

Board of Zoning Appeals

Official Agenda



AGENDA

BOARD OF ZONING APPEALS

A G E N D A

Regular Meeting

October 13, 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, October 13, 2022 at 4:00 PM at Greenville City Hall, Council Chambers, 10th Floor at 206 South Main Street. 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.greenville.org/1694/online-meetings)

1. **Call to Order**
2. **Welcome and Opening Remarks from the Chair**
3. **Roll Call**
4. **Approval of Minutes**
 - A. September 6, 2022 – Workshop
 - B. September 8, 2022 – Regular Meeting
5. **Call for Public Notice Affidavit from Applicants**
6. **Acceptance of Agenda**
7. **Conflict of Interest Statement**
8. **OLD BUSINESS**
 - A. **S 22-408 Application withdrawn**

Application by Dodd Caldwell for a **SPECIAL EXCEPTION** to establish a 'Hotel' (short-term rental) use in an OD, Office and institutional district at **18 WILLIAMS ST** (TM# 004500-02-00500)

9. **NEW BUSINESS**

- A. **S 22-662 Applicant requests deferral to the November 10, 2022 meeting**

Application by Jeffrey Pagliaro for a **SPECIAL EXCEPTION** to establish a 'Hotel' (short-term rental) use in an OD, Office and institutional district at **400 E WASHINGTON ST UNIT 8** (TM# 006301-04-00200)

- B. **S 22-663**

Application by Casteddu LLC (Joseph Delguidice) for a **SPECIAL EXCEPTION** to establish a 'Hotel' (short-term rental) use in an OD, Office and institutional district at **205 PETTIGRU ST** (TM# 004600-03-01500)

Documents:

[22-0663 S 22-663 AGENDA PACKET.PDF](#)

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10. OTHER BUSINESS

- A. Staff update on current planning projects
- B. Reminder of upcoming Board and Commission training

11. Adjournment

Documents:

[10-13-2022 - BZA REGULAR MEETING AGENDA.PDF](#)

City of Greenville Planning and Development | 864-467-4476



**Planning Staff Report to
Board of Zoning Appeals
October 7, 2022**
for the October 13, 2022 Public Hearing

Docket Number:	S 22-663
Applicant:	Casteddu, LLC (Joseph DelGiudice)
Property Owner:	Casteddu, LLC (Joseph DelGiudice)
Property Location:	205 Pettigru Street
Tax Map Number:	004600-03-01500
Acreage:	0.233
Zoning:	OD, Office & Institutional District; Pettigru Street Preservation Overlay District
Proposal:	SPECIAL EXCEPTION to establish a ‘Hotel/motel’ (short-term rental) 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. 19-4.2.4(H), *Visitor Accommodations*
Sec. 19-6.1, *Off-street parking and loading*

Staff Recommendation: Approve with conditions

Staff concludes that the application complies with standards to grant a Special Exception Permit for a ‘Hotel/motel’ use. If the Board decides to grant the Permit, Staff recommends the following conditions:

1. The Special Exception Permit shall be limited to the Applicant, Casteddu LLC (Joseph DelGiudice), and shall not be transferrable.
2. The use of the property shall substantially conform to the testimony of the Applicant and the content of the application and submitted documents.
3. Loading, unloading, and parking for short term rental guests shall be limited to the off-street parking locations identified in the application. The Applicant shall take measures to ensure that short term rental guests are informed of this requirement.
4. The Applicant shall take measures to ensure that noise associated with the use will comply with the City’s noise ordinance. A pattern of noise ordinance violations shall be grounds for revocation of the Special Exception Permit.
5. The number of short-term rental guests occupying the property shall not exceed the maximum approved building occupancy for each unit as established by the Building Codes Administrator.

Staff Analysis:

The Applicant and Owner, Joe DelGiudice, proposes use of an existing detached single-family dwelling and its detached garage with accessory dwelling unit at 205 Pettigru Street for a visitor accommodation use (less than 30 days). The property is zoned OD, Office & Institutional District, and is located within

the Pettigru Street Preservation Overlay District. According to subsection 19-4.2.4(H), *Visitor Accommodations*, dwelling units arranged for short-term stays of less than 30 days for rent, lease, or interval occupancy are classified as such, with designated examples including bed and breakfast inns, motels, and hotels. According to Table 19-4.1-2, *Table of Uses*, a hotel or motel use may be permitted by approval of special exception within the OD Zoning District.

A Special Exception Permit for a hotel (short term rental) use was approved by the Board earlier this year through application S 22-395. That approval was non-transferrable and limited to only the accessory dwelling unit. The Applicant for S 22-395 has since sold the property to the current Applicant.

A neighborhood meeting was not required for this application but was held by the Applicant on September 14, 2022, through Microsoft Teams. A summary and sign-in sheet for this meeting are included as part of the application.

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

1. Consistent with the Comprehensive Plan

The Future Land Use Map of the City's GVL 2040 Comprehensive Plan splits this property between 'Center City' and 'Neighborhood Mixed-Use.'

'Center City' is Greenville's downtown central business district. It contains a mix of land uses including but not limited to office, service, retail, entertainment, cultural, government, civic, light manufacturing, and residential. Development is expected to be pedestrian-oriented and designed to actively engage streets, parks, plazas, the riverfront, and other public spaces.

'Neighborhood Mixed-Use' is a classification described as typically in compact urban areas with a combination of vertical and horizontal mixed-use developments that includes small retail and commercial uses along with a variety of residential types. These areas are pedestrian friendly and in close proximity to downtown. It is anticipated that single uses will not exceed 10,000 square feet and "drive-thrus" are restricted due to the close proximity to downtown and adjacent neighborhoods.

A short-term rental is classified as a commercial use which aligns with both future land use classifications in the GVL 2040 Comprehensive Plan. Similar visitor accommodation uses exist within the Pettigru Street area and have been approved by the Board in the past, including at this location.

Staff finds that the proposed use is consistent with the GVL2040 Comprehensive Plan.

2. Complies with use specific standards

The Land Management Ordinance does not contain use-specific standards for hotel/motel use, per Sec. 19-4.3.3(H).

Staff finds that the proposed use complies with specific use standards of the Land Management Ordinance.

3. Compatibility with the surrounding lands

Adjacent property is used (and zoned) as follows:

- East:** Office (OD, Office and institutional)
- North:** Medical facility (OD, Office and institutional)
- West:** Office (OD, Office and institutional)
- South:** Off-street parking (OD, Office and institutional)

The proposed use is located within a larger, mixed-use area zoned OD, Office & Institutional. Adjacent properties include a medical office, a real estate office, a law office, a religious nonprofit, and across the street, an off-street parking lot for the Poinsett Club.

Staff finds that the proposed use is compatible with surrounding lands.

4. Design does not have substantial adverse impacts

The property contains an existing single-family detached home and a detached garage with living unit above. The proposed use would apply to both the principal dwelling unit and to the above garage accessory dwelling unit. Neither dwelling will be owner occupied or have an on-site manager, however the Applicant has hired a local property management company to assist with managing the property and has indicated plans to eventually occupy the property.

The structures will retain the existing residential character from the exterior, as no changes to the site and the structures' exterior are proposed. Any future changes would be required to meet the design standards for properties within a historic preservation overlay. No adverse visual impacts are anticipated from the use.

Per the application, there are four bedrooms in the principal dwelling unit and a single bedroom in the accessory dwelling unit. The principal dwelling unit and accessory dwelling unit could be rented out separately.

Although minimum parking requirements are waived for properties in the historic preservation overlay, the property has accommodations for a total of nine parking spaces – four parking spaces behind the garage, two parking spaces in the driveway, two parking spaces within the garage, and one parking space in the parking pad off Pettigru Street in the front yard. On-street parking is available but is regulated by the City of Greenville Parking Services through a permit program.

The existing off-street parking spaces exceed the typical minimum parking ratio for hotel/motel uses (0.75 spaces per guest room; a total of four parking spaces would be required for five guest rooms). No adverse parking and loading/unloading impacts are anticipated from the use.

Per the application, the use will be managed and monitored by a property management company that has experience managing short-term rental properties within the City of Greenville. The Applicant has indicated that the management company will be available 24 hours a day to address short term rental guest and neighborhood issues. A representative of the property management company attended the neighborhood meeting and stated that they would be capable of responding to the property if necessary.

Noise monitoring devices will be installed to monitor noise levels on the property. Excessive noise levels will trigger a notification to the property management company. An external video system will also be installed on the property to ensure unregistered guests are not staying at the property.

Trash will be collected through rollouts like the nearby residential and office uses. The property management company will be responsible for ensuring that the rollouts will be placed at the curb and returned to an inconspicuous location on the property.

The Applicant and property management company indicated an awareness of the need to ensure compliance with the city noise ordinance and of the neighborhood concerns that the property has the potential to become a "party house" for short-rental guests, which is not acceptable. The aforementioned measures proposed by the Applicant should ensure that no adverse impacts related to noise, odor, glare, vibration are created and that the use does not create a nuisance.

Staff finds that the proposed use will not have substantial adverse impacts with appropriate conditions.



Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE*: Joseph DelGiudice Member / Casteddu LLC
* _____
Name Title / Organization
permit may be limited to this entity. _____

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

MAILING ADDRESS: 1240 E. Ontario Ave. #102-277, Corona, CA 92881

PHONE: 951-870-6589 **EMAIL:** joedelg@yahoo.com

PROPERTY OWNER: Joseph DelGiudice

MAILING ADDRESS: 1240 E. Ontario Ave. #102-277, Corona CA 92881

PHONE: 951-870-6589 **EMAIL:** joedelg@yahoo.com

PROPERTY INFORMATION

STREET ADDRESS: 205 Pettigru Street, Greenville SC 29601

TAX PARCEL #: 0046000301500 **ACREAGE:** .232 **ZONING DESIGNATION:** OD

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE:

This parcel currently contains a primary residence with a detached dwelling unit. The proposed use is for the primary residence and the detached dwelling unit to be permitted as a short-term visitor accomodation, managed by a professional manager.

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.

Joseph H. D. Jordan
8-26-22

SAME

APPLICANT / REPRESENTATIVE SIGNATURE

DATE

PROPERTY OWNER SIGNATURE

DATE

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

(YOU MAY ATTACH A SEPARATE SHEET)

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

The GVL 2040 Future Land Use map puts this house right on the border of City Center and Community Mixed Use. Using this property for short-term accommodations fits perfectly in that niche, allowing visitors walkable access to downtown.

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

Hotel/motel is not subject to Specific Use standards

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

This residence is in the middle of an office district, across from Poinsett Club, a block away from the Wellness Arena, and a block away from the an existing Bed and Breakfast. This areas sees a wide variety of mixed use and event-related activity.

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

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.

The proposed use of this space conforms with existing use of surrounding short term rental and commercial properties, to include the Poinsett Club. There are no contiguous properties being used as traditional residential homes.

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).

Neighboring properties are of varied use, including professional office space, event venue, and other short term accommodations. This use fits perfectly into this area.

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

There is more than sufficient off-street parking on this property, with an established water, electric and sewer infrastructure. There will be no additional/inordinate load on these utilities.

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

Permitted without an exception in C-3, C-4, S-1, and RDV and with exception in O-D and C-2.

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

ATTACHMENT

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 IMPACT: Although the property was only constructed in 2017, the builders went to great lengths to ensure the architecture and general feel of the property fits well with the surrounding, historical structures. The applicant intends to maintain both the interior and exterior of this home as is. If approved, the special exception will result in no change to the appearance of the property. Additionally, the applicant intends to market the use of this property to business professionals and families. We anticipate this will result in no noticeable difference from its current use.

SERVICE DELIVERY: The intended use of this property will not increase the already negligible service delivery currently experienced at this property. We anticipate nothing more than weekly gardening service and housecleaning that a normal home in this community might require.

PARKING AND LOADING: This parcel has its own dedicated parking for this proposed use (five dedicated off-street spaces, a two-car garage, and a large concrete driveway). Loading and unloading will be nothing more than personal items during check-in and check-out and should be done on the premises away from the street.

ODORS: None anticipated

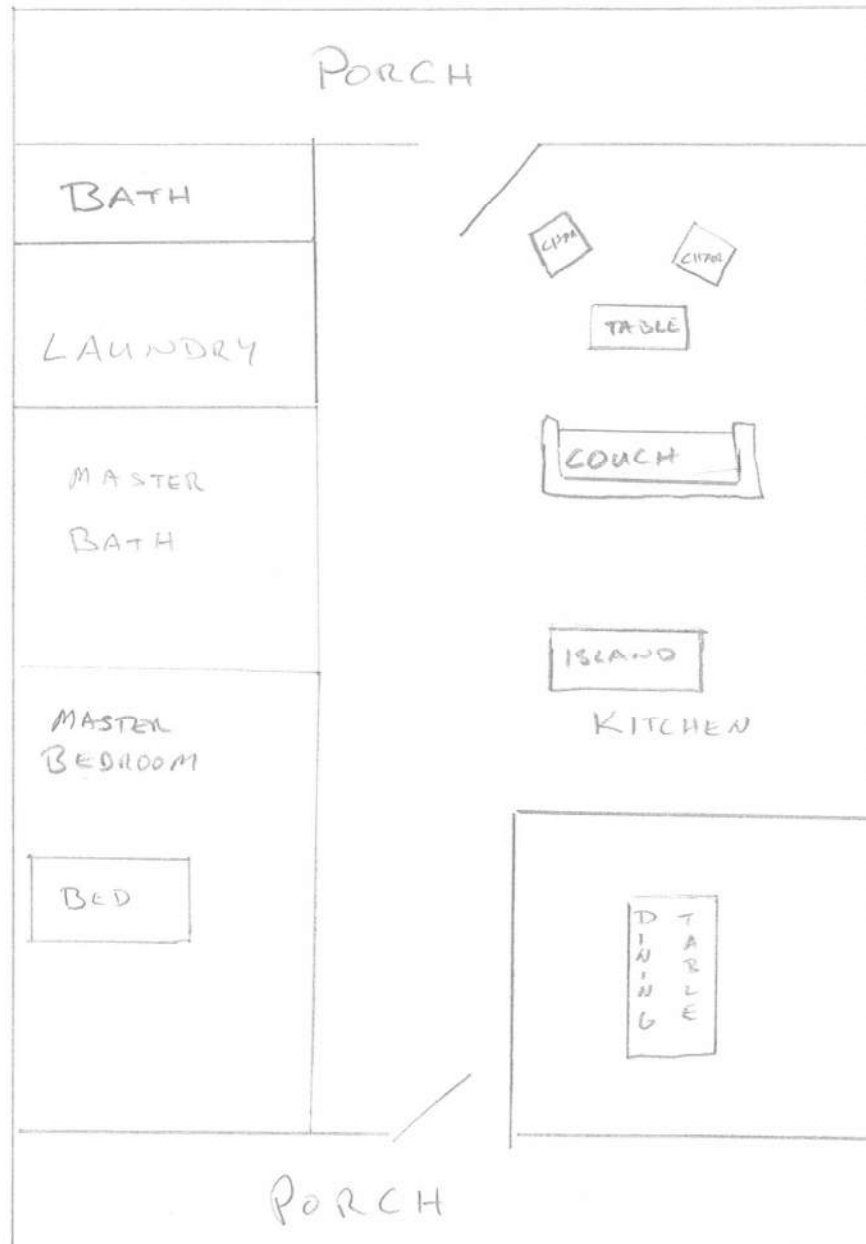
NOISE: Due to marketing strategies, price-point, house rules, and security deposits, we anticipate the clientele will be comprised of business professionals and families disinterested in loud music or disruptive behavior. Nevertheless, the applicant will be installing noise-monitoring devices (*NoiseAware*) to ensure immediate notification and action by the 24/7 management service. The ADU and main house will have external video monitoring devices to ensure unregistered guests are not staying at the property.

GLARE: None anticipated

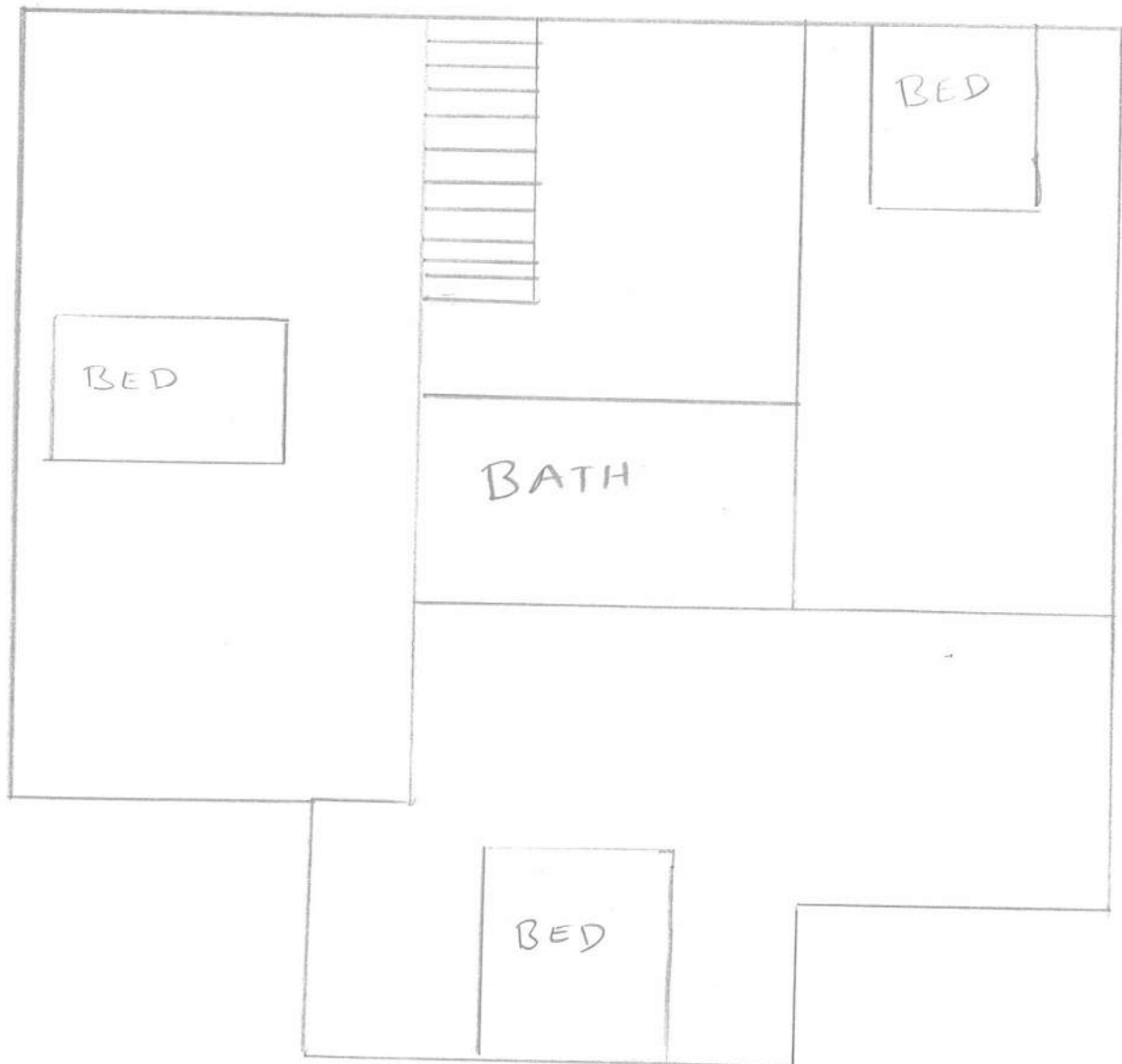
Vibration: None anticipated

REFUSE CONTAINERS: The management company has scheduled personnel to ensure trash cans are placed at the curb and returned to their storage location in accordance with the trash collection schedule. This guarantees these containers do not remain on the street and visible to the community any longer than necessary.

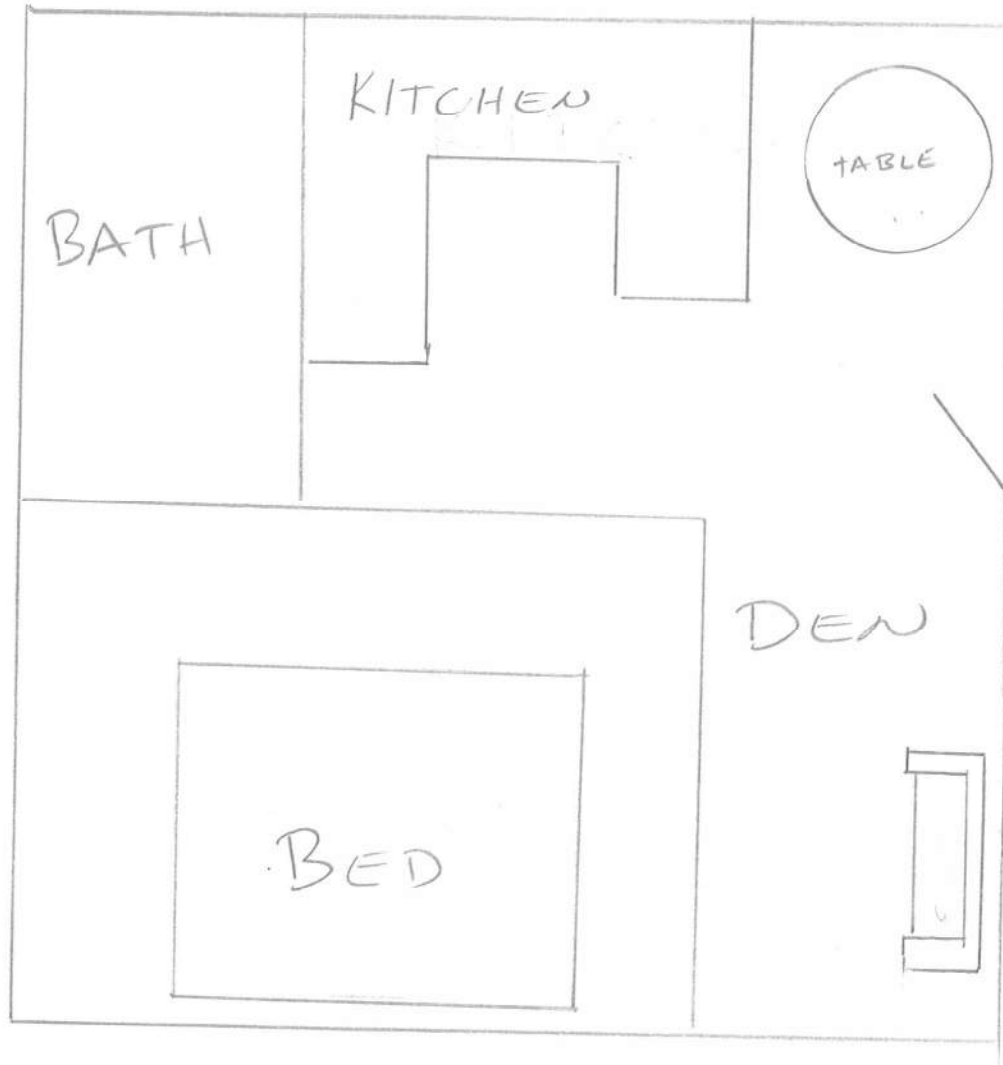
1ST FLOOR



2nd FLOOR



APARTMENT



Kitchen



Living Room



Kitchen



Living Room



Kitchen



Living Room



Living Room



Dining Room



Master Bedroom



Bedroom 2



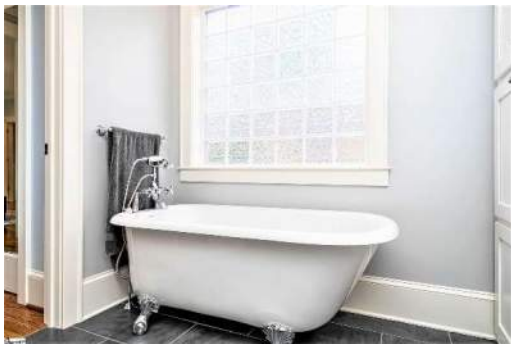
Master Bath



Bedroom 3



Master Bathtub



Upstairs Bath



Bedroom 1



Apartment Kitchen



Apartment Living Room

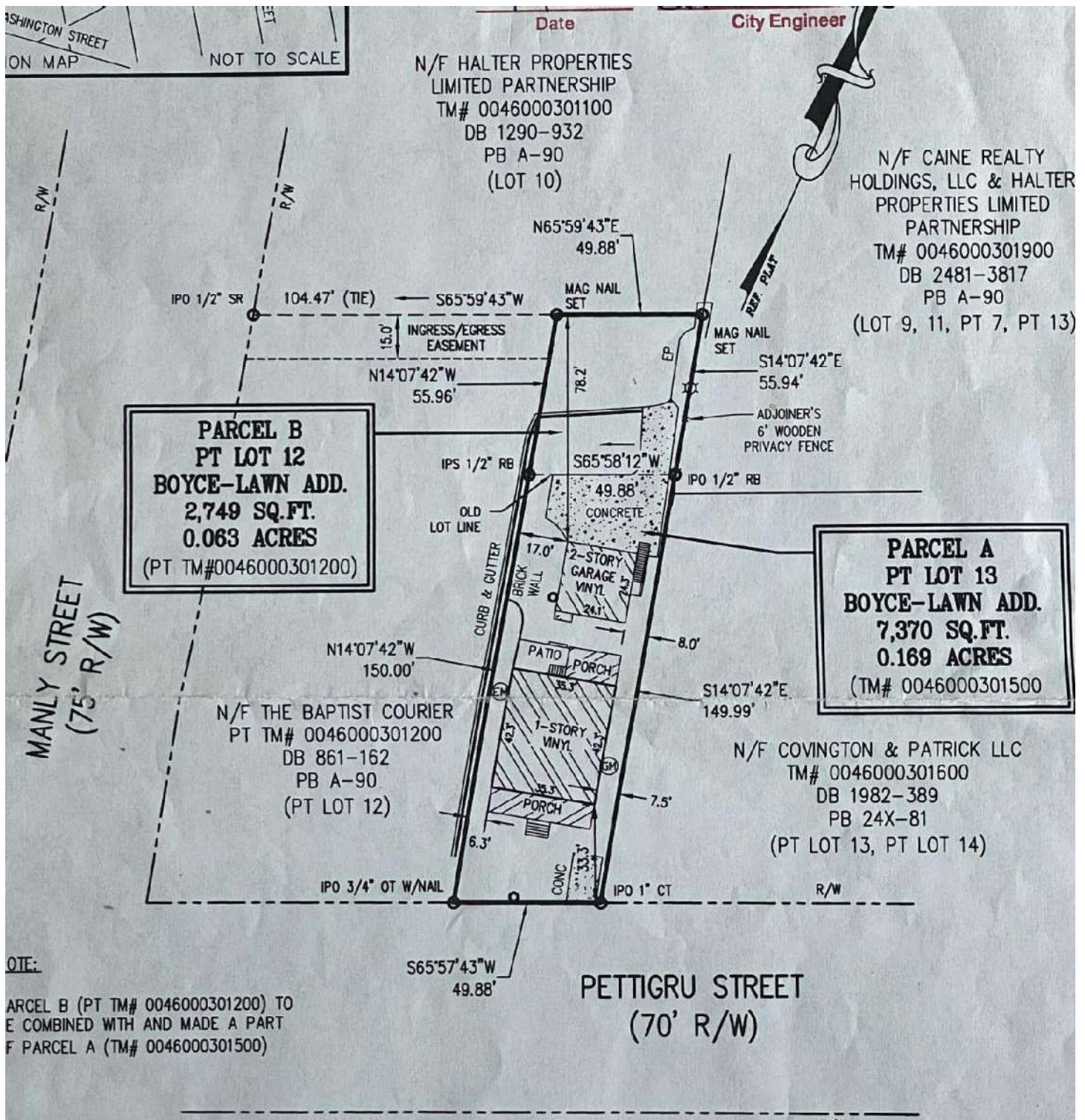


Apartment Bedroom



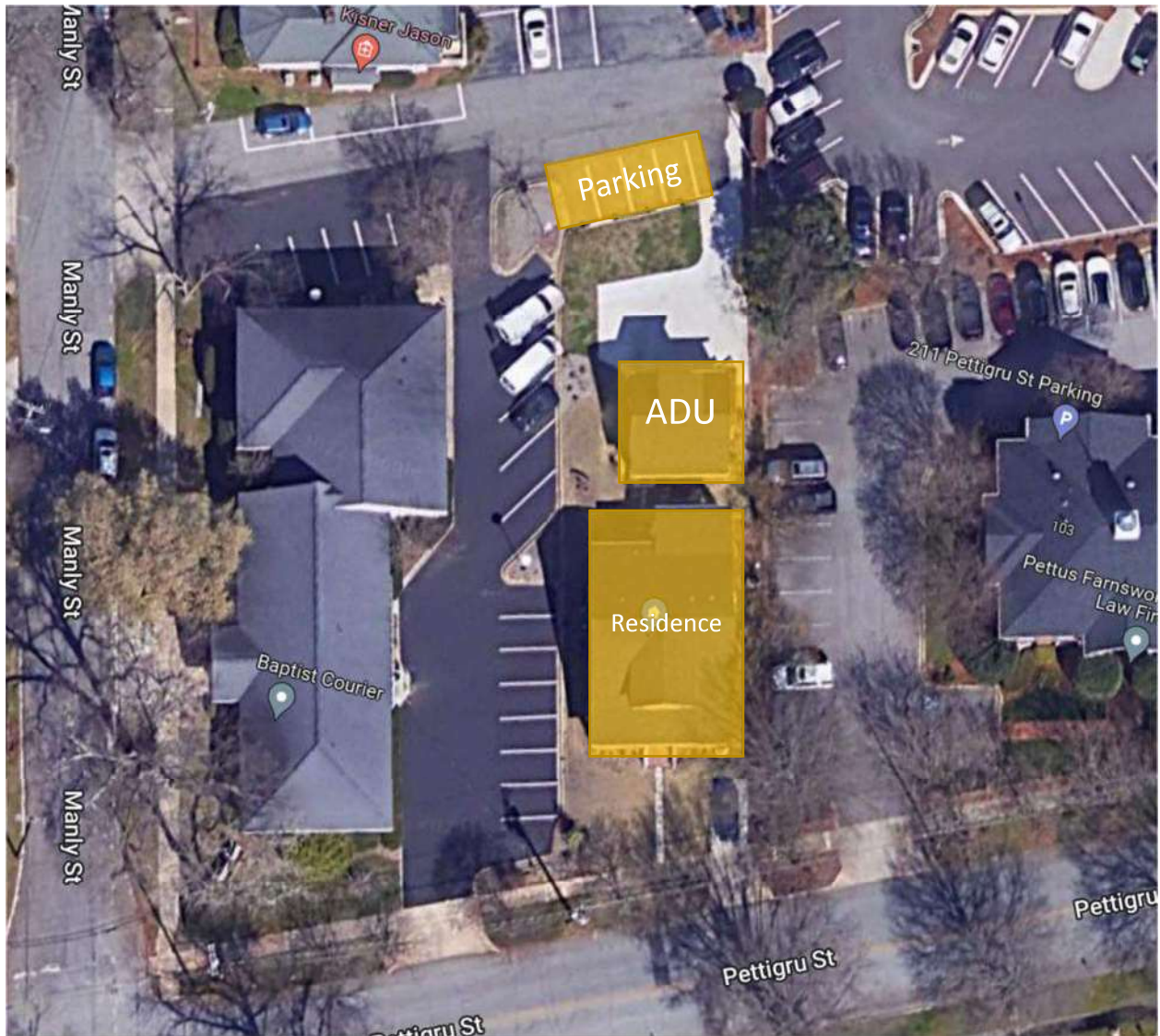


Surrounding Area



Survey / Plat Map

(note ingress / egress easement)



Parcel Layout



Views From Pettigru St



Side / Connecting View



Busy Evening at Poinsett and Arena Events (7:30pm)



Views of the ADU & Parking Spaces



View of Poinsett Club and Pettigru Place B & B



View of the Arena From ADU

Mike Hallman

Objected to virtual meeting.

Questioned if letters were sent to the residents of Virginia Condos.

Asked if the PowerPoint presentation was "canned". Said, it appeared to be a "canned presentation".

Expressed dislike of STRs and the city for not stopping them.

Would rather see 205 Pettigru St. turned into a business instead of a short-term rental.

Believes parking is an issue in this neighborhood.

Believes the use of cameras and noise detection devices to ensure good-neighbor rules are being followed by guests means we expect problems.

Questioned the new zoning ordinance, possibly confusing it with GVL2040.

Henry Philpot

Took the opportunity to inform everyone about an apartment community that was being built near Pettigru.

Lori Donaldson

Stated she does not want the home to be used as a STR.

Mrs. Santiago

Believes that the city needs more affordable housing options and STR does not provide that.

Luis Santiago

Believes STRs bring down the value of other peoples' homes, but provided no data.

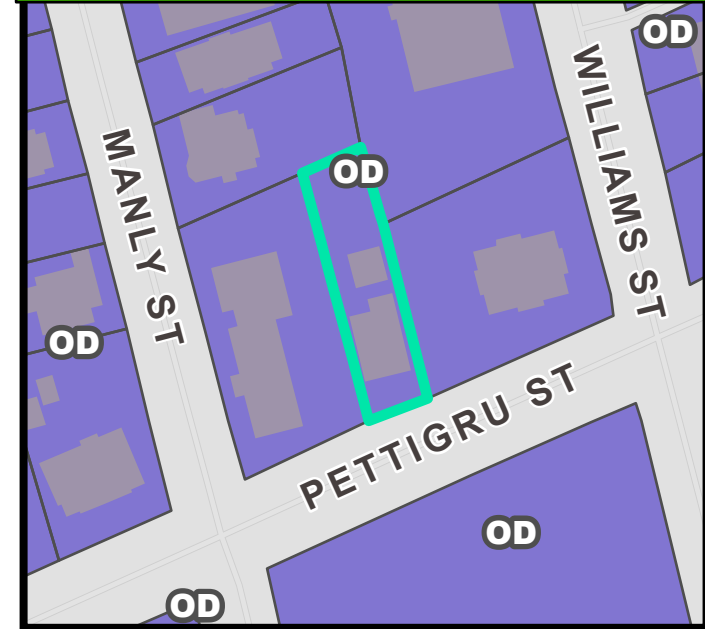
Neighborhood MeetingProject Name: 205 PETTIGRULocation: 205 PETTIGRUTime of the meeting: 18:30Date: 9-14-22Representative holding meeting: JOSEPH DELGINDICE

Name	Street Address	Email
1 MIMI HALLMAN (MIKE)		
2 HENRY PHILPOT		
3 JILL JONES		
4 JOHN BOYANOSKI		
5 RENEE		
6 SHANNON P		
7 CORRIE ADAMSON		
8 LUIS SANTIAGO		
9 LORI DONALDSON		
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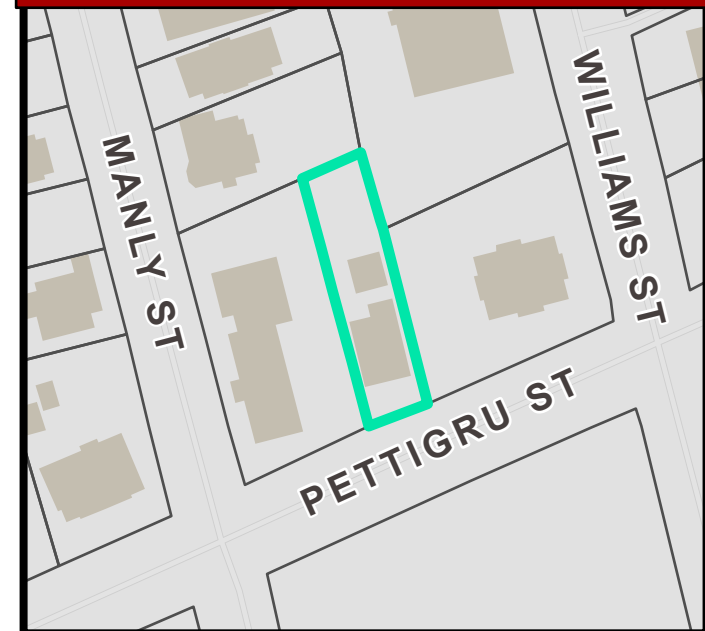
AERIAL VIEW



CURRENT ZONING



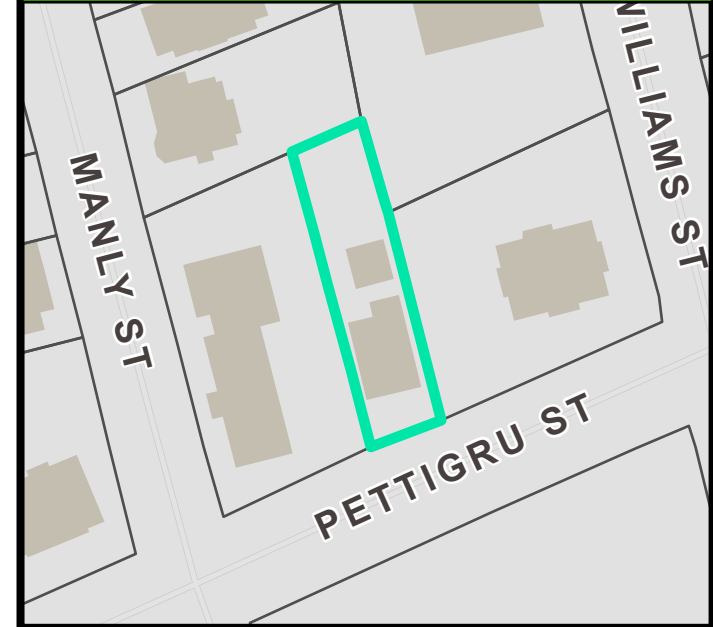
FUTURE LAND USE



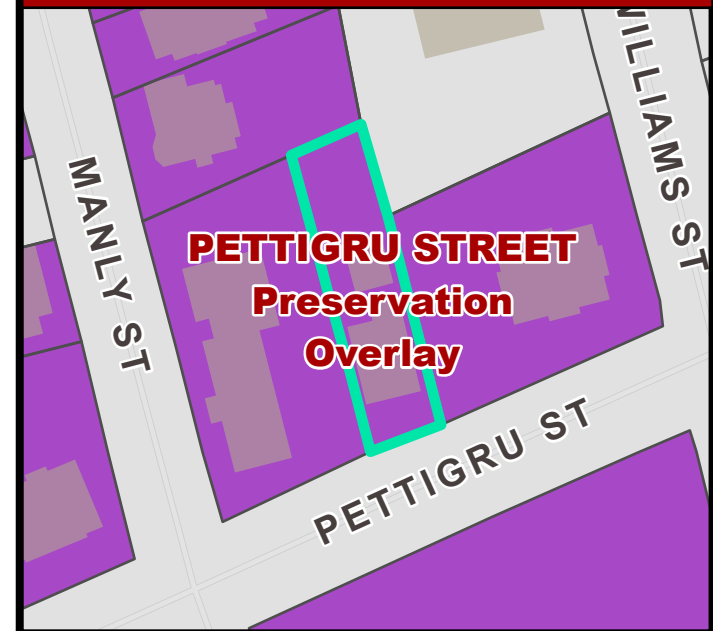
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS





AGENDA

BOARD OF ZONING APPEALS REGULAR MEETING

Thursday, October 13, 2022 - 4:00 p.m.

Meeting Location:
City Hall, Council Chambers, 10th Floor
206 South Main Street
Greenville, South Carolina, 29601

Citizens may access the meeting at the following web address:

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

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 - B. Reminder of upcoming Board and Commission training
 11. Adjournment