

Board of Zoning Appeals

Official Agenda



AGENDA

BOARD OF ZONING APPEALS

A G E N D A

Regular Meeting

February 11th, 2021

4:00 PM

Greenville City Hall is currently closed to the public.

Please use the following methods to participate in the meeting.

Virtual Meeting Viewing

<https://www.greenvillesc.gov/meeting>

Password: meetnow

Telephone: 1-415-655-0002

WebEx Event Number: 179 269 1734

Remote Viewing Location:

Greenville Convention Center, 1 Exposition Drive – Room 202A

The city of Greenville seeks input from citizens while adhering to public health and safety guidelines. All attendees at the remote viewing location will be subject to a temperature screening with a touch-less forehead thermometer. Anyone with a temperature reading above 100 degrees Fahrenheit will not be admitted. Attendees will be required to wear a covering over their mouth and nose, unless it violates a religious tenant or belief or causes difficulty breathing.

1. Call to Order

2. Welcome and Opening Remarks from the Chair

3. Roll Call

4. Approval of Minutes

A. January 12th, 2021 – Workshop

B. January 14th, 2021 – Regular Meeting

5. Call for Public Notice Affidavit from Applicants

6. Acceptance of Agenda

7. Conflict of Interest Statement

8. Call for Public Comment

9. New Business

A. S 21-29

Application by Shraddha Patel (Anki, LLC) for a SPECIAL EXCEPTION to operate a liquor store at 109 W. STONE AVE. (TM# 000900-04-01900).

Documents:

[S 21-29 - AGENDA PACKET - 109 W. STONE AVE...PDF](#)

. . . --

B. V 21-60

Application by Josh and Erin Hudson for a VARIANCE to the side setback requirement at 121 W. AUGUSTA PL. (TM# 021500-03-01801).

Documents:

[V 21-60 - AGENDA PACKET - 121 W. AUGUSTA PL..PDF](#)

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10. Other Business

11. Adjournment



**Planning Staff Report to
Board of Zoning Appeals
February 5, 2021
for the February 11, 2021 Public Hearing**

Docket Number: S 21-29
Applicant: Shraddha Patel
c/o Anki, LLC
Property Owner: Westone Development, LLC
Property Location: 109 W. Stone Ave, Unit E-3
Tax Map Number: 000900-04-01900
Acreage: 1 acre
Zoning: C-2, Local Commercial District
Proposal: Special Exception to establish a liquor store
Staff Recommendation: Approve with conditions

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 (F) (9), *Use-specific standards for Liquor Stores*

Staff Recommendation: Staff concludes that the application complies with the standards to grant a Special Exception Permit for a **'liquor store in a C-2 District.'** If the Board decides to grant the Permit, Staff recommends the following conditions:

1. The operation of the establishment shall substantially conform to the testimony of the Applicant and the content of the application.
2. Loitering, solicitation, and disorderly conduct is prohibited at all times. Rules consistent with the provisions of the Greenville Code of Ordinances shall be posted in conspicuous locations and shall be enforced by the proprietors.
3. The Special Exception Permit is limited to the Applicant, ANKI, LLC, and is not transferrable.

Staff Analysis:

The Applicant, Anki, LLC, proposes to establish a liquor store at 109 W. Stone Avenue, unit E-3, within the Westone mixed-use development. The site is located within a C-2 zoning district. The City Police Department stated that there has not been a large number of calls for service at the current location and does not object to the request.

A Special Exception Permit shall be approved only upon a finding that the Applicant demonstrates that all the following standards are met:

1. Consistent with the Comprehensive Plan

The Future Land Use Map of the City's Comprehensive Plan designates this property 'Mixed-use Neighborhood' which is intended to allow small grocery stores, drug stores, service stations, neighborhood parks, day care centers, places of worship and elementary schools. The property is zoned 'C-2', *Local Commercial*, which allows liquor stores by Special Exception.

Staff finds that the proposed use is consistent with the Comprehensive Plan.

2. Complies with use specific standards

Section 19-4.3.3(F)(9) of the use specific standards provides: "*Liquor store. Such use shall comply with the location and other standards established by the state for such use. Special exception permits, when required, shall be limited to the applicant, and shall not be transferrable.*"

The South Carolina Department of Revenue issues alcohol beverage licenses in accordance with state statute. Section 61-6-120 of the South Carolina Code of Laws restricts the establishment of retail liquor stores within 300 hundred feet of any church, school, or playground situated within a municipality. Further, distance is calculated by "following the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the nearest point of the grounds in use as part of such church, school, or playground" (§ 61-6-120 of the South Carolina Code of Laws).

Staff finds that the use complies with the specific use standards of the Land Management Ordinance and should comply with the location standards established by the Department of Revenue.

3. Compatibility with the surrounding lands

The surrounding lands contain a mix of single-family and multi-family residential, retail, restaurant, personal service, and office uses. The proposed use is located within an existing retail development which currently contains retail, restaurant, brewery, and personal service uses.

Because retail uses are part of the current use mix for the area and for the development, staff finds that the use is compatible with the surrounding lands.

4. Design does not have substantial adverse impacts

Potential adverse impacts generally associated with the sale of alcohol may include loitering or solicitation, public drunkenness, or other related crimes. However, the City Police Department stated there has not been a large number of calls for service in this area and does not object to the request. Further, state law restricts hour of operation between the hours of 9 AM to 7 PM, Monday through Saturday, which reduces potential late-night traffic or activity.

Staff finds that the design does not appear to pose any substantial adverse impacts to surrounding properties.



Office Use Only:
 Application# _____ Fees Paid _____
 Date Received _____ Accepted By _____

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE*: Shraddha Patel Owner / Manager of Anki, LLC
 * _____ Name _____ Title / Organization
 permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: John Plank Commercial Broker / SVN-BlackStream, LLC
 (Optional) _____ Name _____ Title / Organization

MAILING ADDRESS: 20 Overbrook Ct Suite 400 Greenville, SC 29607

PHONE: 864-608-3248 **EMAIL:** john.plank@svn.com

PROPERTY OWNER: Westone Development, LLC

MAILING ADDRESS: PO Box 9721 Greenville, SC 29604

PHONE: 864-380-1881 **EMAIL:** mfletcher@fletcher-development.com

PROPERTY INFORMATION

STREET ADDRESS: 109 W Stone Ave

TAX PARCEL #: 0009000401900 **ACREAGE:** 1.01 **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:

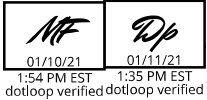
Requesting special exception as listed in section 19-4.3 of Zoning Ordinance for permission to operate an upscale ABC Store within Unit E-3 of 109 W Stone Ave.

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

shraddha patel
Applicant Signature

dotloop verified
01/11/21 1:35 PM EST
ZZW0-ZR9I-K09N-YKLO

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.

<i>shraddha patel</i>	dotloop verified 01/11/21 1:35 PM EST JR4G-RXOP-SFI6-HYP3
<i>John L Plank Jr</i>	dotloop verified 01/08/21 5:59 PM EST GKVV-QOC4-ORRU-EPYO
<i>Michael Fletcher</i>	dotloop verified 01/10/21 1:54 PM EST RKA2-DA2B-8VOH-M6H8

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.

Connects neighborhoods utilizing established nodes/corridors accessible by vehicle, bike, public sidewalk, and Greenlink transit (25-99 Daily Ridership). Reduces unnecessary traffic. Using existing retail space, eliminates consumption of open space.

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

Defined as 'Liquor Store' and Tenant will be licensed by the State Alcohol Beverage Commission for retail sale to be consumed off premise. Also conforms to retail sale definition (19.4.2.4E). Permitted under C-2 with 'S' (Special Exception Use).

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.

Coincides with existing/future land use 'Community Mixed Use' servicing the larger Greenville Community. Compatible with surrounding uses as it fills a void & need in the commercial area. Situated within upscale complex, will mirror surrounding value

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 visual, odor, noise, glare or vibration effect on surrounding lands. Dedicated parking in place on premise. Tenant is limited & bound by lease for the sale of lower end items and single use mini bottles to maintain high end retail character.

APPLICANT RESPONSE TO
SECTION 19-2.3.5(D)(2), STANDARDS – CHANGE IN NONCONFORMING USE

(YOU MAY ATTACH A SEPARATE SHEET)

1. DESCRIBE THE WAYS IN WHICH THE PROPOSED NONCONFORMING USE IS MORE IN CHARACTER WITH, OR EQUAL TO, THE USES OTHERWISE PERMITTED IN THE ZONING DISTRICT THAN THE EXISTING OR PRIOR NONCONFORMING USES.

N/a

2. DESCRIBE THE WAYS IN WHICH THE PROPOSED NONCONFORMING USE WILL NOT SUBSTANTIALLY AND PERMANENTLY INJURE THE USE OF NEIGHBORING PROPERTY FOR THOSE USES PERMITTED WITHIN THE RELEVANT ZONING DISTRICT(S).

N/a

3. IS ADEQUATE INFRASTRUCTURE CAPACITY AVAILABLE TO SERVE THE PROPOSED NONCONFORMING USE?

N/a

4. IS THE PROPOSED USE ONE THAT IS OTHERWISE PERMISSIBLE IN ANOTHER ZONING DISTRICT WITHIN THE CITY?

N/a



Revised 7/24/15

Dp
01/11/21
1:35 PM EST
dotloop verified

MF
01/10/21
1:54 PM EST
dotloop verified

S 21-29 • 109 W. STONE AVE.

AERIAL VIEW



CURRENT ZONING



FUTURE LAND USE

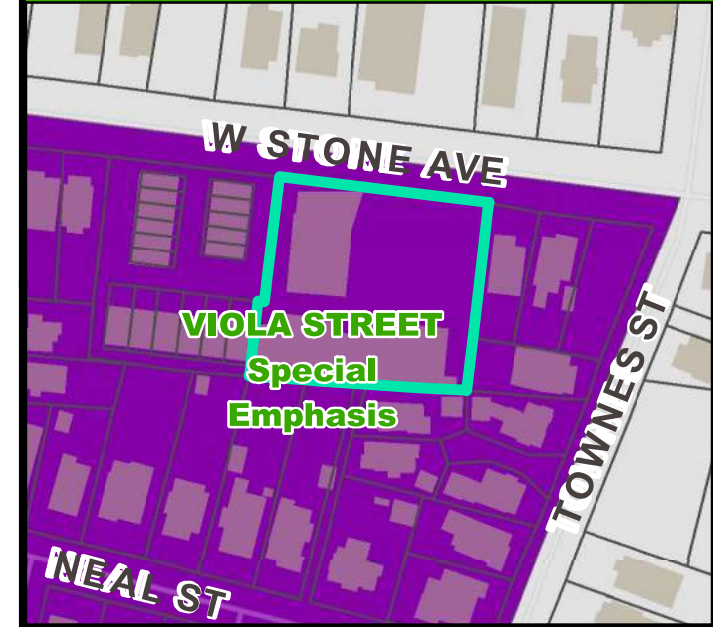


S 21-29 • 109 W. STONE AVE.

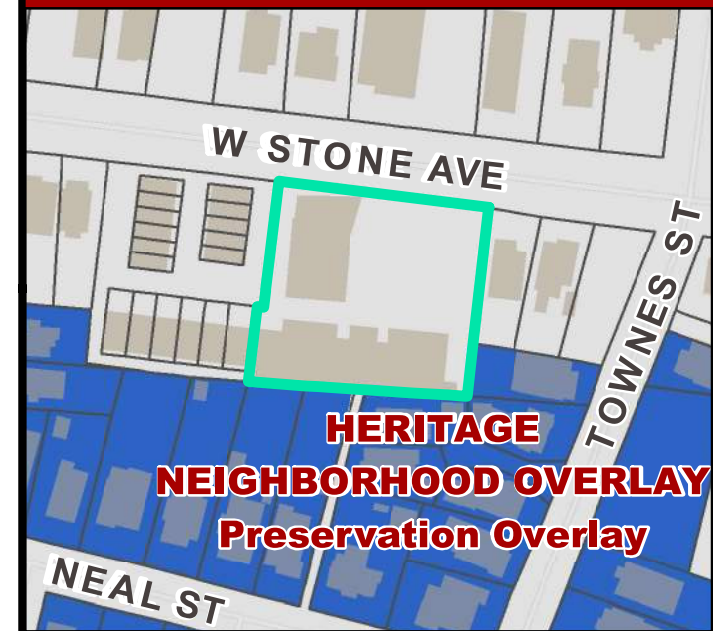
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS





**Planning Staff Report to
Board of Zoning Appeals
February 5, 2021**
for the February 11, 2021 Public Hearing

Docket Number:	V 21-60
Applicant:	Josh & Erin Hudson
Property Owner:	Josh & Erin Hudson
Property Location:	121 W. Augusta Place
Tax Map Number:	021500-03-01801
Acreage:	1.12 (combined)
Zoning:	R-6, Single-Family Residential District
Proposal:	Variance to reduce side yard setback
Staff Recommendation:	Denial

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.19-2.3.7, *Variance Permit*

Sec.19-5.1, *Table of dimensional standards*

Staff Analysis:

The applicant requests a variance to encroach into the required five (5) ft. side-yard setback within an R-6, Single-Family Residential district. The variance request is associated with a proposed screen porch addition on the north side of an existing single-family detached residence. As proposed, the porch addition is set back one (1) ft. from the side property line. The subject property is considered a corner lot and is located at a ninety-degree street bend, as depicted in the graphic below. The existing principal structure is set back 5.77 ft. from the north side property line. An existing deck, at the rear of the structure, is non-conforming as it is set back only 2.81 ft. from the north side property line.



Based upon the provided as-built plans and preliminary renderings, the proposed porch addition will be placed one (1) foot from the north side property line, resulting in a variance request of four (4) ft.

Per the applicants, the existing residence was constructed in 1941. Based on aerial photographs, the non-conforming deck was installed sometime between 2013 and 2015. Per the Land Management Ordinance, adopted in 2007, decks shall maintain a minimum side-yard setback of 5 ft. Staff was unable to locate any approved building permits or variances for the existing deck encroachment.

Staff suggests the following findings with respect to the standards required to grant a variance:

1. There are extraordinary and exceptional conditions pertaining to the property that do not generally apply to other land in the vicinity

While the parcel is considered a corner lot, staff does not find extraordinary or exceptional conditions related to the lot acreage (10,100 sq. ft.), lot depth (132 ft.) or lot width (86 ft.). The existing lot area is slightly smaller than that of other existing lots along the block face, but exceeds the minimum required for the R-6 District (6,000 sq. ft.).

Staff finds that there are no extraordinary or exceptional conditions that pertain to the property.

2. The special circumstances are not the result of actions of the Applicant.

Staff finds that the requested variance is a direct result of the applicants' desire to construct an addition in a specific location to the existing principal structure.

Staff finds that the special circumstances are the direct result of the actions of the Applicant.

3. 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.

While the proposed addition would increase the square footage of the existing residence, staff does not find the addition to be necessary to utilize and enjoy the property for single-family residential purposes.

Staff finds that the dimensional standards and measurements of the ordinance would not unreasonably restrict the utilization of the property.

4. 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.

Staff believes that the applicant could employ an alternative site design and layout that meets all required setbacks and eliminate the need to request a variance. The desired porch addition is not required to make possible the reasonable use of the land.

Staff finds that the requested variance is not necessary to make possible the reasonable use of the land.

5. 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:

The intent of the Ordinance, to regulate building setbacks, is to maintain consistency within residential areas, ensure appropriate development that reflects the character of these areas, and provide protection to property owners. In this case, staff does not believe the grant of a variance to be in the public interest due to the finding that the hardship is self-created, and that the variance is not necessary to enjoy use of the land for residential purposes.

Further, the requested variance and resulting encroachment could negatively impact the existing/future adjacent property owner's ability to enjoy light, air and open space, which is one of the primary objectives of the required side-yard setback.

Staff finds that the authorization of the variance will result in a substantial detriment to the public good and adjacent property.

6. The granting of the Variance will be generally consistent with the purposes and intent of the Ordinance

Staff believes the granting of the requested variance would not be consistent with section 19-1.3, Purpose and Intent, of the Ordinance, with respect to:

- 19-1.3.1. *Light, air, open space.* Provide for adequate light, air, and open space.
- 19-1.3.4. *Promote diverse quality housing, protect neighborhoods.* Promote quality housing, preserve neighborhoods, and encourage diversity of housing options.
- 19-1.3.9. *Quality new development to blend with existing.* Encourage quality development to blend with existing development.
- 19-1.3.11. *Create harmonious community.* Facilitate the creation of a convenient, attractive, and harmonious community.
- 19-1.3.16. *Regulate the use, density, distribution, and character of land.* Regulate the density and distribution of populations and the uses of buildings, structures and land for trade, industry, residence, recreation, agriculture, forestry, conservation, airports and approaches thereto, water supply, sanitation, protection against floods, public activities, and other purposes.

Staff finds that the grant of the requested will not be consistent with the purposes and intent of the Ordinance.



Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

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

APPLICANT: Josh & Erin Hudson

Homeowner

Name

Title / Organization

MAILING ADDRESS: 121 W Augusta Place Greenville, SC 29605

PHONE: 864-593-6162

EMAIL: erinvhudson@hotmail.com

PROPERTY OWNER: Josh & Erin Hudson

MAILING ADDRESS: 121 W Augusta Place Greenville, SC 29605

PHONE: 864-593-6162

EMAIL: erinvhudson@hotmail.com

PROPERTY INFORMATION

STREET ADDRESS: 121 W Augusta Place Greenville, SC 29605

TAX PARCEL #: 0215000301801

DEED BOOK/PAGE: _____

RECORDED DATE: 10/24/2012

ZONING DESIGNATION: 1100 Residential Single Family

ACREAGE: 0.232

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: Sec. 19-5.1. - Table of dimensional standards

DESCRIPTION OF REQUEST:

We are requesting a variance from the 5 foot side setback on one side within a residential district for a single family home.

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.

Eric Hudson [Signature] Applicant Signature

12/4/20

Date

Eric Hudson [Signature] Property Owner Signature

12/4/20

Date

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

APPLICANT SIGNATURE

Eric Hudson

**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.

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.

Our lot is a corner lot of unusual shape (see attached plat for triangular shape of the lot) and the original house was built to the far left of the lot. Therefore, since the left side of the house was originally built within 7 inches of the 5-foot setback, it inhibits updates or renovations to that side of the house. As a note, the current footprint of the home only encompasses approximately 26% of the total lot. This is significantly below the maximum coverage percentage of 40% as defined in Table 19-5.1-1: Table of Dimensional Standards.

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

No, the house footprint has not been modified from the original footprint of the house built in 1941.

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.

In order to comply with the side 5-foot setback requirement, we would only be able to extend the house footprint approximately 7 inches to the left. Currently, there is 22 feet 10 inches between the left side of the house footprint and the right side of the adjacent home. This allows us to encroach upon our setback up to 5 feet and still maintain a significant distance between homes of approximately 17 feet 10 inches. By limiting our ability to encroach within this setback, it prohibits us from adding a modest screened in porch which would only serve to update and improve/renovate our older home. This update would be in kept in scale with the rest of our house and be in keeping with the character and charm of the older homes on the street.

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?

Yes. This variance would allow us to encroach on the side setback on the left side of the house only. It will only increase property value of this house and surrounding houses on the street.

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?

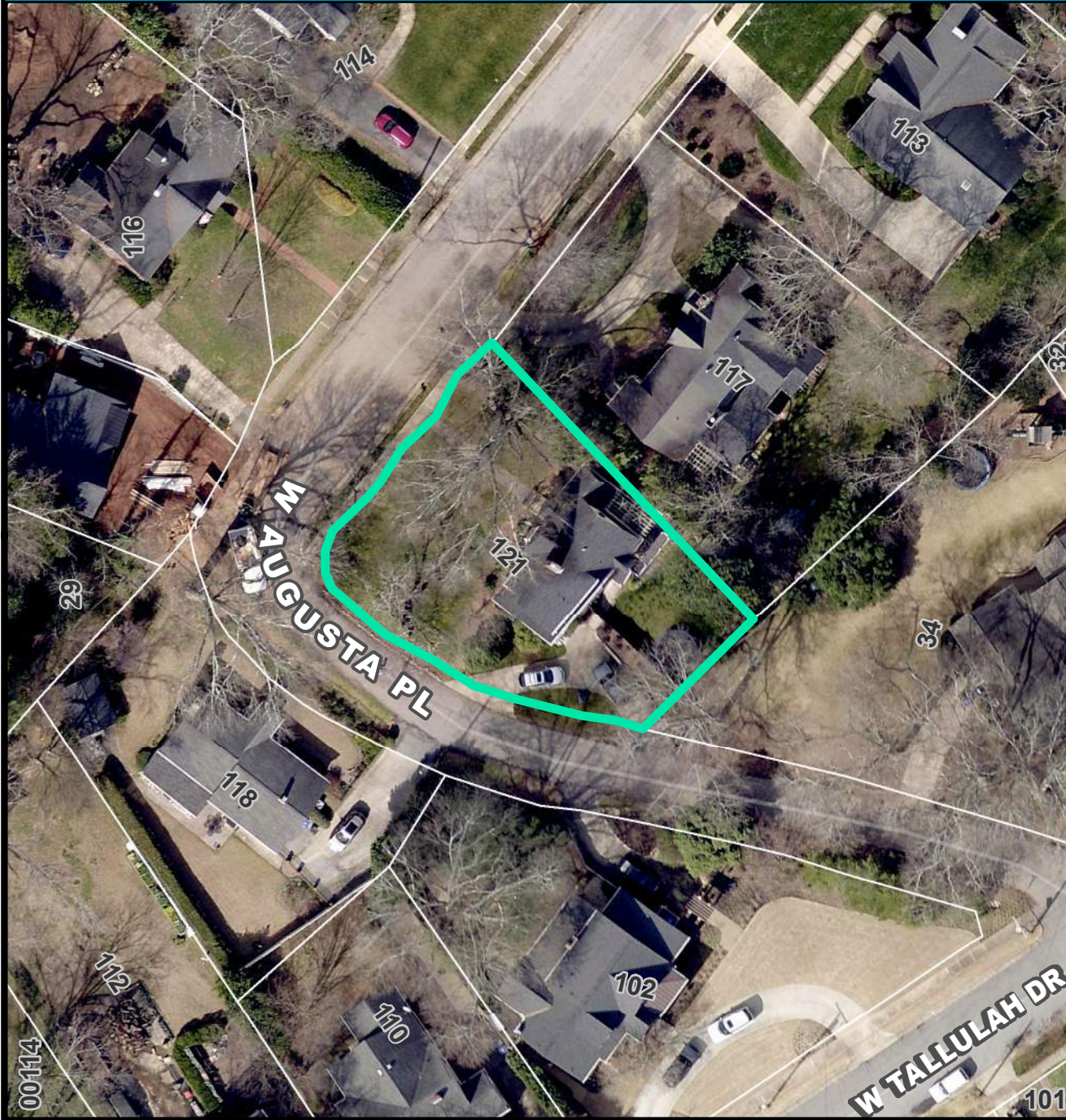
This minimal encroachment would not impede upon service delivery, parking, loading, odors, noise, glare, vibration, and does not create any type of a nuisance. There are no utilities, power lines, water, or gas lines in the area between the subject property and the adjacent property. It will not negatively impact the neighboring property or be contrary to public interest. Attached is a signed affidavit by Scott & Marcia Baker (adjacent property owners) consenting to the encroachment.

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

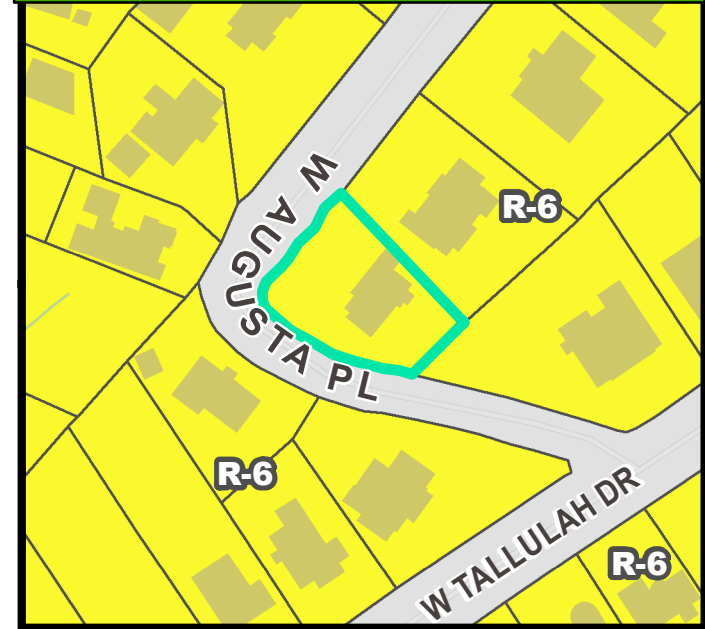
If the intent of the ordinance is to set broad guidelines for dimensional standards, then attention must be paid to instances where varying from those standards serves to increase property values and character of the home. If granted, there will still be clear and available space (approximately 17 feet 10 inches) to accommodate the city's needs or use of said land. In addition, because the property is a corner lot, it can easily be accessed on two sides (rather than one like most properties) if the city should ever need it. Further, upon inspection of this home/lot, one will find that we have taken every step to preserve the original character of the home. Large, mature trees have not been cut down, but carefully pruned and maintained by arborists. No part of the house has been torn down but instead carefully renovated over the years the homeowner has lived there. All renovations were small in scale and in keeping with the character of the older neighborhood. This variance would simply allow for a screened in porch to encroach and further to improve the property and neighborhood it sits in.

V 21-60 • 121 W. AUGUSTA PLACE

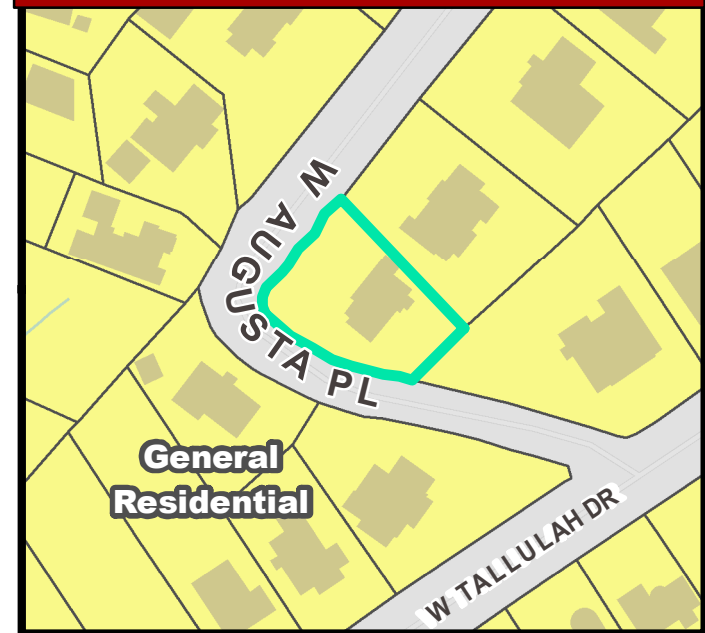
AERIAL VIEW



CURRENT ZONING

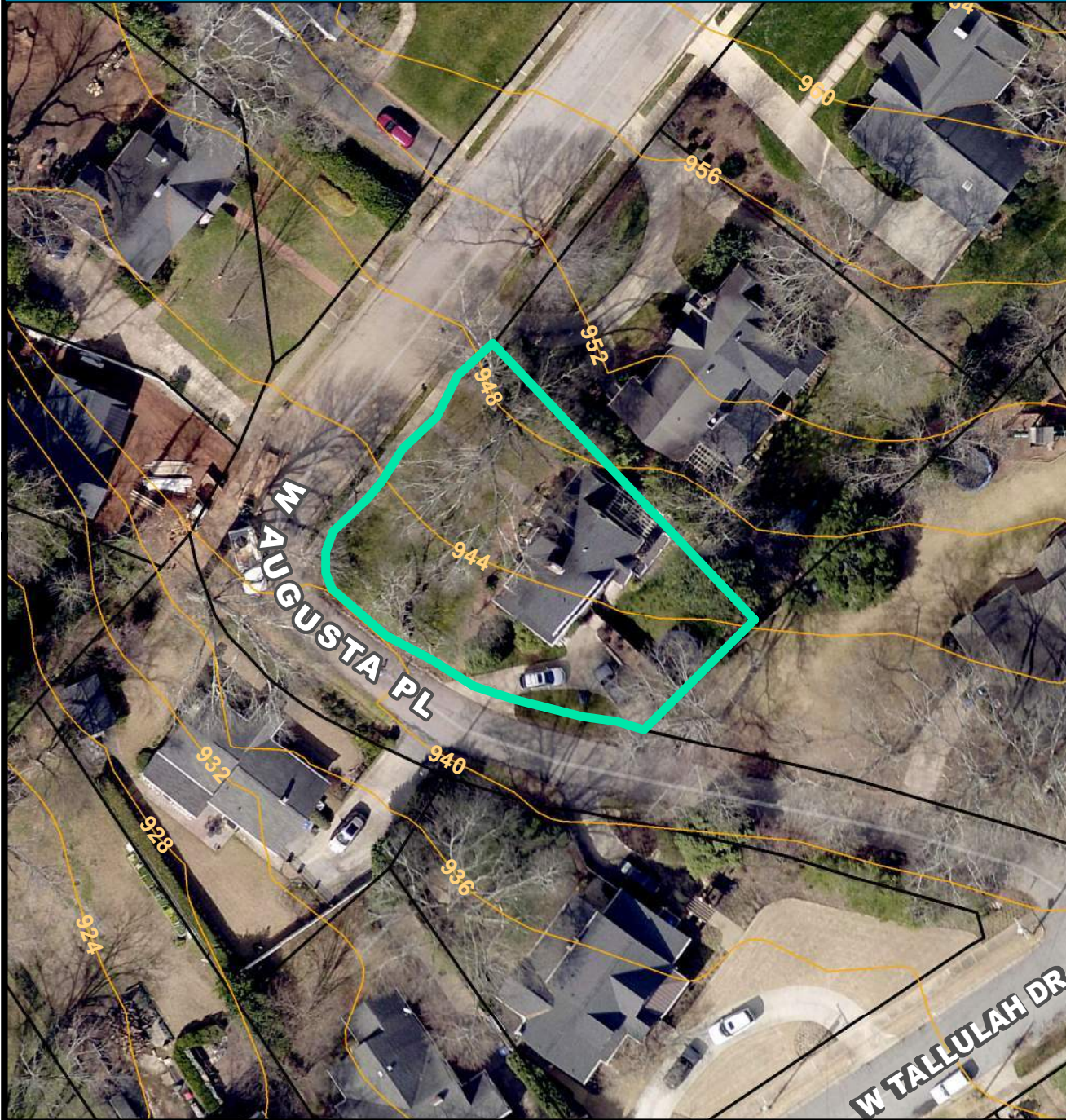


FUTURE LAND USE

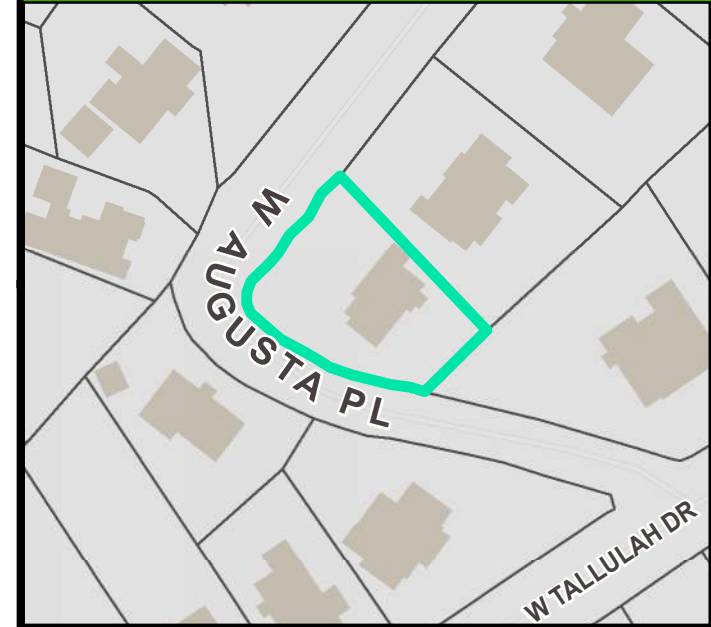


V 21-60 • 121 W. AUGUSTA PLACE

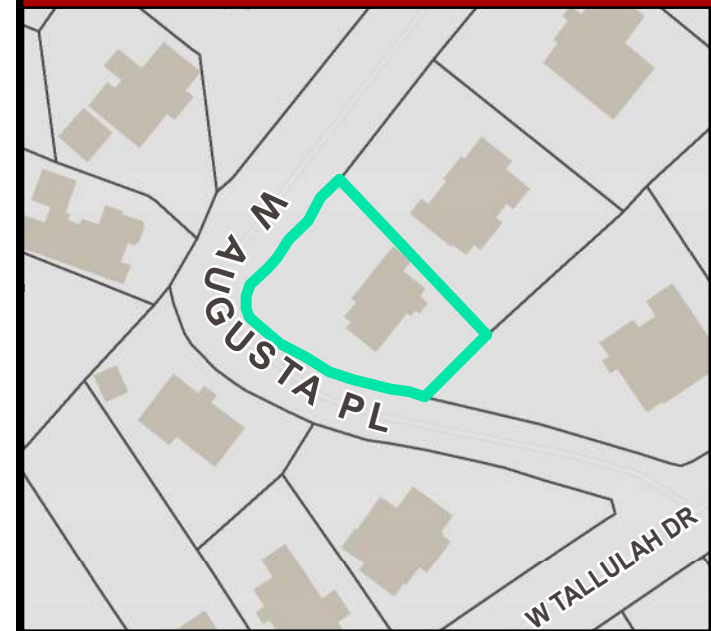
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS

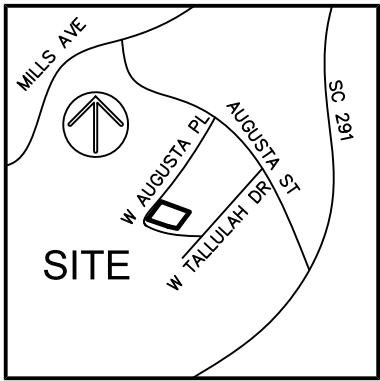


NOTES

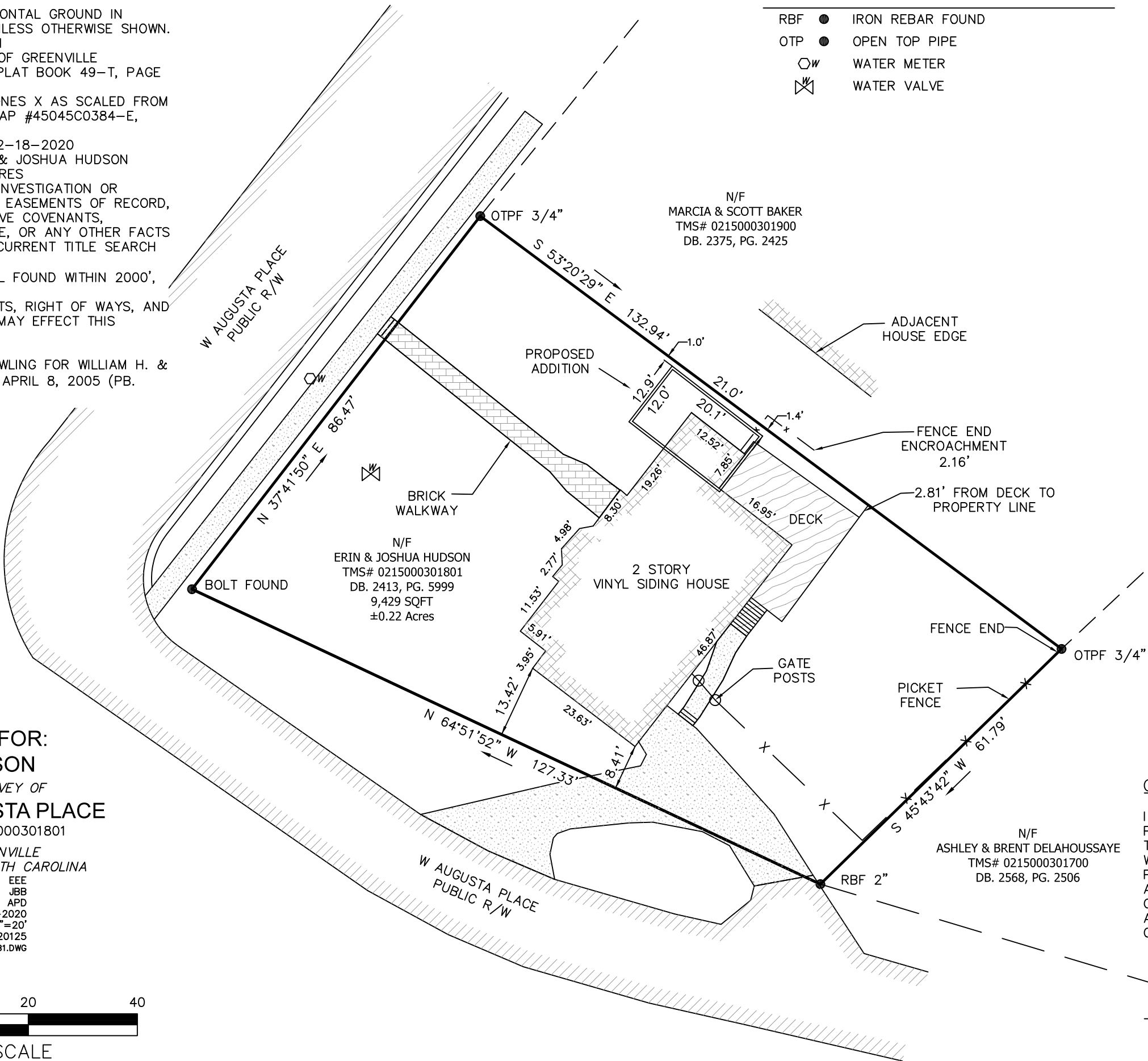
1. ALL DISTANCES ARE HORIZONTAL GROUND IN INTERNATIONAL SURVEY UNLESS OTHERWISE SHOWN.
2. TAX MAP # 0215000301801
3. PARCEL LOCATED IN CITY OF GREENVILLE
4. BEARING REFERENCED TO PLAT BOOK 49-T, PAGE 93
5. THIS PROPERTY LIES IN ZONES X AS SCALED FROM FLOOD INSURANCE RATE MAP #45045C0384-E, DATED AUGUST 18, 2014
6. DATE OF FIELD SURVEY :12-18-2020
7. OWNER OF RECORD: ERIN & JOSHUA HUDSON
8. TOTAL ACREAGE ±0.22 ACRES
9. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
10. NO S.C. GEODETIC CONTROL FOUND WITHIN 2000', UNLESS OTHERWISE NOTED
11. SUBJECT TO ALL EASEMENTS, RIGHT OF WAYS, AND OR ENCUMBRANCES THAT MAY EFFECT THIS PROPERTY
12. RERERENCES:
A. MAP BY THOMAS P. DOWLING FOR WILLIAM H. & ERIC C. BALLINGER DATED APRIL 8, 2005 (PB. 49-T, PG. 93)

LEGEND

- RBF ● IRON REBAR FOUND
OTP ● OPEN TOP PIPE
○w WATER METER
⊗ WATER VALVE



VICINITY MAP NOT TO SCALE



ATLAS SURVEYING, INC.

570 BROOKSHIRE RD, UNIT D
GREER, SC 29651
PHONE: (864) 655-5004
WEBSITE: WWW.ATLASSURVEYING.COM



CERTIFICATE OF ACCURACY

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

JOHN B. BLACK
P.L.S. No. 29111

PREPARED FOR: ERIN HUDSON

A BOUNDARY SURVEY OF 121 WEST AUGUSTA PLACE

PARCEL ID No. 0215000301801

THE CITY OF GREENVILLE
GREENVILLE COUNTY, SOUTH CAROLINA

FIELD WORK: EEE
FIELD CHECK: JBB
DRAWN BY: APD
DATE: 12-21-2020
SCALE: 1"=20'
PROJECT No.: GSP-20125
FILE: GSP-20125 B1.DWG

20 10 0 20 40



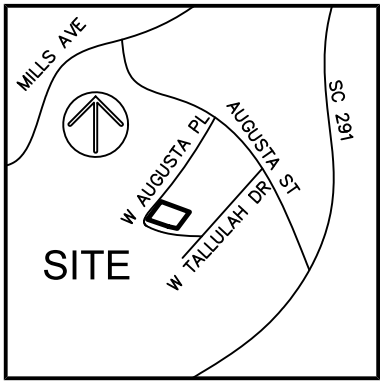
GRAPHIC SCALE

NOTES

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LEGEND

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OTP ● OPEN TOP PIPE
○w WATER METER
⊗ WATER VALVE



VICINITY MAP NOT TO SCALE

N/F
MARCIA & SCOTT BAKER
TMS# 0215000301900
DB. 2375, PG. 2425

ADJACENT
HOUSE EDGE

FENCE END
ENCROACHMENT
2.16'

2.81' FROM DECK TO
PROPERTY LINE

GATE
POSTS

PICKET
FENCE

FENCE END

OTP 3/4"

RBF 2"

N/F
ASHLEY & BRENT DELAHOUSAYE
TMS# 0215000301700
DB. 2568, PG. 2506

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JOHN B. BLACK
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PREPARED FOR:
ERIN HUDSON

A BOUNDARY SURVEY OF
121 WEST AUGUSTA PLACE

PARCEL ID No. 0215000301801

THE CITY OF GREENVILLE
GREENVILLE COUNTY, SOUTH CAROLINA

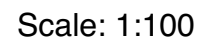
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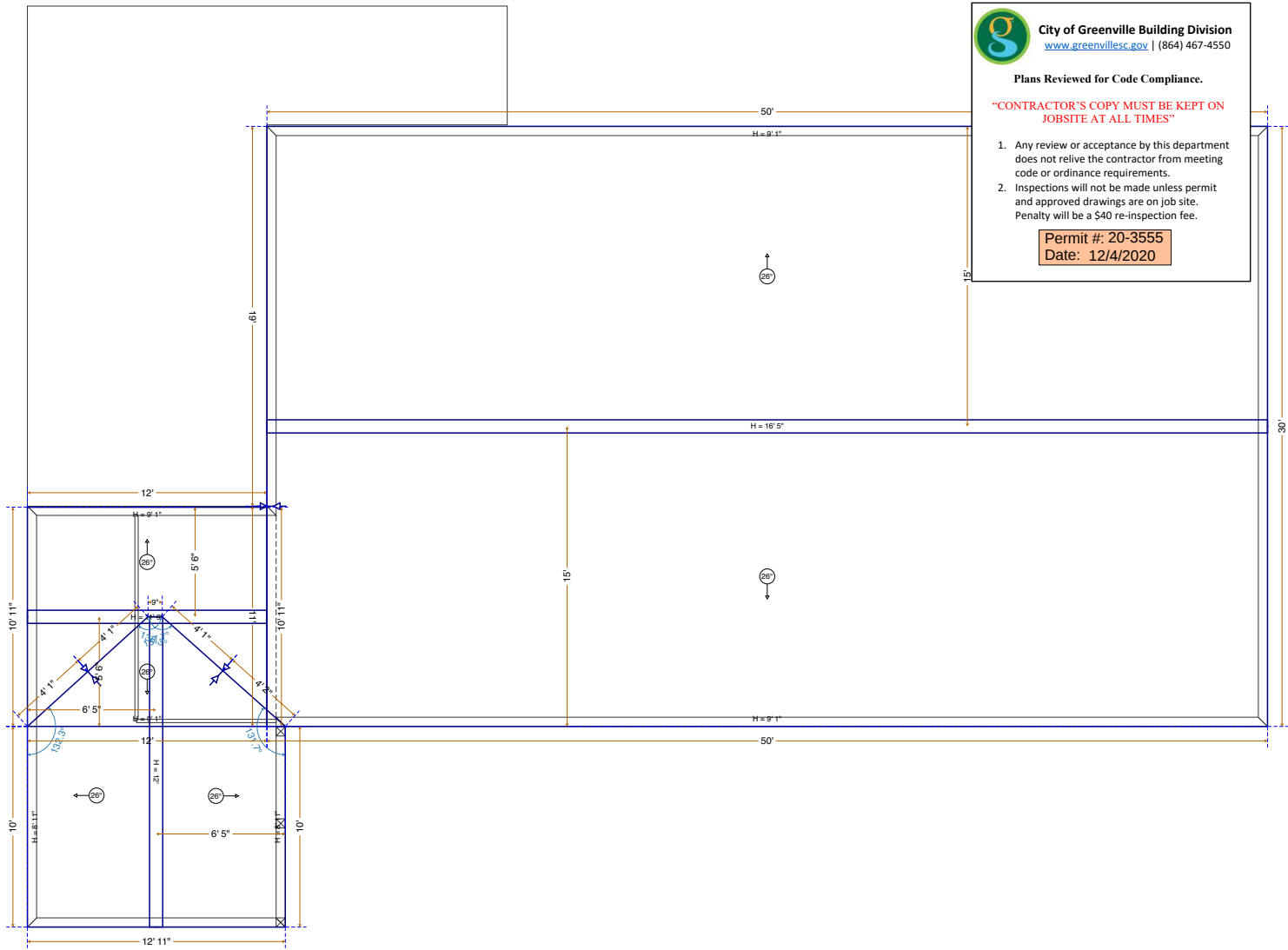
GRAPHIC SCALE

1. Any review or acceptance by this department does not relieve the contractor from meeting code or ordinance requirements.
2. Inspections will not be made unless permit and approved drawings are on job site. Penalty will be a \$40 re-inspection fee.



20ft





Scale: 1:100





City of Greenville Building Division
www.greenvillesc.gov | (864) 467-4550

Plans Reviewed for Code Compliance.

**"CONTRACTOR'S COPY MUST BE KEPT ON
JOBSITE AT ALL TIMES"**

1. Any review or acceptance by this department does not relieve the contractor from meeting code or ordinance requirements.
2. Inspections will not be made unless permit and approved drawings are on job site. Penalty will be a \$40 re-inspection fee.

Permit #: 20-3555
Date: 12/4/2020

