

Board of Zoning Appeals

Official Agenda



AGENDA

**BOARD OF ZONING APPEALS
A G E N D A
Regular Meeting
May 13th, 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: 129-378-9826

Remote Viewing Location:

Greenville Convention Center, 1 Exposition Drive – Room 102C

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. April 6th, 2021 – Workshop
 - B. April 8th, 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 21-292

Application by UPSTATESCICE, LLC dba Rita's Italian Ice & Frozen Custard for a SPECIAL EXCEPTION to establish a restaurant with a drive-through window at 409 MILLS AVE. (TM# 021900-12-00400).

Documents:

[AGENDA PACKET - S 21-292 - SPEX - DRIVE THROUGH - 409 MILLS AVE.PDF](#)

. . . --

B. S 21-293

Application by TAP Worldwide, LLC d/b/a 4 Wheel Parts (4WP) for a SPECIAL EXCEPTION to establish an automobile service use at 1018 WOODRUFF RD. (TM# 054501-01-02507).

Documents:

[AGENDA PACKET - S 21-293 - SPEX - AUTO SERVICING - 1018 WOODRUFF RD.PDF](#)

. . . ---

10. Other Business

11. Adjournment



**Planning Staff Report to
Board of Zoning Appeals
May 6, 2021**
for the May 13, 2021 Public Hearing

Docket Number:	S 21-292
Applicant:	UpstateSCICE d/b/a Rita's Italian Ice & Frozen Custard
Property Owner:	Out of the Air, LLC
Property Location:	409 Mills Ave., Ste. 200
Tax Map Number:	021900-12-00400
Acreage:	1.2 acres
Zoning:	C-2, Local Commercial District
Proposal:	Special Exception to establish a restaurant with drive-through
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(C), *Use-specific standards for Eating Establishments*

Staff Recommendation: Staff concludes that the application complies with the standards to grant a Special Exception Permit for a '**restaurant with drive-through.**' If the Board decides to grant the Permit, Staff recommends the following conditions:

1. The drive-through window shall close no later than 10 p.m.
2. Menu board lighting shall be turned off no later than one-half (1/2) hour after the drive-through window closes.
3. The Applicant shall submit a sign permit application for the proposed menu board and any subsequent modifications.
4. The menu board shall incorporate a photo-cell or similar technology that adjusts brightness of the sign relative to outdoor ambient light.
5. The operation of the establishment shall substantially conform to the testimony of the Applicant and the content of the application.

Staff Analysis:

The Applicant, UpstateSCICE, doing business as Rita's Italian Ice & Frozen Custard, requests special exception approval to operate a restaurant with a drive-through window at 409 Mills Avenue, Suite 200, located at the southeast corner of Mills Avenue and Lynn Street. The property is zoned C-2, Local Commercial District, which intends to provide a limited range of general retail, business, and service uses

as well as professional and business offices, but not intensive business or industrial activities, to persons that live in adjacent neighborhoods. Restaurants with drive-throughs are permitted as a special exception use in the C-2 district.

The Applicant intends to occupy unit 200, located at the northern end of the retail building, utilize an existing drive-through window and stacking lane, and replace an existing drive-through menu board. The retail building was constructed in 2003 under previous zoning regulations. Staff believes that the drive-through window was constructed under the original building permit, and that a special exception permit was not required for the drive-through at the time. Within the past decade, the subject unit has been occupied by a coffee shop and a pizza restaurant. However, staff could not determine if these past tenants utilized the drive-through window or existing menu board. The unit appears to have been vacant for several years which prompted the application for a Special Exception Permit.

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

1. Consistent with the Comprehensive Plan

The Future Land Use Map of the City's GVL 2040 Comprehensive Plan designates this property 'Community Mixed Use' which is intended to allow for a diverse mix of mid-size to large-size employers in commercial, light manufacturing/industrial, distribution, medical offices, and institutional as well as multi-family development.

Although a restaurant with a drive-through is not typically considered a desirable land use in the "Community Mixed Use" category, the drive-through window and stacking lane represented in this application have been in existence for approximately 17 years. Therefore, staff believes that the re-establishment of the drive-through operation in the capacity proposed is consistent, as a pre-existing use, with the Comprehensive Plan.

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

2. Complies with use specific standards

19-4.3.3(C) Eating establishments.

(1) General.

(a) Eating establishments that encroach onto public property shall comply with the city's outdoor displays and cafes ordinance (see chapter 8, article VIII, of this Code).

(b) Eating establishments on private property shall comply with the following standards:

- 1. The eating establishment shall not obstruct the movement of pedestrians along adjoining sidewalks, or through other areas intended for public usage, ingress, or egress.*
- 2. Outdoor live entertainment shall not be allowed, unless separate approval is obtained for an outdoor entertainment use.*
- 3. In approving eating establishments, the decision-making body may impose conditions relating to the location, configuration, and operational aspects (including hours of operation, noise, and lighting) to ensure that eating establishments will be compatible with surrounding uses and will be maintained in an attractive manner.*

In the submitted application, the Applicant indicates that hours of operation for the store will be 12 p.m. to 10 p.m. during the summer months, with earlier closing times during winter months. Staff notes that the menu board is located on the east side of the building, immediately adjacent

to a single-family residence. To reduce negative impacts to adjacent residential properties, staff recommends that the drive-through window close no later than 10 p.m. Further, staff recommends that menu board lighting be turned off no later than one-half (1/2) hour after the drive-through window closes and that the menu board incorporate technology that adjusts the brightness of the sign relative to outdoor ambient light.

Staff finds that, with appropriate conditions related to drive-through hours of operation and menu board lighting, the use will comply with the specific use standards of the Land Management Ordinance

3. Compatibility with the surrounding lands

The zoning districts and land uses of adjacent property is as follows:

East: Single-Family Residential (R-6)

North (across Lynn St): Single-Family Residential and Office (R-6 and OD)

West (across Mills Ave): Multi-Family Residential (C-2)

South: Drive-through restaurant (C-2)

The proposed use is located within an existing retail development which currently contains retail, restaurants, and office uses. While a new drive-through use would likely not be appropriate in the building given its proximity to single-family residential, the existing drive-through window and stacking lane have been in existence for approximately 17 years. The property features an existing 6-8 ft.-tall wood privacy fence along the western property line which provides screening for the adjacent residential property. Staff believes that, with appropriate conditions related to hours of operation and menu board lighting, the use will remain compatible with surrounding lands.

Staff finds that, with appropriate conditions related to drive-through hours of operation and menu board lighting, the use will remain compatible with surrounding lands.

4. Design does not have substantial adverse impacts

To minimize impacts on adjacent residential properties, staff recommends the following conditions related to the drive-through use:

- a) The drive-through window shall close no later than 10 p.m.
- b) Menu board lighting shall be turned off no later than one-half (1/2) hour after the drive-through window closes.
- c) The menu board shall incorporate a photo-cell or similar technology that adjusts brightness of the sign relative to outdoor ambient light.
- d) The Applicant shall submit a sign permit application for the proposed menu board and any subsequent modifications.

Further, the applicant is expected to conform with standards for the drive-through speakers in Land Management Ordinance Section 19-6.5.7(G)(6) which states that speakers shall not be audible beyond residential lot lines.

Staff finds that, with appropriate conditions related to drive-through hours of operation and menu board lighting, the design will not have substantial adverse impacts



Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE*: _____

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

APPLICANT'S REPRESENTATIVE: _____
(Optional)

_____ Name _____ Title / Organization _____

MAILING ADDRESS: _____

PHONE: _____ EMAIL: _____

PROPERTY OWNER: _____

MAILING ADDRESS: _____

PHONE: _____ EMAIL: _____

PROPERTY INFORMATION

STREET ADDRESS: _____

TAX PARCEL #: _____ ACREAGE: _____ ZONING DESIGNATION: _____

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE: _____

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

Richard McFeely
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>Richard McFeely</u>	APPLICANT / REPRESENTATIVE SIGNATURE
<u>4/12/21</u>	DATE
<u>Timie Thomas / PM</u>	PROPERTY OWNER SIGNATURE
<u>04/12/21</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.

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

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.

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.

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).

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

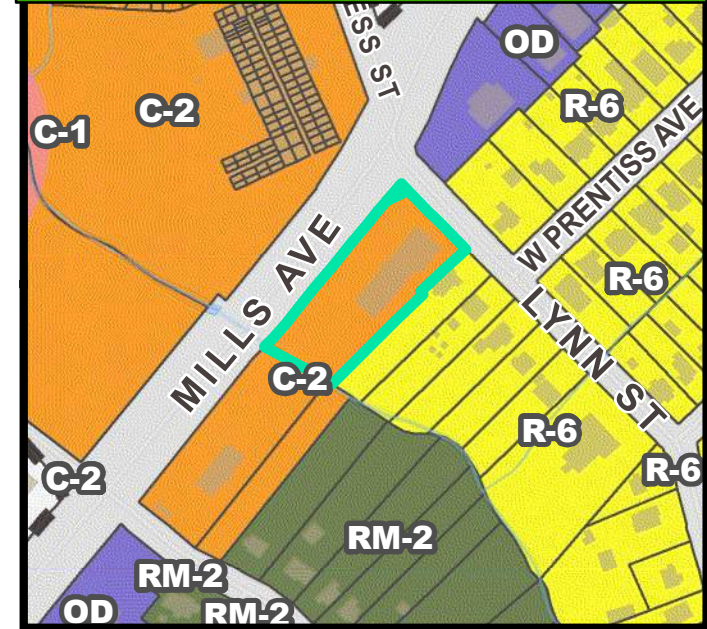
4. IS THE PROPOSED USE ONE THAT IS OTHERWISE PERMISSIBLE IN ANOTHER ZONING DISTRICT WITHIN THE CITY?

S 21-292 • 409 MILLS AVE

AERIAL VIEW



CURRENT ZONING

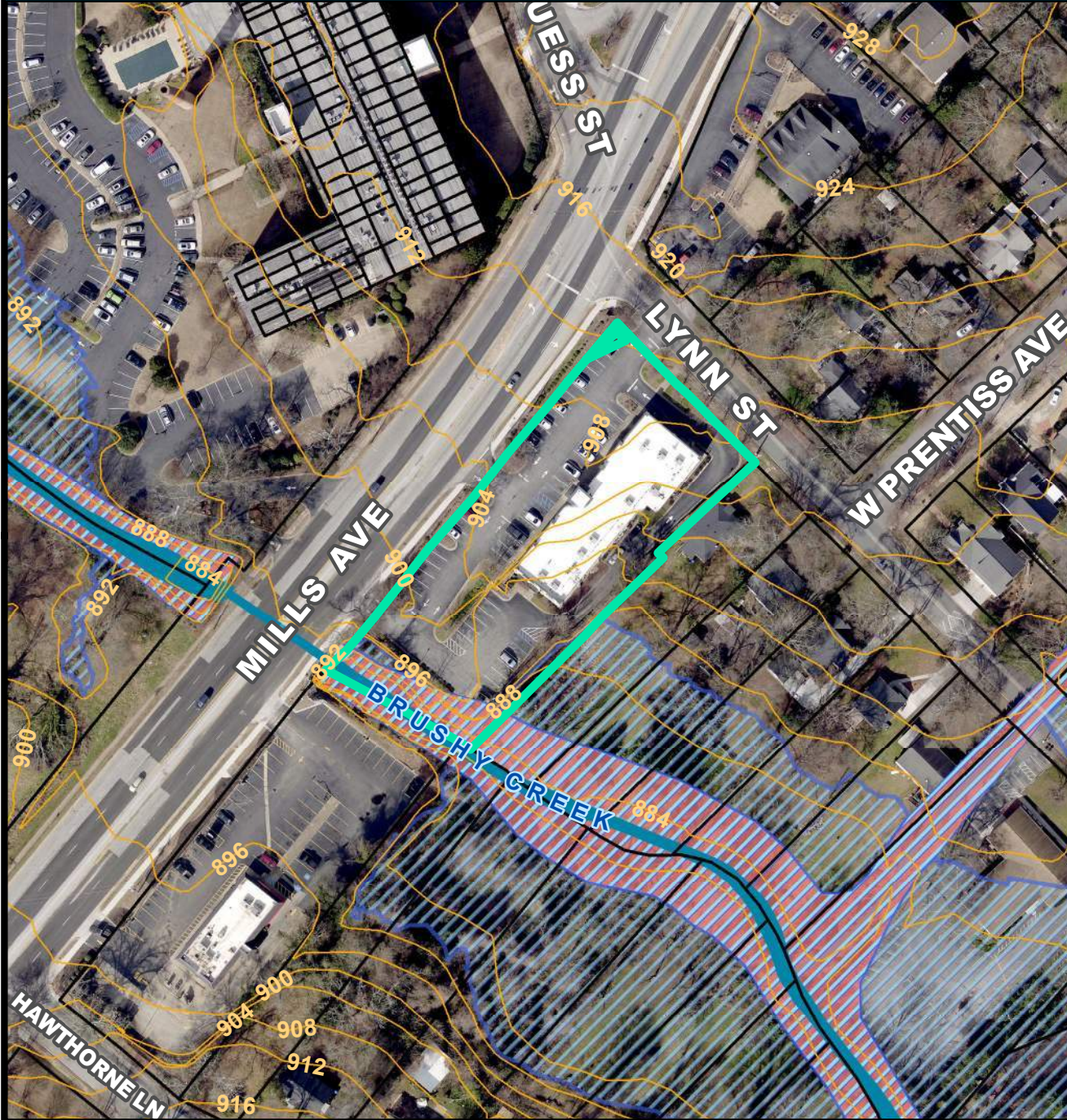


FUTURE LAND USE



S 21-292 • 409 MILLS AVE

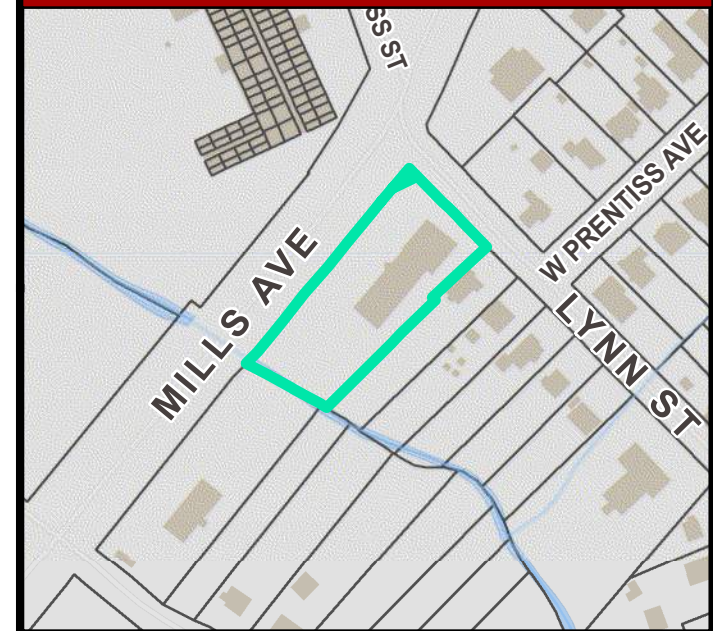
NATURAL / ENVIRONMENTAL FEATURES

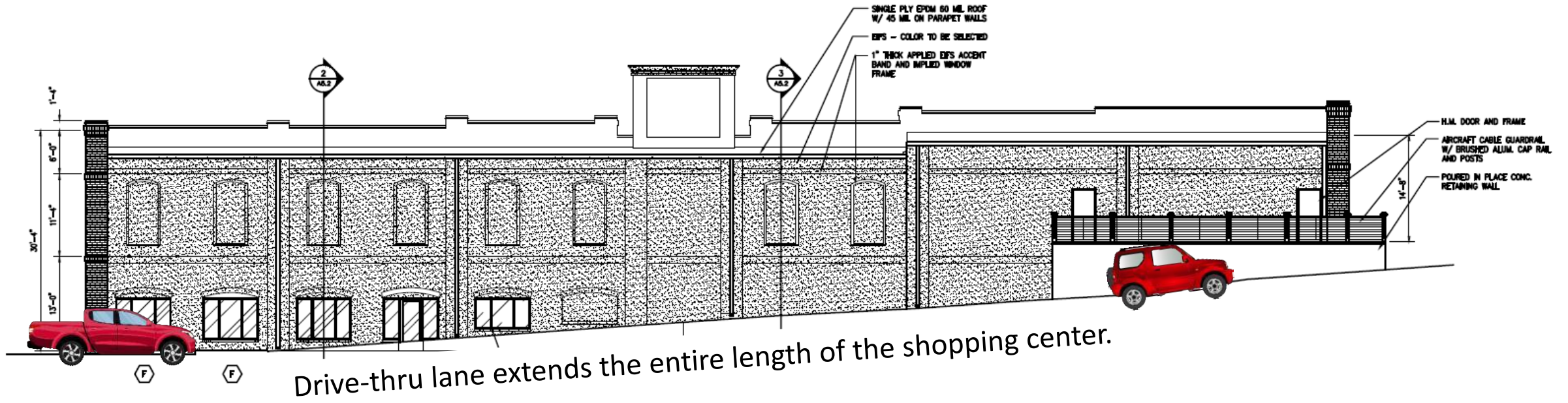
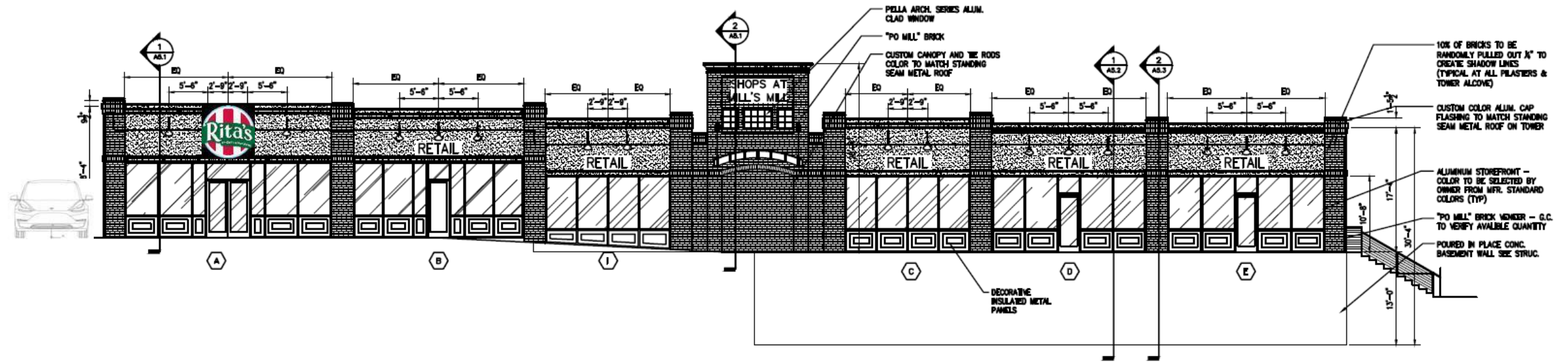


SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS

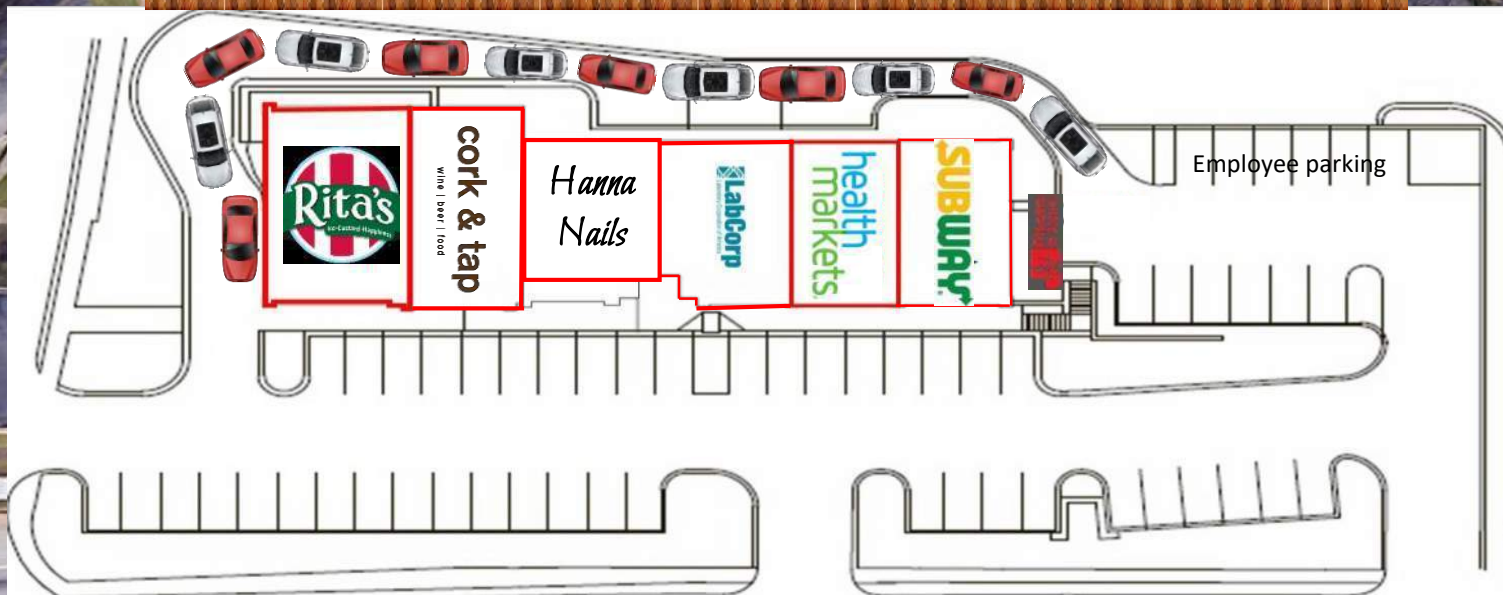






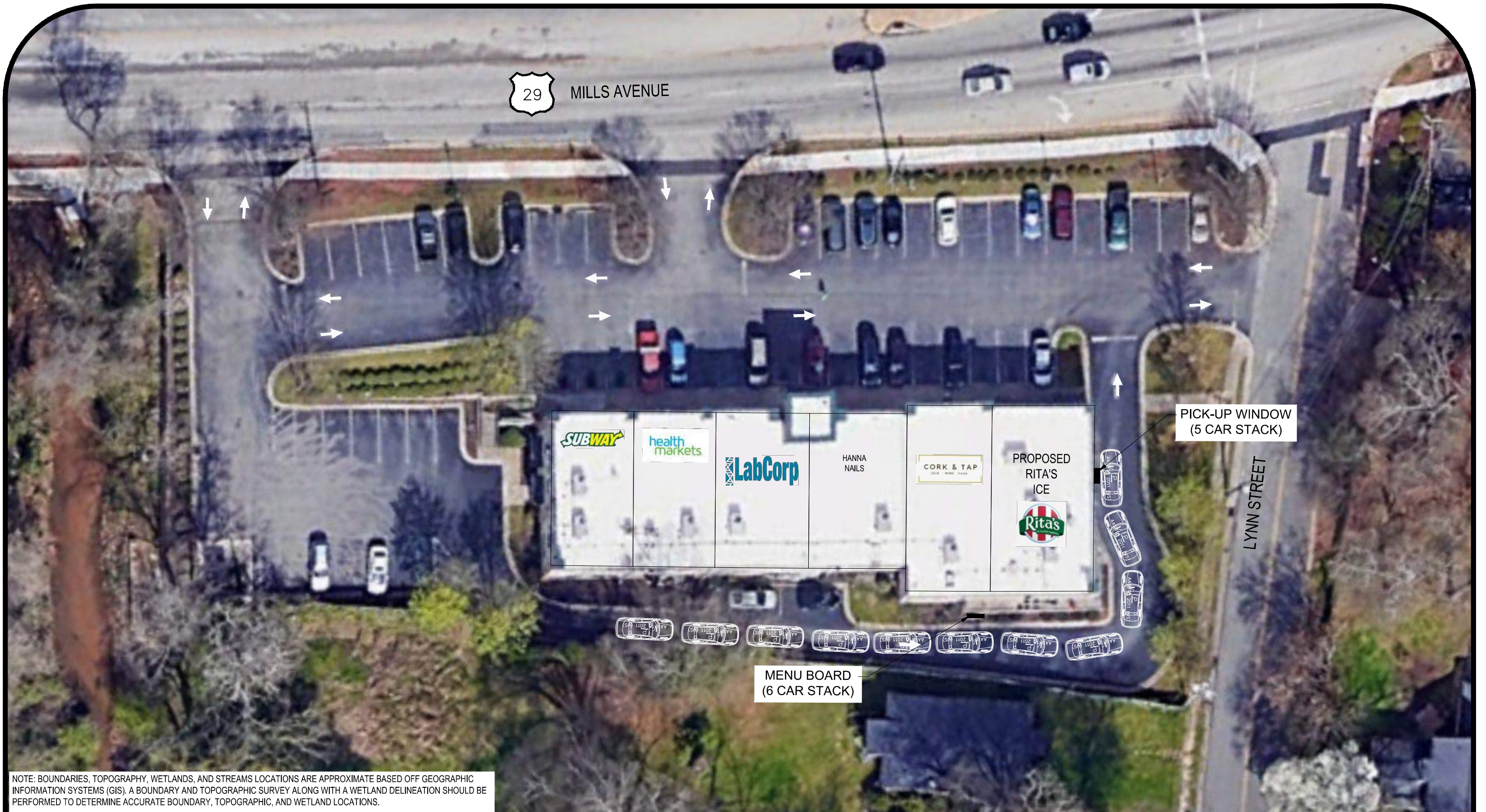
6' to 8' privacy fence runs the length of the property.

Lynn Street

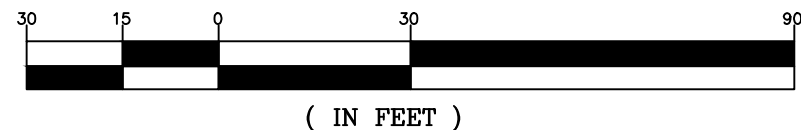


409 Mills Avenue

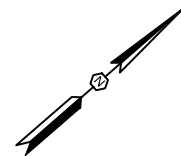
Google Earth



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Project No.: 21136-0023
April 7, 2021



Circulation and Stacking

Ritas Italian Ice

409 Mills Avenue, City of Greenville
Greenville County, South Carolina

UpstateSCIce, LLC







Matt Lonnerstater

From: Richard McFeely <upstatescice@gmail.com>
Sent: Friday, April 9, 2021 2:31 PM
To: Matt Lonnerstater
Subject: SPECIAL EXEMPTION PERMIT APPLICATION
Attachments: PICK UP WINDOW.jpg; Special Exception App_201601280736547594 Rita's Italian Ice 4-08-2021.pdf; 21136 Base-Circulation and Stacking.pdf; Site plan and exterior elevation - Rita's Italian Ice 3-25-2021 (1).pdf; VIEW FROM TOP OF HILL LOOKING ALONG REAR.jpg

CAUTION: This email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or opening attachments.

Mr. Lonnerstater,

Attached you will find the Application for Special Exemption for use an existing Pick up window and stacking lane at 409 Mills Ave Ste 200 Greenville, SC 29605.

Per previous inquiries with your office, we are asking for an exception to utilize the drive through/pick up window and for a Rita's Italian Ice & Frozen Custard franchise at this location.

There is an existing drive through board and stacking lane that we will be using, therefore no curb cuts or additional traffic changes will be needed for the surrounding streets or the existing entrance and egress. (See attached Stacking Plan) We can stack 5 cars between the order point and the window, and at least 6 before the order point. (with many more before reaching Mills Avenue.)

The property does have a 6 to 8 foot privacy fence, combined with the lower grade to minimize the impact on the neighborhood.

We will be utilizing a new menu board and canopy that will make a cleaner look overall to the rear of the building. (diagram attached)

Our hours of operation are from 12pm-10pm during the summer, and earlier during the winter months. Our peak times are between 2pm and 5pm and 6pm and 8pm (9pm during the summer).

Feel free to contact me at 717-585-7774 or at upstatescice@gmail.com if you have any questions or concerns. Since I reside here in Greenville County, I can meet in person at the site if that is desired.

--

Richard P. McFeely, Owner
UpstateSCIce, LLC
655H Fairview Rd #231
Simpsonville, SC 29680

717-585-7774



**Planning Staff Report to
Board of Zoning Appeals
May 6, 2021**
for the May 13, 2021 Public Hearing

Docket Number:	S 21-293
Applicant:	TAP Worldwide LLC d/b/a 4 Wheel Parts (4WP)
Property Owner:	Wish Peddlers
Property Location:	1018 Woodruff Rd.
Tax Map Number:	054501-01-02507
Acreage:	1.1 acres
Zoning:	C-2, Local Commercial District
Proposal:	Special Exception to establish an automobile service use
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 (G) *Use-specific standards for Vehicle Sales and Service*

Staff Recommendation: Staff finds that the application complies with the standards to grant a Special Exception Permit for an **'automobile service'** use. 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. The special exception permit shall be limited to the applicant, TAP Worldwide LLC d/b/a 4 Wheel Parts, and shall not be transferrable.

Staff Analysis:

The Applicant, TAP Worldwide LLC, in business as 4 Wheel Parts (4WP), requests special exception approval to operate an automobile service use in conjunction with an automobile parts store at 1018 Woodruff Road. The property is zoned C-2, Local Commercial District, which intends to provide a limited range of general retail, business, and service uses as well as professional and business offices, but not intensive business or industrial activities, to persons that live in adjacent neighborhoods. 'Automobile servicing' is defined by the Land Management Ordinance as, *"the replacement of any part or repair of any part that does not require removal of the engine head or pan, engine transmission, or differential,"* and is permitted as a special exception use in the C-2 district. Automobile parts stores are permitted by right in the C-2 district.

The Applicant intends to occupy the existing 9,800 sq. ft. building. Approximately 2,389 sq. ft. of the building will be dedicated to auto parts sales, while the rear 5,250 sq. ft. of the building will be dedicated to auto part installation. The Applicant proposes to install one (1) overhead door on the rear façade of the building to access the auto service area. The application indicates that auto servicing on-site will be limited to the installation of aftermarket accessories (e.g. wheels, tires, suspension, lights); automobile repair is not proposed in the business model.

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

1. Consistent with the Comprehensive Plan

The Future Land Use Map of the City's GVL 2040 Comprehensive Plan designates this property 'Regional Mixed Use' which is intended to accommodate medium and large commercial developments with pockets of nearby multi-family and light-industrial uses. This portion of Woodruff Road features several auto-oriented uses, which includes a car wash immediately to the west of the subject property.

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

2. Complies with use specific standards

Sec. 19-4.3.3 (G) contains use-specific standards for Vehicle Sales and Service uses.

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 (NOTE – not applicable)*

[...]

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

In the submitted application, the Applicant indicates that all installation, service areas, and storage will take place within the building. Vehicles are not proposed to be sold on-site.

Staff finds that the application complies with the specific use standards for vehicle service uses, Section 19-4.3.3(G).

3. Compatibility with the surrounding lands

The zoning districts and land uses of adjacent property is as follows:

East: Retail (C-3 – County)

North (across Woodruff Rd.): Retail and self-storage (C-3)

West (across Mills Ave): Auto wash facility (S-1)

South: Light-industrial (C-3)

Adjacent properties consist of a mix of retail, auto-service uses, and light industrial. This portion of Woodruff Rd. is improved with several existing auto-oriented uses, which includes a car wash immediately to the west of the subject property. Staff finds that the proposed use will be compatible with adjacent land uses.

Staff finds that the use will be compatible with adjacent land uses.

4. Design does not have substantial adverse impacts

The specific use standards for automobile service uses, Section 19-4.3.3(G), provide protections to adjacent property owners through prohibition of automobile servicing and storage outside of the building. Staff finds that the application adequately addresses these specific use standards. Further, the applicant is expected to conform with the City of Greenville Nuisance ordinance, to include regulations that pertain to noise.

Staff finds that the design will not have substantial adverse impacts



Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE*: TAP Worldwide LLC d/b/a 4 Wheel Parts (4WP)

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

APPLICANT'S REPRESENTATIVE: Matthew Huffman Manager - Store Development - 4WP
(Optional) _____ Name _____ Title / Organization _____

MAILING ADDRESS: 400 W. Artesis Blvd., Compton, CA 90220

PHONE: 303-519-6467 EMAIL: mhuffman@4wp.com

PROPERTY OWNER: Wish Peddlers

MAILING ADDRESS: 578 Meece Bridge Rd., Taylors, SC 29687

PHONE: (864) 334-5676 EMAIL: wishpeddlers@charter.net

PROPERTY INFORMATION

STREET ADDRESS: 1018 Woodruff Road, Greenville SC 29607

TAX PARCEL #: 0545010102507 ACREAGE: 1.10 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:

Retail sales and installation of aftermarket parts & accessories for Truck-Jeep-SUV inclusive of off-road/outdoor oriented accessories, suspension components, wheels, tires, and other "bolt-on" accessories. Proposed use is limited to the existing 9,800 square foot building, existing parking, drives and ancillary installations existing at this parcel.

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. **Please Reference "Exhibit A"**
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

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.

Robert Lavery, Jr.
April 9th, 2021

Robert Lavery, Jr.
4/9/21 4/9/21

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)

Please Reference "Exhibit B"

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

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

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.

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

(YOU MAY ATTACH A SEPARATE SHEET) **N/A**

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.

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).

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

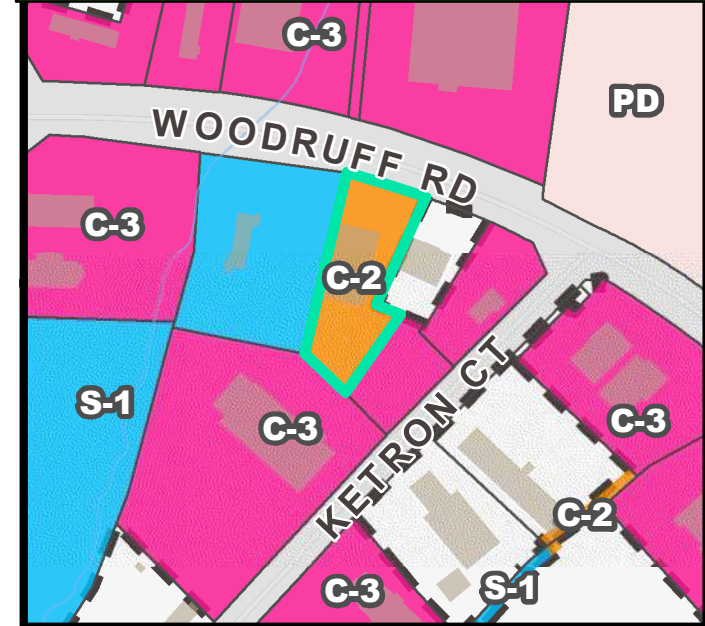
4. IS THE PROPOSED USE ONE THAT IS OTHERWISE PERMISSIBLE IN ANOTHER ZONING DISTRICT WITHIN THE CITY?

S 21-293 • 1018 WOODRUFF RD

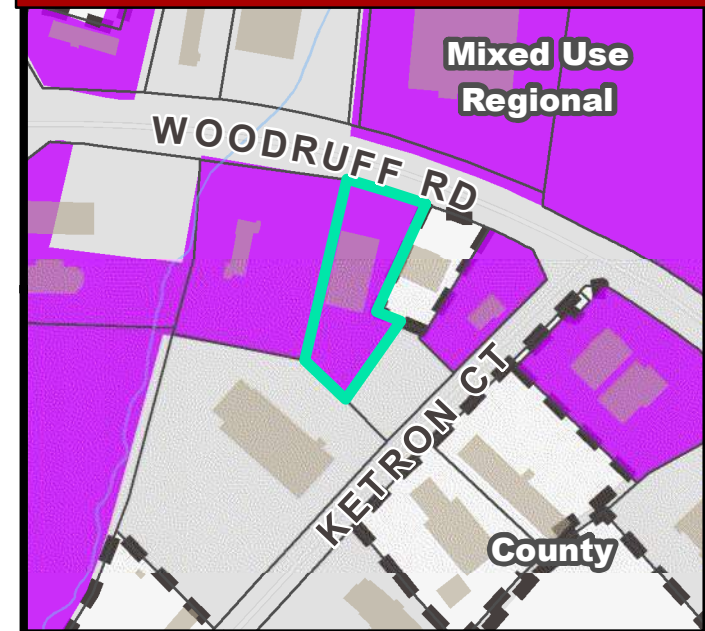
AERIAL VIEW



CURRENT ZONING

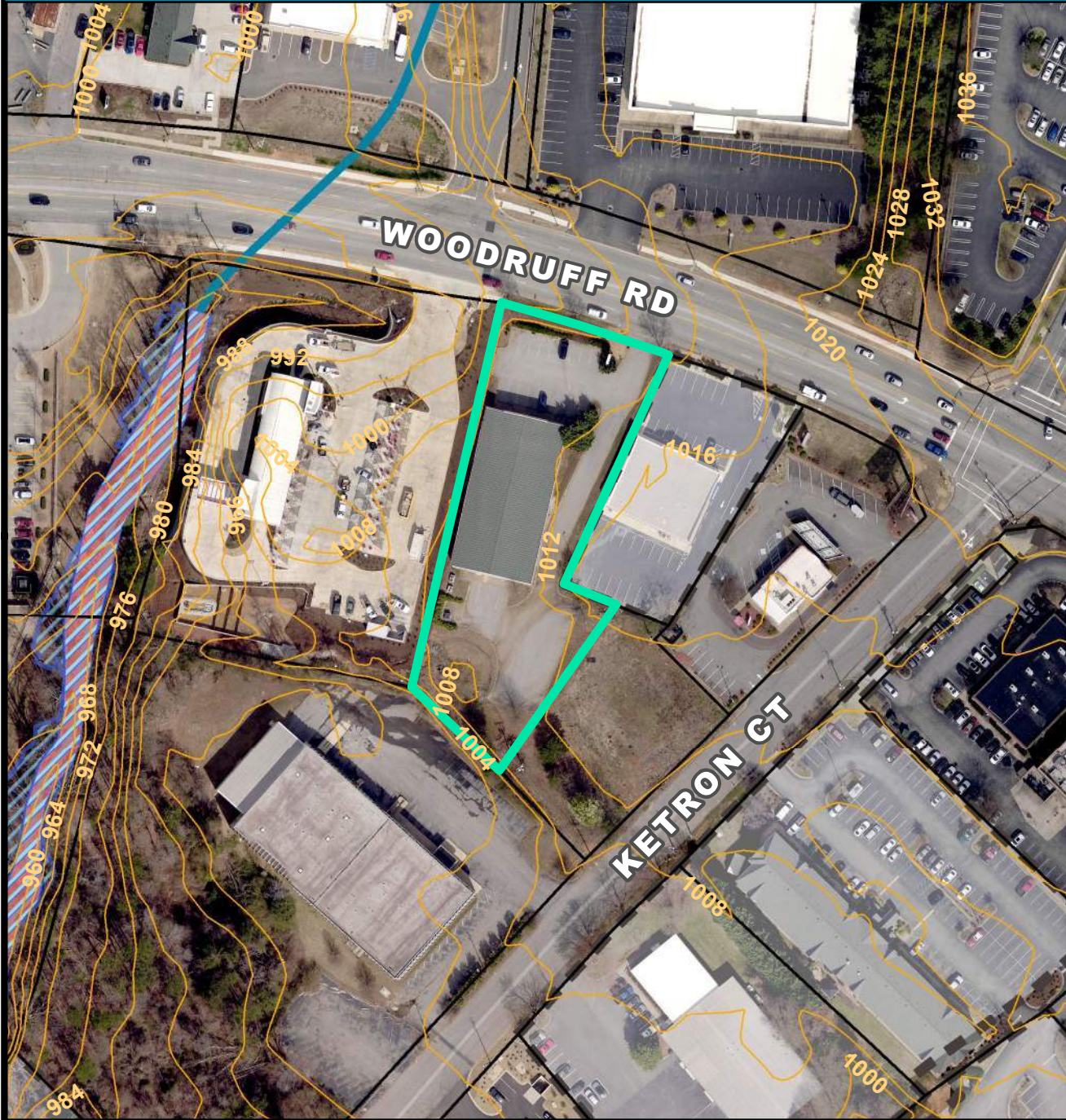


FUTURE LAND USE

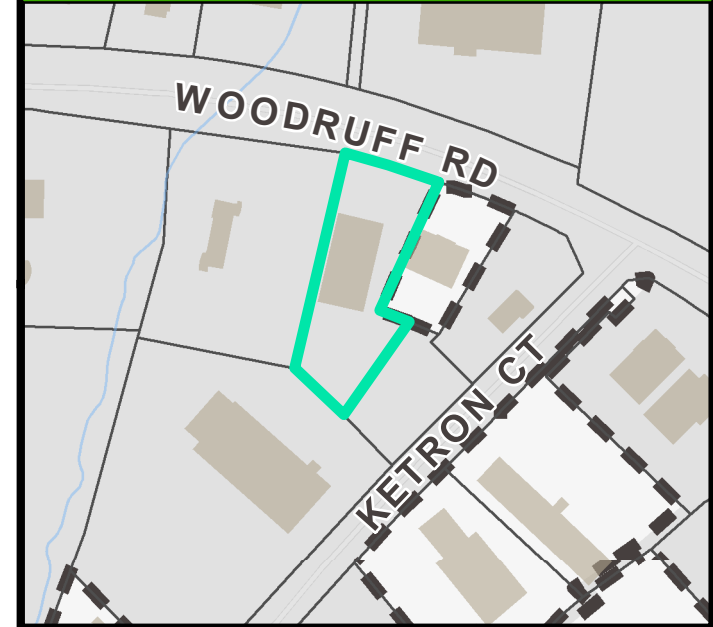


S 21-293 • 1018 WOODRUFF RD

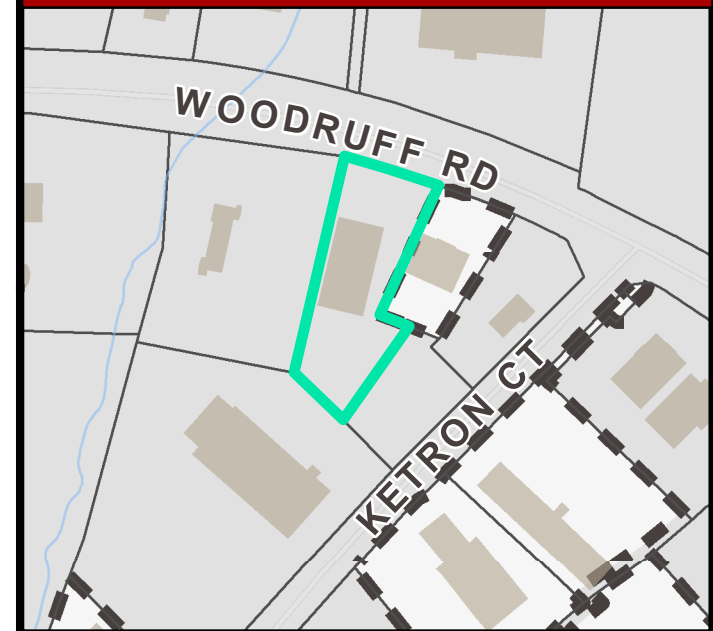
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS



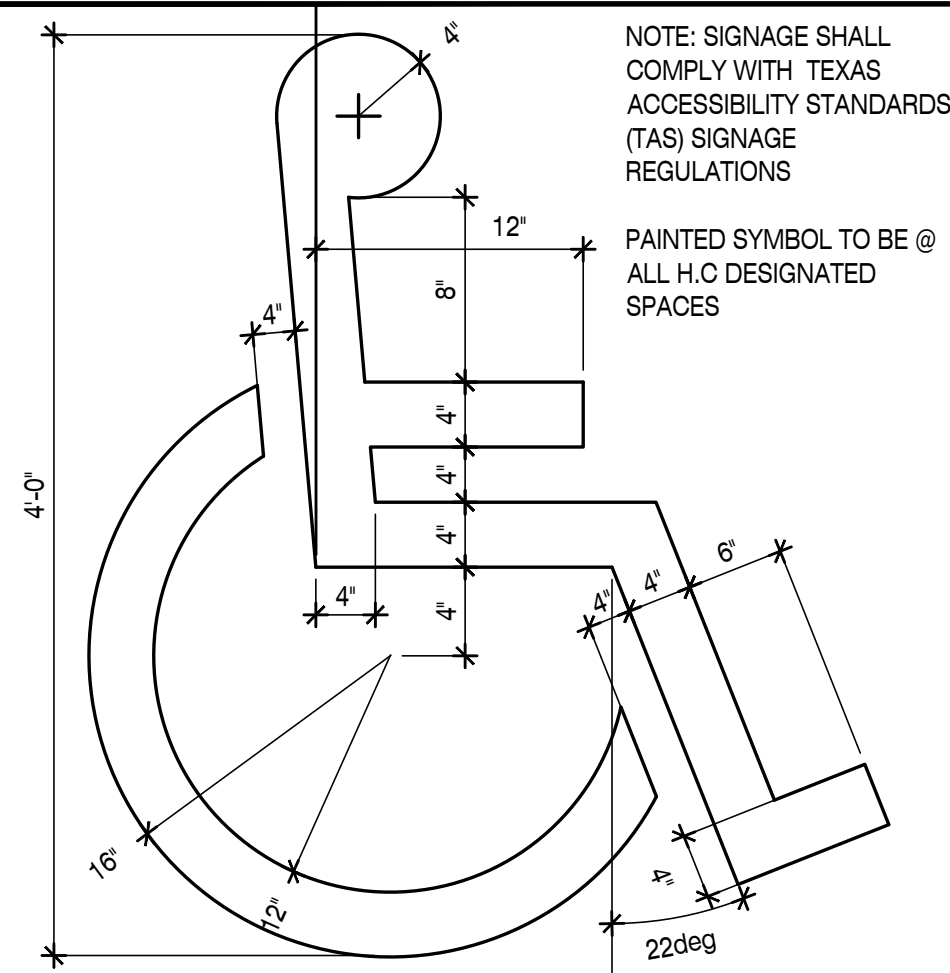


Exhibit "A"

SITE INFORMATION

TMS # 545.1-1-25.7
TOTAL AREA: 1.10 AC
ZONING: C-2
EXISTING USE- MERCANTILE
PROPOSED USE: BUSINESS/ S1-STORAGE

EXISTING PARKING PROVIDED: 31 SPACES

SPECIFICATIONS

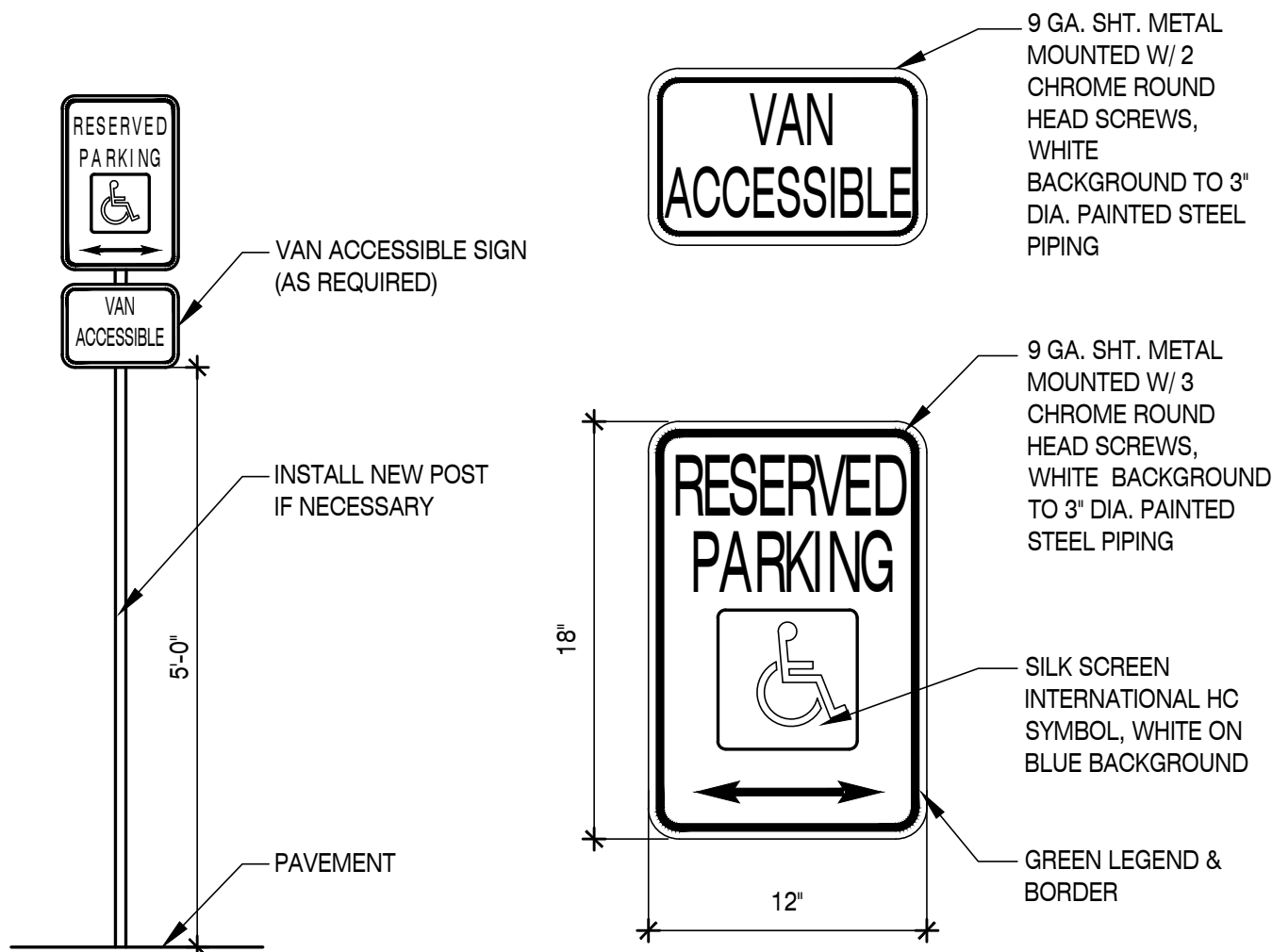
- CONTRACTOR CONSTRUCTION NOTES
- PARKING LOT PAINT SPECIFICATIONS - 15 MIL. APPLICATION (0.015 INCH THICKNESS) :
- NEW PAVEMENT SURFACE TO CURE FOR A PERIOD OF NOT LESS THAN 1 DAY BEFORE APPLICATION OF MARKING MATERIALS.
 - REMOVE ALL DIRT, GRAVEL, DEBRIS, VEGETATION, OR OTHER MISCELLANEOUS OBJECTS FROM THE SURFACE WITH A BROOM TRUCK OR EQUIVALENT RIGOROUS METHOD. PROVIDE A CLEAN, DUST-FREE AND COMPLETELY DRY SURFACE FOR PAINT APPLICATION. DO NOT APPLY PAINT OVER EXISTING TAPE MARKINGS.
 - CONFIRM & RECORD PROPER AIR AND SURFACE TEMPERATURES OF 55° AND RISING AND LESS THAN 95° IF THE SURFACE TEMPERATURE IS NOT WITHIN THE TEMPERATURE RANGE OR IF THE PAINT APPLICATION IS DONE UNDER ADVERSE CONDITIONS (AS DETERMINED BY THE CONSTRUCTION PROJECT MANAGER) SUCH AS ABOVE 75% HUMIDITY, NIGHT STRIPING, ETC. IN ORDER TO MEET 4WP OPENING SCHEDULE, CONTRACTOR TO RE-SCHEDULE AND COMPLETE SURFACE STRIPING UNDER PROPER CONDITIONS A MINIMUM OF 30 DAYS PRIOR TO THE EXPIRATION OF THE (1) ONE YEAR CONSTRUCTION WARRANTY.
 - PROVIDE A 15 MIL THICK 4" WIDE CONTINUOUS STRIPE WHERE AND IN THE COLOR INDICATED.

KEYNOTES

- CONTRACTOR CONSTRUCTION NOTES
- (REFER ONLY TO NOTES THAT ARE INDICATED BY NUMERICAL KEY ON PLAN):
- CONTRACTOR TO RE-STRIPLE PARKING LOT, DRIVE LANES, AND RECEIVING AREAS AS INDICATED ON PLAN. BLACK OUT EXISTING LINES WHERE REQUIRED. VERIFY CONDITIONS ON SITE. RE-STRIPLE EXISTING OR ADD ADDITIONAL HANDICAP PARKING SPACES WHERE REQUIRED. RE-PAINT CURBS AS REQUIRED.
 - ACCESSIBILITY SIGNAGE. SEE DETAILS THIS SHEET. CONFIRM SIGNAGE IS UP TO DATE WITH CURRENT ADA STANDARDS AND IS INSTALLED TO FULL COMPLIANCE.
 - PRICE AS ADD ALTERNATE TO SEAL COAT PARKING LOT PRIOR TO RE-STRIPLE.
 - EXISTING HVAC LOCATION.
 - EXISTING PYLON SIGN LOCATION TO BE REMOVED AND REPLACED WITH MONUMENT SIGN IN COMPLIANCE WITH CITY ORDINANCES- COORDINATE NEW SIGN INSTALLATION WITH 4WP PROJECT MANAGER AND SIGN VENDOR. SIGNS TO BE INSTALLED UNDER SEPARATE PERMIT.
 - EXISTING DUMPSTER LOCATION. POWER WASH/ CLEAN AREA TO BE IN GOOD AND PRESENTABLE CONDITION.
 - BLACK OUT EXISTING PARKING STRIPE AND PAINT NO PARKING AT TWO SPACES WHERE DESIGNATED.

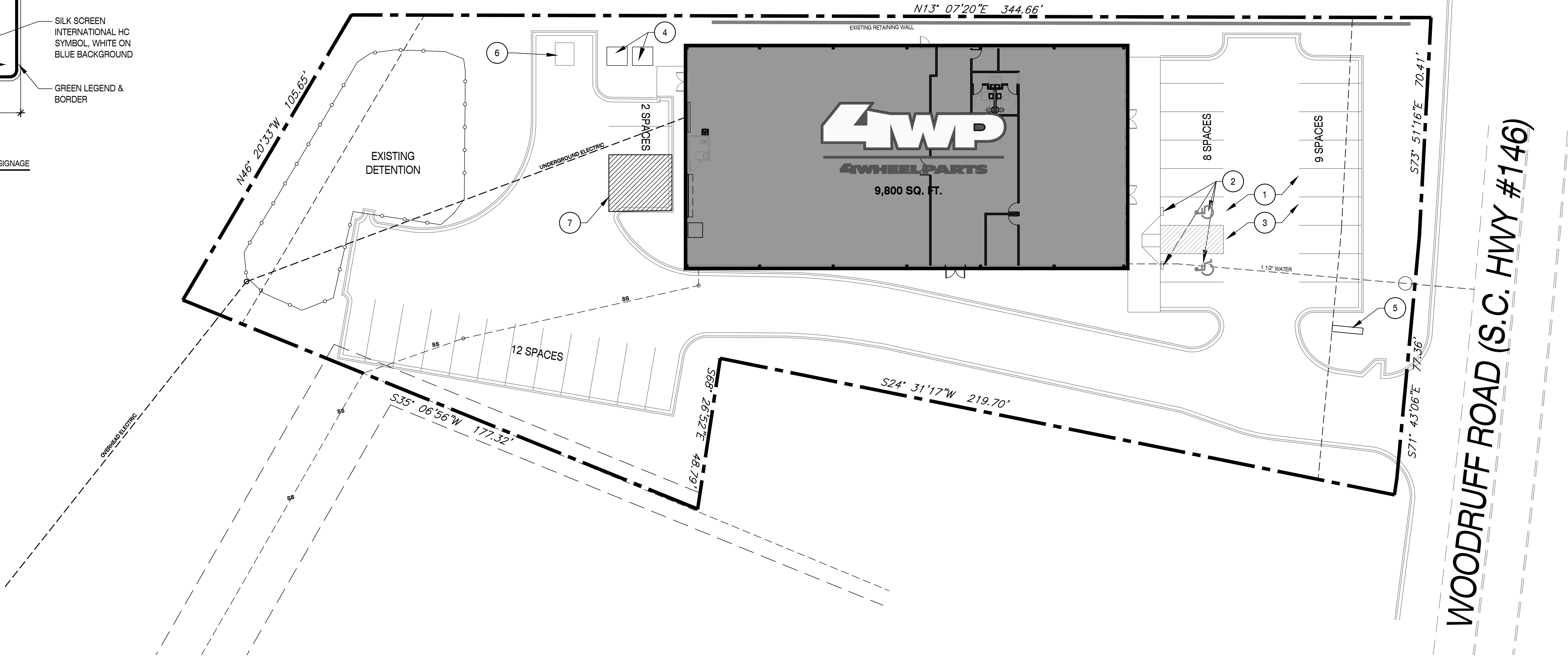
2 DETAIL

SCALE: NONE



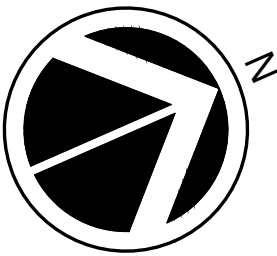
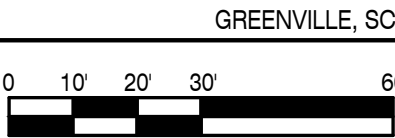
1 DETAIL

SCALE: 1/2" = 1'-0"



SITE PLAN

SCALE: 1" = 20'



GLEN P. OXFORD
ARCHITECT

2934 Sidco Drive
Suite 120
Nashville, TN 37204

Architecture
Planning
Interior Architecture



GREENVILLE
SOUTH
CAROLINA

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Job Number: 2126

Date: 04.06.2021

Revisions:

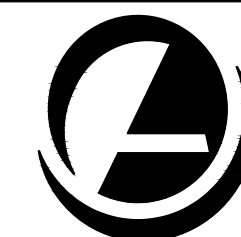
Revisions:

Revisions:

ARCHITECTURAL SITE PLAN

Sheet Number:

AS1.0



GLEN P. OXFORD
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Suite 120
Nashville, TN 37204

Architecture
Planning
Interior Architecture



GREENVILLE SOUTH CAROLINA

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Job Number: 2126

Date: 04.06.2021

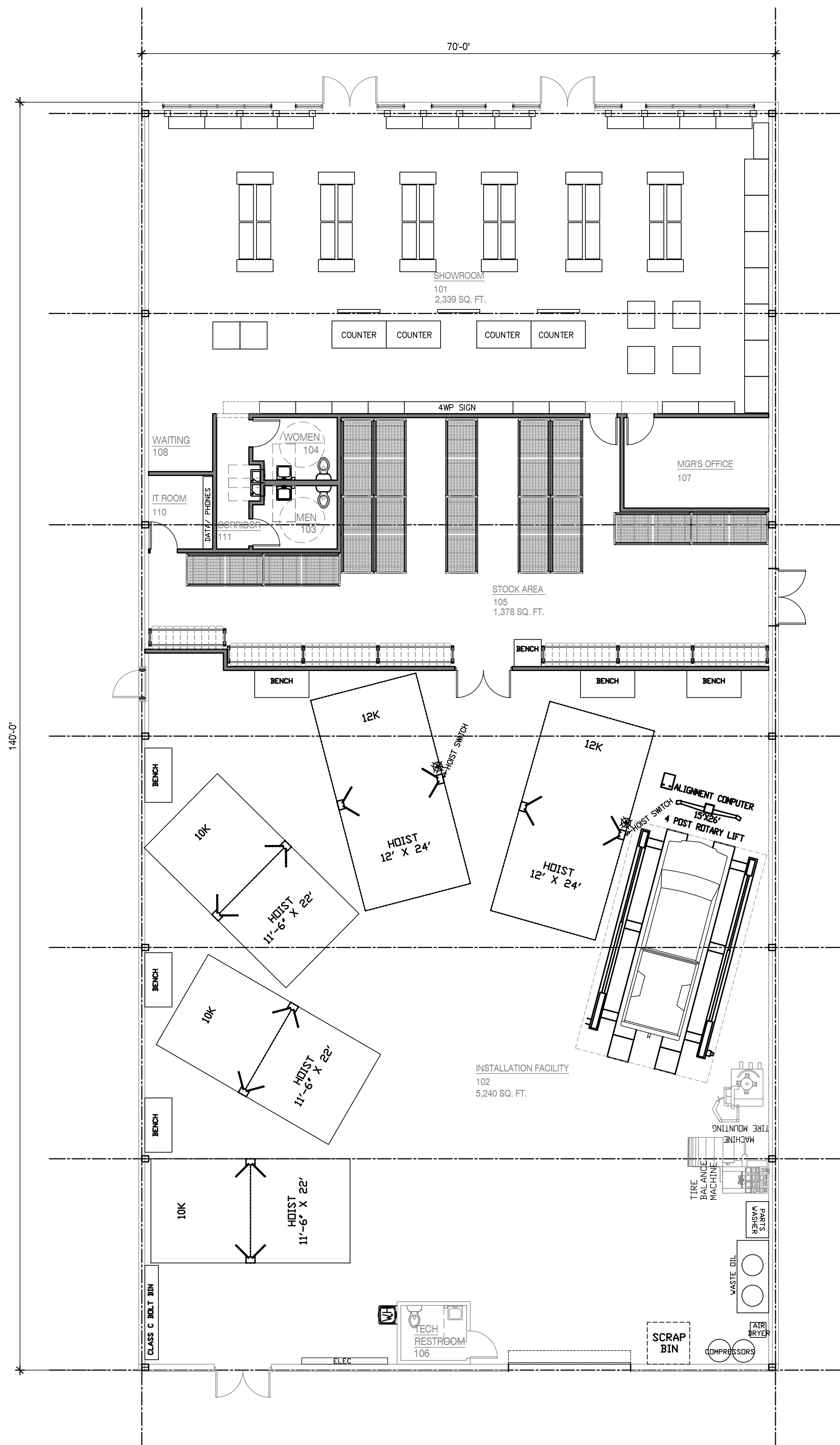
Revisions:

Revisions:

Revisions:

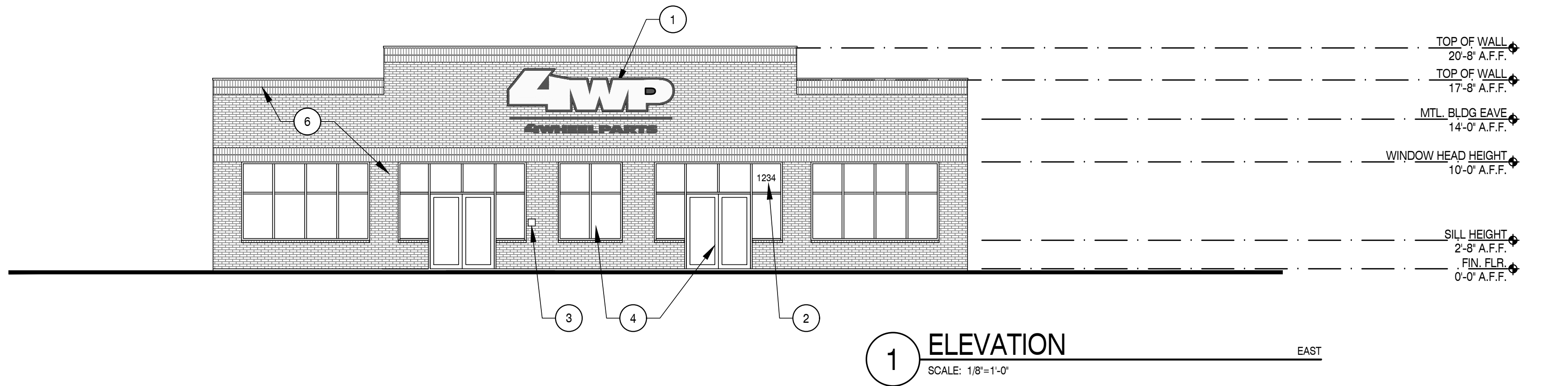
ARCHITECTURAL FLOOR PLAN

Sheet Number: A1.0



FLOOR PLAN

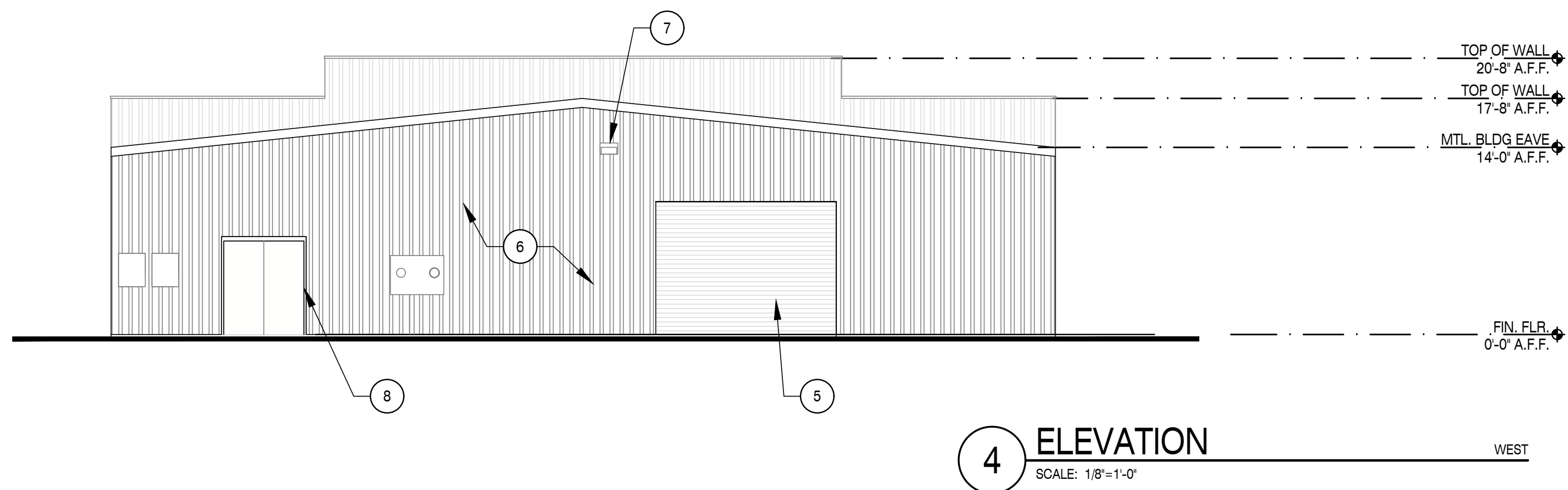
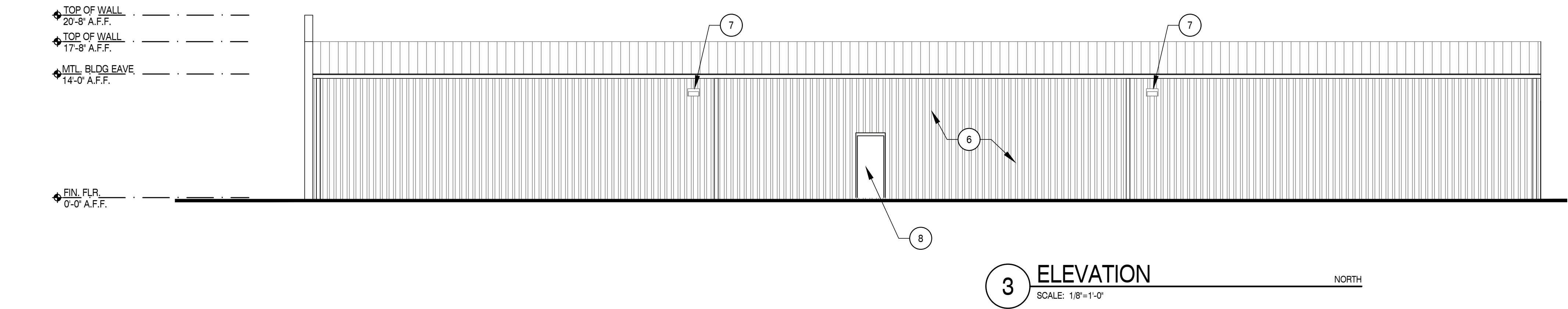
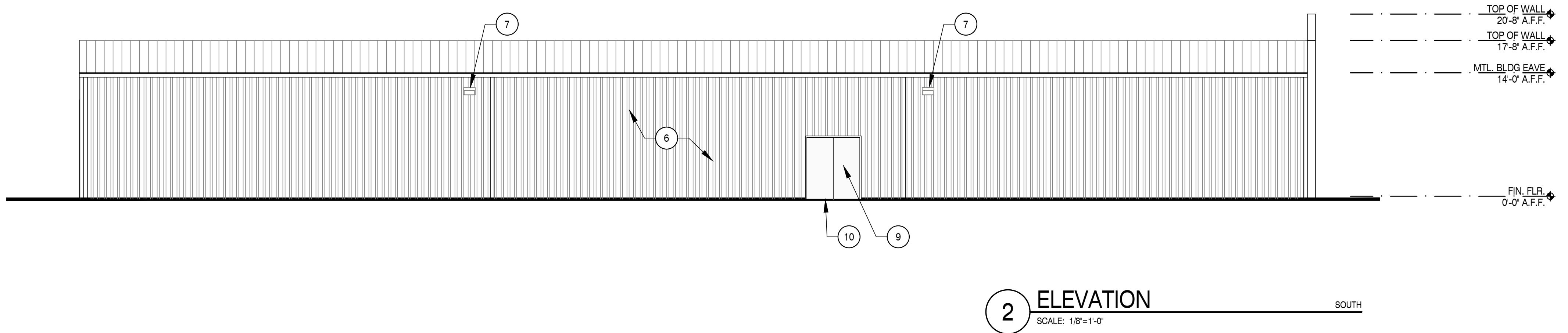
SCALE:1/8"=1'-0"



KEYNOTES

CONTRACTOR CONSTRUCTION NOTES

- # CONSTRUCTION NOTES (REFER ONLY TO NOTES THAT ARE INDICATED BY NUMERICAL KEY ON PLAN):
- SIGNAGE FURNISHED AND INSTALLED BY OTHERS. SIZE AND PERMITS TO BE DETERMINED AND OBTAINED BY SIGN VENDOR. CONTRACTOR TO PROVIDE AND INSTALL JUNCTION BOX AND CIRCUIT TO PANEL IF NOT EXISTING, SEE ELECTRICAL.
 - ADDRESS IN CONTRASTING COLOR, COORDINATE WITH LOCAL FIRE MARSHAL.
 - KNOX BOX FOR FIRE DEPARTMENT ACCESS MOUNTED @ 4'-0" A.F.F. COORDINATE EXACT LOCATION WITH LOCAL FIRE MARSHAL.
 - EXISTING STOREFRONT FRAME, WINDOWS AND DOORS TO BE CLEANED. REPAIR AS NECESSARY TO GOOD AND PRESENTABLE CONDITION.
 - CONTRACTOR TO INSTALL NEW COILING INSULATED OVERHEAD DOOR INSIDE OF BUILDING AT NEW EXPANDED OPENING WHERE INDICATED. SEE SHEET A0.1 FOR DOOR SCHEDULE.
 - EXISTING WALL FINISH TO REMAIN. REPAIR BUILDING FACADE AS REQUIRED WHERE DAMAGED WITH MATERIALS TO MATCH EXISTING AS NECESSARY.
 - EXISTING WALL MOUNTED LIGHT FIXTURE- PLACE IN PROPER WORKING ORDER.
 - EXISTING DOOR TO REMAIN. PLACE IN PROPER WORKING ORDER INSPECT ALL EXISTING MAN DOORS FOR FUNCTION AND RUST. COORDINATE WITH 4WP PROJECT COORDINATOR FOR DOORS THAT NEED TO BE REPLACED AND OR UPGRADED HARDWARE AS NECESSARY TO MEET TENANT REQUIREMENTS.
 - NEW MAN DOOR. SEE A1.0 AND STRUCTURAL FOR OPENING. SEE A0.1 FOR DOOR SCHEDULE.
 - INSTALL NEW CONCRETE PADLANDING AT NEW MAN DOOR LOCATION. SEE A1.0 AND STRUCTURAL FOR MORE INFORMATION.



EXISTING CONDITIONS
EXISTING BUILDING SHOWN IS EXISTING. ALL EXISTING EXTERIOR FINISHES AND MATERIALS ARE TO REMAIN UNLESS OTHERWISE NOTED.

SIGN REQUIREMENTS
ALL BUILDING MOUNTED AND POLE MOUNTED SIGNAGE TO BE SUBMITTED FOR APPROVAL UNDER A SEPARATE PERMIT BY OTHERS.



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Job Number: 2126

Date: 04.06.2021

Revisions:

Revisions:

Revisions:

ELEVATIONS

Sheet Number: A2.0



TAP WORLDWIDE, LLC D/B/A 4 WHEEL PARTS
400 W. Artesia Blvd. Compton, CA 90220

Exhibit “B” – Applicant Response to:

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

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

4 Wheel Parts (4WP) is the premier destination for everything aftermarket for the Truck-Jeep-SUV enthusiast. Not only does 4WP leverage a national distribution network and customer centric business, but also draws on hundreds of years of collective knowledge, ethics, and safety principles that set 4WP apart from the competition. Our outlook, as part of the GVL2040 Comprehensive Plan kickoff, aligns with the guiding principles of the future Greenville.

4WP's guiding culture principles, coupled with strong career building foundational practices, serve the community through knowledgeable customer interactions, safe, certified vehicle modifications, and continued career building opportunities for members of the community to further diversify the workforce and provide expertise and knowledge in the vehicle modification niche.

4WP has worked diligently to support our business growth through adaptive reuse of existing real estate that fits the general makeup of surrounding businesses within one of the premier retail corridors of Greenville, while not further impacting the existing city infrastructure through new construction, impervious surfaces, and dedication to limiting negative impacts and environmental concerns. Moreover, 4WP is committed to further serving Greenville and the surrounding communities with a centrally located presence and driving additional local business with a regionalized, specialty service.

The 4WP business model, and commitment to the customer, create a unique mix of building use. Because we're wholly dedicated to customer needs, we provide a consumer centric state of the art showroom for displays & sales, a limited stocking component, and the installation of bolt on parts and accessories to provide a safe solution to vehicle upfitting.

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

Section 19-4.3.3-G Vehicle Sales and Service

Overview of 4WP Use: Retail sales and installation of aftermarket products for Trucks-Jeeps-SUVs. Array of aftermarket accessories (Wheels, tires, suspension, winches, lights, towing, etc.) for sale in a retail customer showroom, and simple bolt-on installation of such parts through a dedicated service component, IE Installation Facility.



(G)-1 Vehicle Storage 4WP is not in the business of automotive repair, and as such, no broken/disabled, or otherwise inoperable vehicles will be housed at the premises. In addition, corporate risk policy as it relates to security of customer vehicles, strictly limits the capacity of vehicles in 4WP possession to a number that can be adequately housed and stored indoors outside of business hours. Since 4WP is not in the business of selling vehicles, none shall be

positioned for display purposes within right of ways, landscaped areas, or otherwise outside of the typical access/parking confines of the parcel.

(G)-2 Ancillary Storage Any and all takeoff vehicle parts, accessories, and refuse are to be stored indoors for pickup by specialized recycling firms. In the event any outdoor, temporary storage of discarded parts or materials are required, such implementation shall be addressed independently through proper application and approval at such time their use is required.

(G)-3-a Site Configuration → Not applicable to 4WP use

1. N/A – No sales or rentals of automobiles proposed at this facility
2. N/A – No multi building develops proposed. All proposed use limited to the confines of the existing 9,800 SF building

(G)-3-b Vehicle Display/Storage → Not applicable to 4WP use

1. N/A - No vehicle sales or storage components proposed
2. N/A - No proposed vehicle display areas
3. N/A - No proposed vehicle display areas on impervious surfaces or undeveloped areas
4. N/A
5. N/A
6. N/A – Junked/salvaged vehicles are not consistent with 4WP use

(G)-3-c Service Areas Automobile service areas (upfitting) as part of 4WP use are strictly confined to the interior portions of the building defined as “Installation Facility” on sheet A1.0 in Exhibit “A”. There are no proposed installations or upfitting outside the limits of the existing structure. 4WP’s unique mix of parts/services cannot be supported by outdoor installations as they typically require the implementation of equipment within the facility to effectively complete.

To support 4WP’s proposed Installation Facility layout, a single Overhead Door is proposed at the rear (South face) of the building. Please reference South building elevation (4) on sheet A2.0 in Exhibit “A” for proposed location & size.

1018 Woodruff Road is flanked by other commercial business uses on the East, South, and West limits of the parcel and Woodruff Rd. to the North. There are no residential districts within the immediate vicinity of this parcel that would limit the installation of Overhead Door(s).

(G)-3-d Site Features

1. N/A – No proposed public address system
2. Refuse containers are positioned at the South end of the parcel outside of view from any customers/vehicular traffic. If required, enclosure shall be designed and



constructed to satisfy the requirements herein including criteria for height, size, and materials of construction. Design to be submitted as part of permit submittal package where required

3. N/A – No additional site lighting proposed
4. N/A – No abutment to residential zoning
5. No outdoor storage of parts/accessories/or supplies proposed

(G)-4 Limitation of Special Exception Permit – Noted

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.

4WP is defined as a retail sales business model, with a unique installation component to provide a full compliment of services to our customer. With the understanding 4WP's use is retail customer driven, and to that effect wholly dependent on the retail components of our business model, the occupation of this existing 9,800 square feet of

building is consistent with businesses in the immediate vicinity, as well as the broader compliment of retail sales flanking the North and South sides of Woodruff Road. Unlike installation components of most vehicle driven business models (servicing, rebuilds, painting, body work, etc.) we do not produce waste, noise, or unsightly visual impacts that could otherwise adversely effect property values of surrounding businesses. In addition, our low impact retail use, with steady but limited foot traffic, compliments the existing drives, access, and general makeup of surrounding uses. Though not in the same realm, the neighboring auto wash facility and gas station bolster the appropriate positioning of 4WP, as they rely on the same general theme of vehicle specific business.

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.

With a robust portfolio of 98 stores, an additional compliment in development, and a national distribution network, 4WP is accustomed to performing business operations in a myriad of different districts including strict retail, fringe retail, flex, business, and light industrial. The common theme throughout, however, is that 4WP's retail sales driven model is most consistent with requirements of other retail businesses in lieu of more intrusive automotive or manufacturing designations. To that end, and in the interest of minimizing impacts to neighbors, 4WP is cognizant of our business footprint and what nuisances, if any are transferred to surrounding areas.

Below is an abbreviated list of strides 4WP makes to maintain existing relationships in the immediate vicinity by way of minimizing our own potentially invasive activities

- Business Hours: 9 AM – 6 PM
 - AM Deliveries, outside of business hours to limit congestion
- Scheduling
 - Advanced scheduling techniques to eliminate vehicle congestion as related to upfitting, and other installations.



- Strict guidelines on vehicles in possession
 - Quantity of customer vehicles in 4WP possession limited to available labor hours, and indoor storage overnight as required
- Low impact sales environment
 - Typical daily operations/customer counts are minimal in comparison to most retail facilities. Customer densities at any given time are seldom comparable with typical retail.
- Parking Density
 - Sufficient parking densities typical of 1/500 square feet of building area max required
- Efforts to mitigate sound transfer
 - Installation work typically completed with all exterior doors closed, to help limit nuisance sounds as related to Installation Facility Equipment (Compressors, Tire machines, etc.)
 - Implementation of additional interior sound reducing techniques on a per project basis to limit sound transfer within building, and through envelope.
- Mitigating visual impacts
 - Retail Sales Component (showroom) designed to be the “customer facing” portion of the subject property
 - Street/drive access views typical of traditional retail business in lieu of typical automotive uses. (bay doors, vehicles on premises, light pollution, etc.)
 - Upgrades to exterior landscaping requirements/guidelines to meet applicable minimum current standards in lieu of “grandfathered” existing conditions
 - New monument/street signage in such capacity that it meets requirements of Appendix ‘J’ - Sign standards & guidelines in lieu of existing nonconforming pole sign
- Adaptive reuse of existing building structure and façade
 - In lieu of major reconstruction or pursuit of new construction, 4WP’s proposed plan is to reuse the existing 9,800 square foot existing building, and only perform minor modifications as required for vehicle access and egress