

A public hearing of the Zoning Board of Appeals was held Tuesday, August 15, 2023, at 6 p.m. in Council Chambers at City Hall, 155 Johnston Street, Rock Hill SC.

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

MEMBERS ABSENT: Charlotte Brown, James Hawthorne

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

Legal notices of the public hearing were published in *The Herald* on Friday, July 28, 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. Pledge of Allegiance.

3. Approval of Minutes of the July 18, 2023, meeting.

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

4. Approval of Orders of the July 18, 2023, meeting.

Mr. Robinson made a motion to approve the orders as submitted. Mr. Cullum seconded, and the motion carried by a vote of 5-0 (Brown and Hawthorne absent).

Mr. Cullum made a motion to revise the order of the cases being presented and have case Z-2023-23 presented first and then Z-2023-15 presented next. Ms. Reeves seconded, and the motion carried by a vote of 5-0 (Brown and Hawthorne absent).

5. Appeal Z-2023-15: Request by Emily Parrish with Children's Attention Home for a special exception for a type A group home use and variances for minimum lot area, width, buffer, and setbacks at 322 & 328 Kuykendal St. The property is zoned Office and Institutional (OI). Tax map numbers 629-22-07-003 and 629-22-07-004.

Shana Marshburn, Planner II, presented the staff report.

Mr. Cullum asked if the buildings could be redesigned to reduce the need for variances. Ms. Marshburn stated the only other alternative would be to combine the properties and build a single building, although it still wouldn't meet the minimum lot size or width. She further clarified while this would help to better meet the setbacks given it would be a larger lot, this would not satisfy the required minimum lot size nor lot width. She added the only way to meet all of the requirements would be for the applicant to include more property it owns.

Mr. Crawford asked if the houses could be made compatible with the surrounding homes. Ms. Marshburn stated as far as the zoning ordinance goes, there is the option to either make the house compatible with the existing homes in the area or follow the regular design standards. She added because the proposed homes were seen as not being compatible, they would have to follow the regular design standards. She stated in order for the homes to be compatible with others in the neighborhood, they would need to be either one-story or one and a half story, as the homes being two-story was the main issue.

Mr. Crawford asked if the applicant were to redesign the homes, would it change the need for the setback variance. Ms. Marshburn stated if the homes were redesigned to be more compatible, which would include reducing the number of stories, this may cause the need for the homes to get wider, which could in turn interfere with any approved variances to the setbacks. She added if the potential homes were made deeper, this wouldn't be as much of an issue.

Mr. Crawford referred to the police reports provided with the staff report and asked what the calls were pertaining to. Ms. Marshburn stated the items on the list with one asterisk meant more than one police car responded to an incident. Since the Rock Hill Police Department was not present to answer any questions, the applicant could address any further questions.

Mr. Crawford asked if the incidents on the chart about breaking windows or harming oneself happened at neighboring homes or at the facility. Ms. Marshburn stated her understanding was the calls came from the existing facility as the police calls were pulled for the address of the existing facility.

Mr. Crawford asked if the addition of these structures would increase the total number of youths in the facility. Ms. Marshburn stated she would have the applicant address this question, yet her understanding is six of the youth participating in this program already reside at the existing facility and would simply transfer over. Given the applicant's objective would be to have 16 young adults, this would mean 10 of them would be new. She offered the board look to the applicant for further clarification.

Chair Crawford opened the floor to the applicant, Emily Parrish, 4671 Channing Parkway. Ms. Parrish began by stating she has been the Executive Director of the Children's Attention Home for the past 18 years on the current campus and they have been good neighbors and citizens. Ms. Parrish presented information about the Children's Attention Home and explained they have multiple programs and have been caring for youth for over five decades. Ms. Parrish stated there is an opportunity to provide a much-needed service and support to the underserved and underrepresented population in the Rock Hill community. The goal is to build two residential facilities with up to eight youth in each building. The two residential facilities will be designed to be compatible with the existing neighborhood. Ms. Parrish stated there have been questions and concerns about the aesthetics of the homes, yet they have expressed multiple times they are open to suggestions by staff and willing to adopt and change sketch plans to best fit in with the neighborhood. Ms. Parrish stated the purpose of the facilities is to provide 24-hour adult supervision for young adults aged 18 to 21 for preparation for independent adult living and there is not a need for intensive therapeutic support. The program is designed to assist young adults aged 18 to 21 to finish school, obtain a higher level of education or vocational skills, and become contributing members of our society. The residents are screened with background checks, and are volunteering to receive support, assistance, and learn life skills. Ms. Parrish stated most of the neighbors did not even know the Children's Attention Home programs were in the neighborhood and have been at this location for over 20 years. Ms. Parrish addressed the concerns about the police calls and stated the agency has a strong and well-established relationship with the City of Rock Hill Police Department. She stated the calls made to the police department in the past have been by staff at the agency and they rely on the Police Department to assist the Children's Attention Home when necessary. The calls made by staff were for assistance with the youths in the intensive therapeutic program. Ms. Parrish stated at the program would be an asset to the community rather than a detriment to the neighborhood and it is a much-needed program.

Nobody else has these types of services for the 158+ young adults in the community that need them. Ms. Parrish pointed out they have received tremendous support from the community and have received over 27 letters of support from community members, representatives, business owners, and other service providers.

Mr. Robinson asked what criteria was used to qualify a youth to enter the program's services. Ms. Parrish stated there is a background check done and if there are criminal records or pending investigations then the individual does not qualify for the program. If a youth is not willing to work or stay in school, then the individual is not eligible for the program. If there are any recent mental health hospitalizations, then the individual is not eligible for the program. The agency works hard to make sure the individuals are appropriate for the program.

Mr. Cullum asked if the youths are only from Rock Hill or all over the state. Ms. Parrish stated there are multiple programs and they serve children from all over the state. The young adults mostly likely to be part of the 18- to 21-year-old program are from York County or nearby surrounding areas because typically young adults do not want to uproot and move to a new community. Eighty-seven percent of the youth came from York County based on data of another program from the agency.

Mr. Cullum asked if there was a program like this somewhere else in the state this proposal is based on. Ms. Parrish stated there are some but she did not have specific examples. Ms. Parrish stated there have been some young people who declined to stay with the agency longer because the agency could not fulfill their needs because they do not have the 18- to 21-year-old program launched yet. This has caused some York County citizens to go out of county and leave their home base because we don't offer anything like this now.

Ms. Reeves asked how the young adults are supervised. Ms. Parrish stated there is staff always present in the homes. There is a 24-hour rotation with a supervisor always present.

Mr. Crawford asked if there is 24-hour supervision in each building. Ms. Parrish replied yes.

Ms. Reeves asked if a youth makes a poor choice, is the individual given a chance to redeem themselves. Ms. Parrish stated it depends on the circumstance. The goal is individualized care for each young person and to give each person a chance if appropriate; however, if a young person is not appropriate with any of the programs, especially with the 18- to 21-year-old program to be launched, the agency would dismiss the young adult. There have not been a lot of situations like this with the population of 18 to 20, which is a voluntary program. This age group has a plan, and it is the agency's job to help them achieve the plan.

Mr. Crawford asked if someone needs affordable housing, would they apply to this program. Ms. Parrish stated this program is specifically for young people aged 18 to 20 who do not have anywhere to go to, do not have a mom or dad, do not have stable housing, and do not have a security net. A lot of the young people come from the foster system and age out because they turned 18 and may have lived with a relative and it did not work out, so they come to the Children's Attention Home for support.

Mr. Crawford asked if people in existing programs will graduate to the 18- to 21-year-old program or is this program totally independent. Ms. Parrish stated the goal would be both. Youth from the Crossroad program can transition as well as youth from the community.

Mr. Crawford asked if the different services can be explained. Ms. Parrish stated the program is not a housing program; it is a comprehensive program with a forty-hour requirement where

the individual would have to either be in school full-time, working full-time, or a combination of both. This is not an issue with the kids in the Crossroad program because a lot of the kids have multiple jobs. The youth recognize this as an opportunity and work as much as they can to save money while they are with the program. The agency does work on vocational and life skills, interview training, obtaining documentation, and making medical appointments. A lot of the youth are lacking these skills because they were never taught, so the agency teaches these skills. The youth are required to do community service monthly. There also is a savings requirement for the youth, which is forty percent of their earnings or more, depending on their jobs. The agency does not keep this money, yet saves it for them, so the youth feel like they are contributing towards rent, utilities, and groceries. This is teaching the youth the financial management skills to be successful, so when the youth leave the program, they have a nest egg and are not automatically in debt once they are on their own and independent.

Discussion followed about the need for the program and the lack of available services for the 18-21 year old age group.

Discussion followed about other programs at the Home serving children with a higher level of needs.

Mr. Cullum asked if it is fair to say the neighbors' concerns is the two new facilities are in close proximity with the existing campus. Ms. Parrish stated the neighbor's feedback was most of them did not even know that the Children's Attention Home was in the neighborhood until having these meetings. Ms. Parrish stated the facilities have been in the neighborhood for 20 years. The calls to the authorities were made by staff for assistance rather than crisis. The agency does not foresee this same behavior in the two new facilities from the older age group.

Chair Crawford opened the floor for public comment.

Kha Stewart, 1520 Carlisle White Road, Chester, SC is the owner of Plato's Closet in Rock Hill, and she is in support of the Children's Attention Home. She employs 36 teenagers, and some have struggles. She spoke of two employees, one who will be homeless in the fall of 2023 with no support, and the other employee experienced trauma from a foster family member. Ms. Stewart stated the Children's Attention Home programs are vital to these children and community.

Donald Liester, 22 Peyton Road, Columbia, SC handed out a form to the board members which was included into the agenda packet. He also handed out photos. Mr. Liester is against this proposal. He stated the neighbors are not comfortable with teens walking around the streets and the Children's Attention Home did not inform the neighborhood of its plans. He stated the youth should pay rent and apply to the Public Housing Authority to get housing.

Tony Hayes, 325 Community Street, is against this proposal and stated the two-story homes are not appropriate or compatible with the neighborhood. He was also concerned about the runaways, the police calls, and how this will impact the value of the neighborhood's homes.

Kimberly Wooldridge, 414 Frayser Street, stated that she is in favor of the program, yet against the special exception request without having support from the community. The community feels disrespected due to not being notified until July 18, 2023. The reason neighbors are against the proposal is due to crime, property value, parking, and traffic.

Alicia Cohen, 1232 Curtis Street, is the Lead Case Manager of Bethel Shelters, spoke in

favor of this proposal.

Alex Greenawalt, 546 South Cherry Road, spoke in favor of the proposal.

Eric Ransone, 289 Lorraine Road, Fort Mill, SC spoke in favor of the proposal.

Mr. Cullum asked if the first time the neighbors were notified about this project was on July 18, 2023. Ms. Parrish stated the agency followed the guidance of the staff and were told notices would go out and signs would be placed, and the agency was not required to have any community meetings or neighborhood notifications. Once the agency was aware there were concerns from the neighbors, the agency scheduled a voluntary neighborhood meeting. Ms. Parrish stated they would have done things differently, yet this was the first time they have been through this process and were going by the staff's recommendations.

Dan Ballou with Morton & Gettys law firm, 417 Windsor Terrace, representing the Children's Attention Home, stated the agency is looking to build homes compatible with the neighborhood.

Mr. Crawford asked staff if this location has been rezoned to OI. Ms. Marshburn stated it has.

Mr. Crawford asked what other uses are permitted outright in the OI district and if some of those are more intense uses. Ms. Marshburn stated while she did not have a list of uses to hand out, most of the uses allowed in the OI zoning district are less likely to locate in this area, which is a single-family neighborhood setting.

Mr. Crawford asked if the notification process can be explained since it is required by the state. Ms. Marshburn stated everyone within 300 feet of the property is notified of the public hearing. She added in preparation for the rezoning hearing, staff asked if the applicant had received any feedback at which the applicant stated a few people in the neighborhood stopped by and asked questions during the demolition of house that once sat on one of the subject properties. Ms. Marshburn further explained once the applicant agreed to have the neighborhood meeting, the notification process was broadened to nearly 500 feet so more neighbors could be notified and attend the neighborhood meeting. The notification process for tonight's ZBA meeting was the typical 300-foot notification process. Signs were posted on the property and an ad was posted in the local newspaper.

Mr. Cullum asked if there was an HOA for this location. Mr. Liester stated from the audience there was no HOA. Ms. Marshburn stated while there is no HOA, some areas nearby were a part of a neighborhood association, although this location wasn't.

The Board discussed the issues raised and the findings necessary for the special exception and variance requests.

Mr. Crawford made a motion to approve the special exception to establish a type A group home use and to approve the variances for minimum lot size, lot width, buffer, and setback standards with the conditions that the applicant work with staff on a design more compatible with others in the neighborhood and they keep the neighborhood informed and receive feedback, but not necessarily binding feedback. Also, if approved, this approval would be specific to this application and applicant. The motion was seconded by Mr. Robinson.

Mr. Crawford stated the biggest finding is compatibility with the neighborhood and he believes it can be addressed with a redesign to make it more compatible. This has been in the neighborhood for twenty years and the residents this would serve are different than the ones

there now. The proposal wouldn't be any more impactful as long as the design is compatible with other houses in the neighborhood.

Ms. Marshburn wanted clarification on the neighborhood input. Mr. Crawford stated the neighbors who have had direct correspondence with staff should be given opportunity to have some input, but not authority to change it. Staff would still have ultimate authority on approval and it could be appealed to the Board if necessary.

Mr. Crawford called for the vote and the motion was approved by a vote of 5-0 (Brown and Hawthorne absent).

Mr. Crawford presented the findings for the special exception, noting the use meets the use specific standards; the redesigned structures more consistent with existing homes will make them compatible; it has been there for twenty years and the use isn't really changing; the design minimizes adverse impacts due to the redesigned homes; the design minimizes environmental impacts and will be reviewed by staff to make sure it meets all environmental laws; there are no traffic issues as the road is DOT-maintained and should be adequate; it will not injure neighboring land or property values as the use has been there for twenty years; and the site plan shows it complies with all ordinances and laws. Mr. Crawford then presented the findings for the variances, noting the extraordinary and exceptional condition is the different use in the neighborhood so they don't quite fit in to those standards; the uniqueness is it is the only one in the neighborhood; strict application of the ordinance would deprive the use if the variances are not granted; and granting of the variances will not be detrimental to surrounding property.

6. Appeal Z-2023-23: Request by Randy Graham with JRM3 Properties, LLC for a special exception for a residential infill use at 415 Charlotte Avenue. The property is zoned Neighborhood Office (NO). Tax map number 629-06-07-004

Ryan Hammond, Planner I, presented the staff report.

Mr. Crawford asked for clarification on where the privacy fence would be placed. Mr. Hammond stated the fence would be placed perpendicular from the rear of each unit. Mr. Crawford asked if this was to separate the outdoor spaces. Mr. Hammond stated the fences would separate the outdoor spaces and provide screening for the HVAC units from Charlotte Avenue.

Chair Crawford opened the floor to the applicant. Randy Graham, 316 Guilford Road, stated this location was an office building for about 40 years, and originally was designed and built as 3 one-bedroom apartments after World War II for Veterans returning to Rock Hill from the War. Mr. Graham is looking to keep the concept to 3 one-bedroom and one-bathroom apartments especially since there is a need for this in the Rock Hill area. Mr. Graham stated he has spoken with the adjacent neighbors, and everyone is in favor of this project. Mr. Graham plans to make improvements to the exterior of the building.

Mr. Cullum asked if Mr. Graham is okay with the city's request to have the HVAC units fenced in. Mr. Graham stated his agreement.

Chair Crawford opened the floor for public comment.

Leland Greeley, 620 Aiken Avenue, stated he is not opposed to the project, yet would prefer not to have a white fence put in the area since he has a fence already along his property.

Mr. Cullum made a motion to approve the special exception for a residential infill use with the

condition that the HVAC units be screened with fencing if needed. The motion was seconded by Ms. Reeves and was approved by a vote of 5-0 (Brown and Hawthorne absent).

Mr. Cullum presented the findings, noting the use meets the specific standards of the neighborhood; the structure would not be out of character for the area; it is compatible with nearby uses; there is no adverse impact from the design; there is no environmental impact; and no impact to neighboring lands or property values.

7. Other Business.

a. Annual election of officers

Mr. Cullum made a motion to re-elect Mr. Crawford as Chair of the Zoning Board of Appeals. Ms. Reeves seconded, and the motion carried by a vote of 5-0 (Brown and Hawthorne absent).

Mr. Crawford made a motion to elect Mr. Cullum as Vice-Chair of the Zoning Board of Appeals. Ms. Reeves seconded, and the motion carried by a vote of 5-0 (Brown and Hawthorne absent).

8. Adjourn.

There being no further business, Mr. Chitwood made a motion to adjourn. The motion was seconded by Mr. Robinson and approved by a vote of 5-0 (Brown and Hawthorne absent). The meeting adjourned at 8:30 p.m.

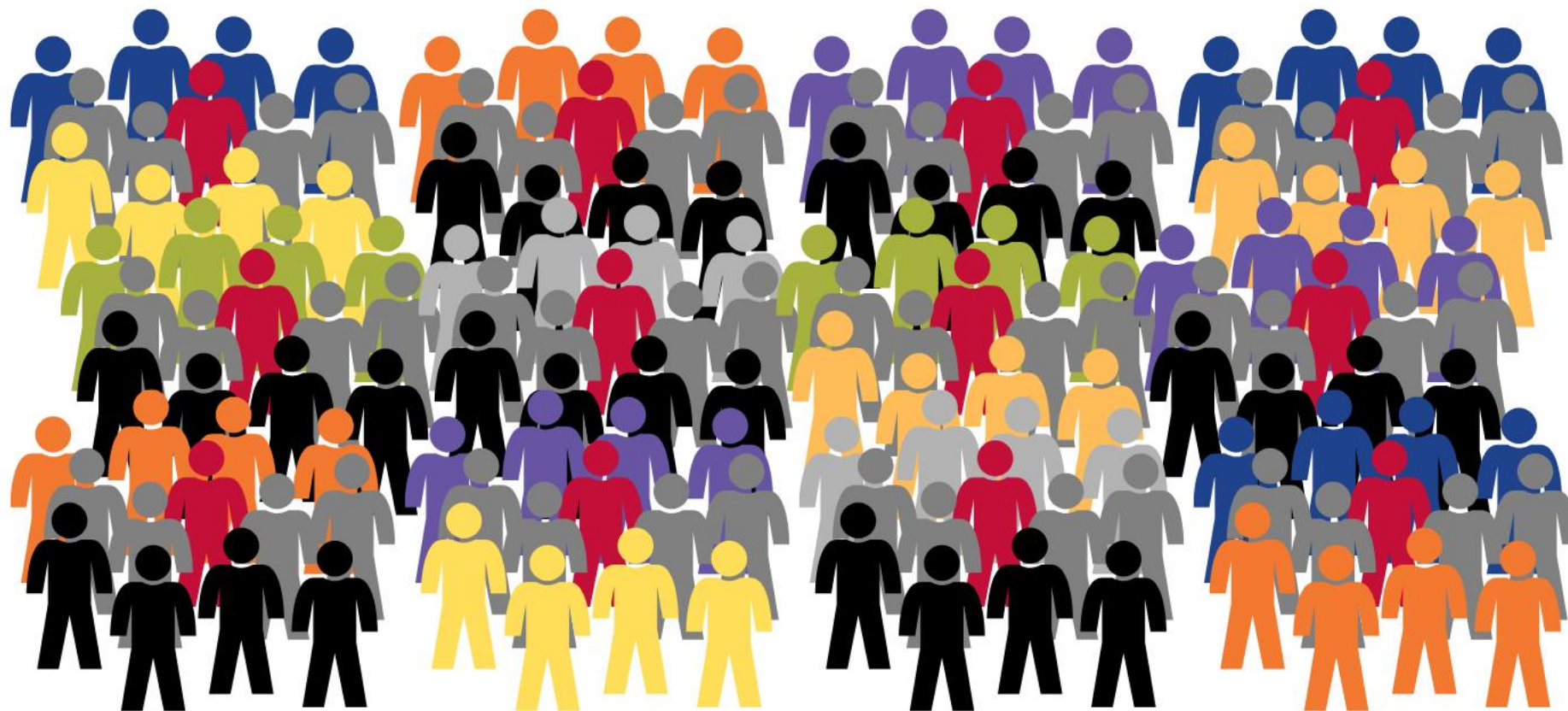


Zoning Board of Appeals Presentation


of young adults 18-24 identified as homeless

(Jan 1, 2022 - Aug 14, 2023)

158





Source: York County Data from HMIS (Homelessness Management Information System- HUD) : January 1, 2022 - August 14, 2023



Stated in the letter from Children's Attention Home to the
community and the City:

"When working with the City of Rock Hill, the Children's Attention Home ("CAH") agreed to the condition that if CAH were no longer the property owners, the zoning would revert to its original designation of Single Family 5 (SF-5), instead of Office and Institution (OI). This condition would ensure the property and any homes built on the property would be available for residential use."






“Some of our neighbors have witnessed accounts of ‘runaways’ and altercations originating from CAH in front of their homes and even on their private property. Some of these incidences have resulted in apprehensions by the Rock Hill Police Department at gunpoint.”


Police Chief Chris Watts’ statement:

“We do not have a record of a 911 call from 319 Community St. In the summer of 2021. ”





"You can't speak for us because you never asked our opinion."

1. City sent postcard notifications to affected neighbors.
 2. City placed visible notices.
 3. Children's Attention Home scheduled and hosted a community meeting.
 4. Children's Attention Home mailed notice to an expanded list.
 5. Children's Attention Home placed signage about the meeting.
- 

"You are not qualified to run the current establishment for teens professionally."

23 letters of support, representing...

Local service providers

Community agencies

State-level provider

State representative

Community members & Rock Hill citizens





“The Children’s Attention Home does not have a positive working relationship with RHPD.”

Police Chief Chris Watts’ statement:
“the Rock Hill Police Department and the Children[’s] Attention Home [h]as a great working relationship.”







“The title ‘Children’s Attention Home’ regarding this project is not about children but about adults 18-20 years old.”

The Interagency Working Group on Youth Programs supports a number of efforts to build the skills and resources of **youth aged 16-24**. Whether they are called "youth in transition," "transition age youth," "youth aging out" or other terms, youth in this age group experience a number of challenges on their path to a successful adulthood.


Source: youth.gov (formerly FindYouthInfo.gov) was created by the Interagency Working Group on Youth Programs (IWGYP), which is composed of representatives from 13 federal departments and 12 federal agencies that support programs and services focusing on youth.





The thought of sixteen 18-20 year olds ‘just added to our neighborhood’ sounds like crime ‘waiting to happen.’

Planning Commission Minutes May 2, 2023 Page 4 of 7:
“Mr. Liester stated that the background of some of these youths is probably undesirable. Mr. Graham responded stating that the Planning Commission would not make that assumption and that this was Mr. Liester’s opinion.”



A map of Rock Hill, South Carolina, with a red pin marking a location. The map shows various landmarks, including Winthrop University, Winthrop Lake, and several businesses. A yellow line highlights a route from the red pin to downtown Rock Hill. The text is overlaid on the map.

“Our neighborhood is not located close to any convenient public transportation, grocery stores, schools or places of employment.”

Walk to bus stop - 7 min

Bike to York Tech - 8 min

Bike to Winthrop - 7 min

Bike to Clinton College - 15 min

Bike to Walmart - 13 min

Bike to Earth Fare - 8 min

Bike to Rock Hill Downtown - 8 min

74 Police Calls since 2021



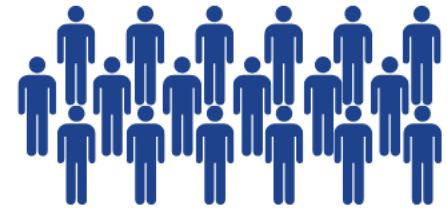
30

Runaways



13

Disorderly conduct



18

Follow-ups, investigations, and assistance to other agencies



7

Self harm/Suicide



4

Drug investigations



7

Juvenile Complaints



of calls for residents that would qualify for proposed program

0

of young adults 18-24 identified as homeless

(Jan 1, 2022 - Aug 14, 2023)

158



Source: York County Data from HMIS (Homelessness Management Information System- HUD) : January 1, 2022 - August 14, 2023



322 Kuykendal
Case Z-2023-15 Photos submitted by Donald Liester on
8-15-2023



View From Edgemont Ave +
Kuykendal St.

Case Z-2023-15 Photos submitted by Donald Liester on 8-15-2023



Edgemont Ave; at end would
be Stephens St. to left.
Note no trespassing sign



Parking lot on Kuykendal
Case Z-2023-15 Photos submitted by Donald Liester on 8-15-2023



Case Z-2023-15 Photos submitted by Donald Liester on 8-15-2023



328 Kuykendal



House next to
328 Ray Kendall
Case Z-2023-15 Photos submitted by
Donald Lister on 8-15-2023