

# Zoning Board of Appeals

City of Rock Hill, South Carolina

February 19, 2019

A public hearing of the Zoning Board of Appeals was held on Tuesday, February 19, 2019, at 6 p.m. in Council Chambers at City Hall, 155 Johnston Street, Rock Hill, South Carolina.

**MEMBERS PRESENT:** Matt Crawford, Keith Sutton, Michael Smith, Stacy Reeves, John Antrim, Randy Sturgis

**MEMBERS ABSENT:** Rodney Cullum

**STAFF PRESENT:** Melody Kearse, Shana Marshburn, Leah Youngblood, Janice Miller

Legal notice of the public hearing was published in *The Herald*, Saturday, February 2, 2019. Notice was posted on all property considered. Adjacent property owners and tenants were notified in writing.

## 1. Call to Order

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

## 2. Approval of minutes of the January 15, 2019, meeting.

Mr. Antrim presented the motion to approve the minutes as submitted. Mr. Sutton seconded, and the motion carried unanimously by a vote of 6-0 (Cullum absent).

## 3. Approval of Orders from January 15, 2019, meeting.

Mr. Antrim made a motion to approve the orders as distributed. Mr. Sutton seconded the motion, and the minutes were approved unanimously by a vote of 6-0 (Cullum absent).

4. Mr. Crawford announced that Appeal Z-2019-06 by Mr. Sanjay Vyas of Yuppy Puppy had been withdrawn and would not need consideration by the Board.

## 5. Appeal Z-2019-07: Request by Renaldo Hemphill of Fresh Blades for a special exception to establish a barber shop and salon, Personal Services Establishment Type A, use to be located at 914 W. Main Street, zoned Industry General (IG). Tax map number 598-05-03-003.

Staff member Melody Kearse presented the staff report.

Mr. Antrim asked whether the use would occupy the entire building. Ms. Kearse stated that it would.

Mr. Sutton asked about the previous use of the building. Ms. Kearse stated that it had been a car audio equipment installation shop.

Mr. Renaldo Hemphill, 254 Bowser Street, applicant, was available to answer questions.

No one from the public spoke. There being no further questions or comments, Mr. Crawford closed the floor for Board discussion.

Mr. Sturgis made a motion to approve the special exception for a barber shop and salon use as presented by staff. Mr. Sutton seconded, and the motion carried unanimously by a vote of 6-0 (Cullum absent).

Mr. Sturgis presented the findings, specifically noting that the use would comply with the use-specific standards, that there was no issue with the location, that the use was compatible with the surrounding uses, that there were no issues with the roads, and that the use would not adversely impact the surrounding uses.

**6. Appeal Z-2019-08: Request by Bill Weeks of McCutchen Engineering Associates, PC, on behalf of Verizon, for a special exception to collocate an antenna onto an existing utility tower and to increase the degree of nonconformity for the tower. The tower is located at 1010 Bayshore Drive, which is zoned Single-Family Residential-3 (SF-3) in the City of Rock Hill, and at Tax Parcel Number 633-00-00-007, which is zoned Business Development District-III (BD-III) in York County.**

Staff member Shana Marshburn presented the staff report

Mr. Sutton asked for confirmation that the current tower was 100-foot tall. Ms. Marshburn stated that this was correct, and that the request was to add an additional 15 feet.

Mr. David McCutchen, 898 W Saint John Street, Spartanburg, applicant, was available to answer questions. He stated that while it was more expensive to do so, using existing towers was desirable. He added that the additional antenna would increase the E911 services in the area.

There being no further questions or comments, Mr. Crawford closed the floor for Board discussion.

Mr. Sturgis made a motion to approve the special exception to collocate an antenna onto an existing utility tower and to increase the degree of nonconformity for the tower by 15 feet as presented by staff. Mr. Sutton seconded, and the motion carried unanimously by a vote of 6-0 (Cullum absent).

Mr. Sturgis presented the findings, specifically noting that the request involved the use of an existing tower, that there would be no impact to the surrounding area, that the antenna would blend in with the surrounding area, and that there would be no injury to neighboring lands.

**7. Appeal Z-2019-09: Request by Garrett McMullen on behalf of Mary Henderson for a variance from the side yard setbacks for the property located at 239 Bowser Street, zoned Single-Family Residential-3 (SF-3). Tax map number 600-19-04-005.**

Ms. Marshburn presented the staff report.

Mr. Sutton asked whether the neighbor expressing concern was located to the left or right of the property. Ms. Marshburn stated that this individual did not indicate where they lived.

Mr. Antrim asked what the front setback requirement was when the residences were built. Ms. Marshburn stated that it was not known what the required setbacks were when the property was built, but that residences were typically built with a consistent front setback line.

Mr. Garrett McMullen, 1815 Farrow Drive, applicant, was available to answer questions. He stated that the front of the property was setback approximately 30 feet.

Mr. Sutton observed that the house was essentially in line with all the others along that same block. Mr. McMullen stated that it was.

Mr. Antrim asked whether the shed shown in the rear yard was to remain. Mr. McMullen stated that it would be removed. He added that services to the house would be upgraded and noted that neighbors to both sides of Ms. Henderson were present in support of the request.

Mr. Crawford asked about the need for an expansion. Mr. McMullen stated that this project had been in the planning stages for three years, and that he had just become involved in the past several months. He noted that the addition would be comprised of two master suites and a kitchen expansion. He stated that the addition would have two bedrooms, and the house currently had three. He added that changing the plans to meet the required setbacks would impact the flow of the kitchen design.

Mr. Crawford asked Mr. McMullen how the owner would be deprived of the use of the property because the addition could be built smaller. Mr. McMullen stated that the addition would be located at the rear of the property, there would be limited street visibility of the addition, and it would not encroach on the adjacent neighbors. He added the addition would upgrade the property, which would be a benefit to the overall neighborhood.

There were no further questions or comments. Mr. Crawford closed the floor for Board discussion, which centered on whether the addition would be detrimental to the neighborhood.

Mr. Sutton made a motion to approve the variance for a reduction in side yard setbacks as presented. Mrs. Reeves seconded, and the motion carried unanimously by a vote of 6-0 (Cullum absent).

Mr. Sutton presented the findings, specifically noting that the triangular shape of the lot created the need for the variance request, that the strict application of the ordinance would deprive the owner of the use of the property, that the variance being requested was small in nature, and the addition would add value to the property and the neighborhood.

## **8. Other Business**

There was no other business to be considered by the Board.

## **10. Adjourn.**

There being no other business, the meeting adjourned at 6:46 p.m.