

# Zoning Board of Appeals

City of Rock Hill, South Carolina

June 18, 2019

A public hearing of the Zoning Board of Appeals was held on Tuesday, June 18, 2019, at 6 p.m. in Council Chambers at City Hall, 155 Johnston Street, Rock Hill, South Carolina.

**MEMBERS PRESENT:** Rodney Cullum, Matt Crawford, Keith Sutton, Michael Smith, John Antrim

**MEMBERS ABSENT:** Stacy Reeves and Randy Sturgis

**STAFF PRESENT:** Melody Kearse, Shana Marshburn, Dennis Fields

Legal notice of the public hearing was published in *The Herald*, Saturday, March 30, 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 April 16, 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 5-0 (Reeves and Sturgis absent).

## 3. Approval of Orders from April 16, 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 5-0 (Reeves and Sturgis absent).

## 4. Appeal Z-2019-13: Request by John H. Worden III of Champion Services for a Special Exception to establish Commercial Truck Sales, Boat Sales, and RV Sales uses at 515, 515 Suite 101, 517 and 521 S. Anderson Rd., zoned General Commercial (GC). Tax map number 628-05-01-006 & -007.

Staff member Melody Kearse presented the staff report. Mrs. Kearse noted that staff had received a phone call from a neighbor requesting more information regarding the request late in the afternoon, but was unable to reach him upon returning his call.

The applicant, James H. Worden, III, of 2017 Gregg Rd., stated that knows the person who had attempted to contact staff, and that the person was concerned about the height of buildings and such. He stated that the person's concerns had been alleviated when he explained the request. He also added that he has been cooperative with addressing code enforcement issues on the property and that he intends to upgrade the property.

With there being no questions for the applicant and no one else signed-up to speak, the Board closed the floor for discussion.

Mr. Sutton made a motion to approve the special exception to establish Commercial Truck Sales, Boat Sales, and RV Sales uses as presented by staff. Mr. Smith seconded, and the motion carried unanimously by a vote of 5-0 (Reeves and Sturgis absent).

Mr. Sutton presented the findings, specifically noting that the use would comply with the use-specific standards, the use was compatible with the surrounding uses and would not harm neighboring property values, the roads were adequate, a site plan is not needed as the site is

already established, and the use would not adversely impact the surrounding uses.

**5. Appeal Z-2019-14: Request by Dr. Steven Kadiev for a modification to an existing special exception for a general manufacturing use to include a permanent outdoor generator at 724 W. Main St., zoned Industry Business (IB). Tax map numbers 598-10-03-001.**

Staff member Dennis Fields presented the staff report.

Mr. Smith inquired as to how often the generator would run. Mr. Fields replied stating that the generator would not run every day but only during testing. He added that the applicant was present to explain.

Mr. Sutton asked what the applicant would need to do in order to make the generator permanent, such as adding bracing or concrete.

Mr. Fields stated that there were no building code requirements to make the generator permanent and that it would remain as it sits.

The applicant, Dr. Steven Kadiev, 3421 Walston Lane, stated that the generator generally operates no more than three times per week for six to eight hours each time. He added that it is used for internal testing and that the noise levels did not exceed the amount set forth by the City. He went on to explain the purpose of the generator and that he would continue to mitigate the sound.

Chad Simpson, 1324 E. Black Street, stated that he was the applicant's landlord, that Mr. Kadiev is a great tenant, and that he believes that the Board should approve the request and allow him to continue.

With there being no questions for the applicant and no one else signed-up to speak, the Board closed the floor and began discussion.

Mr. Antrim stated that everything would remain the same as today except that the generator would now be permanent. Kevin Sutton agreed and added that he did not see any issue with that.

Mr. Crawford made a motion to approve the modification to the existing special exception for a general manufacturing use to have a permanent outdoor generator as presented by staff. Mr. Sutton seconded, and the motion carried unanimously by a vote of 5-0 (Reeves and Sturgis absent).

Mr. Crawford presented the findings, specifically noting that the use would comply with the use-specific standards, is compatible with the surrounding uses, would not harm neighboring property values, the roads were adequate, a site plan is not needed as the site is already established, the design would not adversely impact the surrounding uses or the environment, and that the use complies with all other laws and Ordinances.

**6. Other Business**

a. Continuing Education.

The Board received information about continuing education opportunities in its packets.

**7. Adjourn.**

There being no other business, Mr. Sutton made a motion to adjourn. Mr. Cullum seconded and the meeting adjourned at 6:30 p.m.