



# MINUTES

## BOARD OF ZONING APPEALS

### REGULAR MEETING

Thursday, July 14, 2022 - 4:00 p.m.  
Greenville Convention Center, 1 Exposition Drive

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**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, 2022 via the Greenville City Website. The Agenda for this Meeting was posted outside the meeting place 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.

A copy of staff reports and recommendations were posted with the meeting agenda.

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**1. Call to Order**

Chairman Chris Price

**2. Welcome and Opening Remarks from the Chair**

Chairman Chris Price

**3. Roll Call**

The following member of the Board of Zoning Appeals were in attendance: Chris Price (Chair), Seph Wunder (Vice Chair), Ken Betsch, Frederick Turner, Lauren Rounsville, Stephanie Gates, and Krish Patel

Absent: None

**4. Approval of Minutes**

**A. June 7, 2022 – Workshop**

Approved as submitted

**B. June 9, 2022 – Regular Meeting**

Approved as submitted

Ken Bestch motioned to accept as written. Stephanie Gates seconded. Motion passed 7-0.

**5. Call for Public Notice Affidavit from Applicants**

Staff reported that all public notice affidavits were received.

**6. Acceptance of Agenda**

The agenda was accepted as distributed to the Board.

Ken Betsch motioned to accept. Stephanie Gates seconded. Motion passed 7-0.

**7. Conflict of Interest Statement**

No conflicts.

**8. OLD BUSINESS**

**A. S 22-265 *Applicant requests deferral to the September 8, 2022 meeting***

Application by James Kearns for a **SPECIAL EXCEPTION** to establish a 'Hotel' (short-term rental) use in a C-2, Local commercial district at **108 E STONE AV** (TM# 003400-02-03700)

**\*Stephanie Gates makes motion to accept deferral. Second by Ken Betsch.**

**The motion passes by a vote of 7-0.**

## 9. NEW BUSINESS

### A. S 22-395

Application by Jayse Brock for a **SPECIAL EXCEPTION** to establish a 'Hotel' (short-term rental) use in an OD, Office and institutional district at **205 PETTIGRU ST** (TM# 004600-03-01500)

*(Presented by Principal Development Planner Kris Kurjiaka)*

#### Applicant Presentation

*Jayse Brock – 205 Pettigru Street, Greenville*

- *Stated that he was the owner and was going to continue living at the property and offered to answer questions.*

#### Public Comments

*Michael Hallman – 16 Williams Street, Greenville*

- *Spoke in opposition to the application. He stated was a neighboring property owner and that it is his belief that the property owner does not live on site as there is a for sale sign on property, which shows as under contract. Additionally, the for sale listing states that the property has been used as an Airbnb, which would mean it is not in compliance. He believed that this change would not maintain the historic neighborhood integrity.*
- *The Board asks if there was a community group for the neighborhood.*
  - *Mr. Hallman responded that he hopes to start one. He explained that he sees a trend of people moving back to the community, but if the houses are all rented as Airbnbs there would be nothing to move back into.*

*Lori Donaldson – 302 Pettigru Street, Greenville*

- *Spoke in opposition to the application. She asked the Board what would stop the short-term rental from applying to the whole house of five bedrooms with no one living on property and what would the recourse be if this is rented outside the scope of this exception?*

#### Applicant Rebuttal

*Jayse Brock – 205 Pettigru Street, Greenville*

- *Clarified that he does have the house listed for sale and this special exception permit is only for the garage apartment unit and not the house. He and his family simply want to rent the garage apartment for additional income until they build a new house and move.*

#### Board Discussion

**\*Motion: Stephanie Gates moved to approve the special exception request S 22-395 with conditions based on the findings that use is consistent with the Comprehensive Plan, the use is consistent with use-specific standards, the use**

is compatible with surrounding lands, and that the use does not have substantial adverse impacts. Conditions include:

1. The Special Exception Permit shall be limited to the applicant, Jayse Brock, and shall not be transferrable.
2. Requirements for off-street parking for hotel/motel use shall be met at time of permitting for occupancy.
3. The use of the property shall substantially conform to the testimony of the applicant and content of the application and submitted documents.
4. The use shall be limited to the accessory dwelling unit above the detached garage and shall not include the principal dwelling.

Second by Lauren Rounsville.

The motion passes by a vote of 7-0.

**B. S 22-408 *Application requests deferral to the August 11, 2022 meeting***

Application by Dodd Caldwell for a **SPECIAL EXCEPTION** to establish a 'Hotel' (short-term rental) use in an OD, Office and institutional district at **18 WILLIAMS ST** (TM# 004500-02-00500)

**\*Seph Wunder makes motion to accept deferral. Second by Ken Betsch.**

**The motion passes by a vote of 7-0.**

**C. S 22-461**

Application by White Investments of Greenville dba Audi Greenville (Joe Delaney) for a **SPECIAL EXCEPTION** to expand an 'Automobile Sales' use in a C-3, Regional commercial district at **200 DUVALL DR** (TM# 027200-01-01500)

*(Presented by Principal Development Planner Kris Kurjiaka)*

- The Board asked staff if the proposed fencing would satisfy the use specific landscape buffer requirements.
  - Kris Kurjiaka explained that staff had met with the applicant and determined that the proposed fence and additional landscaping would be an acceptable solution.

Applicant Presentation

*Joe Delaney – 1830 North Main Street, Greenville*

- *Joe Delaney stated that he was the architect and agent for the project. He informed the Board that the owner was not in attendance and offered to answer any questions.*
- *The Board discussed whether to apply the special exception to the entire property verses the portion of the property being altered.*
  - *Kris Kurjiaka explained that the staff report was written in context for the expansion area and not the entire site and that public notice was only advertised for the expansion.*
  - *Assistant City Manager Shannon Lavrin explained that the Board could consider special exception approval for the entire property as the public notice would have been to the same property owners or the Board could consider only approving what has been requested and let the upcoming*

*development code rewrite take place, which may resolve this non-conformity issue altogether.*

Public Comments

- *None*

Board Discussion

**\*Motion: Ken Betsch moved to approve the special exception request S 22-461 with conditions based on the findings that use is consistent with the Comprehensive Plan, the use is consistent with use-specific standards, the use is compatible with surrounding lands, and that the use does not have substantial adverse impacts. Conditions include:**

- 1. The use of the property shall substantially conform to the testimony of the applicant and the content of the application.**
- 2. The Special Exception Permit shall be limited to the Applicant, White Investments of Greenville County, LLC, and is not transferrable.**

**Second by Seph Wunder.**

**The motion passes by a vote of 7-0.**

**10. Other Business**

**A. Staff update on current planning projects.**

*(Presented by Principal Development Planner Kristopher Kurjiaka)*

**11. Adjournment**

The meeting adjourned at 5:18 p.m.

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Staff Present: Leigh Paoletti, Interim City Attorney; Shannon Lavrin, Assistant City Manager; Mary Douglas Hirsch, Planning Administrator; Kristopher Kurjiaka, Principal Development Planner; Sharon Key Planning Coordinator

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