



City of Greenville
Board of Zoning Appeals
Minutes of the April 8th, 2021 Regular Meeting
Virtual Meeting – City Hall 4:00 PM
Meeting Notice Posted on March 24th, 2021
Minutes prepared by Matt Lonnerstater

Members Present: Chris Price (Chair), Seph Wunder (Vice-Chair), Stephanie Gates, Frederick Turner, Ken Betsch

Members Absent: Luis Martinez, Nika White

Staff Present: Kristopher Kurjiaka, Senior Development Planner; Leigh Paoletti, Assistant City Attorney; Jonathan Graham, Planning Director; Courtney Powell, Planning Administrator; Matthew Lonnerstater, Development Planner; Austin Rutherford, Development Planner; Harold Evangelista, Development Planner; Ross Zelenske, Development Planner; Calin Owens, Mobility Coordinator.

NOTICE OF MEETING: Pursuant to Section 30-4-80 of the S.C. Code of Laws, annual notice of this Board's Meetings was provided on January 1, 2020 via the Greenville City Website. The Agenda for this Meeting was posted outside the meeting place (City Council Chambers in City Hall) and was emailed to all persons, organizations, and news media requesting notice. In addition, notice for public hearings was published in the Greenville News, posted on the properties subject of public hearing(s), mailed to all surrounding property owners, and emailed to all persons, organizations, and news media requesting notice pursuant to Section 6-29-760 of the S.C. Code of Laws and Section 19-2.2.9 of the Code of the City of Greenville.

CALL TO ORDER: Chairperson Price called the meeting to order at 4:02 PM.

APPROVAL OF MINUTES: The Board approved the minutes for the February 9th, 2021 Agenda Workshop and February 11th, 2021 Regular Meeting and Public Hearing.

PUBLIC NOTICE AFFIDAVITS: In order

ACCEPTANCE OF AGENDA: The Board approved the April 8th, 2021 agenda as presented.

CONFLICT OF INTEREST: None stated.

NEW BUSINESS:

A. V 21-178

Application by Samuel Hankins & Kiersten Bell for a **VARIANCE** to minimum lot size requirements at **10 and 12 CRYSTAL AVE.** (TM# 021100-01-00801).

Staff report presented by Matthew Lonnerstater

- Note: Full staff report is on file at the Planning Office and at www.greenvillesc.gov/agendacenter
- **Staff Recommendation: Denial**
- Chairman Price asked staff to clarify if the proposed minor subdivision would create a non-conforming side-yard setback. Planner Lonnerstater clarified that a minimum 5 ft. side-yard setback would be required, and appears to be satisfied by the plans.

Applicant presentation:

- Samuel Hankins and Kiersten Bell, applicants, clarified that they intend to purchase the property for investment purposes and do not intend to tear down the existing duplexes.

Public comments:

- No one from the public spoke in favor or against the application.

Board Discussion

***Motion: Seph Wunder made a motion to deny the variance request V 21-178 at 10 & 12 Crystal Avenue based on the findings outlined in the Staff Report, specifically the following findings: there are not extraordinary and exceptional conditions pertaining to the property; the special circumstances are the result of the actions of the applicant; the dimensional standards and measurements of the ordinance would not unreasonably restrict the utilization of the property overall; the variance is not necessary to make possible the reasonable use of the land for single-family residential nor to utilize the existing duplexes on site; the authorization of the variance will result in a substantial detriment to the public good and adjacent property; and the granting of the variance will not be consistent with Sections 19-1.3 of the Land Management Ordinance, specifically 19-1.3.1, 19-1.3.4, 19-1.3.11 and 19-1.3.16.**

Frederick Turner seconded the motion.

The motion was approved by a vote of 5-0.

B. S 21-189

Application by Greenville County and the City of Greenville for a **SPECIAL EXCEPTION** to establish a greenway use for the Swamp Rabbit Trail at **MULTIPLE PARCELS**.

Staff report presented by Matt Lonnerstater

- Note: Full staff report is on file at the Planning Office and at www.greenvillesc.gov/agendacenter
- Planner Lonnerstater clarified that the requested greenway special exception only pertains to the stretch of the southern Swamp Rabbit extension between Cleveland Park and Verdae Blvd. The section between Verdae Blvd. and CU-ICAR (Millenium Blvd.) was approved under case SPEX 18-97.
- **Staff Recommendation: Approval, with the following condition: The use of the property shall substantially conform to the testimony of the applicant and content of the application and shall be limited to a greenway with a multi-use trail.**

Applicant presentation:

- Calin Owens, Mobility Coordinator, was available to answer any questions.

Public comments:

- No one from the public spoke in favor or against the application.

Board Discussion

***Motion: Ken Betsch made a motion to approve special exception request S 21-189 for a greenway use based on the findings outlined in the Staff Report and the testimony of the applicant, with the following condition: The use of the property shall substantially conform to the testimony of the applicant and content of the application and shall be limited to a greenway with a multi-use trail.**

Stephanie Gates seconded the motion.

The motion was approved by a vote of 5-0.

OTHER BUSINESS: None

Meeting adjourned at 4:34 PM