

October 26, 2006

The Greenville Board of Adjustment met on the above date at 7:00 PM in the City Council Chamber of the Municipal Building. The following members were present:

Dr. Multau Wubneh, Chairman	
Ms. Ann Bellis	Mr. John Hutchens
Mr. Charles Ward	Ms. Renee Safford-White
Mr. Steve Estes	Mr. Thomas Harwell

THOSE MEMBERS ABSENT: Mr. Scott Shook

VOTING MEMBERS: Wubneh, Bellis, Hutchens, Ward, Safford-White, Estes and Harwell.

OTHERS PRESENT: Mr. Seth Laughlin, Planner
Mr. Wayne Harrison, Planner
Ms. Kathy Stanley, Secretary
Mr. Les Everett, Chief Building Inspector
Mr. Tim Corley, Engineer
Mr. Bill Little, Assistant City Attorney

MINUTES

Chairman Wubneh asked if there were any corrections to the minutes. Motion was made by Mr. Harwell, seconded by Ms. Safford-White, to accept the September 28, 2006 minutes as presented. Motion carried unanimously.

REQUEST FOR A SPECIAL USE PERMIT BY ABASS ABUTTA AND HAMID HOSSENIAN - GRANTED

Chairman Wubneh stated that the first item of business is a request for a special use permit by Abass Abutta and Hamid Hossenian. The applicants, Abass Abutta and Hamid Hossenian, desire a special use permit to operate a major auto repair facility pursuant to Section 9-4-78(f)(9)a of the Greenville City Code. The proposed use is located at 3205 E. 10th Street. The property is further identified as being Tax Parcel Number 26147.

Chairman Wubneh declared the meeting a public hearing as advertised in The Daily Reflector on October 16, 2006 and October 23, 2006. Those wishing to speak for or against the request were sworn in.

Mr. Laughlin stated that Mr. Abutta and Mr. Hossenian wish a special use permit to operate an auto repair facility at 3205 E. Tenth Street. This is an existing minor repair facility and the applicants would like to have the option to do painting and heavy body work which is not allowed under the existing use. Under the Comprehensive Plan the property is located within Vision Area "C". The proposed use is in general compliance with the Land Use Plan which recommends commercial development for the subject property. Mr. Laughlin made reference to staff comments that are required for a major repair facility. Mr. Laughlin asked that the proposed findings of fact be entered into the record.

Applicant: Abass Abutta and Hamid Hossenian

Request: The applicants, Abass Abutta and Hamid Hossenian, desire a special use permit to operate a major auto repair facility pursuant to Section 9-4-78(f)(9)a of the Greenville City Code

Location: The proposed use is located at 3205 E. 10th Street approximately 1200 feet east of the intersection of 10th Street and Greenville Blvd. The property is further identified as being Tax Parcel Number 26147.

Zoning of Property: CG (Commercial General)

<u>Surrounding Development:</u>	<u>Zoning</u>
North: Mini Storage	CG (Commercial General)
South: Gasoline Station	CH (Commercial Heavy)
East: Church	CG (Commercial General)
West: Shopping Center	CH (Commercial Heavy)

Description of Property:

The property has approximately 86 feet of frontage along East 10th Street. with a total lot area of approximately 0.40 Acres.

Comprehensive Plan:

The property is located within Vision Area “C” as designated by the Comprehensive Plan. The proposed use is in general compliance with the Land Use Plan which recommends commercial development for the subject property.

Notice:

Notice was mailed to the adjoining property owners on October 12, 2006. Notice of The public hearing was published in the Daily Reflector on October 16, 2006 and October 23, 2006.

Staff Comments:

- (1) All wrecked or damaged motor vehicles and parts shall be screened so as not to be visible from adjoining property lines and street right-of-way.
- (2) All vehicles on the premises for repair shall be stored at the rear of the principal structure.
- (3) No vehicle shall be stored on the premises for more than fifteen (15) days.
- (4) There shall be no exterior storage of items other than vehicles.
- (5) Sale of vehicles shall be in accordance with Article B, Section 9-4-22, definition [of] automobile, truck, recreational vehicle, motorcycle and boat sales, contained therein.
- (6) Rental or utility trailers, cars and trucks shall be permitted as accessory uses provided that all units in excess of four (4) shall be screened from adjoining street right-of-way and property lines in accordance with bufferyard C or with a bufferyard of greater intensity as required by the bufferyard regulations.
- (7) Outdoor displays of products such as tires, oil, wiper blades or other similar products shall be permitted provided they are within ten (10) feet of the principal structure and outside required bufferyards. Signage displayed in conjunction with such display shall be in accordance with the sign regulations.
- (8) All services except fuel sales shall be performed within a completely

- enclosed building.
- (9) Any flammable or combustible finishes that may be needed for the proposed operation must meet all N.C. Fire Prevention Codes.

Staff Recommendation:

Planning staff is of the opinion that the request can meet all the development standards required for issuance of a special use permit upon proper findings by the Board.

Mr. Harwell stated that according the map illustration it does not appear that there is any room for storage of vehicles on the rear of the property.

Mr. Laughlin stated that it is his understanding that any vehicles being repaired will be stored inside the building.

Ms. Safford-White stated that in the presentation it was stated that the applicant in the future wanted to include what.

Mr. Laughlin explained that the existing business includes the sale of automobiles and minor repairs. The applicants want to be able to do body work to vehicles that they plan to sell that may need body work and painting. The painting facility installation would qualify the business as a major facility.

There were questions in regards to requirements for paining inside a building.

Mr. Les Everette, Chief Building Inspector, explained that the applicant would have to install a paint booth which would have to meet building and fire codes for proper ventilation and filtration system to protect individuals inside and outside the building.

Ms. Kunny Brothers, representing the applicant, spoke on behalf of the request. Ms. Brothers stated that the applicant's primary business is what the business is being used as presently. The applicants are aware of the cost associated with the ventilation and filtration systems for the spray booth and other requirements. Ms. Brothers stated that the vehicles will be stored inside the building prior any work. There will be no vehicles stored outside.

Ms. Bellis suggested that in the future a more readable map be included with a case.

No one spoke in opposition.

Mr. Laughlin stated that staff is of the opinion that the request can meet all the development standards required for issuance of a special use permit.

Chairman Wubneh then read the criteria in granting/denying a special use permit.

Motion was made by Mr. Hutchens, seconded by Mr. Estes, to adopt the proposed findings of fact and evidence presented. Motion carried unanimously.

Motion was made by Mr. Estes, seconded by Mr. Hutchens, to approve the request. Motion carried unanimously.

Based on the facts found by the Board and the evidence presented, the Board orders that this permit be granted and subject to full compliance with all of the specific requirements stated in the Zoning Ordinance of the City of Greenville for the proposed use.

There being no further business the meeting adjourned at 7:20 PM.

Respectfully submitted

Seth Laughlin
Planner