



MINUTES

REGULAR MEETING OF BOARD OF ZONING APPEALS

THURSDAY, FEBRUARY 12, 2026 - 4:00 PM

Greenville City Hall, Council Chambers, 10th Floor

206 S. Main Street

Greenville, South Carolina 29601

Citizens may access the meeting at the following web address:

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

1. Call to Order

Lauren Rounsville called the meeting to order at 4:03 p.m.

2. Welcome and Opening Remarks from the Chair

Ms. Rounsville invited the other members to introduce themselves, provided normal beginning procedures for the meeting, explained the agenda, and outlined the rules for procedure.

3. Roll Call

Ross Zelenske moved on to roll call of board members in attendance.

Members Present:

Chair Lauren Rounsville, Vice Chair Mark Herro, Matthew Praytor, Tammy Johnson, Sam Davis, Al Horrigan, and Sean Scoopmire

Staff Present:

Mike Spinelli, Assistant City Attorney; Kristopher Kurjiaka, Principal Development Planner; Ross Zelenske, Senior Development Planner; Ashana Taylor, Associate Development Planner; and Deanna Ensley, Planning Assistant

4. Approval of Minutes

A. Approval of Minutes for meeting on December 11, 2025 and January 8, 2026 Regular Meetings

Mr. Herro moved to approve the minutes for the December 2025 Regular Meeting and the January 2026 Regular Meeting. Mr. Praytor seconded. The motion passed 7-0.

5. Call for Public Notice Affidavit from Applicants

Staff reported receiving all applicants' affidavits.

6. Acceptance of Agenda

Mr. Davis motioned to amended the agenda to move S 26-008 to be the first item of new business reviewed. With no opposition, Mr. Herro seconded the motion. The motion passed 7-0.

7. Conflict of Interest Statement

Mr. Herro stated a conflict of interest for item A 25-1152.

8. OLD BUSINESS

A. V 25-815 *Application Withdrawn*

Application by Chad Tompson for a **VARIANCE** to modify the front setback in a RH-C, House C district on **206 PRINCETON AV** (TM# 028000-02-18400)

9. NEW BUSINESS

A. S 26-008

Application by Parks McLeod for a **SPECIAL EXCEPTION** to establish a 'general outdoor entertainment and recreation' use in a BG, Business General district near **420 MILLS AV** (TM# 010600-07-00100)

Staff report presented by Ross Zelenske. Staff recommends approval.

Questions to Staff:

Board members asked about the difference between noise complaints versus violations and how staff determines that.

Mr. Davis asked about the required parking for the use and staff recommendations on parking.

Mr. Davis asked about conditions 16 and 18 and if those were listed elsewhere in the code for enforcement.

Ms. Johnson asked for recommendation #10 and staff intent for that for the proposed use.

Applicant Presentation given by Parks McLeod, 312 McDonald Street, Greenville, SC

Questions to Applicant:

Mr. Scoopmire asked for clarity on the hours of operation, which the applicant stated would be based on seasonality

Mr. Scoopmire asked about private events on the site, which the applicant confirmed there was no dedicated space for, but that they would be considering.

Board members asked about the parking plan which the applicant confirmed they would be meeting minimums for the existing building, but would need to adjust for any future buildings on the site and confirmed they were amenable to a parking agreement with an adjacent property.

Public Comment:

Eilene Millian 400 Mills Ave Unit 320, Greenville, SC

Ms. Millian stated she was excited for the business, but commented on needed repairs to sidewalks for nearby residents to access the site and commented on increased traffic improvements to the nearby intersection.

Mr. Zelenske commented the sidewalk would need to be on the property for it to be required to be fixed by the applicant, but stated staff would review for needed repairs and that the traffic engineering staff would be analyzing if improvements were needed further in the development.

William Butler 101 River Valley Lane, Greenville, SC

Mr. Butler commented on Brushy Creek needing to be cleaned up due to debris in the creek.

Mr. Zelenske confirmed the concerns would be discussed with the environmental engineering staff for review.

Board/Commission Discussion:

Mr. Davis stated the parking agreement requirement seemed unnecessary, which Ms. Johnson and Mr. Scoopmire agreed with.

Ms. Johnson asked to modify condition #10 regarding occupancy to strike out the words "at all ingress/egress points"

***MOTION:**

Mr. Davis moved to approve item S 26-008 with the finding that it meets the following standards:

- a. **The Proposed Special Exception Is Consistent with the Comprehensive Plan.**
- b. **The Proposed Special Exception Complies With All Use Standards in Div. 19-3.4.**
- c. **The Proposed Special Exception is Appropriate for its Location and Compatible with the Character of Surrounding Lands and the Uses Permitted in the Zoning Districts of Surrounding Lands, and Will Not Reduce Property Values of Surrounding Lands.**
- d. **The Design of the Proposed Special Exception Minimizes Adverse Effects, Including Visual Impacts of the Proposed Use on Adjacent Lands; Furthermore, the Proposed Special Exception Does Not Impose Significant Adverse Impact on Surrounding Lands Regarding Service Delivery, Parking and Loading, Odors, Noise, Glare, Vibration, and Does Not Create a Nuisance.**

This motion is made with the following conditions:

1. **Operation of the facility shall be limited to a 'general outdoor entertainment' use, as defined by this Code, and shall substantially conform to the statements of the Applicant and the content of the application. Modification of the facility's operation shall require the Applicant to seek a modification of the special exception permit.**
2. **The business shall comply with the location standards established by the state. Operation of the business shall comply at all times with the provisions of the South Carolina Alcoholic Beverage Control Act and the regulations of the Department of Revenue.**
3. **Hours of operation shall be substantially consistent with those stated by the Applicant and not exceed past 11:00 p.m.**
4. **Per Greenville Development Code Section 19-3.2.1.B.3., delivery, waste collection, and similar commercial traffic is prohibited between the hours of 10:00 p.m. and 7:00 a.m.**
5. **Loitering, solicitation, and disorderly conduct is prohibited at all times; rules consistent with the provisions of this Code must be posted in conspicuous locations on the building and throughout the parking lot and must be enforced by the proprietors.**

6. At all times during its occupancy, the Applicant shall assign a manager on the premises who shall ensure compliance with the terms of the special exception permit, this Code, and the applicable S.C. Code of Laws and Regulations.
7. The Applicant shall take reasonable measures to ensure that the business and its patrons comply with City ordinances and State laws intended to preserve the public peace, safety and order, including but not limited to: occupancy loads, prohibitions on disorderly conduct and public intoxication, prohibitions on noise in violation of the City's noise ordinance, prohibitions on smoking in violation of the City's smoking ordinance, adequate patron parking and applicable neighborhood parking restrictions.
8. The Applicant and all of its managers and employees responsible for serving any alcoholic beverage (current and future) must participate in the merchant education/server training program offered vendors approved by the City Police Department. Evidence of satisfactory completion of this training for each employee must be retained on-site and available for inspection by the Administrator and the City Police Department. Current personnel must receive training within 30 days of issuance of the certificate of occupancy and future personnel must receive training within 30 days of hiring.
9. If more than two incidents involving a police response to the use occur within a six-month period, the City of Greenville can then require one security person be on-duty from the hours of 9:00 p.m. to close on Fridays and Saturdays and at any time while open for business when it is reasonably anticipated that a larger-than-average number of patrons may occupy the premises. The security person(s) must possess a "Security Officer Registration Certificate" pursuant to Chapter 18 of Title 40 of the SC Code of Laws, or as an alternative, may be an off-duty sworn law enforcement officer. No other employee may serve in the capacity of a security person unless so certified. Repeated incidents requiring calls for service from law enforcement may be grounds for revocation of the permit.
10. The Applicant shall designate staff to be responsible for monitoring the flow of patrons and confirming compliance with allowable occupant capacity.
11. Interior and exterior sound amplification shall be limited to areas around the golf course and the clubhouse and shall be limited to playing ambient background music. Speakers must be directed inward toward the facility and away from any adjoining use or public property.
12. Interior sound amplification must be located only as reflected on the approved floor plan and must be directed away from the principal entrance or directed toward the interior of the building. Except to provide ingress and egress, exterior doors and windows must remain closed after 10:00 p.m.
13. Indoor entertainment involving live music shall be limited to acoustic musicians. Outdoor entertainment involving live music shall be prohibited.
14. Operation and maintenance of the facility, regardless of the hours permitted to be open to the public, comply with the Noise Ordinance, Chapter 16, Article II, Division 3 of the City Code. A pattern of noise complaints related to the business shall be grounds to require another meeting with the Technical Advisory Committee. Repeated noise violations may be grounds for revocation of the permit.
15. The final site package submitted as part of administrative permitting shall account for all applicable transition and screening requirements to minimize

- visual impacts to abutting residential properties. All transitions and screening shall comply with Division 19-4.8. of the City Code.
16. The final site package submitted as part of administrative permitting shall include a photometric plan and use full cut off light fixtures to minimize visual and glare impacts to abutting residential properties. All lighting shall comply with Division 19-4.12. of the City Code.
 17. Per Greenville Development Code Section 19-4.4.1.C.3.c. and as identified in the Trails and Greenway Master Plan (2008), a multi-use trail shall be constructed on the site or a floating trail easement provided for the north segment of the proposed Brushy Creek Trail.
 18. A copy of the special exception permit shall be maintained on the premises with other related inspection, licensing, and occupancy information.

Mr. Horrigan seconded the motion. Motion passed 7-0.

Mr. Herro left the meeting at 4:52 p.m.

B. A 25-1152

Application by Michael Williamson to **APPEAL** the administrator's interpretation of the Haynie Sirrine Neighborhood Code related to short-term rental use classification and allowance in a PD, Planned Development district at **14 WAKEFIELD ST UNIT A** (TM# 009101-08-01100)

Staff report presented by Ross Zelenske. Official Appealed Presentation provided by Kris Kurjiaka.

Mr. Herro asked if there would be no use for the building and staff explained what would still be allowed.

Mr. Scoompire asked about the differences between single-family attached, detached, and duplex and asked for clarity on uses allowed for the applicant.

Ms. Johnson asked if there had been other short-term rentals (STRs) issued, which staff said there had been none in the last year.

Board members asked for clarity on the definitions of accessory buildings and bed and breakfast uses which staff provided.

Ms. Johnson asked if in discussion with the owners, concessions or alternatives had been discussed, which staff clarified that none that included a short-term use for the current site plan were identified.

Appellant Presentation provided by Michael Williamson, 40 Raleigh Street, Greenville, SC
Full appeal documentation was provided as part of the meeting Agenda Packet.

Questions:

Ms. Johnson asked if construction of the site had begun, which the appellant confirmed.

Mr. Davis asked for the rationale behind wanting an STR, which the appellant stated was due to the flexibility of the use.

Ms. Rounsville asked for clarity on the layout of the buildings and access.

Ms. Johnson asked if the appellant had explored connecting the buildings.

Mr. Kurjiaka stated there were not clear regulations in the Haynie-Sirrine code that would make the the buildings a single structure and stated the current Development Code would require an 8' connection while the Land Management Ordinance would require a 6'

connection.

Ms. Rounsville asked if the front building didn't exist, would they be able to have the pool in their front yard, which staff stated would apply to pool houses, but not necessarily pools.

Public Comment:

Dimitry Bruhel, 5 Woodcrest Circle, Greenville, SC

Mr. Bruhel stated he was the owner of the property adjacent and had also sought a similar approval prior that was denied so was interested in the Boards decision for his project.

Administrator's Rebuttal provided by Kris Kurjiaka

Mr. Kurjiaka stated having separate permits was immaterial and that the decision was based on there being two separate buildings, not permits. He also clarified that the case of an approved STR in the area within the last year was done in error and that there had been three others denied for uses as an STR. He stated all others have not been approved.

Mr. Zelenske clarified there were several that had been flagged as un-permitted and were being pursued for zoning enforcement action.

Mr. Scoopmire pointed out that the buildings that had been permitted were done so where they would not meet the definitions of accessory or principal structure on the lot.

Mr. Kurjiaka explained there was nothing prohibiting the creation of multiple units for standard residential use on the property and that the issue was with the use of a short-term rental that was listed as only allowed in an accessory structure, which didn't apply to either building on the site. He further clarified the contention was not that the appellant would not be able to use the buildings for long-term residential use, they just would not be able to use either building for short term use, which was defined as less than 30 days.

Ms. Johnson asked if the appellants could split the lot and have the back building face Spring Street as the primary street, which staff confirmed was a possibility, but would bring the lots into contention with the current code that would not allow for short term rentals on either site.

Board Deliberation:

Mr. Davis pointed out there would not be an issue with precedent as the appellant is claiming vested rights that would not be applicable to other properties.

Mr. Scoopmire said his issue was not with the short term rental aspect, but in determining which of the buildings was the principal building and which was the accessory building.

Mr. Davis stated he questioned if the appellant actually had vested rights as they hadn't made substantial progress towards their plans and having submitted their application for a short term rental right before the property was rezoned didn't seem as if it was done in good faith. He stated they may have vested rights to build what had been approved, but not to use it as a short term rental and that with that he felt it would be reasonable to continue to allow the building of the structures, just require any rentals they have to be longer than 30 days. Mr. Praytor agreed.

Mr. Scoopmire stated he felt it would be easiest to reverse the administrator's decision.

Mr. Davis pointed out the arrangement of the buildings was due to the PD zoning, which were odd themselves and part of the reason they were no longer in the code. He stated he didn't feel the weird arrangement should grant access to a short-term rental use which was dubiously claimed in reference to the old code and outlawed in the current code and that though it wouldn't fit exactly with the owners original plans, would not limit the use

fully.

Mr. Praytor asked if approved for short-term use, if that would transfer to new ownership later, which staff explained it would not.

***MOTION:**

Mr. Davis moved to affirm the administrator's decision based on the findings of staff. Ms. Johnson seconded the motion. Motion passed 4-2 with Mr. Horrigan and Mr. Scoopmire dissenting.

10. OTHER BUSINESS

Staff provided updates to the Board on the following upcoming meetings:

- March 12, 2026 Regular Meeting
- April 9, 2026 Regular Meeting

Ms. Johnson asked to clarify in updates to the Development Code if bars and nightclub special exceptions were no longer coming before board.

Mr. Zelenske explained the draft would be available in the next few weeks for full review and explained staff was considering re-introduce conditional use permits and explained all bars/nightclubs, regardless of hours of operations, as well as all late night uses would go through that review. He clarified that nothing was set in stone, and explained the timeline for review and potential City Council action. He explained the difference between a conditional use permit and special exception permit and the intention for the change being that conditional use permits tended towards more permissive sides, but were handled more by staff than by the board.

Board members asked if an applicant for a conditional use permit wanted to appeal a decision if it would go before the Board of Zoning Appeals, which was confirmed.

Board members asked if decisions would be based off a different set of criteria, which staff confirmed would be available on 2/18/26.

11. Adjournment

Meeting adjourned at 6:16 p.m.