

A public hearing of the Zoning Board of Appeals was held Tuesday, June 18, at 6 p.m. in Council Chambers at City Hall, 155 Johnston Street, Rock Hill SC.

**MEMBERS PRESENT:** Charlotte Brown, Barry Chitwood, Matt Crawford, James Hawthorne, and Nathaniel Robinson

**MEMBERS ABSENT:** None, two vacant positions.

**STAFF PRESENT:** Amy Britz, Telly Shinas, Terese Green-Thomas

Legal notices of the public hearing were published in *The Herald* on Friday, June 14th, 2024. Notice was posted on all property considered. Adjacent property owners and tenants were notified in writing.

**1. Call to Order**

Chair Crawford called the meeting to order at 6:00 p.m.

**2. Recite the Pledge of Allegiance.**

**3. Approval of Minutes of the May 21, 2024, meeting.**

Mr. Hawthorne made a motion to approve the minutes as submitted. Ms. Brown seconded, and the motion carried by a vote of 5-0 (none absent).

**4. Approval of Orders of the May 21, 2024, meeting.**

Ms. Brown made a motion to approve the orders as submitted. Mr. Hawthorne seconded, and the motion carried by a vote of 5-0 (none absent).

**5. Public Hearing Items**

**a) Appeal Z-2024-12: Request by Rock Hill School District #3 (Brian Vaughan) for a special exception for elementary school use at 1036 Ogden Road. The property is zoned Single Family Residential-3 (SF-3). Tax map number 599-04-01-001 and 599-04-03-001.**

Mrs. Britz presented the staff report.

Mr. Chitwood asked to see the previous slide with the site plan.

Chair Crawford asked if the school is moving away from the residential areas.

Ms. Britz confirmed.

Chair Crawford asked if the play areas remain.

Ms. Britz stated the three patches on the plans will be used for play areas during construction until the new buildings are in use and the old buildings are torn down for a new play area.

Mr. Hawthorne asked if the three patched play areas will remain.

Ms. Britz confirmed.

Chair Crawford asked if there were any concerns for traffic during construction.

Ms. Britz stated there were no phased plans for traffic at this time, but it could be a result from the TIA.

Chair Crawford opened the floor to the applicant.

Mr. Brian Vaughan, Assistant Superintendent of Operations, of 1818 Meadowbrook Drive stated they were aiming for August 2026 to open the new building. Mr. Vaughan noted the building up front was updated in 2015 and will be saved and utilized for staff.

Chair Crawford asked if that was the admin part.

Mr. Vaughan confirmed. Mr. Vaughan mentioned the new park across the street with options for exercising and gatherings.

Chair Crawford asked if he was referring to the city's new regional park.

Mr. Vaughan confirmed.

Mr. Hawthorne asked if new utility lines will be added for the new building or just extending the current lines.

Mr. Vaughan confirmed they will be new lines to support the capacity.

Chair Crawford opened the floor for public comment.

Mr. Jerry Holt, 3207 Kendall Trace in Indian Land, S.C., an American Legion Club representative asked what the legal ramification to their current and future liquor license being so close to the school.

Ms. Britz assured Mr. Holt the state law required a distance of 300 feet from vehicular or pedestrian route door to door and there is 699 feet distance from the American Legion Club to Friedheim Road.

Mr. Holt stated that addressed their concerns.

Chair Crawford called Otto Scott who said Mr. Holt spoke for him.

Chari Crawford called James Smith who said he had no concerns.

Ms. Sarah Morrison, resident of 556 Friedheim Road, SC 29730. Ms. Morrison asked about the administrative building.

Chair Crawford explained Mr. Vaughn stated it was updated a few years ago and would be used for administrative offices.

Ms. Morrison asked about the play area being moved.

Ms. Britz explained the current area location would become the extended on-site drop off route and the play area would move to the old building location.

Ms. Morrison asked if the cars would be backed up on the street.

Ms. Britz stated the intent was to not have them on the street and bring the line on to the school grounds.

Ms. Morrison asked if they would be able to get to their homes during construction.

Mr. Vaughan stated the school board and contractors would monitor the traffic and noise impact.

Ms. Morrison accepted this and thanked Mr. Vaughan.

Chair Crawford asked if traffic control would be submitted with plans.

Mr. Vaughan confirmed.

Chair Crawford close the public hearing portion of the meeting and moved to the board

for discussion.

Chair Crawford noted they are asking for a special exception and meet all the findings.

Mr. Hawthorne made a motion for approval, Mr. Chitwood second the motion.

Chair Crawford stated it was the same use and will provide upgrades and improvements.

The motion was approved by a vote of five, no members were absent.

Mr. Hawthorne read through the findings, particularly noting the proposed use is compatible with surrounding uses and there was no public opposition at public hearing.

c) **Appeal Z-2024-14: Request by April Adair for a special exception for crematory use and a separation reduction to residential at 1202 Constitution Boulevard, Suite 101. The property is zoned Industry General (IG) and Single Family Residential-5 (SF-5). Tax map number 596-04-01-007.**

Mr. Shinas presented the staff report.

Mr. Hawthorne asked if the city required the applicant to make no modifications to the exterior of the building.

Mr. Shinas stated it's an existing building and it was not required. The applicant did not propose changes to the exterior.

Mr. Hawthorne stated if they added windows, it might soften the look of the building. He didn't know if the applicant wanted to pursue any exterior updates.

Mr. Shinas stated the applicant was in attendance and could speak to exterior plans. His understanding was the applicant was working on more interior modifications, though the applicant could clarify.

Mr. Robinson asked if there will be any issues with the affluent into the city system.

Mr. Shinas was not aware of any.

Mr. Hawthorne asked if the affluent would be required to have pretreatment before going into the sewer system.

Chair Crawford asked if the request was approved, the applicant could operate indefinitely at this location.

Mr. Shinas clarified if the applicant moved location, what definition would the use fall under would be the question. Staff is reviewing possible code changes, though no set date.

Chair Crawford asked about the conditions in the staff report were four and the presentation only had three.

Ms. Britz clarified two were combined into one.

Chair Crawford asked where the closest residential use located.

Mr. Shinas stated the townhome use is the closest. There is recreational use across Constitution.

Chair Crawford opened the to the applicant.

Ms. April Adair of 105 E. White St. went through the conditions. She agreed with the location to only be used for aquamation for domestic pets. She agreed no more than two machines would be used, currently there is only one. She agreed to obtain permits needed. She noted her business is generally compatible with the businesses at this location. The other aquamation businesses across North America are not restricted to this same industrial zone. She did not want to wait months while text amendments were updated for this use.

Board had questions about the buffer within the warehouse development. Mr. Robinson asked who was and approximately where was the nearest residential neighbor(s)? Mr. Shinas replied that there was a car dealership to the right of property and that Boyd Hill Recreation Center was the closest neighbor across the street; accounting for the four lanes on Constitution Blvd.

Mr. Hawthorne asked about wastewater and sewer disposal, would there be need for pre-treatment.

Ms. Adair replied they were the few that could take it to local farmers, unlike other owners across the U.S. The CO2 tank brings the potassium down to the correct levels. Mr. Hawthorne asked about future plans to update the exterior to soften the look like other examples provided.

Ms. Adair stated she needs to move into the facility. She is not sure a window would provide privacy for clients. It may be a possibility in the future if they don't move to another location.

Chair Crawford opened the floor for public comment.

Mr. Essie Maghsoud of 2181 Olde Creek Rd., Rock Hill stated he owned some of the townhomes across Constitution and had no opposition. He stated they discussed commercial locations last year and feel this location suits the business.

Chair Crawford close the public hearing portion of the meeting and moved to the board for discussion.

Ms. Brown asked if she wanted another location, would she have to come back to the board.

Chair Crawford clarified the request is just for the use at this location. He stated it seemed to fit this location as not an intense use.

Mr. Robinson stated it would be the first business of its kind.

Mr. Hawthorne noted the special exception allows her to operate her business and he looks forward to the updated ordinance for future businesses like this.

Chair Crawford stated the separation though close to residential uses, it would not be visible from those locations. Chair Crawford reminded the board the request is for the special exception and separation. He asked staff to bring up the three requirements for conditions.

Mr. Hawthorne made a motion to conditionally approve a special exception for crematory use and a separation reduction to residential at 1202 Constitution Boulevard, Suite 101 with the following conditions: 1. Only water based aquamation

for domestic pet cremation and not a crematory for deceased humans nor fire based.; 2. The equipment to perform the alkaline hydrolysis process is limited to two units.; 3. The applicant is responsible for complying and obtaining required permits with all other relevant local, state and federal laws and ordinances, and regulations. The motion was seconded by Ms. Brown and was approved by a vote of 5-0 (none absent).

Mr. Hawthorne presented the findings, noting for the special exception it complies with the use specific standard of separation to residential uses; the use is compatible with surrounding lands; design minimizes adverse impacts to adjacent lands; it minimizes environmental impacts; there's adequate road capacity; it will not injure use of neighboring land; it will not reduce property values; it complies with all laws and ordinances.

**6. Other Business.**

- a. Introduction of Telly Shinas, Zoning Manager.
- b. Continuing education options.

**7. Adjourn.**

There being no further business, Mr. Hawthorne made a motion to adjourn. The motion was seconded by Ms. Brown and approved by a vote of 5-0 (none absent). The meeting adjourned at 7:07 p.m.