

Board of Zoning Appeals

Official Agenda



AGENDA

BOARD OF ZONING APPEALS

A G E N D A

Regular Meeting

May 12, 2022

4:00 PM

The City of Greenville Board of Zoning Appeals will hold an in-person Public Hearing for the following items on Thursday, May 12, 2022 at 4:00 PM at the Greenville Convention Center at 1 Exposition Drive. Those wishing to provide comment on an item may either provide written comment to staff or attend the in-person meeting.

Citizens may also view the meeting at the following web address:

[HTTPS://WWW.GREENVILLESC.GOV/1694/ONLINE-MEETINGS](https://www.greenvillesc.gov/1694/online-meetings)

1. Call to Order
2. Welcome and Opening Remarks from the Chair
3. Roll Call
4. Approval of Minutes
 - A. April 12, 2022 – Workshop
 - B. April 14, 2022 – Regular Meeting
5. Call for Public Notice Affidavit from Applicants
6. Acceptance of Agenda

7. Conflict of Interest Statement

8. NEW BUSINESS

A. S 22-206

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

Documents:

[S 22-206_1046 N PLEASANTBURG DR_AGENDA PACKET.PDF](#)

..

B. S 22-263 *Applicant has withdrawn this application*

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

C. S 22-264

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

Documents:

[S 22-264_107 E PARK AV_AGENDA PACKET.PDF](#)

...

9. OTHER BUSINESS

A. Staff update on current planning projects

10. Adjournment

Documents:

[05-12-2022 - BZA REGULAR MEETING AGENDA.PDF](#)



**Planning Staff Report to
Board of Zoning Appeals
May 6, 2022**
for the May 12, 2022 Public Hearing

Docket Number:	S 22-206
Applicant:	Hutton Development (Anel Sinangic)
Property Owner:	Yuze Holdings LLC
Property Location:	1046 N Pleasantburg Drive
Tax Map Number:	028000-01-00301
Acreage:	0.898
Zoning:	C-3, Regional commercial district
Proposal:	SPECIAL EXCEPTION for an 'Automobile wash' 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.19-4.3.3(G), *Use Specific Standards, Commercial Uses, Vehicle sales and services.*

Staff Recommendation: Approve with Conditions

Staff concludes that the application *complies* with the standards for granting a Special Exception Permit to operate an '**automobile wash**' use. If the Board decides to grant the permit, staff recommends the following conditions:

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

Staff Analysis:

The Applicant, Hutton Development, requests to construct an 'automobile wash' use in a C-3 zoning district. Specifically, an automatic, tunnel style car wash.

The subject site is located at the corner of North Pleasantburg Drive and East North Street. The lot is currently occupied by a one story, multi-tenant shopping center with off street parking. The shopping center includes multiple office and retail sales uses. The existing buildings on site will be demolished to make way for the proposed car wash.

A special exception permit shall be approved only upon a finding that the applicant demonstrates **all** of the following standards are met:

1. Consistent with the Comprehensive Plan

The Future Land Use Map of the City's GVL 2040 Comprehensive Plan designates this property 'Corridor Mixed-Use' which is intended to accommodate a blend of vertical and horizontal mix of land uses including commercial, retail, and residential.

The "automobile wash" use maintains the blend of commercial and retail uses along the North Pleasantburg Drive corridor.

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

2. Complies with use specific standards

The pertinent use specific standards for automobile wash uses are listed below:

(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.*

[...]

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

The Applicant has not indicated that the automobile wash will be part of any vehicle sales or service operation. Mechanical equipment for the operation appears to be screened and supplies will be stored inside the building.

Staff shall verify compliance with the use specific standards during the permitting process.

3. Compatibility with the surrounding lands

Adjacent property is zoned and used as follows:

East: Health club (C-3)

North: Retail (County C-2)

West: Restaurant and Convenience store (C-3)

South: Restaurant (C-3)

Adjacent uses are similar to the proposed automobile wash use. The use is not anticipated to reduce property values of surrounding lands.

Staff finds, with appropriate conditions, the use is compatible with surrounding lands.

4. Design does not have substantial adverse impacts

The design of the proposed use should not have a visual impact on adjacent lands. The building's architecture will be required to comply with the nonresidential design standards.

The Applicant indicates that service delivery will be minimal, with one delivery per week during weekday business hours.

The provided site plan indicates that a number of off-street parking spaces will be provided on site, which will double as vacuum locations. The amount of parking provided exceeds the minimum parking requirements for automobile wash uses. The proposed site plan provides adequate queuing spaces for the automobile wash pay stations, however changes to the ingress/egress points will be required based on initial feedback from the City's Transportation Engineering Division to minimize potential queuing issues that could block access to the site. Approval from SCDOT will also be necessary during the administrative permitting process.

The Applicant states that trash cans will be provided at each vacuum station and a dumpster enclosure is shown on the plans near the entry. Trash will be disposed of regularly to minimize odors.

Noise, at a maximum level of 70 decibels, will occur during operation. Compliance with the City's noise ordinance will be necessary.

No vibration or glare from the use is anticipated, nor is the use anticipated to create a public or private nuisance.

Staff finds, with appropriate conditions, the use is compatible with surrounding lands.



Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE*: Anel Sinanagic Project Engineer, Hutton Development

* _____ Name _____ Title / Organization _____

permit may be limited to this entity. _____

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

MAILING ADDRESS: 736 Cherry Street, Chattanooga, TN 37402

PHONE: 423 619-4949 **EMAIL:** asinanagic@hutton.build

PROPERTY OWNER: Jim Rex / Yuze Holdings LLC

MAILING ADDRESS: 1027 S. Main Street Suite 404, Greenville, SC 29601

PHONE: 864 420-5202 **EMAIL:** jimandamyrex@gmail.com

PROPERTY INFORMATION

STREET ADDRESS: 1046 N. Pleasantburg Drive

TAX PARCEL #: 0280000100301 **ACREAGE:** 0.898 **ZONING DESIGNATION:** C-3

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE: _____

The project would propose to demo the existing strip center and construct an automatic / tunnel carwash. The project site access will be from the existing shared drive off N. Pleasantburg Drive. Carwash is allowed within C-3 as a special 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

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.

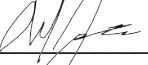
To that end, the applicant hereby affirms that the tract or parcel of land subject of the attached application is ☐ or is not ☒ restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity.



APPLICANT / REPRESENTATIVE SIGNATURE

03/07/2022

DATE



PROPERTY OWNER SIGNATURE

03/07/2022

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.

The future land use map in the GVL 2040 comp plan shows this site within a corridor mixed-use at the intersection of N. Pleasantburg Drive and E North Street. The proposed building will line up against the N. Pleasantburg Drive setback consistent with being "lined with buildings that engage the street" and would add to the mix of commercial and retail businesses as indicated in the comp plan.

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

19-4.3.3. Commercial uses

A. General

1. Design standards. Except where specifically exempted by this chapter, nonresidential uses shall comply with the standards in subsection 19-6-5.

The entrances of the proposed building includes a canopy and side lite at the entrance door. All facades facing public street incorporate visual interest with various architectural details. To include a hardie board mosaic, shutters a EIFS wall that breaks the wall plane on two sides of the building with a projection of 12". The main roof structure is a pitched standing seam metal roof. The entrance side of the wash tunnel includes a covered recessed area. The building materials include a brick wainscot with EIFS above.

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 current use of the site is for multi-tenant retail, the area located around the property is heavily retail as well. We are proposing to construct an automated car wash with complimentary vacuums that operate within the hours of 8AM-8PM Seven (7) days a week. Peak hours are typically 11:00-1:00, and 4:00-7:00 weekdays. Peak day is Saturday. The shopping center located to southeast of our property operates at similar hours. Our car wash will be a newly constructed building with many appealing architectural features, along with well maintained landscaping.

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.

Visual Impacts:

The building colors are consistent of white, grey, and blue. The architectural features will fall in line with the current code.

Service Delivery:

Deliveries are typically once per week, and are typically done by box truck or van, typically during business hours and are most always Mon-Fri.

Parking and Loading:

Parking on the site consists of employee parking and vacuum spots, vacuum stalls on average are not used longer than 20 minutes.

Odors:

Trash cans are located at every vacuum parking stall. One per car and are constantly being emptied by ModWash staff. ModWash staff clean the entire site (inside and outside) nightly before leaving. ModWash will have the trash dumpster picked up once per week, and more often as necessary.

Noise:

Our wash's maximum decibel level is around 70, which equates to approximately the sound of a hair dryer or vacuum cleaner.

Glare:

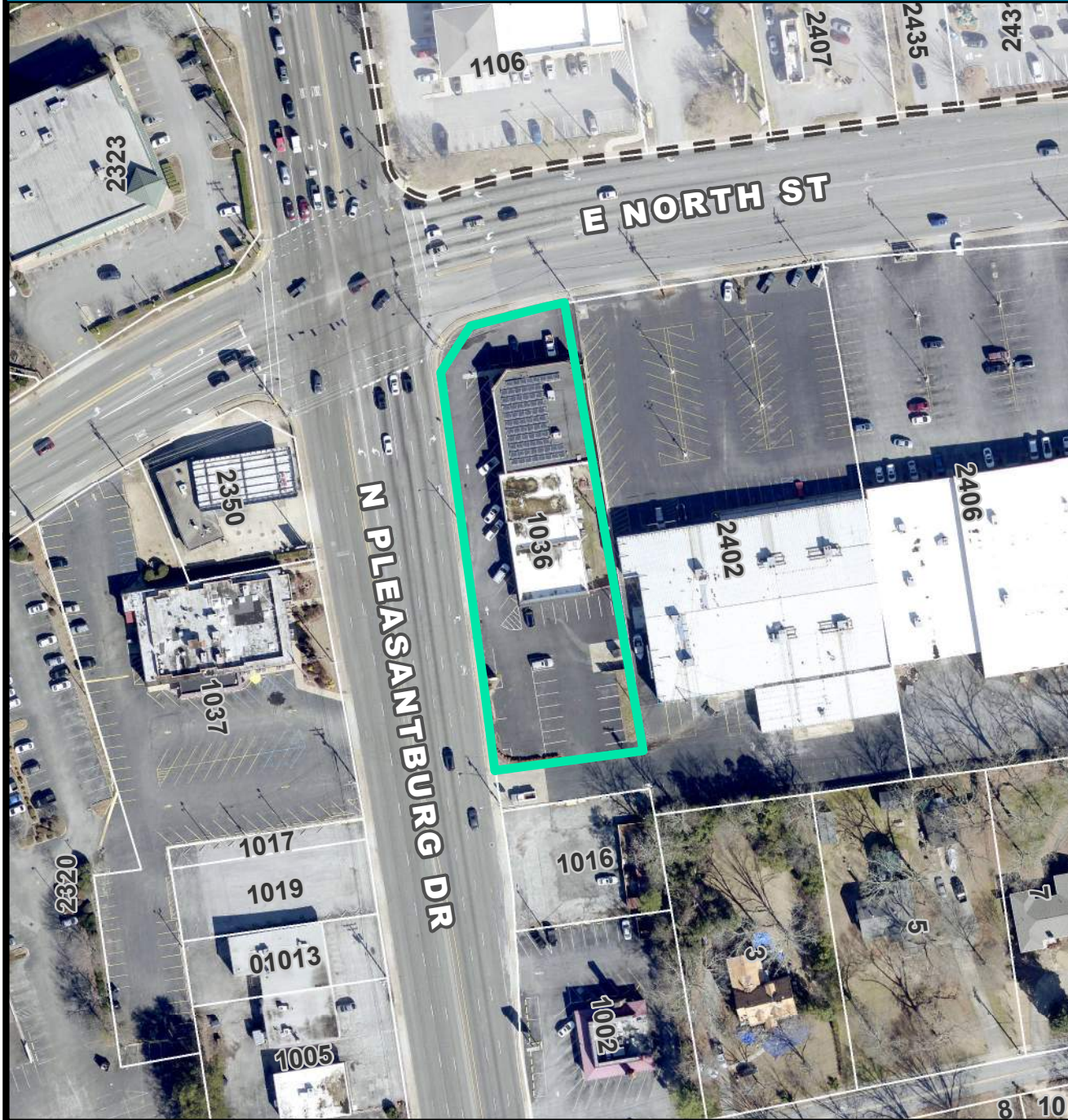
Materials are chosen to reduce glare.

Vibration:

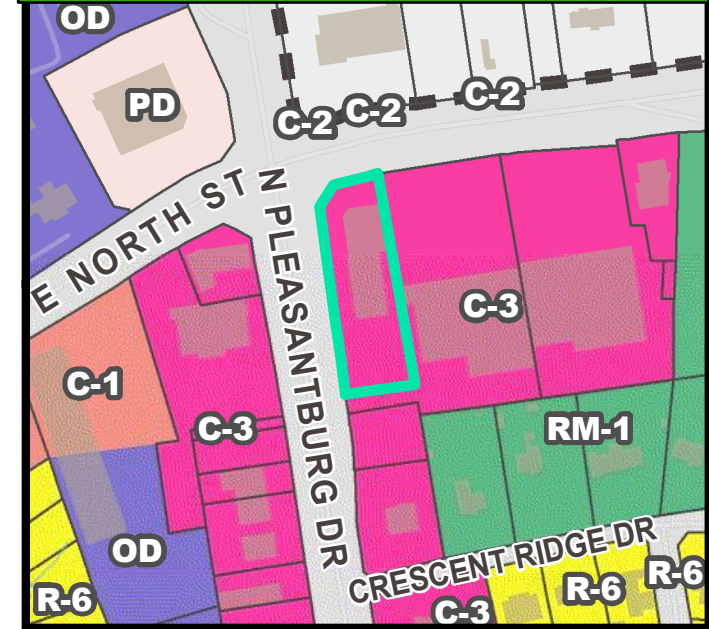
No vibration on site will be created.

S 22-206 • 1046 NORTH PLEASANTBURG DRIVE

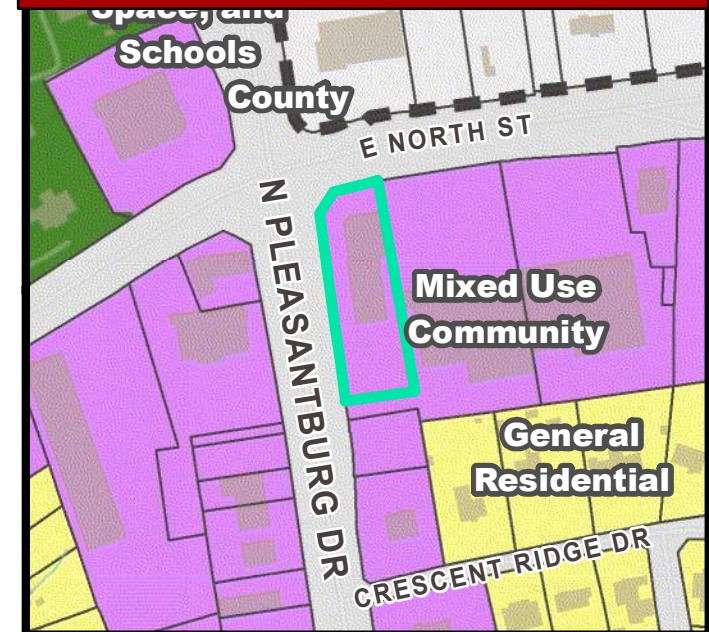
AERIAL VIEW



CURRENT ZONING



FUTURE LAND USE

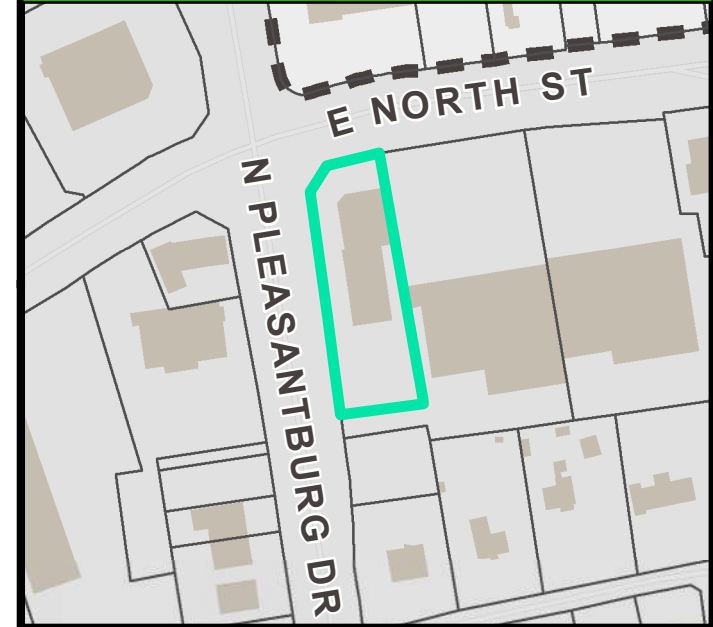


S 22-206 • 1046 NORTH PLEASANTBURG DRIVE

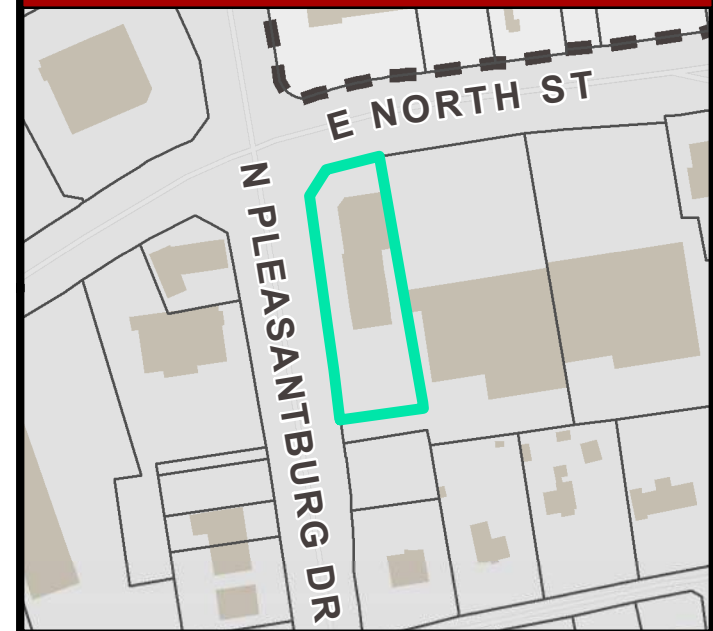
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS



Copyright Reserved

The Contractor shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Stantec without delay.

The Copyrights to all designs and drawings are the property of Stantec. Reproduction or use for any purpose other than that authorized by Stantec is forbidden.

Consultant

Notes

Revision	By	Appd	YYYY.MM.DD
----------	----	------	------------

Issued	By	Appd	YYYY.MM.DD
--------	----	------	------------

File Name: 16670C-200SP_FLIP				
	Dwn.	Dsn.	Chkd.	YYYY.MM.DD

Permit/Seal

**PRELIMINARY
NOT FOR
CONSTRUCTION**

Not for permits, pricing or other official purposes. This document has not been completed or checked and is for general information or comment only.

Client/Project Logo

Client/Project
ModWash RE, LLC

ModWash
1046 N Pleasantburg Drive
Greenville, SC

Title
Site Plan

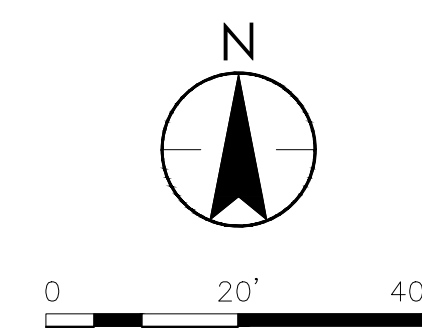
Project No.
215616670

Revision Sheet
0 of 18

Scale
1"=30'

Drawing No.

C200





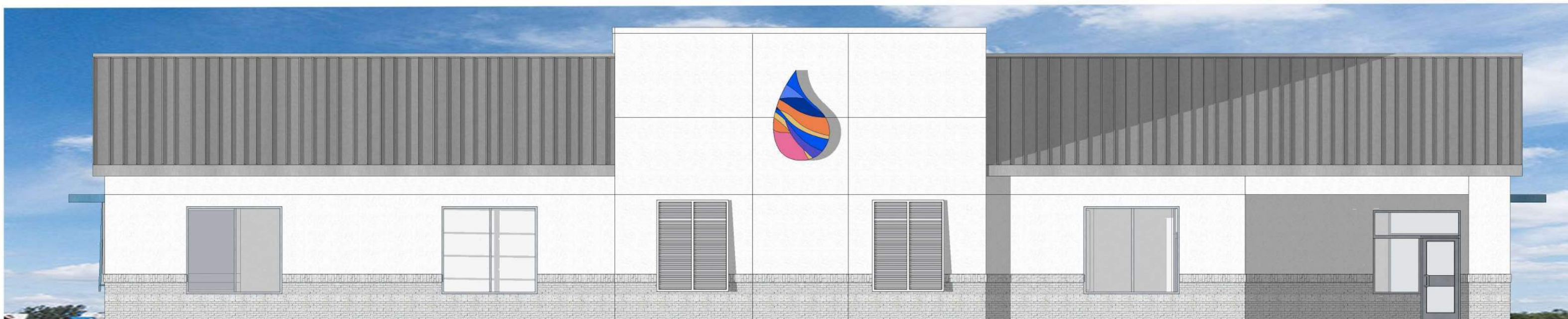
WASH TUNNEL ENTRY ELEVATION



STREET / WASH TUNNEL EXIT ELEVATION



VACUUM ELEVATION



STREET / TUNNEL ELEVATION



**Planning Staff Report to
Board of Zoning Appeals
May 6, 2022**
for the May 12, 2022 Public Hearing

Docket Number:	S 22-264
Applicant:	Franklin Real Estate Development (Kurt Wallenborn)
Property Owner:	Barbara & Lowell Swiger
Property Location:	107 E. Park Avenue
Tax Map Number:	003400-02-01903
Acreage:	0.271
Zoning:	RM-2, Single- & Multi-Family Residential District
Proposal:	SPECIAL EXCEPTION to expand an 'Office' use in a RM-2 district

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, *Use Specific Standards, Commercial Uses*

Staff Recommendation: Approve with Conditions

Staff concludes the application complies with the standards for granting a Special Exception Permit for the expansion of an “office” use within a RM-2, Single- & Multi-Family Residential District. 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. Any future expansion of the office use shall require approval by the Board of Zoning Appeals.

Staff Analysis:

The applicant proposes the expansion of an “office” use in a structure located at 107 E. Park Ave. Franklin Real Estate Development (FRED), a local firm, is proposing an addition and improvements to the existing structure, with limited improvements to the site. The expansion would be a modification to the original Special Exception Permit, S 88-01, which has continuously been in use as an office since approval by the Board of Zoning Appeals in 1988. The request for an expansion of the existing “office” use necessitates the application for Special Exception.

The proposed expansion includes a two-story addition at the rear of the building to accommodate accessible restrooms and a breakroom. Limited site improvements are proposed, including delineation of parking areas and marking/provision of accessible parking. The site is located in the East Park Preservation Overlay District and a Certificate of Appropriateness confirming compliance with applicable design guidelines is required.

As the proposed project abuts an existing single-family detached use, the Applicant held a neighborhood meeting on March 31, 2022, as required by subsection 19-2.2.4 of the Land Management Ordinance. A

list of attendees and their concerns is included with the agenda packet for this item. A member of City Planning Staff attended this meeting.

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

1. Consistent with the Comprehensive Plan

The Future Land Use Map of the City's GVL 2040 Comprehensive Plan designates the property as "Neighborhood Mixed-Use," which includes small retail and commercial uses along with a variety of residential types.

Staff concludes the requested "office" use is consistent with the City's GVL 2040 Comprehensive Plan.

2. Complies with use specific standards

The use specific standards for office uses (Sec. 19-4.3.3(D) of the City Code) are as follows:

Office. In the C-1 district, offices shall comply with the following standards:

(1) The gross floor area shall not exceed 1,000 square feet.

(2) Hours of operation shall be limited to the hours between 7:00 a.m. and 7:00 p.m. The Applicant has complied with this standard.

No use specific standards apply directly to "office" uses within a RM-2, single and multi-family residential.

Staff finds this application to comply with use specific standards.

3. Compatibility with the surrounding lands

Adjacent property is zoned and used as follows:

East: Single-family detached residence (RM-2)

North: Single-family detached residence (R-6)

West: Vacant (RM-2)

South: Park (R-6)

Per applicant submittal, the subject property has been used as an office space for several years thus maintaining some familiarity with the proposed use type and the East Park neighborhood residents. While the surrounding area mainly consists of residential uses, office uses of similar intensity are located within relatively close proximity to the subject property. The low intensity of the proposed, the limited expansion proposed on the property, and requirements to satisfying the East Park design guidelines should ensure the use is compatible with adjacent parcels.

Staff believes the office use is compatible with the surrounding lands.

4. Design does not have substantial adverse impacts

Generally, office uses do not impose significant adverse impacts on surrounding lands regarding service delivery, parking and loading, odors, noise, glare, and vibration. The hours of operation for this professional office use generally do not coincide with occupancy of the adjacent residential and would likely result in minimal noise and light/glare impacts. Any potential substantial adverse impacts should be mitigated through the City's standard permitting process.

Staff believes that, with appropriate conditions, the continuation and expansion of the proposed "office" use will not result in any substantial adverse impacts to adjacent lands.



Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE*: Kurt Wallenborn Principal / Franklin Real Estate Development

* _____ Name Title / Organization

permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: _____

(Optional) _____ Name Title / Organization

MAILING ADDRESS: 107 E. Park Ave, Suite 7, Greenville, SC 29601

PHONE: (540) 521-7383 **EMAIL:** kurt@franklinredev.com

PROPERTY OWNER: Barbara & Lowell Swiger

MAILING ADDRESS: 312 Hermitage Road, Greenville, SC 29615

PHONE: (864) 449-0562 **EMAIL:** swiger.jeff@yahoo.com

PROPERTY INFORMATION

STREET ADDRESS: 107 E. Park Ave

TAX PARCEL #: 0034000201903 **ACREAGE:** .271 **ZONING DESIGNATION:** RM-2

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE:

Existing historic office building to be restored, renovated with small addition constructed in rear of building to accommodate ADA accessible restrooms and break room. Request for use to remain office in existing RM2 zoning district.

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

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.

APPLICANT / REPRESENTATIVE SIGNATURE
4/16/22

DATE

PROPERTY OWNER SIGNATURE
Barbara J. Jones
4/18/22

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.

See attached sheet.

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

See attached sheet.

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.

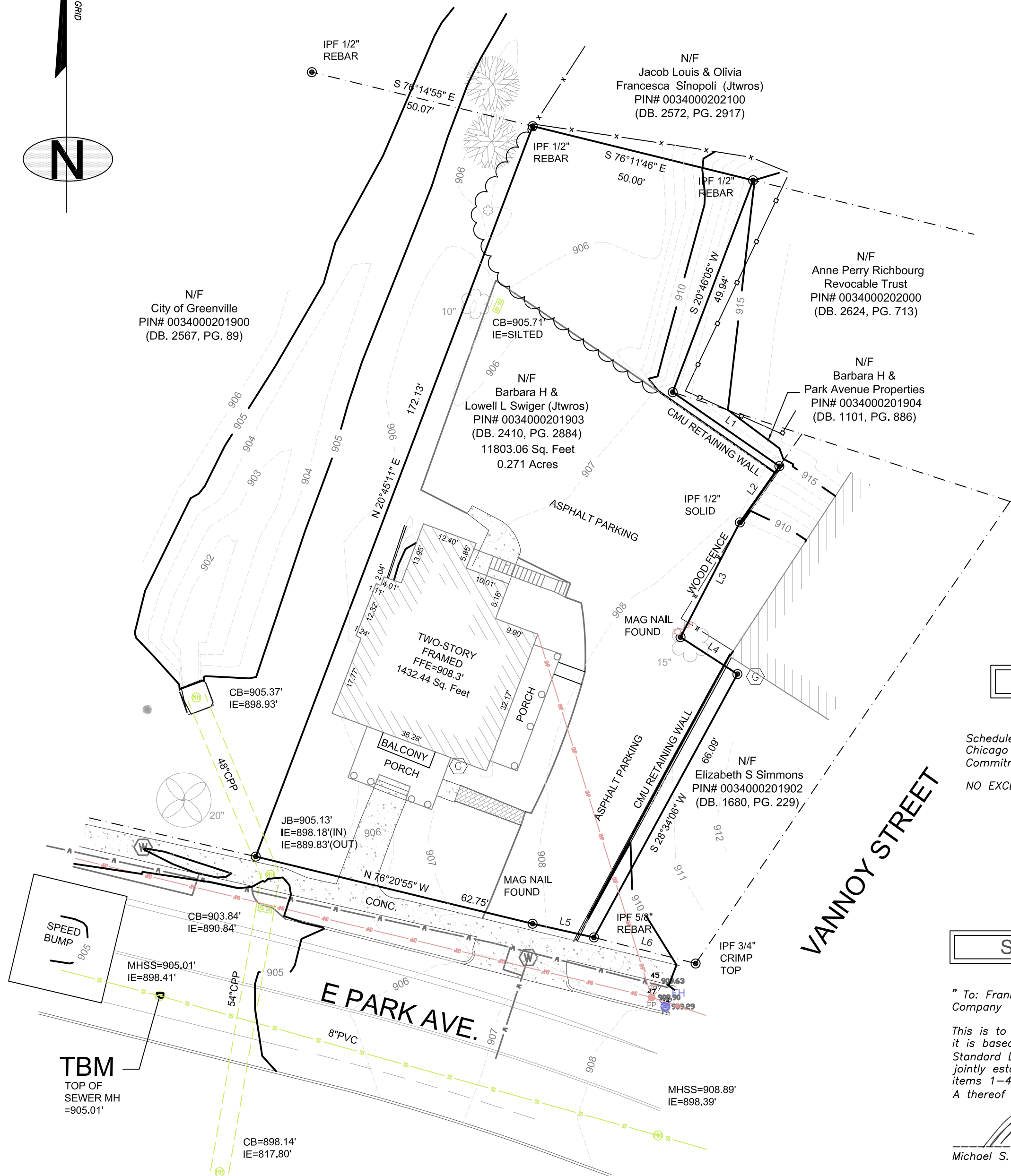
See attached sheet.

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.

See attached sheet.

LINE	BEARING	DISTANCE
L1	S 55°12'09" E	28.60'
L2	S 35°04'16" W	15.13'
L3	S 27°19'54" W	28.47'
L4	S 57°03'41" E	14.94'
L5	N 77°25'03" W	13.85'
L6	N 75°36'14" W	23.12'

SC 6900



GENERAL NOTES

The property lies within Zone X per Flood Insurance Rate Map 45045C0457D with an effective date of 12/2/2004. This determination was made by graphically determining the position of said site on said FIRM Map.

Contact proper Authorities Before building near utility lines, for easement width and restrictions. Underground Utilities are approximate and should be verified prior to any construction. Locations of Utilities shown hereon were determine through above ground apertures,

This survey has been prepared for the exclusive use of the person or entities named hereon. No express or implies warranties with respect to the information shown hereon is to be extended to any persons or entities other than those shown hereon.

Vertical Datum based on GPS VRS & SC GPS Network (NAVD 88)

Property Zoned R-M2

"I hereby state that to the best of my 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 South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein."

The property shown hereon Tax Parcel # 0034000201903

SURVEY REFERENCES

(DB. 2410, PG. 2884)

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Greenville, County of Greenville South Carolina and being more particularly described as follows:

Commencing from a 3/2" crimp top found at the intersection of the northern right-of-way of E Park Ave. and the western right-of-way of Vannoy Street; thence with said right-of-way of E Park Ave. N 75°36'14" W a distance of 23.12' to a 5/8" rebar found, said pin being The True Point of Beginning; thence N 77°25'03" W a distance of 13.85' to a mag nail found; thence N 76°20'55" W a distance of 62.75' to a point; thence leaving said right-of-way N 20°45'11" E a distance of 172.13' to a 1/2" rebar found; thence S 76°11'46" E a distance of 50.00' to a 1/2" rebar found; thence S 20°46'05" W a distance of 49.94' to a point; thence S 55°12'09" E a distance of 28.60' to a point; thence S 35°04'16" W a distance of 15.13' to a 1/2" solid found; thence S 27°19'54" W a distance of 28.47' to a mag nail found; thence S 57°03'41" E a distance of 14.94' to a point; thence S 28°34'06" W a distance of 66.09' to a 5/8" rebar found, said pin being The True Point of Beginning;

Said Parcel having an area of 11803.06 square feet, 0.271 acres

TITLE EXCEPTIONS

Schedule B Section II Title Exceptions
Chicago Title Insurance Company
Commitment #15050-550 ; Effective Date: Nov. 23, 2021

NO EXCEPTIONS TO REVIEW

SURVEYORS CERTIFICATE

" To: Franklin Real Estate Development and Chicago Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1-4, 7a,b, 8, 9, 11, 13, 14, 16, 17, 19 and 20 of Table A thereof . The field work was completed on 12/15/21.

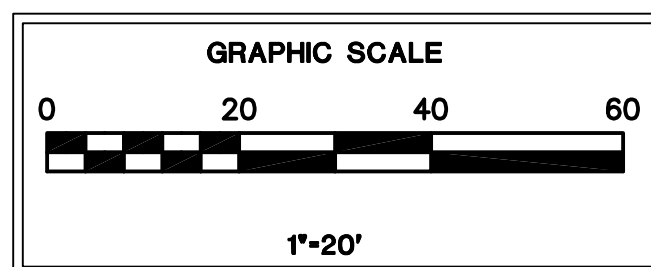
Michael S. Perdue PLS #18266

12/15/21

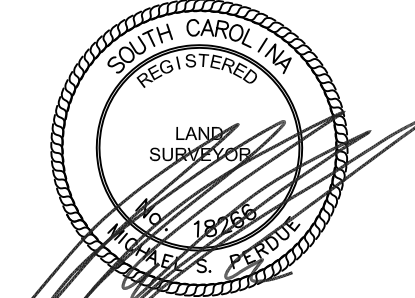
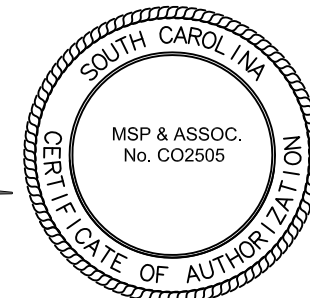
Date



Know what's below
Call before you dig.
Dial 811
Or Call 800-282-7411

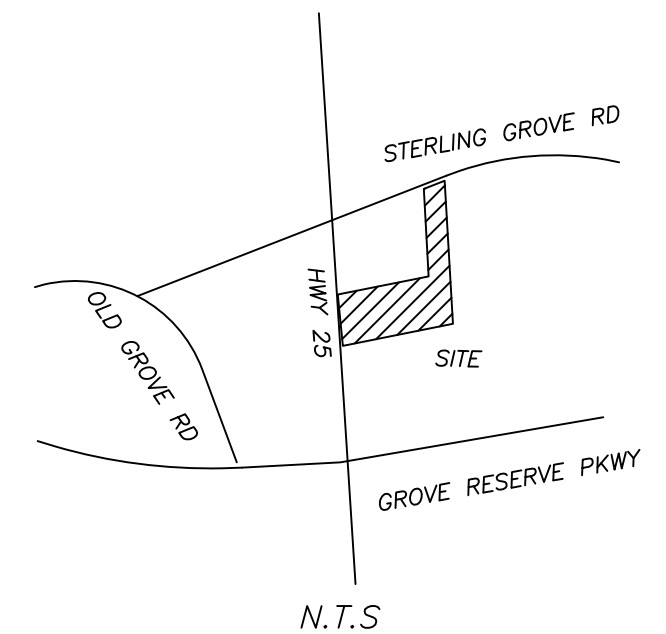


MSP
& ASSOCIATES
LAND SURVEYING, INC.
301 E HILLCREST DR.
GREENVILLE SC, 29609
864-370-2232
WWW.MSPSURVEYING.COM



MICHAEL S. PERDUE ,PLS #18266

VICINITY MAP



LEGEND

CB	CATCH BASIN	—>	GUY WIRE
CPP	CORRUGATED PLASTIC PIPE	— G —	GAS LINE
CT	CRIMPED TOP PIPE	— W —	WATER LINE
DI	DROP INLET	— OHP —	POWER LINE
IE	INVERT ELEVATION	— E —	UNDERGROUND POWER LINE
JB	JUNCTION BOX	— T —	UNDERGROUND PHONE LINE
MH	MANHOLE	— FO —	FIBER OPTIC
OT	OPEN TOP PIPE		POWER POLE
POB	POINT OF BEGINNING		SANITARY SEWER MANHOLE
POC	POINT OF COMMENCEMENT		STORM SEWER MANHOLE
TBM	TEMPORARY BENCHMARK		CATCH BASIN
RCP	REINFORCED CONCRETE PIPE		LIGHT POLE
SS	SANITARY SEWER		FIRE HYDRANT
OHP	OVERHEAD POWER		
EIP	IRON PIN FOUND		
NIP	IRON PIN SET		
W	WATER VALVE		
W	WATER METER		
G	GAS VALVE		
G	GAS METER		
T	TELEPHONE PEDESTAL		

ALTA/NSPS LAND TITLE SURVEY FOR

Franklin Real Estate Development

CITY: GREENVILLE	COUNTY: GREENVILLE	STATE: SOUTH CAROLINA
DATE : 12/15/21	SCALE: 1:20	
FIELD WORK: MSP	DRAWN BY: MSP	REVIEWED BY: MSP
MSP FILE: EPARKAVE	MSP JOB# : 211623	

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.

See attached sheet.

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).

See attached sheet.

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

See attached sheet.

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

See attached sheet.



107 E. Park Ave | Suite 7
Greenville, SC 29601
(540) 521-7383
Kurt@FranklinReDev.com

April 6, 2022

City of Greenville
Planning and Zoning Department
206 S Main Street, 6th Floor
Greenville, SC 29601

RE: Application for Special Exception – 107 E Park Avenue
Historic Office Building Restoration, Renovation and Addition
107 East Park Avenue

Dear City of Planning and Zoning Department:

It is my pleasure to submit this Special Exception Permit Application for your review. Please find enclosed in this submittal the signed application, site plan, survey, and applicant responses below, supporting the special exception request for the above-referenced property.

General Description of Request:

Franklin Real Estate Development (FRED) is proposing to restore, renovate and build an addition to the historic building at 107 East Park Avenue. The improvements will be in full compliance with National Park Services' standards for historic rehabilitation. The proposed improvements include redesign and construction of a paved parking lot, restoration of all architectural exterior and interior elements of the building, renovation of the interiors and construction of an addition in the rear of the building. The addition in the rear is required to keep the historic façade and functionality of the historic interior intact, in addition to providing handicap accessible restrooms and break room for tenants.

FRED is requesting a special exception to keep the existing building's use as offices intact. The current owner renovated the building in 1988 to office space and FRED's plan to restore and renovate the building complements the existing office space use. The offices are used during the day and have been a low intensity use for the site. The building has served as a buffer from the traffic on East Park Avenue to the surrounding residential uses. It is FRED's intent to restore and renovate this building and be an owner in the neighborhood for the next generation.

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.**

No change to existing use is requested. The building has been in use as an office building since 1988. In order to protect the historic aesthetic of the building, an addition

is required to add ADA accessible restrooms and a break room for tenants. The addition shall complement the existing structure, while updating the building for accessibility.

2. Describe the ways in which the request will comply with the standards in section 19-4.3, use specific standards.

The existing historic building will be restored per the National Park Service's standards for historic rehabilitation. The addition to the building will meet all the requirements per this section. The parking lot will be reconstructed to be in compliance with all landscaping, screening and buffer 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 building was originally restored and renovated in 1988. The applicant intends to restore the building per the standards for historic rehabilitation. Many of the buildings along East Park Avenue are currently used for office. The area is zoned RM-2 and this use is a low intensity use and office working hours are only during the day. This use serves as an excellent buffer between downtown and surrounding residential areas. The restoration and addition will not decrease property values and will create a safe, ADA accessible, and visually enhanced aesthetic that will compliment surrounding properties.

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.

The addition to the building will be visually impactful by creating a new structure that complements the existing historic aesthetic of the original building. The parking lot will be repaved and redesigned to park a majority of the building. In its current condition, tenants must often park on Vannoy Street since the parking lot is unpaved and unstriped. Trash receptables will be placed and screened in the redesigned parking lot. Noise will be at a minimum; users of the office building will use during the day and this will not impact adjacent properties.



107 E. Park Ave | Suite 7
Greenville, SC 29601
(540) 521-7383
Kurt@FranklinReDev.com

Response to Section 19-2.3.5(d)(2), Standards – Change in Nonconforming Use

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.**

The existing use serves as a generous buffer between busy East Park Avenue and surrounding residential. The proposed and existing nonconforming use retains the historic significance and character of the building.

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).**

The existing and proposed use has been in place since 1988 and will complement the existing neighborhood. The building will be restored to its original façade from the early 1900s. The addition will be a visual and architecturally improved upgrade to existing conditions.

3. **Is adequate infrastructure capacity available to serve the proposed nonconforming use?**

Adequate infrastructure is available.

4. **Is the proposed use one that is otherwise permissible in another zoning district within the city?**

Office use is permitted in OD, C2, C3, C4, S1 and RDV zoning districts. Permitted with Special Exception in RM2 and RM3 zoning districts. Permitted with Conditional Use in C1.

Thank you for reviewing this request. If you have any questions or need additional information, please feel free to contact me at (540) 521-7383. Thank you!

Sincerely,

A handwritten signature in blue ink, appearing to read "Kurt Wallenborn", with a long horizontal flourish extending to the right.

Kurt Wallenborn
Principal
Franklin Real Estate Development

S 22-264 • 107 EAST PARK AVENUE

AERIAL VIEW



CURRENT ZONING

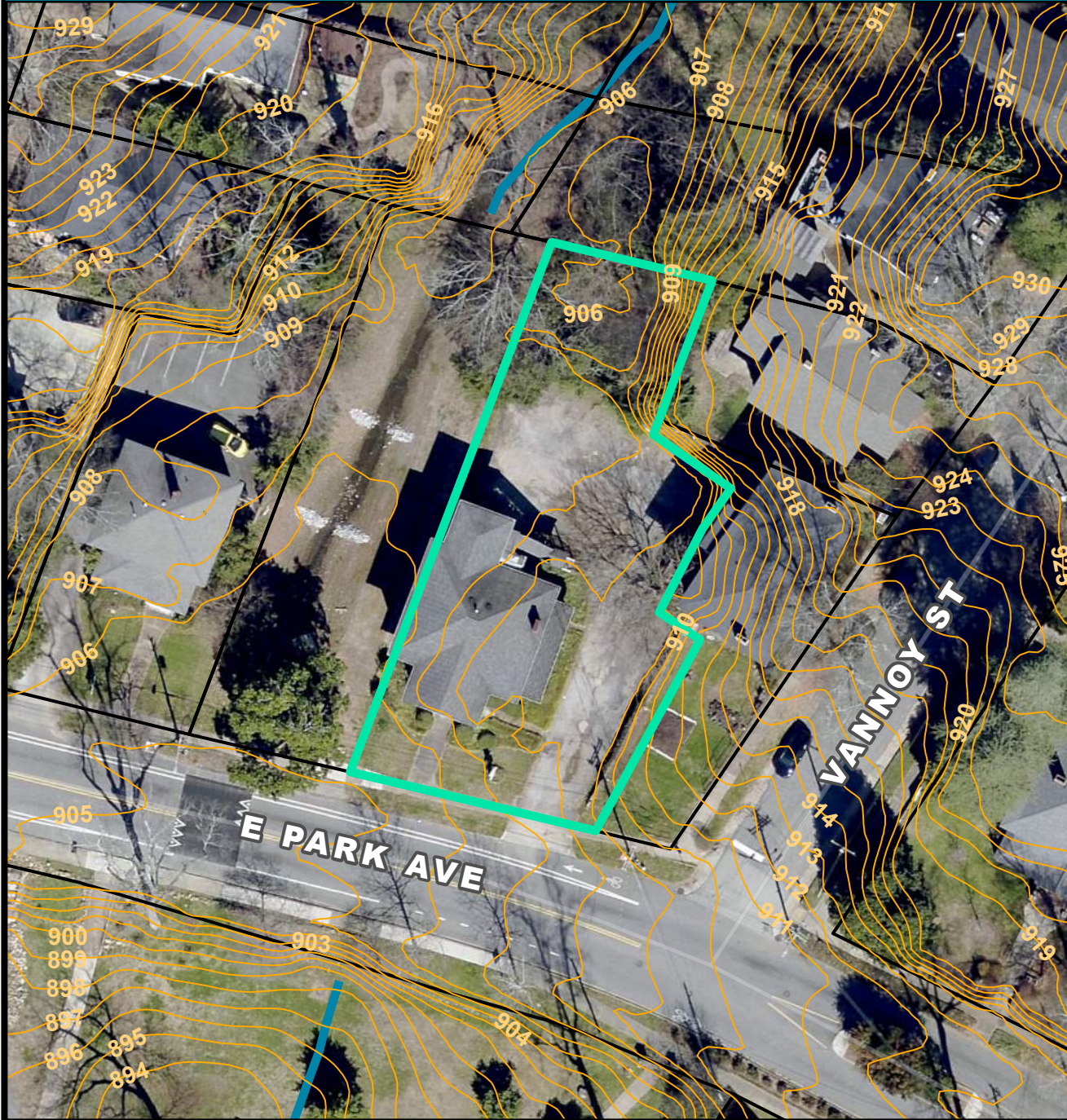


FUTURE LAND USE



S 22-264 • 107 EAST PARK AVENUE

NATURAL / ENVIRONMENTAL FEATURES

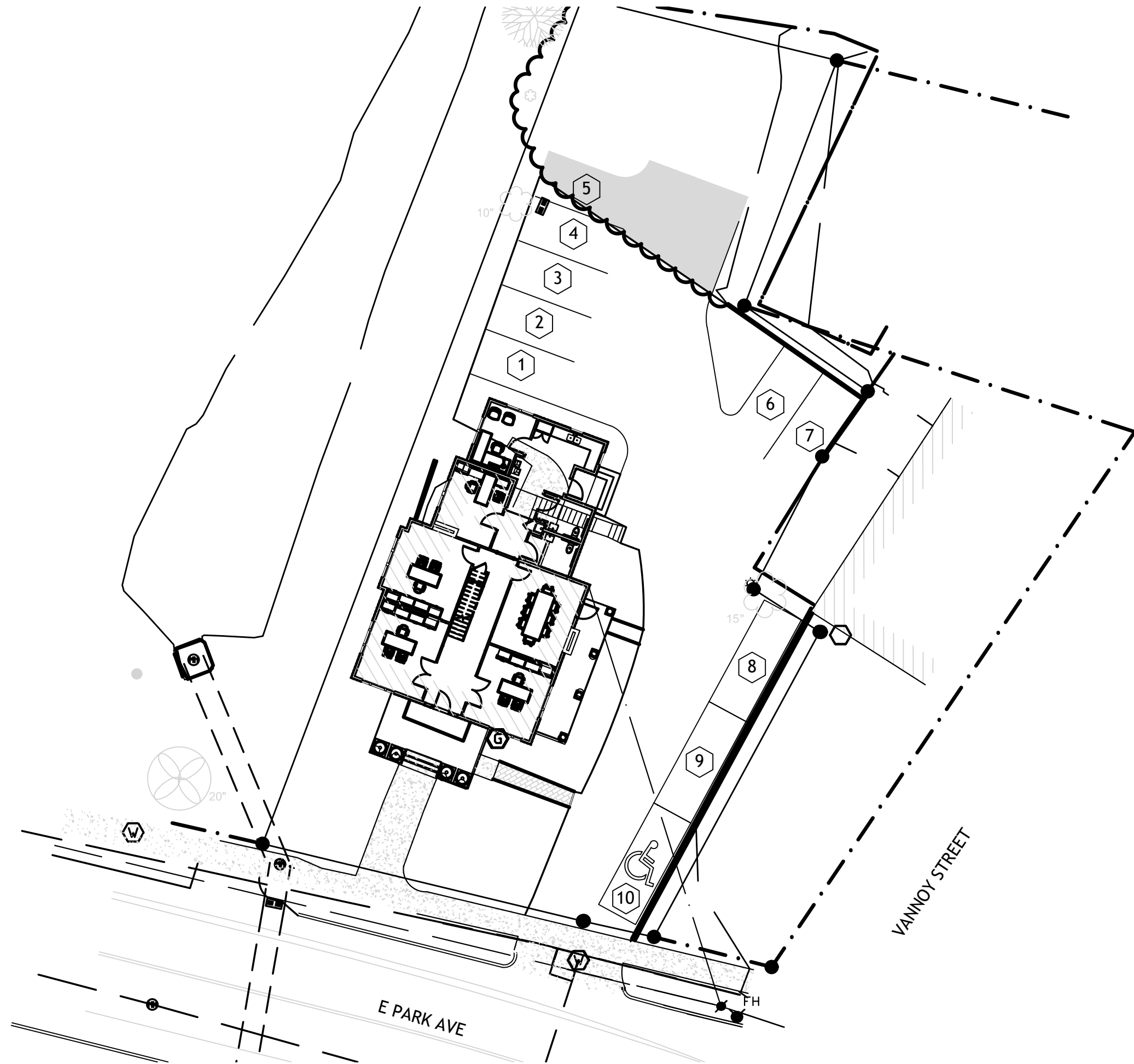


SPECIAL EMPHASIS NEIGHBORHOODS



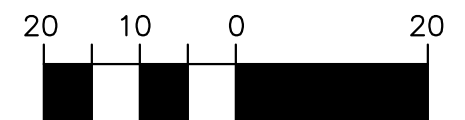
PRESERVATION OVERLAYS





site data

jurisdiction: City of Greenville-
tax map no.: 003400201903
zoning: R-M2
parcel area: ±0.271
parking: 10 spaces



scale: 1" = 20'

City of Greenville

STUDY PLAN

SP - 3

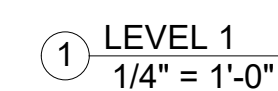
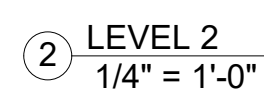
date:2/3/22

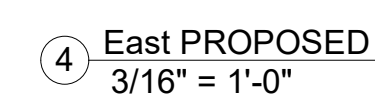
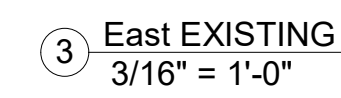
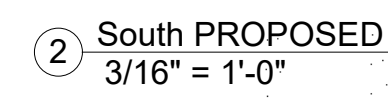
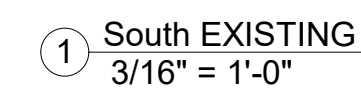
REVISION SCHEDULE

[illegible]

PROJECT NUMBER:	2187
DATE:	03.16.22
DRAWN BY:	SSL

A101

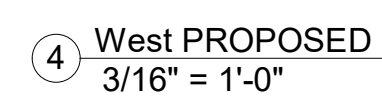
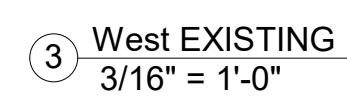
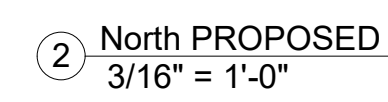
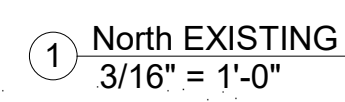




GREENVILLE, SC 29601

BUILDING ELEVATIONS

A401



GREENVILLE, SC 29601

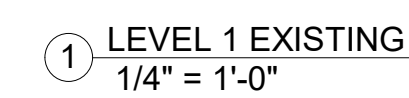
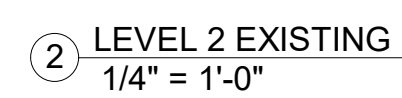
BUILDING ELEVATIONS

A402

EXISTING FLOOR PLANS

AD101

 DASHED LINES TO BE DEMOLISHED;
 SEE DEMOLITION NOTES





107 E. Park Ave | Suite 7
Greenville, SC 29601
(540) 521-7383
Kurt@FranklinReDev.com

Kristopher Kurjiaka
Principal Development Planner
Planning & Development
City of Greenville
kkurjiaka@greenvillesc.gov

107 E Park Avenue – Neighborhood Meeting Summary

Dear Kris:

Below you will find a meeting summary from the Neighborhood Meeting for The Franklin Project located at 107 East Park Avenue, Greenville, SC 29601.

I described that in detail the plans for the project which include a full historic rehabilitation of the current building and a small addition in the rear. The Property has been in use as an office since 1988 and serves as a buffer to the existing residential neighborhood. The plan is to submit for the May BZA Hearing which is the 2nd Thursday (May 12, 2022).

Questions and Answers included:

- 1) What is square footage of the addition? Approximately 840 square feet total.
- 2) Are trees going to be cut down? I have no intention on cutting any trees down. There are not any major large trees on the property and the plan is to clear out brush in the rear of the property.
- 3) Are you going to clean the brush in the rear of the property? Yes, and I proposed meeting and discussing with neighbor who asked (Anne Richbourg) so we could work together on this.
- 4) Will you look into the shortened retaining wall in the back (Neighbor at 5 Vannoy)? Yes, I proposed and will work with neighbor to discuss the wall to make it work properly.
- 5) What color will the building be? The plan is to paint the building white based on a historic photo from the 1930s-1940s that shows the building as white.
- 6) How long will construction be? 6-7 months.
- 7) Flooding Issues? No, the City fixed this with the construction of a drainage swale on property the City purchased two years ago.
- 8) Parking? 10 new spaces will be constructed and lined, as well as full repaving of the parking lot. The current parking lot is partially paved, hazardous and unlined.
- 9) When will you start work? The current plan is in the next few months. This is based primarily on when the historic tax credits are secured and I have found space for current tenants in the building to move to.
- 10) Will anything block the road of be in the street? No.
- 11) When was the house built? Approximately 1907.



107 E. Park Ave | Suite 7
Greenville, SC 29601
(540) 521-7383
Kurt@FranklinReDev.com

The meeting concluded with a generally positive consensus from the community members. I also asked them to please reach out if they have any questions or concerns – happy to meet and discuss with them.

Thank you, Kris for attending. It was nice meeting you and I look forward to working with you on this.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kurt Wallenborn". The signature is fluid and stylized, with a long horizontal stroke extending to the right.

Kurt Wallenborn

Neighborhood Meeting

Project Name: The Franklin - 107 E Park Ave

Location: Sears Shelter at McPherson Park

Time of the meeting: 7:00 PM

Date: 3/31/22

Representative holding meeting: KURT WALLENBORN

Name	Street Address	Email
1 BARB TURNER	100 VANNOY ST	BARBTURNERGREENVILLES@GMAIL.COM
2 ANNE RICHBOURG	5 VANNOY ST. 630-3733	RICHBOURG@BELL.SOUTH.NET
3 Robin Blackwood	222 E Park Ave 864-905-2444	Robin.blackwood@gmail.com
4 Kim Buffington	117 Vannoy St.	KCBuffington@gmail.com
5 ANNETTE GERVER	204 E Park Ave #702	annetteinsc@gmail.com
6 KRISTOPHER KURJAKA	206 S. MAIN ST	kkurjaka@greenvillesc.com
7 David + Stephanie Stolze	204 E. Park Ave Unit 701	stephenve@aol.com
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		



AGENDA

BOARD OF ZONING APPEALS REGULAR MEETING

Thursday, May 12, 2022 - 4:00 p.m.

Meeting Location:
Greenville Convention Center
1 Exposition Drive

Citizens may access the meeting at the following web address:

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

-
1. Call to Order
 2. Welcome and Opening Remarks from the Chair
 3. Roll Call
 4. Approval of Minutes
 - A. April 12, 2022 – Workshop
 - B. April 14, 2022 – Regular Meeting
 5. Call for Public Notice Affidavit from Applicants
 6. Acceptance of Agenda
 7. Conflict of Interest Statement
 8. NEW BUSINESS
 - A. S 22-206
Application by Hutton Development (Anel Sinanagic) for a **SPECIAL EXCEPTION** to establish an 'Automobile wash' use in a C-3, Regional commercial district at **1046 N PLEASANTBURG DR** (TM# 028000-01-00301)
 - B. S 22-263 *Applicant has withdrawn this application*
Application by Hutton Greenville Old Airport SC LT, LLC (William Runge) for a **SPECIAL EXCEPTION** to establish an 'Automobile wash' use in a S-1, Service district at **516 HAYWOOD RD** (TM# 028400-02-01308 and 028400-02-01310)
 - C. S 22-264
Application by Franklin Real Estate Development (Kurt Wallenborn) for a **SPECIAL EXCEPTION** to establish an 'Office' use in a RM-2, Single-and multi-family residential district at **107 E PARK AV** (TM# 003400-02-01903)
 9. OTHER BUSINESS
 - A. Staff update on current planning projects
 10. Adjournment