



a. However, such an opinion may be admissible if it is made by an expert or a person who is qualified to give opinions concerning traffic hazards, is making a presentation to the Board concerning his or her investigation and the basis for his or her conclusion in the report.

b. A lay person can give an opinion but he or she also must present facts to show how the proposal affects his or her piece of property specifically and not just in a general way.

2. A statement that another person who is not present and not testifying either supports or doesn't support the petitioner or application is hearsay and is not admissible.

3. The same rule applies to both the applicant and those in opposition.

Pursuant to North Carolina General Statute 160A-388 and Section 4 of the Board of Adjustment's Rules of Procedure:

4-3. No member of the Board of Adjustment shall participate in either the discussion or vote on any special use permit, variance, or appeal from an administrative officer's decision in any manner that would violate the affected persons' constitutional right to a fair and impartial decision maker. Prohibited conflicts include but are not limited to a member having a fixed opinion prior to hearing the matter and not willing to consider changing his or her mind; and undisclosed ex parte communications with the person before the Board, any witnesses, staff, or other Board members. Decisions on either a request for recusal by a member or objections by a person appearing before the Board shall be decided by a simple majority vote.

4-4. No Board Member shall take part in the hearing, consideration, or determination of any matter in which that Board Member is involved or has a financial or personal interest. Personal interest shall be defined as having a family member involved in the project under consideration, a neighborhood association involvement where a Board Member is on the governing body of such association, or where the Board Member is involved in a conflict or dispute with the applicant on a matter unrelated to the application. If a Board Member has such a conflict, he shall declare the conflict and request to be excused from voting on the issue. A majority vote of the remaining members present shall be required to excuse the member.

4-5. No Board member shall vote on any matter deciding an application or appeal, unless he shall have attended the public hearing on that application or appeal.

4-6. No Board member shall discuss any case with any parties in interest prior to the public hearing on that case, provided however, that members may receive and/or seek information pertaining to the case from any other members of the Board.

If a Board member has had an ex parte communication that also needs to be disclosed at this time.

Secretary swore in staff and all those speaking for or against.

Mr. Godley requested to be recused from item 1 because of a financial interest. He works for the subcontractor working with the Greenville Learning Center.

**Motion made by Mr. Winkler, seconded by Mr. Bullock, to recuse Mr. Godley from item 1 on the agenda. Motion passed unanimously.**

**PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY GREENVILLE LEARNING CENTER - APPROVED**

The applicant, Greenville Learning Center, desires a special use permit to operate an elementary, junior and senior high school pursuant to Appendix A, Use (8)g. and (8)h. of the Greenville City Code. The proposed use is located at 2426 Charles Boulevard. The property is further identified as being tax parcel number 27110.

Ms. Blount delineated the property. It is located in the southeastern portion of the City's jurisdiction. The request is to operate a remedial school for grades first through twelfth. The subject property is 6.8 acres in size and contains a 7,648 square foot church building. The property has 343 feet of frontage along Charles Boulevard. A site plan was approved on April 17, 2018 for future expansion of an 11,000 square foot family life building which will house the school.

**Zoning of Property:** RA (Residential Agricultural)

**Surrounding Zoning:**

North: OR (Office Residential) and R6 (Residential)

South: OR (Office Residential)

East: CG (General Commercial) and OR (Office Residential)

West: OR (Office Residential)

**Surrounding Development:**

North: Carriage House Apartments, What Tangles Hair Salon, Allstate Insurance

South: Turtle Creek Apartments, Lexington Square West Office Building

East: Charles Place multi-tenant commercial center

West: Nationwide Insurance, Delcor, Cheyenne Court Apartments

**Comprehensive Plan:**

The property is located within the Residential High Density character type as designated by the Horizon Plan. The proposed use is in compliance with the Future Land Use Plan which recommends neighborhood scale institutional development for the subject property.

**Notice:**

Notice was mailed to the adjoining property owners on May 10, 2018. Notice of the public hearing was published in the Daily Reflector on May 14 and May 21, 2018.

**Related Zoning Ordinance Regulations:**

**Definition:** *School.* A use of land or buildings for academic instruction authorize and administered by the Pitt County School System or other comparable private schools.

**Specific Criteria:** *School.* All structures shall maintain minimum side and rear setbacks of 50 feet and a front yard

at least 25 feet greater than that required for single-family residences within the district.

**Staff Recommended Conditions:**

Parking shall be provided in accordance to the schedule of required parking spaces for both an elementary or junior high school and a senior high school.

**Other Comments:**

The proposed project must meet all related State of North Carolina fire and building codes prior to occupancy.

**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.

Chairman Johnson opened the public hearing.

Mr. Scott Anderson, with Ark Consulting, representative for the applicant, spoke in favor of the request. The Greenville Learning Center has been in operation since 2002. It is a half day remedial program specializing in instruction. The church at this location is doing an expansion. The Greenville Learning Center will be moving into this space, once completed, if the special use permit is approved.

No one spoke in opposition to the request.

Chairman Johnson asked for the staff recommendation.

Ms. Blount stated staff had no objection to the application with the stated condition.

Chairman Johnson closed the public hearing and opened for board discussion.

Chairman Johnson read the required findings criteria. No objections.

**Mr. McKinnon made a motion to adopt the finding of facts with the stated condition, Mr. Faison seconded and it passed unanimously.**

**Mr. Bullock made a motion to approve the petition with the stated condition, Mr. Winkler seconded the motion and it passed unanimously.**

**PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY ALICE C. GLENNON - APPROVED**

The applicant, Alice C. Glennon, desires a special use permit to operate a warehouse or mini-storage warehouse, including outside storage pursuant to Appendix A, Use (14)l. of the Greenville City Code. The proposed use is located at 208 Hooker Road. The property is further identified as being tax parcel number 48326.

Ms. Blount delineated the property. It is located in the western portion of the City's jurisdiction. The subject property is .89 acres in size and contains 32,562 square foot commercial building. The property has 209 feet of frontage along Hooker Road and 193 feet of frontage along Ione Street. The property is located along a minor thoroughfare.

**Zoning of Property:** CH (Heavy Commercial)

**Surrounding Zoning:**

North: CDF (Downtown Commercial Fringe)

South: CDF (Downtown Commercial Fringe)

East: CDF (Downtown Commercial Fringe)

West: CDF (Downtown Commercial Fringe)

**Surrounding Development:**

North: Electric Motor Sales & Service of Pitt County, Inc., Piggly Wiggly Grocery Store

South: Aesthetic Signs and a multi-tenant commercial building

East: Vacant lots

West: Vacant lot

**Comprehensive Plan:**

The property is located within the Mixed Use character type as designated by the Horizon Plan. The proposed use is in compliance with the Future Land Use Plan which recommends commercial development for the subject property.

**Notice:**

Notice was mailed to the adjoining property owners on May 10 2018. Notice of the public hearing was published in the Daily Reflector on May 14 and May 21, 2018.

**Staff Recommended Conditions:**

Outside storage area shall be screened so as not to be visible from adjoining property lines and street right-of-way.

Property shall at no time evolve into an automobile graveyard or junkyard.

Site plan approval required prior to occupancy.

**Other Comments:**

The proposed project must meet all related State of North Carolina fire and building codes prior to occupancy.

**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.

Chairman Johnson opened the public hearing.

Ms. Michelle Clements, with The East Group, representative for the applicant, spoke in favor of the request. The

property was previously Mohawk Furniture. The property is vacant. The applicant also owns the adjacent property. The use is for storage. There will be no transactions on site and there will be no outside storage. There maybe a few parking spaces at the back of the property.

Ms. Bellis asked if there would be any exterior improvements like painting the building.

Ms. Clements stated no. The applicant wants to keep the property low-key to not draw attention to the storage taking place.

No one spoke in opposition to the request.

Chairman Johnson asked for the staff recommendation.

Ms. Blount stated staff had no objection to the application with the recommended conditions.

Chairman Johnson closed the public hearing and opened for board discussion.

Chairman Johnson read the required findings criteria. No objections.

**Mr. McKinnon made a motion to adopt the finding of facts with the recommended conditions, Mr. Winkler seconded and it passed unanimously.**

**Mr. Moretz made a motion to approve the petition with the stated conditions, Mr. Bullock seconded the motion and it passed unanimously.**

Ms. Blount announced that Mr. Faison has completed his two terms on the Board and this would be his last meeting. She also stated the Board Secretary, Ms. Nunez, is leaving the City and her last day will be June 1, 2018.

The Board thanked both Mr. Faison and Ms. Nunez for their service.

**With no further business, Mr. Moretz made a motion to adjourn, Mr. Faison seconded and it passed unanimously. The meeting adjourned at 6:25 pm.**

Respectfully submitted,

Elizabeth Blount  
Planner II