

A public hearing of the Zoning Board of Appeals was held Tuesday, November 15, 2022, at 6 p.m. in Council Chambers at City Hall, 155 Johnston Street, Rock Hill, SC.

MEMBERS PRESENT: Charlotte Brown, Rodney Cullum, Stacey Reeves, Keith Sutton
Chad Williams

MEMBERS ABSENT: Matt Crawford, James Hawthorne

STAFF PRESENT: Amy Britz, Eric Hawkins, Shana Marshburn, Donna Welch

Legal notices of the public hearing were published in The Herald, Friday, October 28, 2022. Notice was posted on all property considered. Adjacent property owners and tenants were notified in writing.

1. Call to Order

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

2. Approval of Minutes of the October 18, 2022, meeting.

Ms. Reeves made a motion to approve the minutes as submitted. Ms. Brown seconded, and the motion carried by a vote of 5-0 (Crawford, Hawthorne absent).

3. Approval of Orders of the October 18, 2022, meeting.

Mr. Williams made a motion to approve the orders. Ms. Reeves seconded, and the motion carried by a vote of 5-0 (Crawford, Hawthorne absent).

4. Appeal Z-2022-40: Request by Ankit Patel with KHODAL2022 LLC for a reduction of the required separation from residential uses for a liquor store at 2026 Cherry Rd. The property is zoned General Commercial (GC). Tax map number 632-11-01-003.

Amy Britz, Zoning Coordinator, presented the staff report.

Vice-Chair Sutton opened the floor to the applicant. Attorney. Dan Johnson, 310 College Ave., Rock Hill, SC (representing applicant) stated there were several potential tenants, but the owner felt an ABC store would be a good mix for this location. Mr. Johnson is confident this will be a well-run operation and will be watched closely. Mr. Johnson stated all access will be from front of the building, this is a typical use for a retail center and is confident there will be no adverse impact.

Vice-Chair Sutton opened the floor for public comments and there were none.

Mr. Williams made a motion to approve a reduction of the required separation from residential uses for a liquor store at 2026 Cherry Rd. The motion was seconded by Mr. Cullum and was approved by a vote of 5-0 (Crawford, Hawthorne absent).

Mr. Williams presented the findings, specifically noting the proposed use is compatible with adjacent uses and additional buffering is not needed.

5. Appeal Z-2022-41: Request by Sheldon Brown for a special exception to establish an indoor recreation facility greater than 3,000 square feet at 5025 Old York Rd. The property is zoned Industry Business (IB). Tax map number 542-07-01-022.

Shana Marshburn, Planner II, presented the staff report.

Mr. Sutton asked if there is a reason the space is zoned Industry Business and everything around it is zoned differently. Ms. Marshburn stated the property was annexed into the City, whereas IB

was the most appropriate zoning district to allow the former use of a machine shop

The Board expressed concerns for the special exception being subject to the condition that the applicant make any off-site improvements resulting from the SCDOT-required turning movement counts. Ms. Marshburn stated once traffic counts are done, the information will be given to staff and SCDOT who will determine if a two-way left turn lane will be required. She added that if required it will be the responsibility of the developer. Mr. Hawkins stated if needed, it could be a matter of restriping.

Mr. Cullum asked if 22 parking spaces would be sufficient when summer camps are occurring. Ms. Reeves stated it is not typical for parents to stay. Ms. Marshburn stated there is room to add more parking spaces if needed.

Vice-Chair Sutton opened the floor to the applicant. Mr. Sheldon Brown, 2702 Windswept Cove, York, SC stated that this facility, which will be similar to K3 Sports 7 Milltown Baseball, has the ability to reach a lot of children from all around the area and feels this facility will be very beneficial to the area. Mr. Brown expressed concerns about the possibility of being responsible for the two-way left turn lane. Mr. Williams stated that Mr. Brown would be responsible for payment if SCDOT determines the improvement is required.

Vice-Chair Sutton opened the floor for public comments and there were none.

Ms. Reeves stated she is definitely in favor of this facility and has seen a lot of positive impact from these types of facilities.

Mr. Cullum made a motion to approve a special exception for an indoor recreation facility greater than 3,000 square feet at 5025 Old York Rd with the condition the applicant must make any off-site improvements resulting from the SCDOT required turning movement counts. The motion was seconded by Ms. Brown and was approved by a vote of 5-0 (Crawford, Hawthorne absent).

Mr. Cullum presented the findings, specifically noting compatibility with the location, minimal adverse and environmental impact.

6. Other Business

- 2023 Board Calendar Approval

Ms. Britz presented the 2023 calendar with noted change of the November 21, 2023 meeting being moved to November 14, 2023.

- Continuing Education

Ms. Britz stated the Transportation presentation will take place on Thursday, November 17th, from 4:00 – 5:30 p.m. and will be held in Council Chambers at City Hall. Ms. Britz also stated that the 1.5-hour session, Crime Prevention Through Environmental Design (CPTED), for Continuing Education hours will be held on December 12th and will be held in Room 373 at City Hall.

- Holiday Dinner

It was agreed upon that the holiday dinner will be held on December 7th, beginning at 6:00 p.m. at the Old Town Kitchen & Cocktails.

- Mr. Williams announced that he will be resigning from the Zoning Board of Appeals as he has been appointed to the Pennies for Progress committee. Mr. Williams is planning to resign after the December ZBA meeting. Mr. Hawkins stated Mr. Williams will need to

submit a written resignation letter.

- Ms. Brown asked about the rental property registrations program. Mr. Hawkins stated Neighborhood Services will be managing this program and suggested board members reach out to Melanie Brandon at Neighborhood Services.

7. Adjourn.

There being no further business, Mr. Cullum made a motion to adjourn the meeting. The motion was seconded by Ms. Reeves and was approved by a vote of 5-0 (Crawford, Hawthorne absent).

The meeting adjourned at 7:00 p.m.