the surrounding areas.



Office Use Only:

Application# SPEX 19-903 Fees Paid \$250
Date Received 12/19/19 Accepted By RV

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE* Bob Davis - Bradshaw Family Limited Partnership

* _____ Name _____ Title / Organization _____
permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: R.L.Fogleman Jr., FRF Inc. - Engineer
(Optional) _____ Name _____ Title / Organization _____

MAILING ADDRESS: 25 Woods Lake Road, Suite 705, Greenville S.C. 29607

PHONE: 864-271-8633 EMAIL: rlf@frfinc.net

PROPERTY OWNER: Bradshaw Family Limited Partnership

MAILING ADDRESS: P.O. Box 2269, Greer S.C. 29651

PHONE: 864-879-7111 EMAIL: bobdavis@bradshawauto.com

PROPERTY INFORMATION

STREET ADDRESS: 330 Woodruff Road - Breakaway Honda

TAX PARCEL #: 0263000100103 ACREAGE: +/-18.9 ZONING DESIGNATION: S-1

REQUEST

Refer to Article 19-4, Use Regulations, of the Land Management Ordinance (www.municode.com/library/)

DESCRIPTION OF PROPOSED LAND USE:

Enlarge the Used Car Building.
Add a "Detail Building" on the existing Used Car Sale Building.
Various small modifications on the existing showroom, canopy etc.

INSTRUCTIONS

1. The application and fee, **made payable to the City of Greenville**, must be received by the planning and development office no later than 5:00 pm of the date reflected on the attached schedule.

2. The applicant/owner must respond to the "standards" questions on page 2 of this application (you must answer "why" you believe the application meets the tests for the granting of a special exception). See also **Section 19-2.3.5, Special Exception Permit**, for additional information. You may attach a separate sheet addressing these questions.

3. You must attach a scaled drawing of the property that reflects, at a minimum, the following: (a) property lines, existing buildings, and other relevant site improvements; (b) the nature (and dimensions) of the proposed development (activity); (c) existing buildings and other relevant site improvements on adjacent properties; and, (d) topographic, natural features, etc. relevant to the requested special exception.

4. You must attach the required application fee: \$250.00

5. The administrator will review the application for "sufficiency" pursuant to **Section 19-2.2.6, Determination of Sufficiency**, prior to placing the application on the BZA agenda. If the application is determined to be "insufficient", the administrator will contact the applicant to request that the applicant resolve the deficiencies. **You are encouraged to schedule an application conference with a planner, who will review your application for "sufficiency" at the time it is submitted. Call (864) 467-4476 to schedule an appointment.**

6. You must post the subject property at least 15 days (but not more than 18 days) prior to the scheduled hearing date.

_____ 'Public Hearing' signs are acknowledged as received by the applicant

R. J. Davis / AGENT
Applicant Signature

7. **Please read carefully:** The applicant and property owner affirm that all information submitted with this application; including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

In addition the applicant affirms that the applicant or someone acting on the applicant's behalf has made a reasonable effort to determine whether a deed or other document places one or more restrictions on the property that preclude or impede the intended use and has found no record of such a restriction.

If the planning office by separate inquiry determines that such a restriction exists, it shall notify the applicant. If the applicant does not withdraw or modify the application in a timely manner, or act to have the restriction terminated or waived, then the planning office will indicate in its report to the Board of Zoning Appeals that granting the requested change would not likely result in the benefit the applicant seeks.

To that end, the applicant hereby affirms that the tract or parcel of land subject of the attached application is ☒ or is not ☐ restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity.

<u>A. H. Fox</u>	APPLICANT / REPRESENTATIVE SIGNATURE
<u>12/17/19</u>	DATE
<u>R. J. Davis / Agent</u>	PROPERTY OWNER SIGNATURE
<u>12/17/19</u>	DATE

**APPLICANT RESPONSE TO
SECTION 19-2.3.5(D)(1), STANDARDS – SPECIAL EXCEPTION**

(YOU MAY ATTACH A SEPARATE SHEET)

1. DESCRIBE THE WAYS IN WHICH THE PROPOSED SPECIAL EXCEPTION IS CONSISTENT WITH THE COMPREHENSIVE PLAN.

In comprehensive plan this area is shown as "Transit Oriented Development".
This special exception will allow the existing auto dealership to maintain and improve it's facility.

2. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL COMPLY WITH THE STANDARDS IN **SECTION 19-4.3, USE SPECIFIC STANDARDS.**

Code of Ordanices Section 19-4.3 includes auto sales and service which is the function of Breakaway Honda.

The new additions/building will be in compliance with these standards.

3. DESCRIBE THE WAYS IN WHICH THE REQUEST IS APPROPRIATE FOR ITS LOCATION AND IS COMPATIBLE WITH THE CHARACTER OF EXISTING AND PERMITTED USES OF SURROUNDING LANDS AND WILL NOT REDUCE THE PROPERTY VALUES THEREOF.

This request only allows the additional and/or upgrades to the existing automobile dealership. Property values will not be affected.

4. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL MINIMIZE ADVERSE EFFECTS ON ADJACENT LANDS INCLUDING: VISUAL IMPACTS; SERVICE DELIVERY; PARKING AND LOADING; ODORS; NOISE; GLARE; AND, VIBRATION. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL NOT CREATE A NUISANCE.

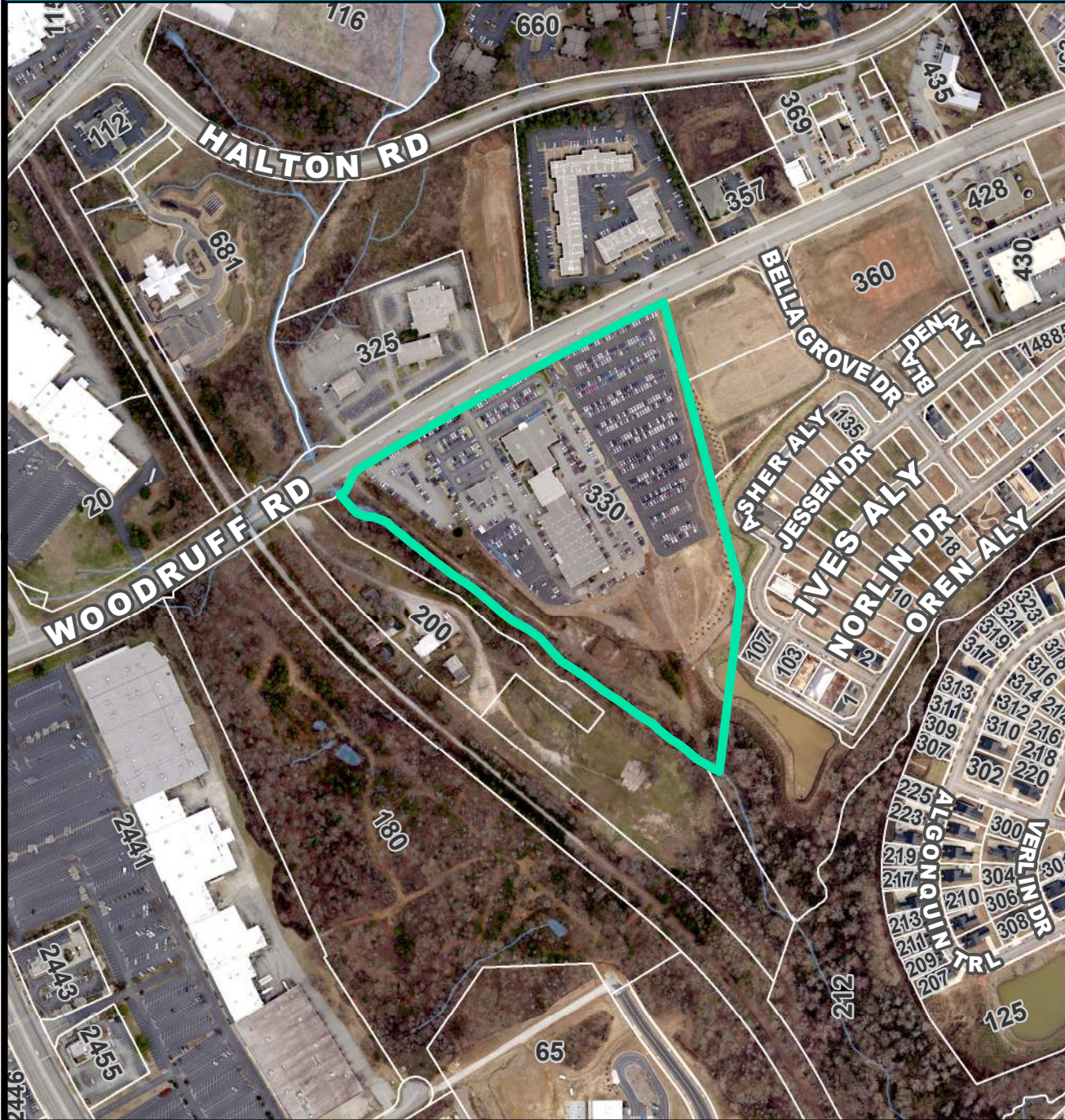
No work being proposed in the area adjacent to the Verdae Property or the Landscape Buffer at this time. The new facilities will be adjacent to the Floodplain/creek on the west side. Visual impact will be minimized for the general public.

APPLICATION RESPONSE TO SECTION 12-2.3.5 STANDARDS
CONTINUATION FOR NUMBER 4.

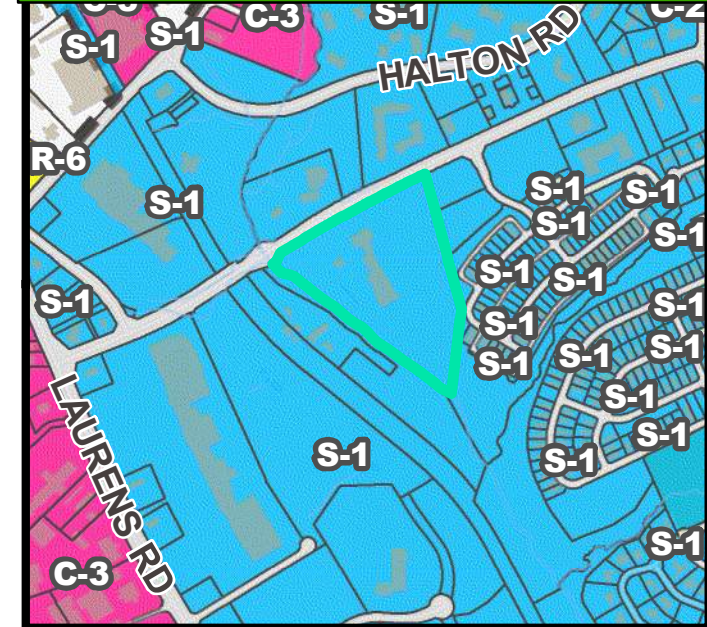
4. The request will not create a nuisance as the use is per the existing dealership. The used car building is being renovated and will include an attached detail building.

SPEX 19-903 • 330 WOODRUFF ROAD

AERIAL VIEW



CURRENT ZONING

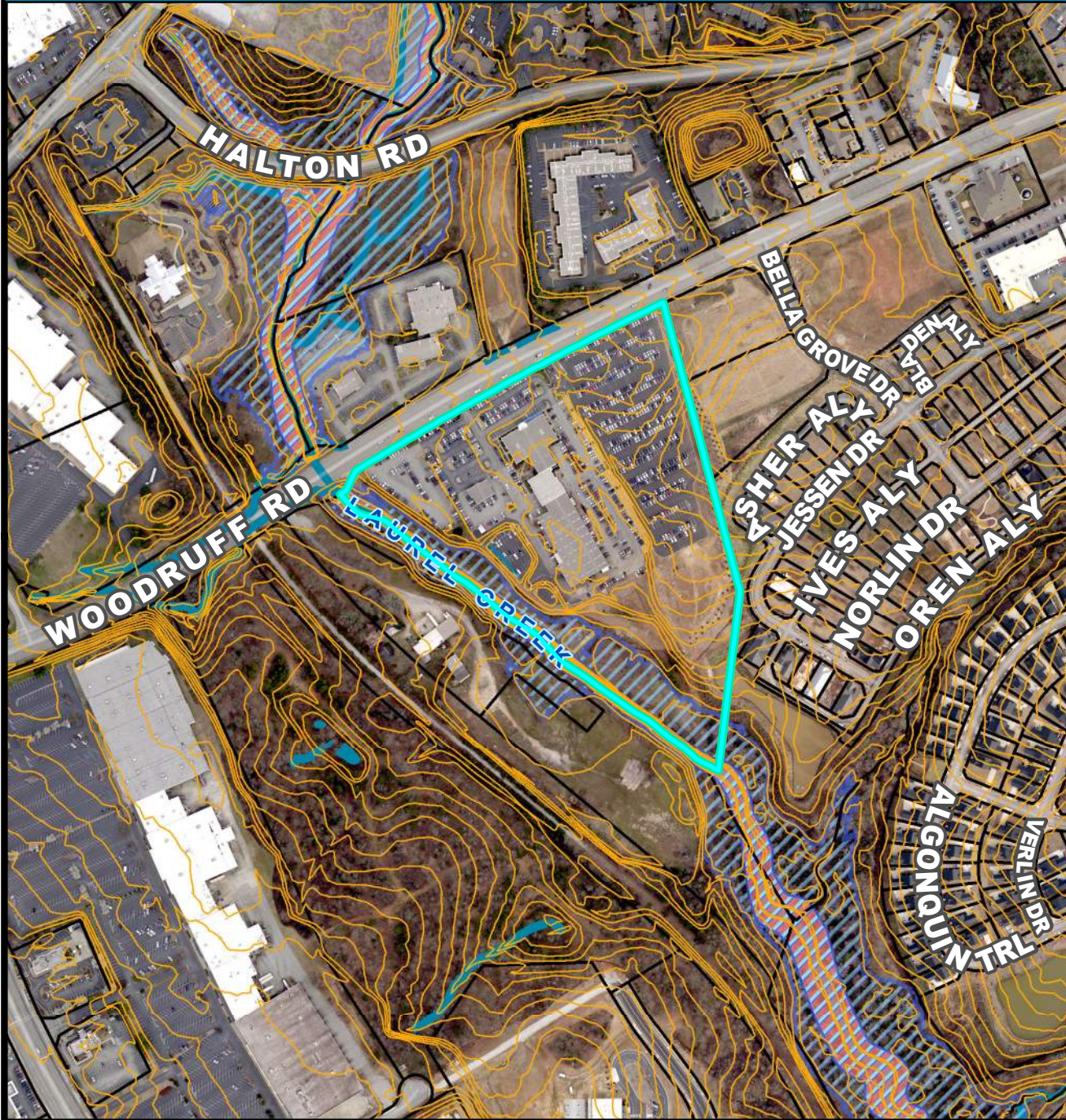


FUTURE LAND USE



SPEX 19-903 • 330 WOODRUFF ROAD

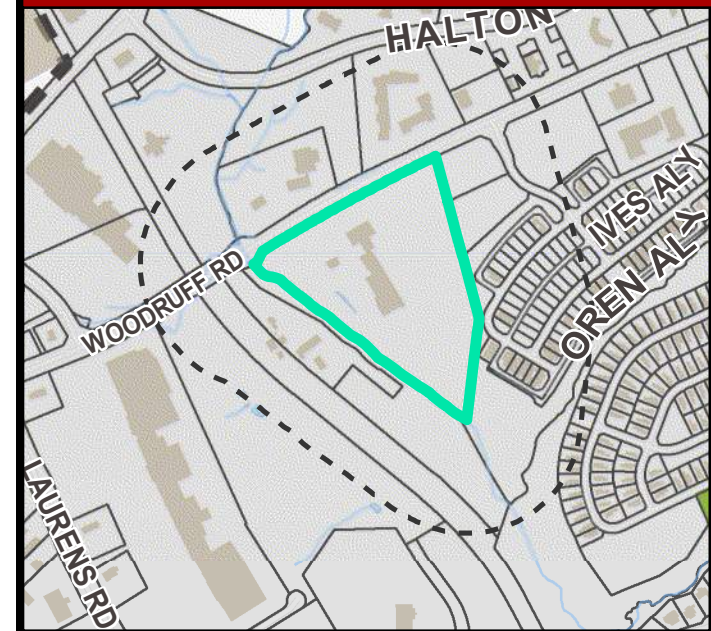
NATURAL / ENVIRONMENTAL FEATURES

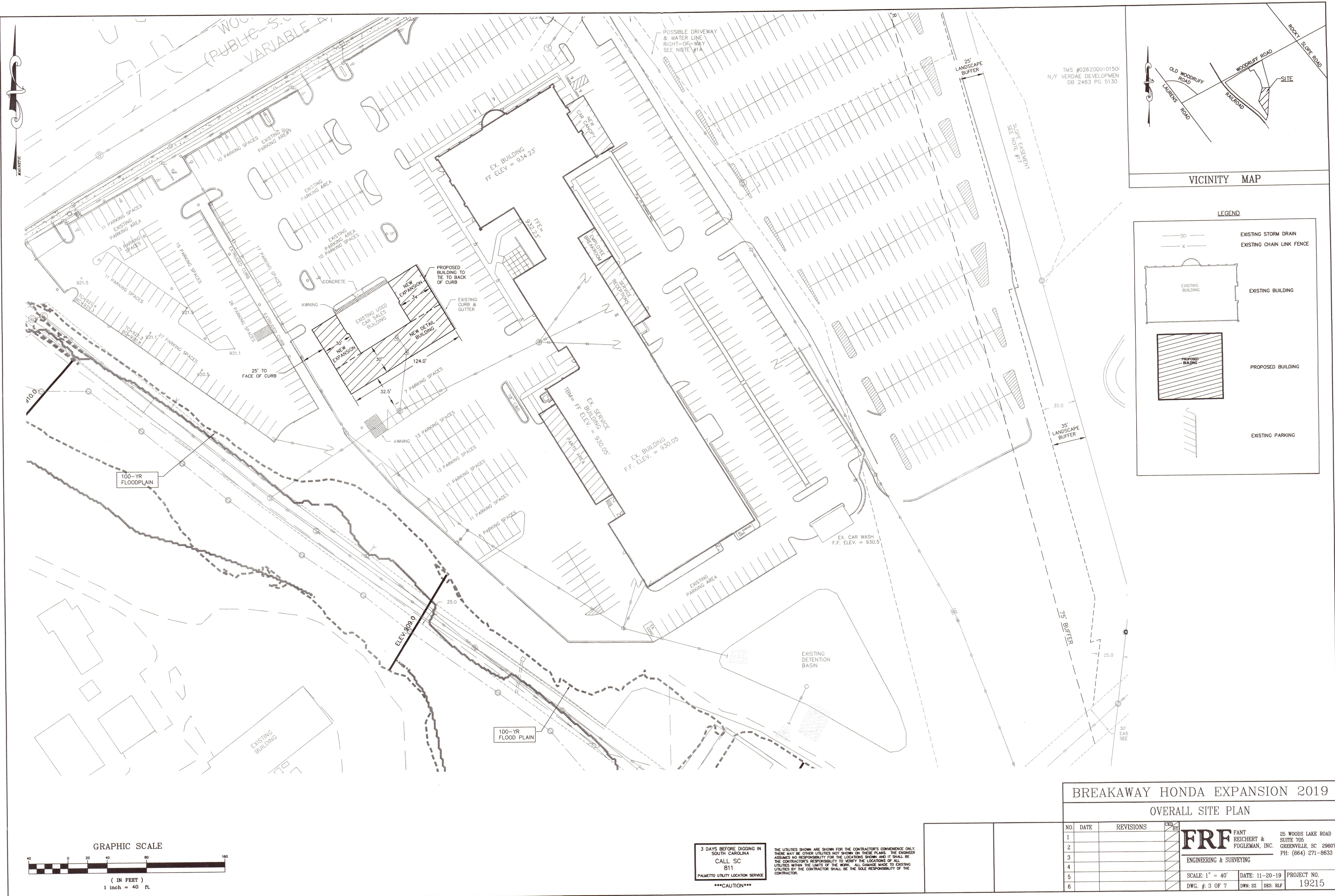


SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS





BREAKAWAY HONDA EXPANSION 2019				
OVERALL SITE PLAN				
NO	DATE	REVISIONS	CD BY	 FRF FANT REICHERT & FOGLEMAN, INC. 25 WOODS LAKE ROAD SUITE 705 GREENVILLE, SC 29607 PH: (864) 271-8633
1				ENGINEERING & SURVEYING SCALE: 1" = 40' DWG. # 3 OF 7 DATE: 11-20-19 DWN: SZ DES: RLF PROJECT NO. 19215
2				
3				
4				
5				
6				



**Planning Staff Report to
Board of Zoning Appeals
February 5, 2020
for the February 13, 2020 Public Hearing**

Docket Number:	S 20-004
Applicant:	Northside Traders LLC
Property Owner:	Northside Traders LLC
Property Location:	510 S ACADEMY ST
Tax Map Number:	007400-03-00300
Acreage:	0.254
Zoning:	C-2, Local Commercial District
Proposal:	Special exception to establish a visitor accommodations use

Applicable Sections of the City of Greenville Code of Ordinances:

Sec.19-2.1.3 (A) (1), *Board of Zoning Appeals/Powers and Duties/Special Exceptions*

Sec.19-2.3.5, *Special Exception Permit*

Sec.19-4.1, *Table of Uses*

Sec.19-5.1, *Table of Dimensional Standards*

Staff Recommendation: Staff concludes that the application is unable to comply with the site setback standards for a “hotel/motel” use and therefore recommends denial.

Staff Analysis:

The applicant approached the city with a proposal to construct a residential home on this site. C-2 setback requirements are 3’ when adjacent to another commercial zone and 10’ when adjacent to a residential zone. Because the property is zoned C-2 and is directly adjacent to a residential district, the ordinance requires a 10’ setback for the sides. Staff worked with the applicant and allowed a 3’ setback because the applicant requested a permit for a single-family home at this location. Staff recognized that the single-family home was a reasonable, non-commercial use that would not require a strict enforcement of the 10’ setback requirement. Therefore, the applicant applied for and obtained a building permit, 18-4256, in April 2019 to construct a single-family home with a 3’ setback. Now the applicant proposes to convert his permitted single-family home to a structure to rent for periods less than 30-days. Staff’s interpretation of the Land Management Ordinance Use Table classifies rentals for less than 30-day periods as “Visitor Accommodations”. There are two specific use types within the visitor accommodations use category: hotel/motel and bed & breakfast inn. Because the applicant will not reside on the property at 510 South Academy Street, the use is not considered bed & breakfast inn. Hotel/motel uses may be permitted by special exception in a C-2, Local Commercial District. However, the site constraints will not accommodate the 10’ setback required for this commercial use. Due to the increased traffic to the property and the transient nature of the use, staff notes that this is a significant departure from a single-family use and that the 10’ setback requirement would need to be strictly applied to protect the residential district adjacent to the proposed use.

A Special Exception Permit shall be approved only upon finding that the applicant demonstrates all of the following are met:

1. *Consistent with the comprehensive plan*

The Future Land Use Map of the City's Comprehensive Plan designates the area as "Urban Residential," which is intended for neighborhoods surrounding the core downtown area, and can serve as a transition between downtown's core uses and the single-family neighborhoods of outlying areas. The classification allows for a range of housing, including single-family detached houses, single-family attached homes and multi-family units.

Staff believes the proposed conversion of the urban residential architecture to a hotel commercial use with increased traffic and transient occupancy is not consistent with the comprehensive plan.

2. *Complies with use specific standards*

The proposed hotel/motel use is unable to comply with all required setbacks. Therefore, the proposal does not comply with use specific standards.

3. *Compatibility with the surrounding lands*

The character of the surrounding area consists of the QT gas station, the KROC Center, and office, commercial, single-family attached and detached uses.

Staff believes the use is compatible with the surrounding lands.

4. *Design does not have substantial adverse impact*

The design of proposed special exceptions should minimize adverse effects, including visual impacts of the proposed use on adjacent lands. Because of the close proximity to the adjacent single-family unit at 433 North Markley Street, any proposed building should be limited to one story or stepped back from the side property line along the driveway along the northern property line of the subject property. Or the building should be sited next to the existing commercial building on the east end of the property to limit visual impacts to adjacent lands.



Office Use Only:

Application# S 20-004 Fees Paid \$250

Date Received 1/31/20 Accepted By PW

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE*: Tad Mallory Northside Traders, LLC.
* Name Title / Organization

permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: _____
(Optional) Name Title / Organization

MAILING ADDRESS: 301 Sammons Rd. Taylors, SC 29687

PHONE: 864-313-1352 EMAIL: tad@northsidetraders.com

PROPERTY OWNER: Same

MAILING ADDRESS: Same

PHONE: Same EMAIL: same

PROPERTY INFORMATION

STREET ADDRESS: 510 S. Academy St.

TAX PARCEL #: 0074000300300 ACREAGE: 1.25 ZONING DESIGNATION: C-2

REQUEST

Refer to Article 19-4, Use Regulations, of the Land Management Ordinance (www.municode.com/library/)

DESCRIPTION OF PROPOSED LAND USE:

Construction of a approx. 1200 ft.² residential structure to be used as a vacation short-term rental. Location is identified by blue on attachment.

INSTRUCTIONS

1. The application and fee, made payable to the City of Greenville, must be received by the planning and development office no later than 5:00 pm of the date reflected on the attached schedule.

2. The applicant/owner must respond to the "standards" questions on page 2 of this application (you must answer "why" you believe the application meets the tests for the granting of a special exception). See also **Section 19-2.3.5, Special Exception Permit**, for additional information. You may attach a separate sheet addressing these questions.

3. You must attach a scaled drawing of the property that reflects, at a minimum, the following: (a) property lines, existing buildings, and other relevant site improvements; (b) the nature (and dimensions) of the proposed development (activity); (c) existing buildings and other relevant site improvements on adjacent properties; and, (d) topographic, natural features, etc. relevant to the requested special exception.

4. You must attach the required application fee: \$250.00

5. The administrator will review the application for "sufficiency" pursuant to **Section 19-2.2.6, Determination of Sufficiency**, prior to placing the application on the BZA agenda. If the application is determined to be "insufficient", the administrator will contact the applicant to request that the applicant resolve the deficiencies. **You are encouraged to schedule an application conference with a planner, who will review your application for "sufficiency" at the time it is submitted. Call (864) 467-4476 to schedule an appointment.**

6. You must post the subject property at least 15 days (but not more than 18 days) prior to the scheduled hearing date.

2 'Public Hearing' signs are acknowledged as received by the applicant



Paul Mallory
Applicant Signature

7. **Please read carefully:** The applicant and property owner affirm that all information submitted with this application; including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

In addition the applicant affirms that the applicant or someone acting on the applicant's behalf has made a reasonable effort to determine whether a deed or other document places one or more restrictions on the property that preclude or impede the intended use and has found no record of such a restriction.

If the planning office by separate inquiry determines that such a restriction exists, it shall notify the applicant. If the applicant does not withdraw or modify the application in a timely manner, or act to have the restriction terminated or waived, then the planning office will indicate in its report to the Board of Zoning Appeals that granting the requested change would not likely result in the benefit the applicant seeks.

To that end, the applicant hereby affirms that the tract or parcel of land subject of the attached application is or is not ☒ restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity. ☐

Paul Mallory

APPLICANT / REPRESENTATIVE SIGNATURE

12/2/19

DATE

Paul Mallory

PROPERTY OWNER SIGNATURE

12/2/19

DATE

**APPLICANT RESPONSE TO
SECTION 19-2.3.5(D)(1), STANDARDS – SPECIAL EXCEPTION**

(YOU MAY ATTACH A SEPARATE SHEET)

1. DESCRIBE THE WAYS IN WHICH THE PROPOSED SPECIAL EXCEPTION IS CONSISTENT WITH THE COMPREHENSIVE PLAN.

A viable commercial business already operates next door to this proposed structure & the 2 will share a parking lot. QT is directly across the street.

2. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL COMPLY WITH THE STANDARDS IN SECTION 19-4.3, USE SPECIFIC STANDARDS.

My architect will make sure all standards will be adhered to including setbacks & parking.

3. DESCRIBE THE WAYS IN WHICH THE REQUEST IS APPROPRIATE FOR ITS LOCATION AND IS COMPATIBLE WITH THE CHARACTER OF EXISTING AND PERMITTED USES OF SURROUNDING LANDS AND WILL NOT REDUCE THE PROPERTY VALUES THEREOF.

This location is close to downtown & the Swamp Rabbit Trail. This will not be a low-end rental property & will be patronized by out of town guests.

4. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL MINIMIZE ADVERSE EFFECTS ON ADJACENT LANDS INCLUDING: VISUAL IMPACTS; SERVICE DELIVERY; PARKING AND LOADING; ODORS; NOISE; GLARE; AND, VIBRATION. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL NOT CREATE A NUISANCE.

My structure is surrounded by 3 public streets & will have a 2 night minimum stay. Parking & loading will occur in my private parking lot. Guests who stay here are coming to Greenville to enjoy Greenville, Unity Park, & The Swamp Rabbit Trail. The structure is not big enough to host parties & I'm confident the surrounding neighbors will be coming & going more than my guests.

S 20-004 • 501 S. ACADEMY STREET

AERIAL VIEW



CURRENT ZONING



FUTURE LAND USE

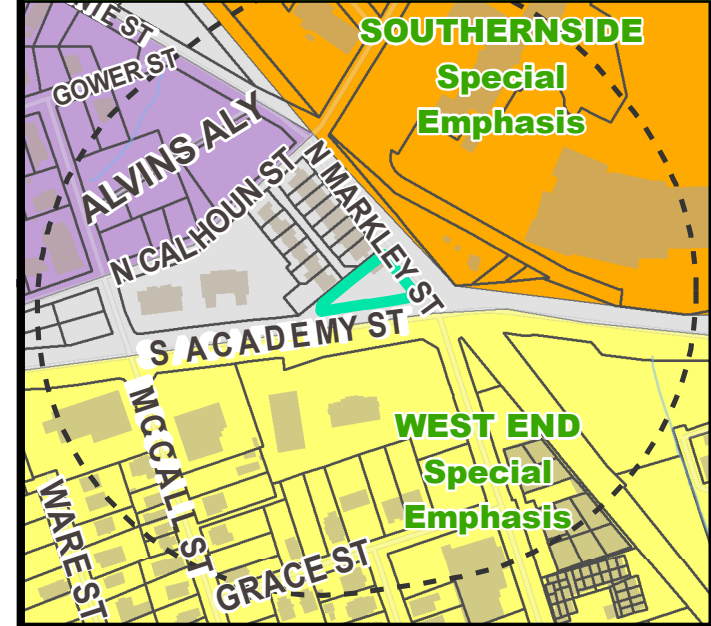


S 20-004 • 501 S. ACADEMY STREET

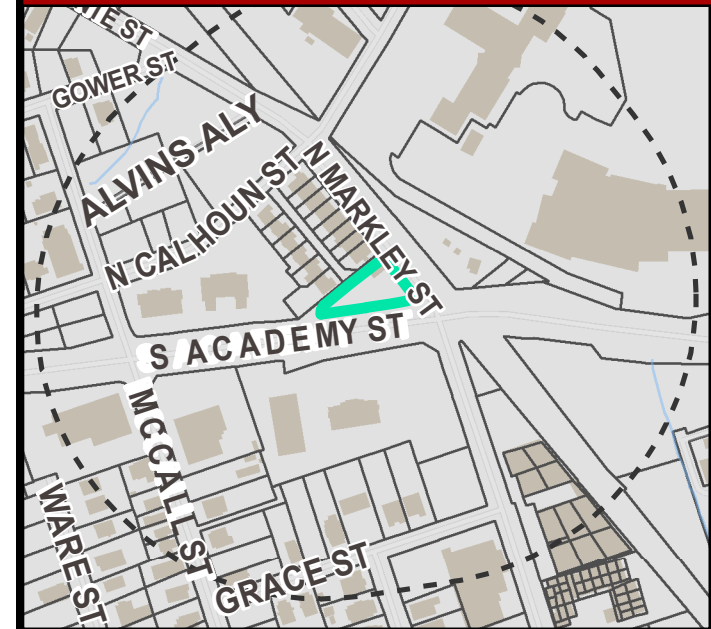
NATURAL / ENVIRONMENTAL FEATURES



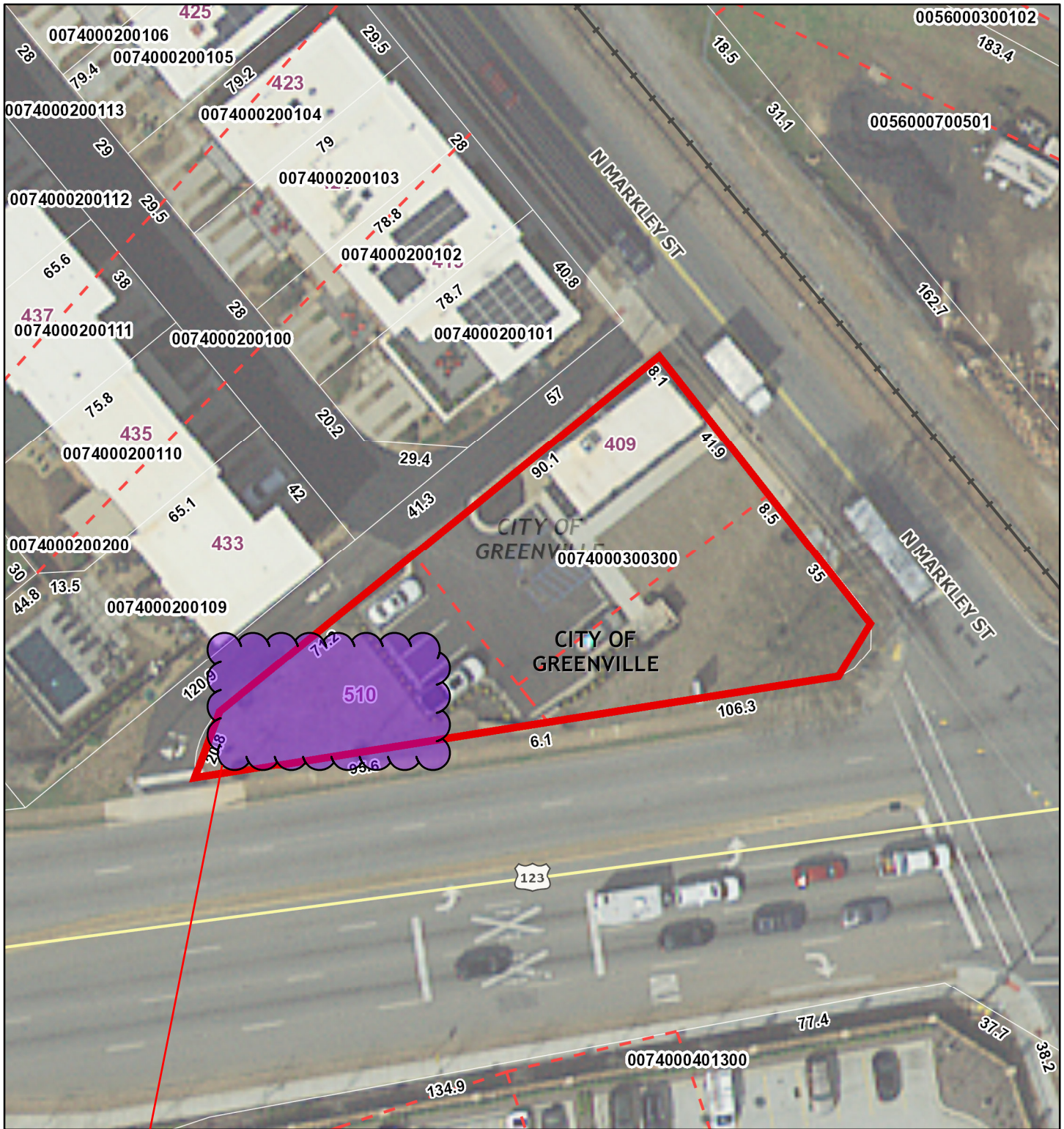
SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS

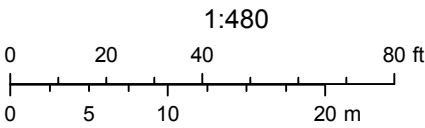


Greenville County, SC



January 28, 2020

Proposed site



Greenville County GIS
Greenville County GIS Division, Greenville, SC 29601





**Planning Staff Report to
Board of Zoning Appeals
February 4, 2020**
for the February 13, 2020 Public Hearing

Docket Number:	S 20-14
Applicant:	Bradshaw Family Limited Partnership
Property Owners:	Bradshaw Family Limited Partnership & William H. Bradshaw
Property Location:	2512 LAURENS RD
Tax Map Numbers:	026300-01-01800, 026300-01-01200, 026300-01-01301, & 026300-01-01501
Acreage:	5.675
Zoning:	C-3, Regional Commercial District
Proposal:	Special exception to establish automobile sales and service

Applicable Sections of the City of Greenville Code of Ordinances:

Sec.19-2.1.3 (A) (1), *Board of Zoning Appeals/Powers and Duties/Special Exceptions*

Sec.19-2.3.5, *Special Exception Permit*

Sec.19-4.1, *Table of Uses*

Sec. 19-4.3.3 (G), *Use Specific Standards, Vehicle Sales and Services*

Staff Recommendation: Staff concludes that the application complies with the standards for granting a Special Exception Permit for “automobile sales”. If the Board decides to grant the permit, staff recommends the following conditions:

1. The use of the property shall substantially conform to the testimony of the applicant and the content of the application.
2. The special exception permit shall be limited to the applicant, Bradshaw Family, Limited Partnership, and is not transferrable.

Staff Analysis:

The applicant proposes to demolish the existing automobile sales buildings in order to consolidate a new car sales and service building. The property is located on Laurens Road in between Henderson Road and Kellett Drive. Proposed vehicle display areas will be striped and will include landscape islands.

A Special Exception Permit shall be approved only upon finding that the applicant demonstrates all of the following are met:

1. Consistent with the comprehensive plan

The Future Land Use Map of the City’s Comprehensive Plan designates the area as “Transit Oriented Development,” which encourages a blend of multi-family residential, high-intensity employment, office civic, entertainment and institutional uses, as well as a limited amount of retail use in a pedestrian-friendly area. Although this designation does not speak directly to the proposed use, this Board has approved automobile sales uses in this area in the past.

Therefore, staff believes the proposed use is consistent with the comprehensive plan.

2. Complies with use specific standards

(G) Vehicle sales and services. *All such uses shall comply with the following standards:*

- (1) *Vehicles, parts, or equipment shall not be stored, parked or displayed in any landscape area, the right-of-way, or in a location which obstructs visibility in sight triangles for streets and driveways.*
- (2) *All automobiles not displayed for sale or lease, automobile parts, discarded parts, and similar materials shall be stored within an enclosed building or within an outdoor storage area which complies with screening requirements in subsection 19-6.2.5, additional screening requirements.*
- (3) *Automobile sales and rental. Automobile sales and rental uses shall be subject to the following standards:*

(a) Site configuration.

1. *Minimum site size. Automobile sales or rental uses shall be located on a site at least two acres in area. Contiguous or adjacent parcels, including rights-of-way, under the same ownership and used for automobile sales or rental, shall be counted as one parcel to meet the minimum lot size.*
2. *Multi-building developments. Developments of three or more buildings shall cluster the buildings close to one another in a campus-style configuration.*

(b) Vehicle display/storage areas. *Vehicle display/storage areas shall be subject to the following standards:*

1. *A vehicle display/storage area shall not be located within a required setback, required landscaping area, or required parking space.*
2. *Vehicle display devices shall not be elevated more than two feet above grade.*
3. *Areas used for display or storage of vehicles shall be paved. Use of permeable pavers or porous pavement is strongly encouraged.*
4. *Display vehicles shall be arranged in an orderly fashion and provide reasonable room for pedestrian and vehicular maneuvering.*
5. *No vehicles shall be displayed on top of a building.*
6. *Junked or salvage vehicles are prohibited. All motor vehicles for sale shall be maintained in running condition.*

(c) Service areas. *Automobile service areas shall take place entirely within an enclosed building. Service bay or garage doors that face a public right-of-way shall be recessed at least 15 feet beyond the main facade of the building. Service bay and garage doors shall not face residential districts.*

(d) Site features.

1. *Public address system. Automobile sales and rental uses shall not include a public address system that is audible off-site.*
2. *Refuse and recycling containers. Refuse and recycling containers shall be located so as to minimize their visibility from adjacent public streets and be fully screened by a wall that is constructed of the same material as the principal structure. The wall shall be of the minimum height necessary to fully screen the refuse and recycling*

containers from off-site view. Refuse and recycling container enclosures shall incorporate opaque entry gates.

3. *Exterior lighting. In addition to lighting standards in section 19-6.4, automobile sales and rental uses that are adjacent to existing single-family homes shall extinguish all exterior lighting located within 100 feet of the single-family parcel, except lighting necessary for security or emergency purposes, by 10:00 p.m. or within one hour of closing, whichever occurs first. For the purposes of this subsection, the term "lighting necessary for security or emergency purposes" shall be construed to mean the minimum amount of exterior lighting necessary to illuminate possible points of entry or exit into a structure, to illuminate exterior walkways, or to illuminate outdoor storage areas. Such lighting may be activated by motion sensor devices.*
4. *Screening wall. Lot lines abutting residentially zoned land shall incorporate a solid masonry wall with a minimum height of six feet. Canopy trees meeting the requirements of table 19-6.2-1 shall be planted along the wall with a maximum on-center spacing of 15 feet. Trees may be placed on either side of the wall. When trees are placed between the wall and lot line, a minimum planting strip of five feet in width shall be maintained between the wall and the lot line.*
5. *Outdoor storage prohibited. Outdoor storage of materials, supplies, and equipment shall be prohibited.*

- (4) *The special exception permit shall be limited to the applicant and shall not be transferrable.*

The applicant will be required to comply with the use specific standards. Staff will note that the screening wall requirements of subsection 19-4.3.3(G)(3)(d)(4), *screening wall*, of the use specific standards will not apply. Although a residential use, Annacey Park, is located immediately behind the subject property, it is zoned C-3, regional commercial district. Therefore, it is not residentially zoned and the screening wall requirements will not apply.

3. *Compatibility with the surrounding lands*

The character of the surrounding area consists of automotive dealerships and big-box retailers along Laurens Road. The area is considered to be the outer limit of the motor mile which includes over 30 car dealerships in the area.

Staff believes the use is compatible with the surrounding lands.

4. *Design does not have substantial adverse impact*

The development will be required to meet all applicable use specific standards which are designed to minimize impacts on the surrounding areas.

2. The applicant/owner must respond to the "standards" questions on page 2 of this application (you must answer "why" you believe the application meets the tests for the granting of a special exception). See also **Section 19-2.3.5, Special Exception Permit**, for additional information. You may attach a separate sheet addressing these questions.

3. You must attach a scaled drawing of the property that reflects, at a minimum, the following: (a) property lines, existing buildings, and other relevant site improvements; (b) the nature (and dimensions) of the proposed development (activity); (c) existing buildings and other relevant site improvements on adjacent properties; and, (d) topographic, natural features, etc. relevant to the requested special exception.

4. You must attach the required application fee: \$250.00

5. The administrator will review the application for "sufficiency" pursuant to **Section 19-2.2.6, Determination of Sufficiency**, prior to placing the application on the BZA agenda. If the application is determined to be "insufficient", the administrator will contact the applicant to request that the applicant resolve the deficiencies. **You are encouraged to schedule an application conference with a planner, who will review your application for "sufficiency" at the time it is submitted. Call (864) 467-4476 to schedule an appointment.**

6. You must post the subject property at least 15 days (but not more than 18 days) prior to the scheduled hearing date.

³ 'Public Hearing' signs are acknowledged as received by the applicant

h

h

Applicant Signature

7. **Please read carefully:** The applicant and property owner affirm that all information submitted with this application; including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

In addition the applicant affirms that the applicant or someone acting on the applicant's behalf has made a reasonable effort to determine whether a deed or other document places one or more restrictions on the property that preclude or impede the intended use and has found no record of such a restriction.

If the planning office by separate inquiry determines that such a restriction exists, it shall notify the applicant. If the applicant does not withdraw or modify the application in a timely manner, or act to have the restriction terminated or waived, then the planning office will indicate in its report to the Board of Zoning Appeals that granting the requested change would not likely result in the benefit the applicant seeks.

To that end, the applicant hereby affirms that the tract or parcel of land subject of the attached application is ☐ or is not ☒ restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity.

h

APPLICANT / REPRESENTATIVE SIGNATURE

DATE

1/7/20
R. J. Davis / Agent

PROPERTY OWNER SIGNATURE

DATE

1/9/20

APPLICANT RESPONSE TO
SECTION 19-2.3.5(D)(1), STANDARDS – SPECIAL EXCEPTION

(YOU MAY ATTACH A SEPARATE SHEET)

1. DESCRIBE THE WAYS IN WHICH THE PROPOSED SPECIAL EXCEPTION IS CONSISTENT WITH THE COMPREHENSIVE PLAN.

The comprehensive plan shows this as "Transit Oriented Development"
This special exception will allow the demo and rebuild of this dealership.

2. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL COMPLY WITH THE STANDARDS IN **SECTION 19-4.3, USE SPECIFIC STANDARDS.**

code of ordinances section 19-4.3 includes auto sales and service. The new facility will be a Mazda car dealership in compliance w/ these standards

3. DESCRIBE THE WAYS IN WHICH THE REQUEST IS APPROPRIATE FOR ITS LOCATION AND IS COMPATIBLE WITH THE CHARACTER OF EXISTING AND PERMITTED USES OF SURROUNDING LANDS AND WILL NOT REDUCE THE PROPERTY VALUES THEREOF.

this site is on MOTOR MILE . the entire area has been and still is a location for many new and used car dealerships.

4. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL MINIMIZE ADVERSE EFFECTS ON ADJACENT LANDS INCLUDING: VISUAL IMPACTS; SERVICE DELIVERY; PARKING AND LOADING; ODORS; NOISE; GLARE; AND, VIBRATION. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL NOT CREATE A NUISANCE.

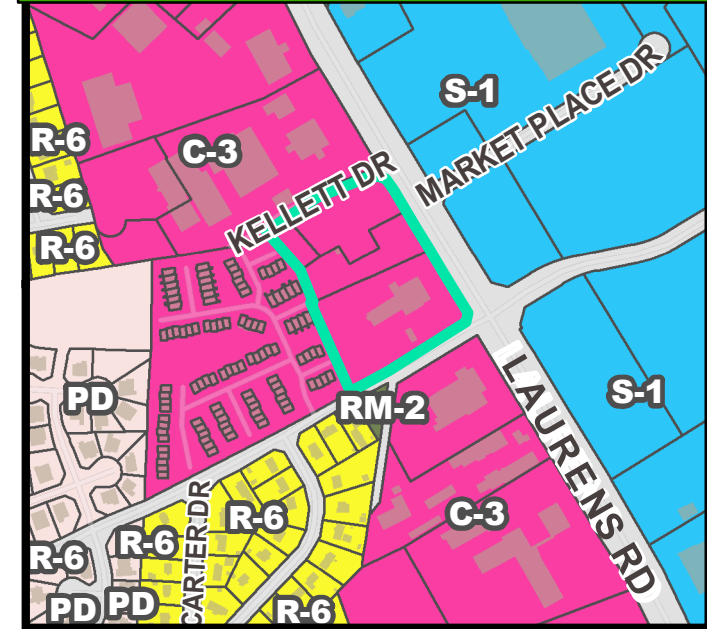
all work will be consistent with a new car dealership. existing drainage problems to the west of the site will be improved as part of the new storm water design and permit. The site will not be a nuisance as it will be an improvement to the existing

S 20-14 • 2512 LAURENS RD

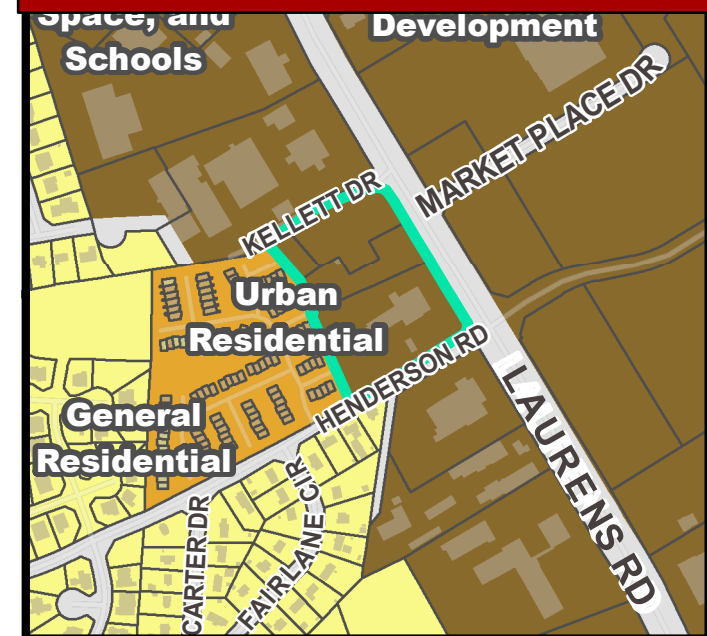
AERIAL VIEW



CURRENT ZONING



FUTURE LAND USE

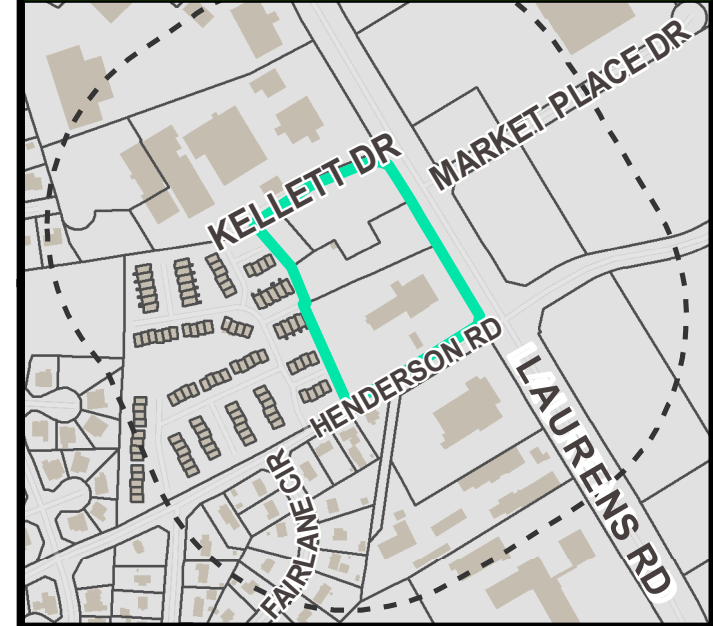


S 20-14 • 2512 LAURENS RD

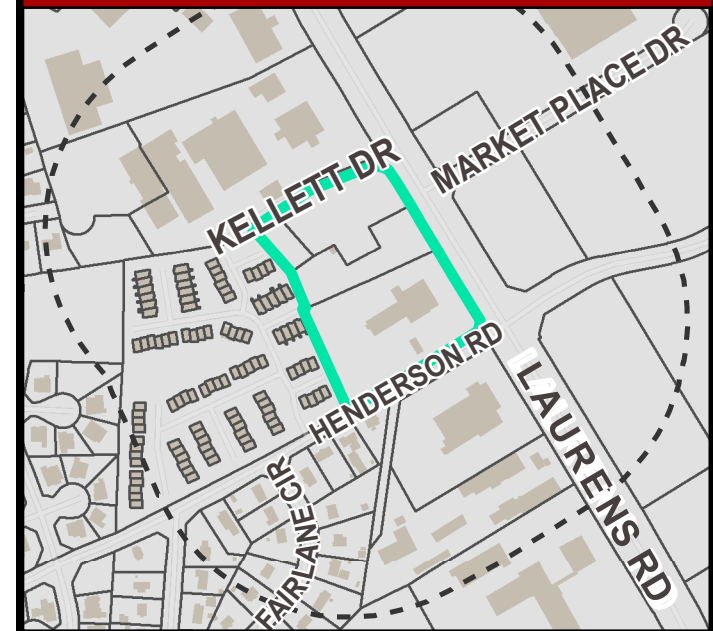
NATURAL / ENVIRONMENTAL FEATURES

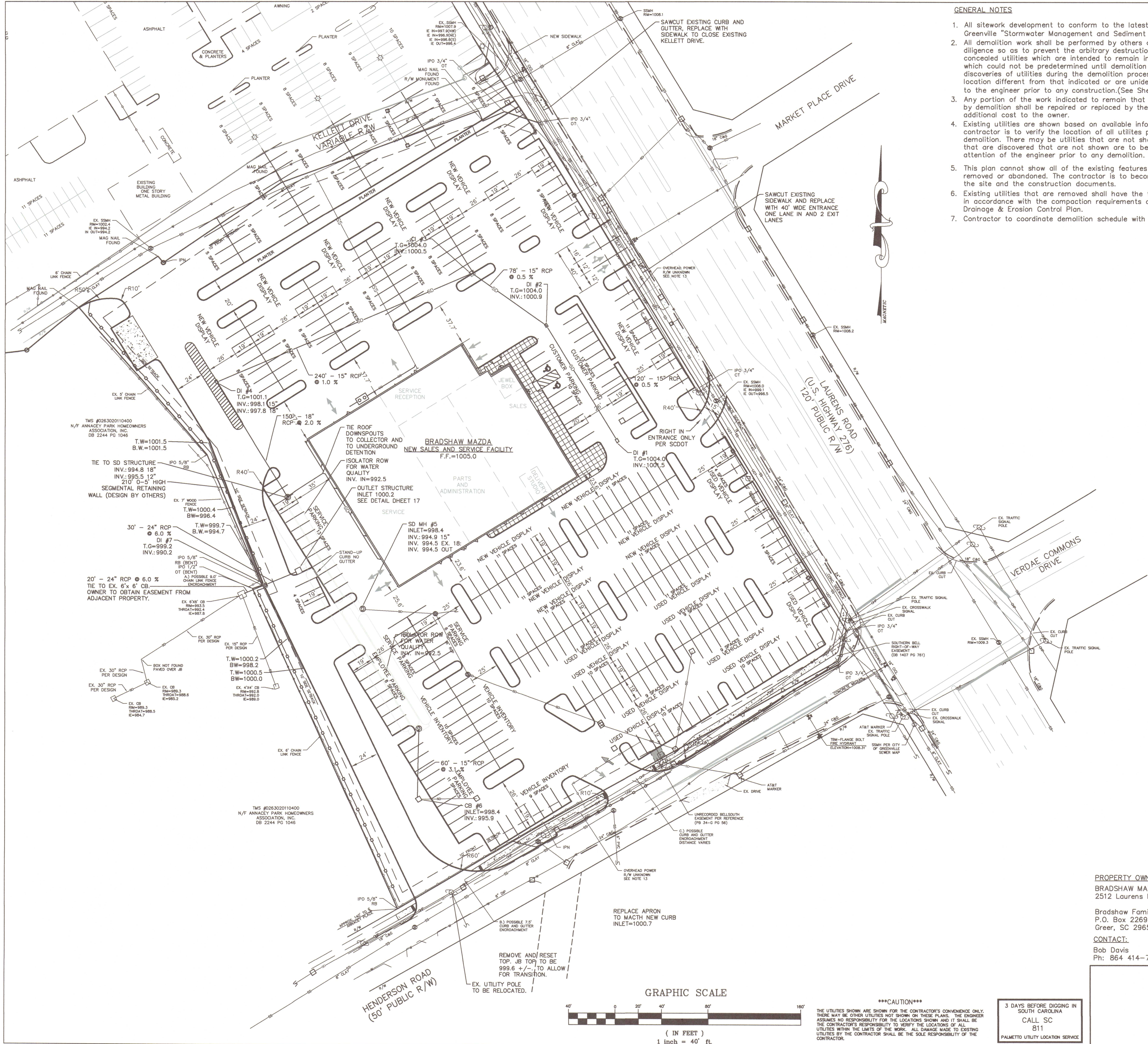


SPECIAL EMPHASIS NEIGHBORHOODS



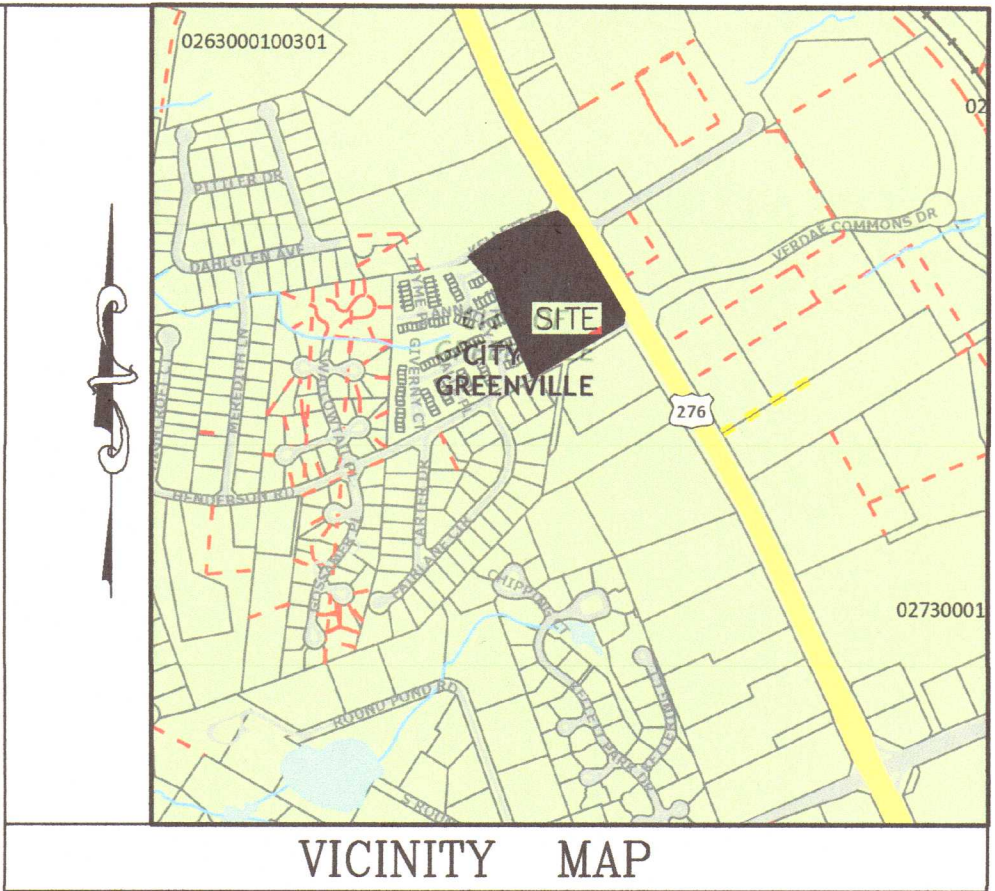
PRESERVATION OVERLAYS





GENERAL NOTES

1. All sitework development to conform to the latest edition of the City of Greenville "Stormwater Management and Sediment Control Ordinance".
2. All demolition work shall be performed by others and with due care and diligence so as to prevent the arbitrary destruction or interruption of concealed utilities which are intended to remain in use and the routing of which could not be predetermined until demolition was started. All such discoveries of utilities during the demolition process which are in a location different from that indicated or are unidentified shall be reported to the engineer prior to any construction.(See Sheets 5 and 6)
3. Any portion of the work indicated to remain that becomes damaged by demolition shall be repaired or replaced by the contractor at no additional cost to the owner.
4. Existing utilities are shown based on available information. The contractor is to verify the location of all utilities prior to any demolition. There may be utilities that are not shown. Any utilities that are discovered that are not shown are to be brought to the attention of the engineer prior to any demolition.
5. This plan cannot show all of the existing features that are to be removed or abandoned. The contractor is to become familiar with the site and the construction documents.
6. Existing utilities that are removed shall have the trenches compacted in accordance with the compaction requirements on the Grading, Drainage & Erosion Control Plan.
7. Contractor to coordinate demolition schedule with the owner and engineer.



LEGEND

- SD EXISTING STORM DRAIN
- OHP EXISTING OVER HEAD POWER
- W EXISTING WATER LINE
- W PROPOSED WATER LINE
- SS EXISTING SANITARY SEWER LINE
- SD PROPOSED STORM DRAIN
- SS PROPOSED SANITARY SEWER
- HEAVY DUTY ASPHALT
- NEW CONCRETE

GENERAL NOTES

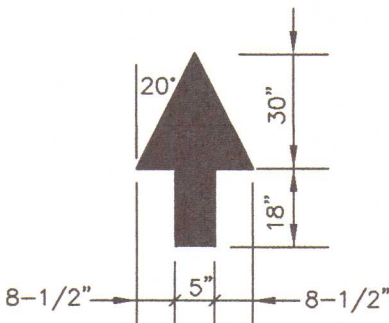
1. ALL DIMENSIONS ARE FROM FACE OF CURB TO FACE OF CURB OR TO EDGE OF PAVEMENT.
2. BOUNDARY AND TOPOGRAPHIC SURVEY WAS DONE BY FANT, REICHERT AND FOGLEMAN, INC. ENTITLED "BOUNDARY AND TOPOGRAPHIC SURVEY FOR: BRADSHAW AUTOMOTIVE", DATED 05-06-19.
3. SETBACKS:
FRONT: 10'
SIDE: 3'
REAR: 10'

PARKING REQUIREMENTS:

- REQUIRED:
ZONING: C-3 (SCHEDULE B)
- TOTAL: 64 SPACES + 3 HANDICAP SPACES
FOR SALES, SERVICE, AND EMPLOYEES
314 SPACES FOR INVENTORY
- TOTAL: 378 SPACES + 3 HANDICAP SPACES

IMPERVIOUS AREAS:

- TOTAL AREA: 5.6 AC.
- EXISTING IMPERVIOUS: 190,357 SQ. FT. (4.37 AC) 78%
- PROPOSED IMPERVIOUS: 205,603 SQ. FT. (7.72 AC.)
BUILDING, ASPHALT AND SIDEWALKS:
- IMPERVIOUS RATIO: 84.3% (IMPERVIOUS)



TRAFFIC ARROW DETAIL

PROPERTY OWNER:
BRADSHAW MAZDA
2512 Laurens Rd.

Bradshaw Family Limited Partnership
P.O. Box 2269,
Greer, SC 29652

CONTACT:
Bob Davis
Ph: 864 414-7100

BRADSHAW MAZDA
SITE PLAN

NO.	DATE	REVISIONS	CHK BY
1			
2			
3			
4			
5			
6			

FRF
ENGINEERING & SURVEYING

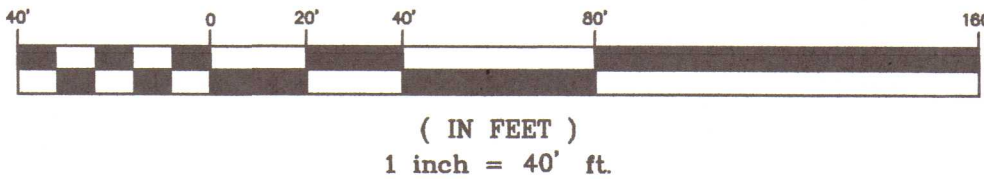
FANT
REICHERT &
FOGLEMAN, INC.
25 WOODS LAKE ROAD
SUITE 705
GREENVILLE, SC 29607
PH: (864) 271-8633

SCALE: 1" = 40'
DWG. #: 4 OF 17

DATE: 8-30-19
DWN: EKN
DES: MJO

PROJECT NO.
19055

GRAPHIC SCALE



CAUTION

THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

3 DAYS BEFORE DIGGING IN
SOUTH CAROLINA
CALL SC
811
PALMETTO UTILITY LOCATION SERVICE



**Planning Staff Report to
Board of Zoning Appeals
February 4, 2020**
for the February 13, 2020 Public Hearing

Docket Number:	S 20-25
Applicant:	Flying Rabbit Adventures LLC
Property Owner:	Stratton Hills Properties LLC
Property Location:	RECTOR ST & E WASHINGTON ST
Tax Map Number:	019500-05-01400, 019500-05-02300, 019500-05-02500, & 019500-05-02600
Acreage:	6.707
Zoning:	RM-1, Single- & Multi-Family Residential District
Proposal:	Special exception to establish a parks and open areas

Applicable Sections of the City of Greenville Code of Ordinances:

Sec.19-2.1.3 (A) (1), *Board of Zoning Appeals/Powers and Duties/Special Exceptions*

Sec.19-2.3.5, *Special Exception Permit*

Sec.19-4.1, *Table of Uses*

Staff Recommendation: Staff concludes that the application complies with the standards for granting a Special Exception Permit for “regional park” use. If the Board decides to grant the permit, staff recommends the following conditions:

1. The use of the property shall substantially conform to the testimony of the applicant and the content of the application.
2. The applicant shall provide a public, ADA accessible bicycle and pedestrian connection to the future Swamp Rabbit Trail.

Staff Analysis:

The applicant proposes to construct an aerial adventure park. The proposed site is located on an undeveloped parcel at the terminus of East Washington Street between Laurens Road and Interstate 385. Most of the property will remain undeveloped. The aerial adventure park will consist of:

- An outdoor recreation registration structure which shall function as a welcome center with bathrooms;
- A bicycle pump track area;
- A suspended aerial course;
- A suspended tree walk;
- A zip line across the Swamp Rabbit Trail;
- A tower which will anchor the aerial course, tree walk, and zip line; and,
- A youth course area.

A Special Exception Permit shall be approved only upon finding that the applicant demonstrates all of the following are met:

1. *Consistent with the comprehensive plan*

The Future Land Use Map of the City's Comprehensive Plan designates the area as "Transit Oriented Development," which encourages a blend of multi-family residential, high-intensity employment, office civic, entertainment and institutional uses, as well as a limited amount of retail use in a pedestrian-friendly area. This classification emphasizes alternative forms of transportation besides the automobile, which can include bicycling, rail or other forms of mass transit and walking. Additionally, the Comprehensive Plan provides preserving open space and ecologically sensitive areas and minimizing land disturbance and impervious cover as an objectives. Because the property will largely remain undisturbed and promotes the Swamp Rabbit Trail, staff believes the proposed use is consistent with the comprehensive plan.

2. *Complies with use specific standards*

There are no use specific standards for parks and open areas.

3. *Compatibility with the surrounding lands*

The character of the surrounding area consists of single-family homes, the future mixed use development known as Holland Park, the future Swamp Rabbit Trail extension, and commercial uses along Laurens Road. The properties closer to Interstate 385 largely remain undeveloped.

Staff believes the use is compatible with the surrounding lands.

4. *Design does not have substantial adverse impact*

Hours of operation are limited to day light hours. Only security lights will be provided on site. Because the use will operate similar to other larger parks in the area like Cleveland Park, staff believes the design will not have substantial adverse impact.



Office Use Only:

Application# S 20-25

Fees Paid 250

Date Received 1/15/20

Accepted By BTW

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE*: Jonathan Simmons Flying Rabbit Adventures Llc.
* Name Title / Organization
permit may be limited to this entity. Flying Rabbit Adventures Llc.

APPLICANT'S REPRESENTATIVE: Jonathan Simmons member
(Optional) Name Title / Organization

MAILING ADDRESS: 413 Legrand Blvd., Greenville, SC 29607

PHONE: 864-723-4839 **EMAIL:** jonathan@flyingrabbitadventures.com

PROPERTY OWNER: Stratton Hills Property Llc.

MAILING ADDRESS: 722 E. McBee Ave. Greenville, SC 29601

PHONE: 864-467-0500 **EMAIL:** dholland@upstateclosings.com

PROPERTY INFORMATION

STREET ADDRESS: _____

TAX PARCEL #: 0195000501400 **ACREAGE:** 4.67 **ZONING DESIGNATION:** R-M1

REQUEST

Refer to Article 19-4, Use Regulations, of the Land Management Ordinance (www.municode.com/library/)

DESCRIPTION OF PROPOSED LAND USE: _____

Flying Rabbit Adventures would like to construct an aerial adventure park with course starting tower, youth course, registration building with restrooms, bicycle pump track, mountain bike trail and a tree walk course with a bicycle valet service

INSTRUCTIONS

1. The application and fee, **made payable to the City of Greenville**, must be received by the planning and development office no later than 5:00 pm of the date reflected on the attached schedule.

2. The applicant/owner must respond to the "standards" questions on page 2 of this application (you must answer "why" you believe the application meets the tests for the granting of a special exception). See also **Section 19-2.3.5, Special Exception Permit**, for additional information. You may attach a separate sheet addressing these questions.

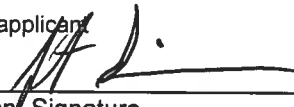
3. You must attach a scaled drawing of the property that reflects, at a minimum, the following: (a) property lines, existing buildings, and other relevant site improvements; (b) the nature (and dimensions) of the proposed development (activity); (c) existing buildings and other relevant site improvements on adjacent properties; and, (d) topographic, natural features, etc. relevant to the requested special exception.

4. You must attach the required application fee: \$250.00

5. The administrator will review the application for "sufficiency" pursuant to **Section 19-2.2.6, Determination of Sufficiency**, prior to placing the application on the BZA agenda. If the application is determined to be "insufficient", the administrator will contact the applicant to request that the applicant resolve the deficiencies. **You are encouraged to schedule an application conference with a planner, who will review your application for "sufficiency" at the time it is submitted. Call (864) 467-4476 to schedule an appointment.**

6. You must post the subject property at least 15 days (but not more than 18 days) prior to the scheduled hearing date.

2 'Public Hearing' signs are acknowledged as received by the applicant.



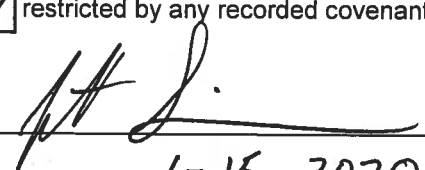
Applicant Signature

7. **Please read carefully:** The applicant and property owner affirm that all information submitted with this application; including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

In addition the applicant affirms that the applicant or someone acting on the applicant's behalf has made a reasonable effort to determine whether a deed or other document places one or more restrictions on the property that preclude or impede the intended use and has found no record of such a restriction.

If the planning office by separate inquiry determines that such a restriction exists, it shall notify the applicant. If the applicant does not withdraw or modify the application in a timely manner, or act to have the restriction terminated or waived, then the planning office will indicate in its report to the Board of Zoning Appeals that granting the requested change would not likely result in the benefit the applicant seeks.

To that end, the applicant hereby affirms that the tract or parcel of land subject of the attached application is ☒ or is not ☐ restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity.



1-15-2020

APPLICANT / REPRESENTATIVE SIGNATURE

DATE

PROPERTY OWNER SIGNATURE

DATE

**APPLICANT RESPONSE TO
SECTION 19-2.3.5(D)(1), STANDARDS – SPECIAL EXCEPTION**

(YOU MAY ATTACH A SEPARATE SHEET)

1. DESCRIBE THE WAYS IN WHICH THE PROPOSED SPECIAL EXCEPTION IS CONSISTENT WITH THE COMPREHENSIVE PLAN.

Preserving green space and Mature trees for public enjoyment.

2. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL COMPLY WITH THE STANDARDS IN **SECTION 19-4.3, USE SPECIFIC STANDARDS.**

There are no specific use specific standards, but we will comply with all land management ordinance requirements.

3. DESCRIBE THE WAYS IN WHICH THE REQUEST IS APPROPRIATE FOR ITS LOCATION AND IS COMPATIBLE WITH THE CHARACTER OF EXISTING AND PERMITTED USES OF SURROUNDING LANDS AND WILL NOT REDUCE THE PROPERTY VALUES THEREOF.

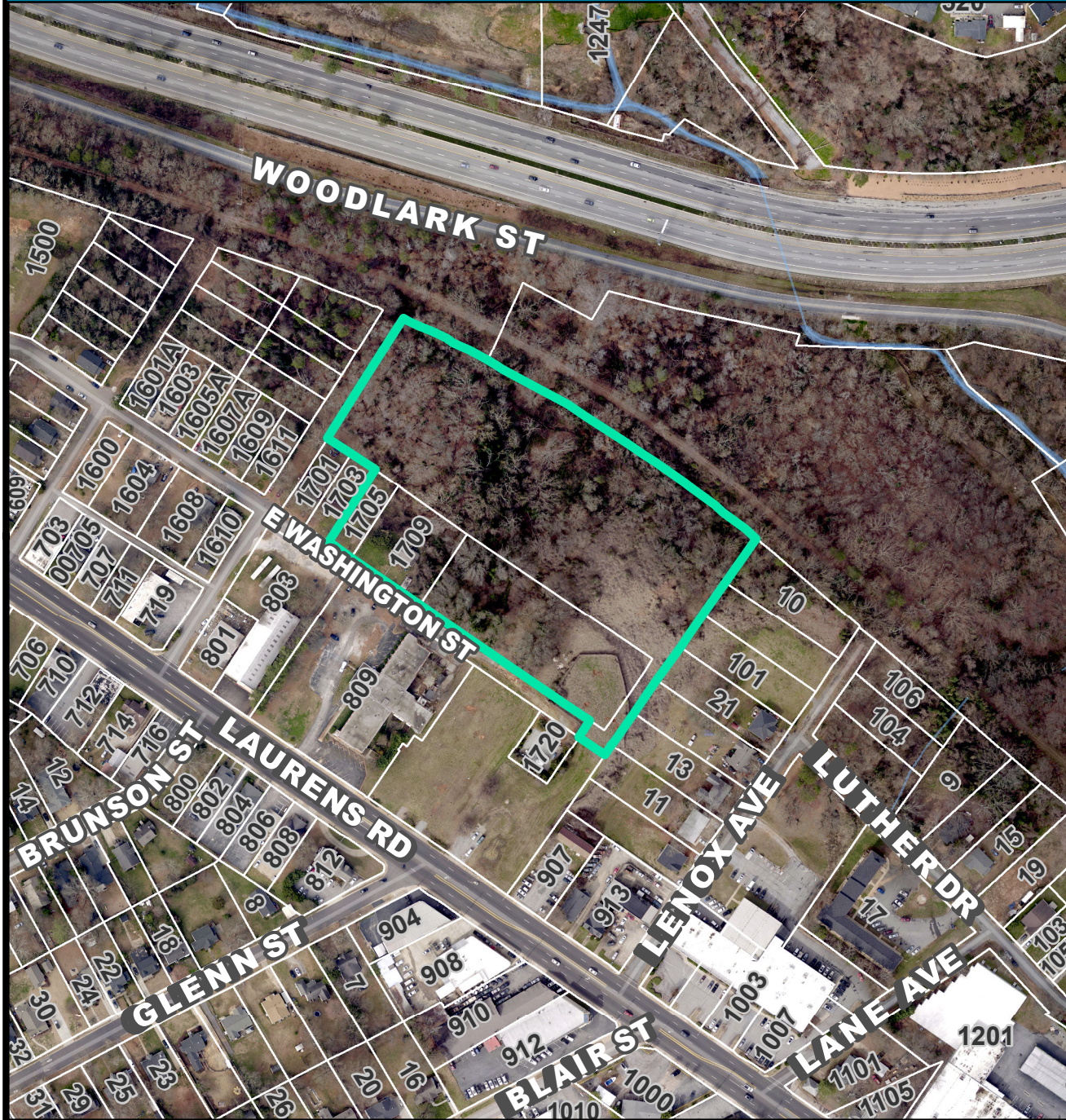
The park is appropriate along the swamp rabbit trail extension. Its preserving natural areas along the trail and a large stand of mature trees.

4. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL MINIMIZE ADVERSE EFFECTS ON ADJACENT LANDS INCLUDING: VISUAL IMPACTS; SERVICE DELIVERY; PARKING AND LOADING; ODORS; NOISE; GLARE; AND, VIBRATION. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL NOT CREATE A NUISANCE.

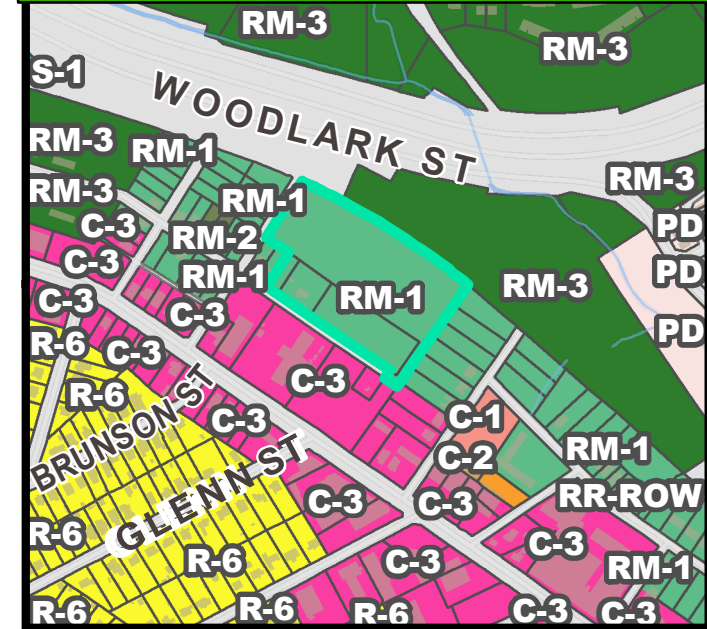
We will maintain existing forest and operations will occur during daylight hours.

S 20-25 • E WASHINGTON ST

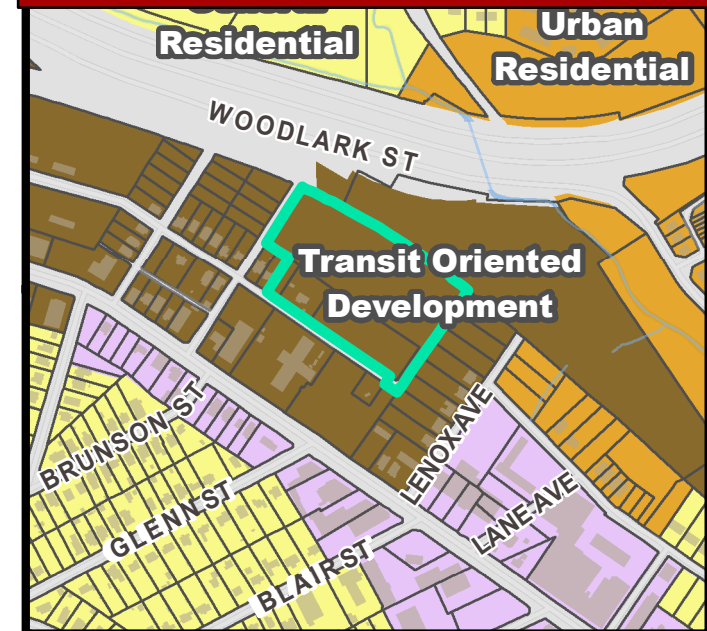
AERIAL VIEW



CURRENT ZONING

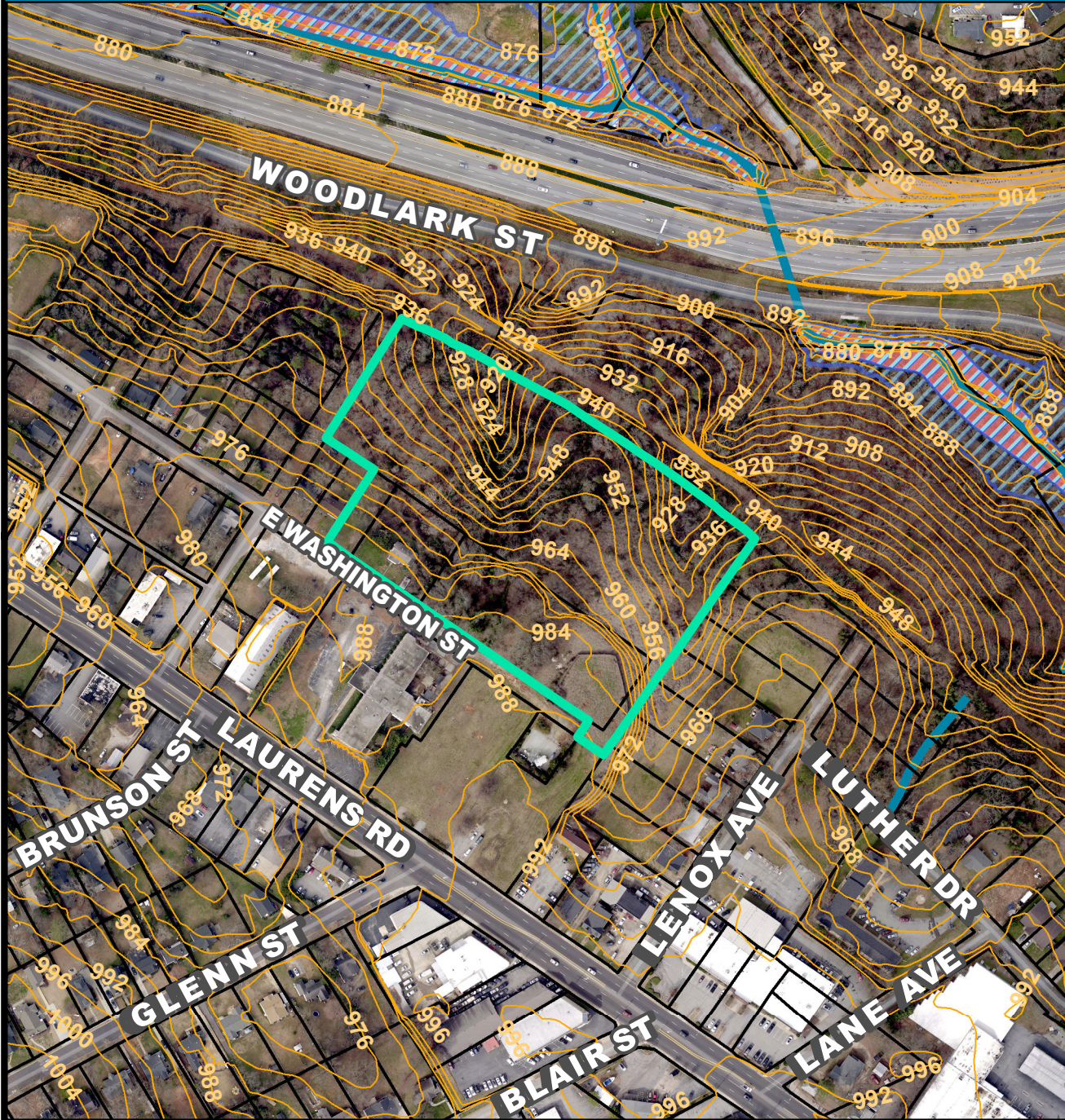


FUTURE LAND USE

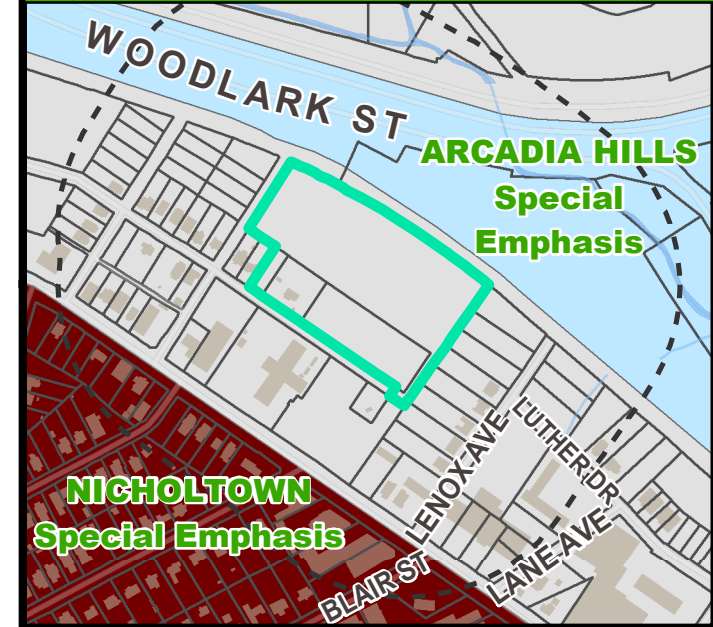


S 20-25 • E WASHINGTON ST

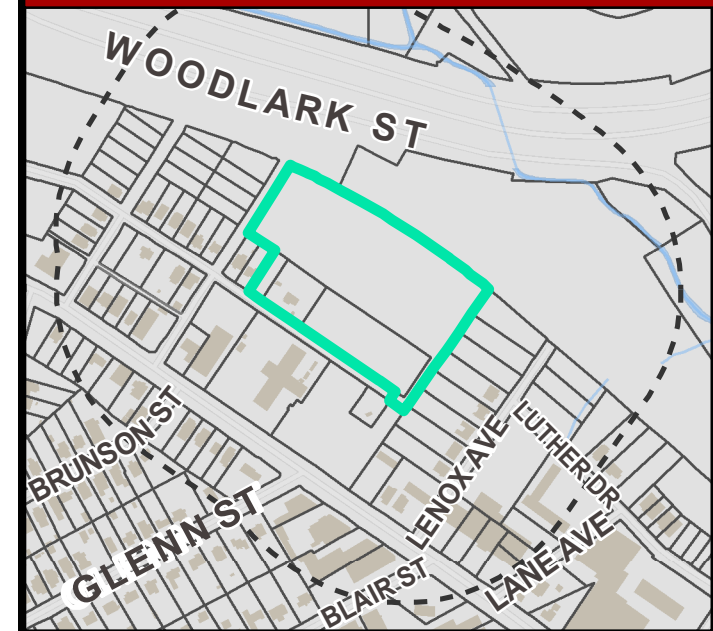
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS



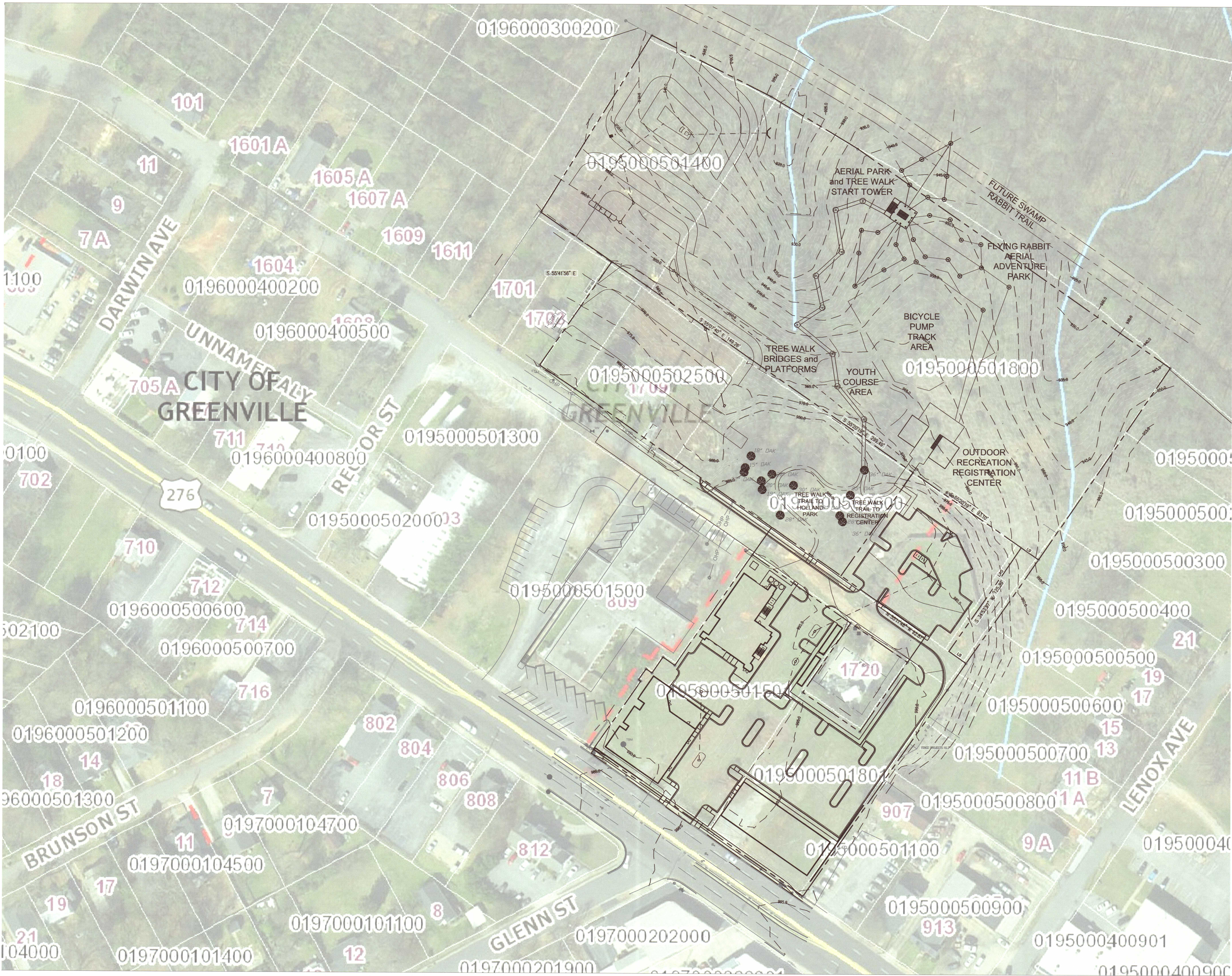


GREENVILLE, SOUTH CAROLINA

PRELIMINARY NOT FOR CONSTRUCTION

DRAWING NUMBER

AP0.1





CONFIDENTIAL

The Flying Rabbit

Business plan
Prepared November 2019

Contact Information

Jonathan Simmons
jsimmons@flyingrabbitadventures.com
864-723-4839
www.flyingrabbitadventures.com
Greenville, SC

Opportunity

Bringing the Adventure to Greenville



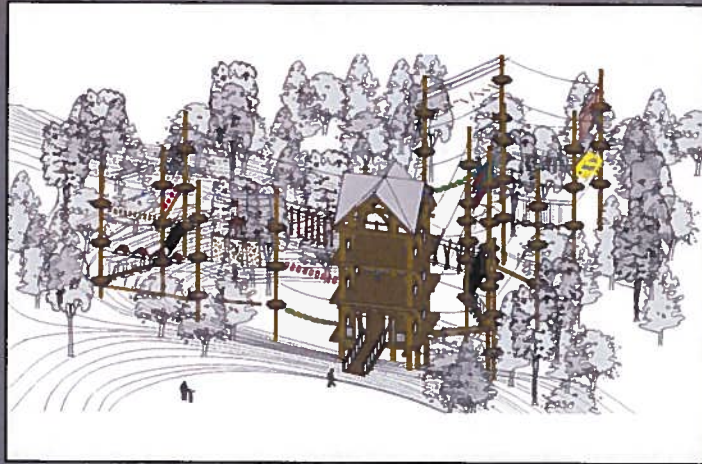
Bringing The Adventure to Greenville

Greenville Adventure Center is located in the Upstate of Greenville South Carolina – the fourth fastest-growing U.S. city – a place marked with charm, known for its friendly residents and a buzzing downtown. There's no doubt that the secret is out about that Greenville.

The Flying Rabbit will be located in Holland Park, an exciting mixed use development with a unique recreation opportunity. Inspired by the growing Greenville community, Holland Park is located on the portion of the Lauren's Road Corridor closest to downtown and adjacent to the planned Swamp Rabbit Trail Extension. The mixed use development features restaurants, a brewery, outdoor recreation, office space and a beautiful greenspace shaded by 100 year old oak trees. The first tenants announced for Holland Park are the popular Home Team Barbeque and a new brewery concept, Double Stamp Brewery.

The Flying Rabbit is all about Adventure — a fun destination that provides individuals and families a unique opportunity to get outside and active. The three story, tree spanning obstacle course is the first of its kind in the Upstate. The Flying Rabbit has something for thrill seekers of all ages to enjoy. In addition to outdoor adventure and recreation, the business has plans to serve as an environmental education resource for the greater Greenville community.

The aerial adventure course, a multi-level design built using the most innovative techniques in the industry, boasts four tiers of difficulty levels attracting a diverse range of ages and adventure seekers.



Flying Rabbit Adventures will anchor the property with an Aerial adventure course and Kids Zip Ship. Providing guest with a two hour experience on the Aerial obstacles and kids a zip built just for them as they zip and climb around our Kids Zip Ship.

BRINGING ADVENTURE TO GREENVILLE

- **KIDS ZIP SHIP** | Built specifically for ages 5-9, this child specific offering is both a fun and imaginative experience for our youngest adventurers
- **GREEN LEVEL** | A series of bridges and obstacles serving as the lowest difficulty level, perfect for grandma and grandpa, and a slower paced journey perfect for educational experiences.
- **YELLOW LEVEL** | A step up from the Green Level, the yellow level offers the perfect intermediate avenue to enjoy aerial adventure.
- **ORANGE LEVEL** | Our most advanced and challenging aerial experience, the orange level is both physically and mentally challenging, providing the perfect course for the thrill-seeking individuals.

We are selling adventure, challenge and outdoor recreation to a large and diverse range of users and age groups. Our pump track area and bike rental will complement the Aerial park and be an exciting activity to watch from our deck. The composite track will be “All wheel friendly” from bikes and skateboards to One Wheels and Big Wheels.

