

A public hearing of the Zoning Board of Appeals was held Tuesday, July 18, 2023, at 6 P.M. in Council Chambers at City Hall, 155 Johnston Street, Rock Hill SC.

MEMBERS PRESENT: Charlotte Brown, Matt Crawford, Rodney Cullum, Stacey Reeves, Nathaniel Robinson, Barry Chitwood

MEMBERS ABSENT: James Hawthorne

STAFF PRESENT: Eric Hawkins, Amy Britz, Diana Fragomeni, Ryan Hammond

Legal notices of the public hearing were published in *The Herald* on Friday, June 30, 2023. 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. Approval of Minutes of the June 20, 2023, meeting.

Ms. Reeves made a motion to approve the minutes as submitted. Mr. Cullum seconded, and the motion carried by a vote of 6-0 (Hawthorne absent).

3. Approval of Orders of the June 20, 2023, meeting.

Ms. Reeves made a motion to approve the orders as submitted. Mr. Robinson seconded, and the motion carried by a vote of 6-0 (Hawthorne absent).

4. Appeal Z-2023-20. Request by Luther Douglas with Tru, LLC for a special exception for a residential infill use at 1129 Cherokee Avenue. The property is zoned Multi-Family 15 (MF-15). Tax map number 631-12-02-016.

Ryan Hammond, Planner I, presented the staff report.

Mr. Cullum asked what type of fencing would be used to be consistent. Mr. Hammond stated the fencing required with this use is a privacy fence. Mr. Cullum asked what type of material could be used. Mr. Hammond stated either wood or vinyl fencing.

Mr. Crawford asked if a variance is needed due to the setbacks not being met. Mr. Hawkins stated since this is a residential infill use, it must be consistent with the other properties in the area to a sufficient degree. This use does not have a specific setback requirement. If the board views that overall, this location is consistent with the area, no variance is required for the setback.

Mr. Crawford asked if there will be fire separation issues. Mr. Hammond stated there would be building code issues which would have to be addressed. There would be building code requirements for fire stopping that would have to be done.

Mr. Crawford asked if there had been any thought to turn the home perpendicular. Mr. Hammond stated the preference would be the home face the street like the other homes in the area.

Mr. Robinson asked if the irregularity with elevation of the lot would influence the orientation of the building. Mr. Hammond stated there was a structure at this location previously and they should be able to work with the grading.

Chair Crawford opened the floor to the applicant. Luther Douglas, 8407 Rolling Fields Road, Charlotte, NC stated his parents lived on this lot as a duplex, and he bought the lot from his

parents to build a new duplex and keep this property in the family. Mr. Douglas noted Staff had recommended house face the street.

Chair Crawford opened the floor for public comment and there was none.

Mr. Cullum made a motion to approve a special exception for a residential infill use at 1129 Cherokee Avenue. The motion was seconded by Ms. Brown and was approved by a vote of 6-0 (Hawthorne absent).

Mr. Cullum presented the findings, noting it complies with the specific standards of the neighborhood, it is compatible, no adverse effects to the neighborhood, no environmental impacts, no issues with the roadway, it will not injure property value or neighboring land, and site plans have been shared.

5. Appeal Z-2023-21. Request by Kathryn Eiff for a special exception for elementary school use at 2132 Ebenezer Rd. The property is zoned Single Family Residential-3 (SF-3). Tax map number 593-01-03-001.

Amy Britz, Zoning Coordinator, presented the staff report.

Mr. Cullum asked when a building is registered as a Historic building, are there special codes or protections. Ms. Britz stated this building has an updated the interior, yet the building would need to be ADA compliant based on the building inspector's review.

Chair Crawford opened the floor to the applicant. Kathryn Eiff, 2132 Ebenezer Road, stated she is glad there is another church willing to partner with the program and this time, she hired an engineer and architectural designer to make sure there would be no issues with the location or unforeseen expenses.

Ms. Brown asked if this is what happened with the previous location at Sylvia Circle and why she did not proceed with this location. Ms. Eiff said yes.

Ms. Brown asked what curriculum the school would be teaching the 12 students. Ms. Eiff stated the curriculum is called Simply Classical which can support a student with learning through the age of 21 and this program is for children with intellectual and developmental disabilities.

Mr. Cullum asked what the plans are for the future. Ms. Eiff stated Simply Providence is an extension of Providence Classical School and the goal is to be combined on one campus. Mr. Cullum asked if this was a pilot location. Ms. Eiff stated she is not sure how long they will be at this location.

Chair Crawford opened the floor for public comment and there was none.

Ms. Brown made a motion to approve a special exception for elementary school use at 2132 Ebenezer Rd. The motion was seconded by Ms. Reeves and was approved by a vote of 6-0 (Hawthorne absent).

Ms. Brown presented the findings, noting it complies with use specific standards, is compatible with the characteristics of the area and the land usage, the design minimizes adverse impact and environmental impact, the roads are adequate for the area, no injury to neighboring land or property values, site plan has been provided and will comply with all relevant laws and ordinances.

6. Appeal Z-2023-22. Request by Mariah Williams for a special exception for a residential infill use at 150 Glenwood Drive. The property is zoned Office and Institutional (OI). Tax map number 594-01-05-007.

Ryan Hammond, Planner I, presented the staff report.

Mr. Crawford asked if there was something to the south of this lot previously approved. Mr. Hawkins stated he was not certain.

Chair Crawford opened the floor to the applicant. Danny Williams spoke on behalf of the applicant and stated that his father deeded the home to Ms. Williams. Mr. Williams was representing his daughter Mariah Williams since she was not able to attend the meeting.

Mr. Cullum asked if adding storage to the area will be an issue. Mr. Williams stated his family will comply with whatever needs to be done. Ms. Williams is working with a local contractor.

Mr. Crawford asked if Ms. Williams would occupy the home or someone else. Mr. Williams stated one of the units would be rented to a tenant and the other unit would be where his other daughter and her husband would live.

Chair Crawford opened the floor for public comment and there was none.

Mr. Cullum asked if the provision of outdoor storage needs to be a condition of approval. Mr. Hawkins said yes it did.

Mr. Cullum asked if the city had a specific idea besides additional space. Mr. Hammond stated it could be either a structure like a storage shed or an attachment to the structure on the back. Ms. Britz stated the use is similar to large apartment units with storage units on the patio to store items. Mr. Hammond stated there is no preference for either because it is up to the applicant.

Mr. Crawford made a motion to approve the special exception for a residential infill use at 150 Glenwood Drive with the condition the applicant work with staff to determine the outdoor storage. The motion was seconded by Mr. Robinson and was approved by a vote of 6-0 (Hawthorne absent).

Mr. Crawford presented the findings, noting it complies with the all the use specific standards, compatible with surrounding uses, minimizes adverse impacts, the design minimizes environmental impacts, it has no traffic impacts, and will not injure neighboring lands or property values, a site plan was submitted and complies with all relevant laws and ordinances.

7. Other Business.

- a. Ms. Britz confirmed that the annual election of Chairman will be at the August meeting.
- b. Ms. Britz explained that future agendas posted to the website will have a link to each case rather than the full packet being posted as one document.

Ms. Britz asked the Board if they want to add the Pledge of Allegiance to the agenda. The Board members indicated that they would like to add the Pledge to the agenda.

- c. Ms. Fragomeni provided information about an online option for continuing education. Ms. Britz noted that staff is also working on preparing some in-person training sessions.

8. Adjourn.

There being no further business, Mr. Chitwood made a motion to adjourn. The motion was seconded by Ms. Reeves and approved by a vote of 6-0 (Hawthorne absent). The meeting adjourned at 6:53 p.m.