

# Zoning Board of Appeals

City of Rock Hill, South Carolina

December 14, 2021

A public hearing of the Zoning Board of Appeals was held Tuesday, December 14, 2021, at 6 p.m. in Council Chambers at City Hall, 155 Johnston Street, Rock Hill SC.

**MEMBERS PRESENT:** Rodney Cullum, James Hawthorne, Keith Sutton, Chad Williams

**MEMBERS ABSENT:** Charlotte Brown, Matt Crawford, Stacey Reeves

**STAFF PRESENT:** Melody Kearse, Eric Hawkins, Shana Marshburn

Legal notices of the public hearing were published in *The Herald*, Friday, November 26, 2021. Notice was posted on all property considered. Adjacent property owners and tenants were notified in writing.

In the absence of Chair Matt Crawford, Vice-Chair Keith Sutton presided over the meeting.

## 1. Call to Order

Vice Chair Keith Sutton called the meeting to order at 6:00 p.m.

## 2. Approval of Minutes of the November 16, 2021, meeting.

Mr. Williams made a motion to approve the minutes as submitted. Mr. Collum seconded, and the motion carried by a vote of 4-0 (Brown, Crawford, & Reeves absent).

## 3. Approval of Orders of the November 16, 2021, meeting.

Mr. Williams made a motion to approve the orders as submitted. Mr. Collum seconded, and the motion carried by a vote of 4-0 (Brown, Crawford, & Reeves absent).

## 4. Approval of amended Order from the October 26, 2021 meeting.

Ms. Kearse noted that the revised order for case #Z-2021-50 was included in the agenda packet. Mr. Williams made a motion to approve the minutes as submitted. Mr. Collum seconded, and the motion carried by a vote of 4-0 (Brown, Crawford, & Reeves absent).

## 5. Appeal Z-2021-53: Request by Karen Wright for a special exception to establish a short-term rental use at 764 Sumter Ave, which is zoned Single-Family Residential-4 (SF-4). Tax map number 629-11-02-031.

Vice-Chair Sutton noted that this item was withdrawn by the applicant prior to the meeting and that no action is necessary.

## 6. Appeal Z-2021-54: Request by Steven Gaskins for a special exception to establish a automobile wrecker service, a reduction in separation requirements from residential and a variance from the buffer-yard standards at 114 Wood Street & 1207 E. Main Street. The property is currently zoned Limited Commercial (LC) and is seeking a rezoning to Industry General (IG). Tax map numbers 626-04-01-001 & -002.

Staff member Shana Marshburn presented the staff report.

Mr. Sutton asked if the rezoning has been finalized. Ms. Marshburn stated that it has. Mr. Sutton asked if that changes anything regarding the action before the Board. Ms. Marshburn stated that it does not.

Steven Gaskins, 2919 Stoneridge Dr. (applicant), was available for questions.

Mike Fanning, 7825 Camp Welfare Road, Great Falls, SC, spoke in favor of the request.

Mr. Williams made a motion to approve all three requests. The motion was seconded by Mr.

Hawthorne and was approved by a vote of 4-0 (Brown, Crawford, & Reeves absent).

Mr. Williams presented the findings, noting that the use is consistent with the area, the fence will mitigate the impact on adjoining property, and the adjoining building is on the property line.

**7. Appeal Z-2021-55: Request by Darrlyn Edwards for a special exception to establish a limited manufacturing use at 1150 & 1146 E. Main Street, which is zoned General Commercial (GC). Tax map numbers 626-09-01-095 & -096**

Staff member Melody Kearse presented the staff report.

Darrlyn Edwards, 865 Wayward Crossing (applicant), was available for questions.

Mr. Hawthorne asked what the hours of the business will be. Mr. Edwards stated that normal hours will be 7:00 am until 5:30 pm, although hours may vary depending on projects. He noted that in any case, they will not be open more than 12 hours in a day.

Mr. Collum asked if there will be any noise issues. Mr. Edwards stated that all work will be done inside and noise shouldn't be an issue. Grinding would be only thing that would create noise.

There were no comments from the public.

Mr. Collum made a motion to approve the special exception. The motion was seconded by Mr. Williams and was approved by a vote of 4-0 (Brown, Crawford, & Reeves absent).

Mr. Collum presented the findings, noting that the proposal complies with the standards, it is compatible with the area, it is designed to minimize adverse impacts on adjacent property, it will not injure neighboring land or property values, there are no issues with the surrounding roads, and there are no environmental impacts.

**8. Appeal Z-2021-56: Request by Melanie Hampton for a special exception to establish a short-term rental use at 350 Marion Street, which is zoned Single-Family Residential-5 (SF-5). Tax map number 600-03-02-002.**

Staff member Shana Marshburn presented the staff report.

Mr. Collum asked if there are any concerns about parking. Ms. Marshburn stated that one additional space is needed but there is an existing gravel area at the rear of the property that could be used, it just needs to be refreshed. Mr. Hawthorne stated that the property appears to have a long driveway and asked the number of spaces required? Ms. Marshburn stated that two spaces are required per unit and it is a duplex, so four spaces are needed.

Mr. Williams asked if the additional parking space needs to be part of the motion. Ms. Marshburn stated that the Board can just note that the applicant should continue to work with staff to determine if an additional space is needed. The applicant may be able to demonstrate that there are four existing spaces.

The applicant was not available and there were no comments from the public.

Mr. Hawthorne stated that there is on-street parking available in the area. Mr. Williams stated that the short term rental regulations specify that the required parking must be provided on-site.

Mr. Williams made a motion to approve the special exception subject to the applicant working with staff to provide an additional parking space if needed. The motion was seconded by Mr. Hawthorne and was approved by a vote of 4-0 (Brown, Crawford, & Reeves absent).

Mr. Williams presented the findings noting that the applicant has agreed to meet all standards and the fact that she lives next door should help alleviate any problems.

**9. Appeal Z-2021-57: Request by Rob Masone for a special exception to establish a commissary use at 935 E. Main Street, Suite 100, which is zoned Office and Institutional (OI). Tax map number 626-02-02-023.**

Staff member Melody Kearse presented the staff report.

Mr. Hawthorne asked if an under-counter grease trap would be allowed or would an in-ground grease trap be required. Ms. Kearse stated that based on the discussions held on site with pre-treatment staff, a grease trap would likely need to be installed outside. The parking lot may not have to be disturbed for the installation, depending on where the sewer service is located.

Mr. Collum asked about the difference between a commissary and a commercial kitchen. Ms. Kearse stated that no food is served at a commissary kitchen and they are typically used for catering businesses and people who own food trucks. In this case, the applicant stated that he needs more space to support his businesses and would like to move his commissary kitchen from Mecklenburg County to this site.

The applicant was not available and there were no comments from the public.

Mr. Hawthorne made a motion to approve the special exception. The motion was seconded by Mr. Collum and was approved by a vote of 4-0 (Brown, Crawford, & Reeves absent).

Mr. Hawthorne presented the findings, noting that it complies with the use specific standards, it is compatible with the character of the area, it would have no adverse impacts on surrounding lands or the environment, roads are adequate serve the use, and it will comply with all other laws and ordinances.

**10. Appeal Z-2021-58: Request by Emad Fahmy for a special exception to establish an Automobile Sales use at 509 N. Anderson Road, which is zoned General Commercial (GC). Tax map number 630-04-01-011.**

Staff member Melody Kearse presented the staff report.

Mr. Williams - asked if this is the same location that was approved for equipment sales earlier this year. Ms. Kearse - yes.

Emad Fahmy, 2078 Durand Road, Fort Mill (applicant), stated that he is moving from his current location two doors down.

There were no comments from the public.

Mr. Collum stated that the proposal is very similar to what's been there before.

Mr. Collum made a motion to approve the request. The motion was seconded by Mr. Williams and was approved by a vote of 4-0 (Brown, Crawford, & Reeves absent).

Mr. Collum presented the findings, noting that the proposed use is consistent with the area and the comprehensive plan, it is compatible with previous use, it will have minimal impact on adjoining property, the roads are adequate to serve the use, and it will not injure neighboring land or property values.

**11. Appeal Z-2021-59: Request by Heather Brockelbank for a special exception to establish a short-term rental use at 420 Hall Street, which is zoned Single-Family Residential-5 (SF-5). Tax map number 598-13-02-027.**

Mr. Sutton noted that this item has been deferred by the applicant and no action is necessary tonight.

**12. Other Business.**

- a. Ms. Kearse asked if the Board would be interested in a workshop for training in January if we can get it approved for continuing education. The board members stated that they would be interested in attending. Ms. Kearse stated that staff will make arrangements to schedule the training.
- b. Mr. Collum asked for an update on the applicant with the treehouse and asked if they will be coming back to the Board. Ms. Marshburn noted that the owner is moving it and putting it on the ground. It may turn out to be something that can be approved by staff.
- c. Mr. Sutton asked if the Dollar General and church on Heckle Blvd near Highland Creek are moving forward. Mr. Hawkins stated that staff hasn't heard anything from either applicant in a while.

**13. Adjourn.**

There being no further business, Mr. Hawthorne made a motion to adjourn. The motion was seconded by Mr. Collum and carried by a vote of 4-0 (Brown, Crawford, & Reeves absent). The meeting adjourned at 7:06 p.m.

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