



had an additional condition to add if the board found the case favorable and moved for approval. The condition states if alcoholic beverages are served, provided, sold or dispensed, the applicant shall obtain any and all ABC permits required for the facility and comply with any condition for such permits as required by the ABC Commission.

Surrounding Zoning:

North: MO (Medical Office)  
South: MO (Medical Office)  
East: MO (Medical Office)  
West: MO (Medical Office)

Surrounding Development:

North: Carolina Digestive Diseases, Greenville Oral & Maxillofacial Surgeons  
South: Orthopedics East  
East: Medical Park Associates, Carolina Radiation Medicine  
West: Carolina Arthritis Center, Vacant

Description of Property:

The property has approximately 750 feet of frontage along Hemby Lane and 236 feet of frontage along W.H. Smith Boulevard with a lot area of 5.55 acres.

Comprehensive Plan:

The property is located within Vision Area "F" as designated by the Comprehensive Plan. The proposed use is in general compliance with the Future Land Use Plan which recommends office/institutional/medical development for the subject property.

Notice:

Notice was mailed to the adjoining property owners on April 10, 2008. Notice of the public hearing was published in the Daily Reflector on April 14, 2008 and April 21, 2008.

Other Comments:

The proposed project must meet all related NC State 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.

Dr. Gary Michels and Dr. Chris Gauquie, applicants, spoke on behalf of the request. Dr. Michels stated that the original purpose of the building was as an educational center for post-graduate dental education. Dr. Michels stated the building had a large meeting room, an eating area, a fitness area and an office suite. Dr. Michels stated it was not in their original plans to rent the building to outsiders. He stated as the building was being built people came to them and inquired about renting the building for private parties and receptions. Dr. Michels stated that they had rented the building out on several occasions for these purposes, as well as using the building themselves for its original purpose.

Chairman Wubneh asked about available parking for the facility. He stated he believed there were 148 spaces and the capacity was 150. Mr. Dail stated the maximum capacity was 180. Dr. Wubneh asked if any events would be held outdoors. Dr. Michels stated at this time there were no events scheduled outside other than their own dental outside events.

Mr. Thomas asked the applicant to elaborate on the events involving alcohol.

Dr. Gauquie stated they had no permits for the building and that it was the sole responsibility of the applicant to obtain the correct permits if they wished to have alcohol at their event. He stated it would be a term in their contract that they are required to obtain the proper permits. He also stated that alcohol would not be sold at their facility, only served as part of a particular event.

Mr. Harwell asked if the facility was already constructed and events already being held there.

The applicants stated that was true and that they were not aware that they were required to have a permit until the city brought it to their attention. They stated they have complied with the city since that time.

Mr. Ward asked about an additional building shown on his map.

Dr. Michels stated there were no plans for any other buildings. Dr. Gauquie stated the structure they were referring to was their dental office.

Mr. Harwell stated the additional building was not on the aerial map and asked if it was included in the permit or excluded.

Mr. Dail stated it was excluded. If the applicants wanted to expand the use they would have to come back before the board.

Mr. Harwell asked Mr. Dail to restate the staff's conditions regarding alcoholic beverages. Mr. Dail read the condition again for the board. Mr. Harwell asked the applicants if they understood the condition.

Dr. Michels stated he thought he did.

Mr. Harwell stated according to the condition it was the applicant's responsibility to obtain the ABC permit. He asked Mr. Little to give an explanation.

Mr. Little stated that according to the ABC rules a license or permit can be obtained in various classifications. He stated there could be a one-time permit for a function or under Chapter 18b of the statutes if the business is listed as a banquet hall, dining facility, private convention center or other facility, they must comply with ABC rules for any alcohol that is served, dispensed, sold or provided in the facility. Mr. Little stated in order to protect the applicants, whether they require the lessees to obtain the permit or not, they need to be sure they are complying with the ABC Commission and their facility is covered.

Dr. Gauquie asked if the client had their permit if they (applicant) were still required to have a permit.

Mr. Little stated they needed to check with the ABC board to be sure they were in compliance with them.

Chairman Wubneh asked if the applicant would be required to ensure that each person that rented the facility had their own permit if they wished to serve alcoholic beverages.

Mr. Little stated that ABC may require the applicant to have an overall permit, with the client having their own permit. He stated that could be covered in their contract.

Mr. Harwell asked if the application was actually for a private convention center.

Mr. Little stated that according to the ordinance that was the only category that the application fit in.

Dr. Michels stated he understood that there were people there in opposition to them using the word "convention" and advertising such. He said they did not intend to use the word "convention" and did not know it was advertised in the paper as an application for a private convention center.

Mr. Harwell stated that the application read that the applicant desired a special use permit to operate a private convention center.

Dr. Gauquie stated that was not their wording.

Mr. Little stated that was the ordinance language.

Mr. Harwell asked what they were applying for.

Dr. Michels stated they applied for a special use permit to have events at the facility other than

medical events.

Mr. Little stated that according to the ordinance it had to fall under that category.

Mr. Harwell asked who signed the application.

The applicants stated they did.

Mr. Harwell stated that right above where they signed it stated they were applying for a special use permit to operate a private convention center.

Chairman Wubneh stated that regardless of their intent, it would fall under the definition and uses of a private convention center according to the ordinance.

Mr. Little stated there was no other wording for their use and that is why it was on the application and signed that way.

Mr. Harwell restated that the request was for a special use permit to operate a private convention center.

Mr. Little affirmed.

Dr. Michels stated that they had contacted the ABC board and were not told that they would have to have something in addition to the applicant having a permit. He stated they would do some more research and be sure that they complied with all ABC regulations and with the city.

Chairman Wubneh stated that no matter what name they give it, it had to fall into the category of private convention center.

Mr. Thomas referred to the first page of the application where it states the proposed use of the facility will be 90+ medical and dental and asked the applicant to explain what that meant.

Dr. Michels stated the building was initially designed for health and wellness and dental education and it was not until the people in the community came to them that they decided to rent it out for other occasions. He stated their facility was a nice addition to Greenville and they did not feel they were in competition with the Convention Center or Rock Springs. He stated their facility was much smaller.

Mr. Fred Mattox spoke in technical opposition to the request on behalf of Exhibit Hall Managers, operator of Greenville Convention Center. Mr. Mattox requested that the board impose a special restriction that would prohibit the applicant from using the name "convention" in their name or their advertisements.

Dr. Gauque stated they had no objections to that request.

Chairman Wubneh asked Mr. Little to give some more clarification regarding the name and the way it is worded in the ordinance.

Mr. Little stated the classification was private convention center, but what those who operate under that classification call themselves is not limited.

Mr. Dail stated the staff had no objections to the request.

Chairman Wubneh read the criteria for granting/denying a special use permit. Chairman Wubneh asked for motion to approve the findings of fact. Motion made by Mr. Ewen to approve with the condition that states if alcoholic beverages are served, provided, sold or dispensed, the applicant shall obtain any and all ABC permits required for the facility and comply with any condition for such permits as required by the ABC Commission and the condition that the word "convention" be prohibited from use in the name of the center or in any advertisements. Motion was seconded by Mr. Ward. Motion carried unanimously.

Chairman Wubneh then asked for a motion to approve the petition. Motion was made by Mrs. Safford-White, seconded by Mr. Thomas, 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.

**PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY EAST CAROLINA UNIVERSITY – APPROVED WITH CONDITIONS**

Chairman Wubneh stated the next item of business was a request by East Carolina University for a special use permit to operate a guest house pursuant to Sections 9-4-78(f)(8)t. and 9-4-86(dd) of the Greenville City Code. The proposed use is located at 601 E. Fifth Street. The property is further identified as being Tax Parcel Number 26037.

Mr. Dail delineated the area on the map. Mr. Dail stated the property was located on the corner of Fifth and Summit Streets. The property is currently zoned R6S, Residential Single-Family. The property is located along a minor thoroughfare being East Fifth Street. Mr. Dail stated the spacing requirement for a university guest house was 1320 feet from another university guest house. He stated there was another guest house operated by East Carolina University at 1201 East Fifth Street; however it is located 1558 feet from the proposed guest house, therefore meeting the spacing requirement. Mr. Dail stated that due to the property being located in the historic district, staff wanted to add a condition to the application that was not stated in the findings of fact. The condition states "Consistent with the requirements of NCGS 160A-400.9(f) and the ordinances of the City of Greenville governing the College View Historic Overlay District, that the applicant may not make any exterior changes to the property or commence any exterior work on the property including renovations, repairs, demolition or additions and other exterior work other than routine maintenance

without first seeking a Certificate of Appropriateness from the Historic Preservation Commission.”

Surrounding Zoning:

North: R6S (Residential Single-Family)  
South: OR (Office Residential)  
East: R6S (Residential Single-Family)  
West: R6S (Residential Single-Family)

Surrounding Development:

North: Single Family Residences  
South: East Carolina University  
East: Single Family Residence (ECU Chancellors House)  
West: Sigma Phi Epsilon Fraternity House

Description of Property:

The property has approximately 65 feet of frontage along E. Fifth Street and 145 feet of frontage along Summit Street with a lot area of 0.23 acres (10,018 sq.ft.).

Comprehensive Plan:

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

Notice:

Notice was mailed to the adjoining property owners on April 10, 2008. Notice of the public hearing was published in the Daily Reflector on April 14, 2008 and April 21, 2008.

Staff Comments:

Definition from Section 9-4-22

*Guest house for a college or other institution of higher learning.* A building and accessory structure(s) designed for residential occupancy and containing rooms, suites, separate or connecting units, where without compensation lodging is provided on a short term basis to guests of the associated institution. For purposes of this definition the words “short term basis” shall include only daily or weekly periods. No persons shall utilize, consider or reference any room, suite or unit within any “guest house” as a secondary or primary place of residence. This definition shall not include “hotel or motel” and/or “bed and breakfast inns.”

Specific Criteria from Section 9-4-86

(dd) *Guest house for a college or other institution of higher learning.*

- (1) No “guest house; college and other institutions of higher learning” shall be located within one-quarter (1/4) mile of any other “guest house; college and other institutions of higher learning” as measured to the nearest lot line.
- (2) The minimum lot area, width and dimension shall be not less than the district minimums.
- (3) Not more than three (3) rooms devoted to overnight accommodations shall be permitted in addition to bathrooms or other common use areas.
- (4) One (1) bathroom shall be required for the private use of each allowed tenant occupancy.
- (5) All entry and primary exits to the individual tenant occupancy rooms shall be through commons areas. Other exits as shall be available or required shall only be utilized by the tenant occupants in the event of an emergency.
- (6) One (1) off-street parking space shall be required for each allowed tenant occupancy. Parking areas shall be located and improved in accordance with Article O.
- (7) The parking facility bufferyard and landscaping requirements for each separate facility shall be established in the individual case; however, no bufferyard shall be less than bufferyard B of the bufferyard regulations. (Article G)
- (8) The maximum number of days allowed per individual tenancy shall not exceed fourteen (14) continuous days.
- (9) Freestanding and wall signage for such use shall not exceed a combined total of three (3) square feet. Illuminated signs shall not be allowed.
- (10)The building(s) or additions thereto which contain such use shall maintain a single-family residential character of like scale and design to adjoining and area properties.
- (11)A common kitchen and dining area is permitted, however, no meals shall be served for compensation.
- (12)A common social/recreational sitting room accessible to the tenant occupants and other guests and/or representatives of the associated institution may be allowed.
- (13)The special use permit shall terminate upon a change of use and/or transfer of title.
- (14)The owner shall request that the building inspector conduct an inspection of the premises each year during the month of original approval for compliance with applicable codes and conditions of special use permit approval. The owner shall pay any fee associated with such inspection as may be established by city council.

Site plan approval is required due to increase in land use classification.

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. Ward inquired about the spacing requirement.

Mr. Dail stated it was required by the city and stated under the Specific Criteria.

Mr. Harwell asked if the condition meant that the guest house could not be within ¼ mile of the college.

Mr. Dail stated that the condition was referring to the guest house not being within ¼ mile of another guest house.

Mr. Harwell asked if the guest house had to be owned by the college.

Mr. Dail stated it had to be owned by the college or other institution of higher learning.

Mr. Harwell asked if the proposed guest house would be owned by East Carolina University.

Mr. Dail stated it would.

Mrs. Bellis asked if the other guest house was owned by the college or if it was privately owned.

Mr. Buck stated it was owned by the East Carolina University Educational Foundation.

Mr. Harwell asked what was located at the property now.

Mr. Dail stated it was a single family home which they intend to turn into a guest house.

Mrs. Bellis asked for clarification on the 3 person/3 room requirement.

Mr. Dail stated there would be 3 rooms and it would be limited to 3 guests total.

Mr. Harwell asked if the city code said 3 bedrooms or 3 people.

Mr. Little stated it was based on the city occupancy zoning of 3 unrelated people. Since this is not a single family home, it becomes a leased facility type arrangement and would fall under the same codes as rental properties in the college area, which are not permitted to have more than 3 unrelated people at one time.

Mr. Harwell stated that Specific Criteria from Section 9-4-86, item 3, stated not more than three (3) rooms devoted to overnight accommodations shall be permitted in addition to bathrooms or other common use areas and asked if the limit on 3 people was in a separate ordinance.

Mr. Little stated it was.

Mrs. Bellis asked if the University was satisfied with the 3 person limit.

Mr. Buck stated they were.

Chairman Wubneh stated that it was 3 unrelated individuals.

Mr. Little stated that it was 3 individuals. Mr. Little stated there was a separate ordinance dealing with zoning occupancy for unrelated individuals.

Mr. Harwell asked if the guest were married if it would still be limited to 3.

Mr. Little stated it would.

Mrs. Bellis stated that for housing the ordinance was for 3 unrelated individuals and asked why that didn't apply in this case.

Mr. Little stated there was a separate zoning ordinance for guest houses, which would be different than multi-family or a Bed and Breakfast.

Mr. Scott Buck spoke on behalf of the applicant in favor of the request. Mr. Buck stated that ECU shall adhere to standards set forth in the city code and the conditions set forth in a written agreement that the University has with Tar River University Neighborhood Association, also known as TRUNA. Mr. Buck stated the conditions with TRUNA were no signage in the yard or prominently on the building exterior, no architectural or security lighting not keeping with the residential character of the house, any changes of parking spaces be subject to Planning and Zoning Community Development Department and the Historic Preservation Commission standards. In addition, ECU agrees not to demolish the house as long as they seem the house to be structurally sound and will preserve the 2 trees in the front yard unless they deem to be a threat to life or property. ECU has met with the TRUNA representatives and they are in favor of the application under the conditions described. The guest house shall be maintained in a way to preserve the historic, architectural and single family character of the neighborhood and parking shall be limited to the existing parking spaces on the property. Mr. Buck stated there was ample overflow parking across 5<sup>th</sup> street in the University parking area. Mr. Buck stated he did not anticipate any increase in traffic nor adverse affects to the adjoining neighborhood. He stated no hazardous materials had been found on the property. He stated the noise level would be appropriate. Mr. Buck said ECU believes its use will be a compliment to the area and ensures the preservation of this house in a neat and attractive manner. Mr. Buck stated he would be happy to answer any questions that the board had.

Mrs. Bellis asked what would happen to the garage in the back.

Mr. Buck stated it was in very poor condition and would be destroyed.

Mrs. Bellis asked if they would have to get a Certificate of Appropriateness to do that.

Mr. Buck stated they would and they wanted to stay on good terms with their neighbors and be a responsible neighbor in the community.

Mr. Ewen stated he was on the TRUNA board and that Mr. Buck had been very cooperative with

their wishes.

Mr. Ward asked when the house was built.

Mr. Buck stated he did not know.

Chairman Wubneh asked if the house would be used for small group meetings.

Mr. Buck stated it would be used for very small group meetings, mostly for special guest and meetings with the Chancellor.

Mr. Harwell asked what street was adjacent to the house.

Mr. Buck stated it was Summit Street.

Mr. Thomas stated the graphics were backwards on the map.

Mr. Dail confirmed.

Mrs. Safford-White asked if the property would be run by the Chancellor's house as the Ward house is.

Mr. Buck stated they would run it the same way.

No one else spoke in favor or opposition to the application.

Mr. Dail stated staff had no objection to the application.

Chairman Wubneh closed the public hearing and called for board discussion.

Chairman Wubneh read the criteria for granting/denying a special use permit. Chairman Wubneh asked for motion to approve the findings of fact with the condition that reads "Consistent with the requirements of NCGS 160A-400.9(f) and the ordinances of the City of Greenville governing the College View Historic Overlay District, that the applicant may not make any exterior changes to the property or commence any exterior work on the property including renovations, repairs, demolition or additions and other exterior work other than routine maintenance without first seeking a Certificate of Appropriateness from the Historic Preservation Commission." Motion made by Mrs. Bellis to approve with the condition, seconded by Mr. Ward. Motion carried unanimously.

Chairman Wubneh asked for a motion to approve the petition. Motion made by Mr. Thomas, seconded by Mr. Ewen. 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.

PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY MELVIN PHILLIPS- APPROVED

Chairman Wubneh stated the next item of business was a request by Melvin Phillips for a special use permit to have a residential quarters for a resident manager in association with a church pursuant to Sections 9-4-78(f)(2)i. and 9-4-86(p) of the Greenville City Code. The proposed use is located at 618 S. Pitt Street. The property is further identified as being Tax Parcel Number 09117.

Chairman Wubneh opened the public hearing and asked anyone who wished to speak to come forward and be sworn in.

Mr. Dail delineated the area on the map. The current zoning of the property is CDF, Downtown Commercial Fringe. The property is located near a major thoroughfares being Dickinson Avenue, South Greene Street, Pitt Street and Reade Circle.

Surrounding Zoning:

North: CDF (Commercial Downtown Fringe)  
South: CDF (Commercial Downtown Fringe)  
East: CDF (Commercial Downtown Fringe)  
West: CDF (Commercial Downtown Fringe)

Surrounding Development:

North: Vacant Commercial Building, Vacant Lot  
South: Cabinet Shop, Greco Restaurant Equipment Co.  
East: City Parking Lot, Church, Commercial Strip Center  
West: Parkers Auto Care, Vacant Lots

Description of Property:

The property has approximately 65 feet of frontage along S. Pitt Street with a lot area of 0.15 acres (6,534 sq. ft.).

Comprehensive Plan:

The property is located within Vision Area “H” as designated by the Comprehensive Plan. The proposed use is in general compliance with the Future Land Use Plan which recommends commercial development for the subject property. The commercial category includes retail, office and institutional type uses. The current primary land use type is a church which is considered an institutional use and the requested residential quarters would be considered an incidental or accessory use to the primary use.

Notice:

Notice was mailed to the adjoining property owners on April 10, 2008. Notice of the public hearing was published in the Daily Reflector on April 14, 2008 and April 21, 2008.

Staff Comments:

Specific Criteria from Section 9-4-86(p)

(p) *Residential quarters for resident manager or caretaker.*

- (1) The quarters shall be incidental and subordinate to the permitted or special use.
- (2) Only the caretaker and his immediate family shall permanently reside in the quarters.
- (3) The quarters shall be a self contained dwelling unit.
- (4) The quarters shall be located within the principal structure except in the case of a mobile home sales lot, where the residential quarters may be located in a separate mobile home.

Other Comments:

The proposed project must meet all related NC State 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.

Mr. Harwell asked what was located at the property now.

Mr. Dail stated it was The Upper Room Pentecostal Faith Church.

Chairman Wubneh asked the applicant to come forward.

Mr. Melvin Phillips, applicant, spoke on behalf of the request. Mr. Phillips stated the property was purchased to be used as a church and they had complied with all of the city's requirements to operate the church. Mr. Phillips stated members of the church had asked him to live there and since he had no family he had chosen to do so. He stated he was retired from the school system and did not have the income to own a house. He stated he was the caretaker of the church and that was how he earned his stay there.

No one else spoke in favor or opposition to the request.

Chairman Wubneh closed the public hearing and called for board discussion.

Mr. Ward asked if this would jeopardize them being able to function as a church.

Mr. Dail stated it would not, that the primary use would still be as a church and that this would just allow the primary caretaker to reside on the property.

Mr. Harwell stated if the church was no longer there then the residence could no longer be there.

Mr. Dail stated that was correct.

Chairman Wubneh read the criteria for granting/denying a special use permit. Chairman Wubneh asked for motion to approve the findings of fact. Motion made by Mrs. Safford-White, seconded by Mr. Ward. Motion carried unanimously.

Chairman Wubneh asked for a motion to approve the petition. Motion made by Mr. Harwell, seconded by Mr. Ewen. 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.

PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY APRIL ANN WILLIAMS - APPROVED

Chairman Wubneh stated the next item of business on the agenda was a request by April Ann Williams for a special use permit to operate a personal service not otherwise listed (psychic advisor) pursuant to Sections 9-4-78(f)(15)a. of the Greenville City Code. The proposed use is located at 222 SE Greenville Boulevard. The property is further identified as being Tax Parcel Number 22621.

Chairman Wubneh opened the public hearing and asked anyone wishing to speak to come forward and be sworn in.

Mr. Dail delineated the area on the map. Mr. Dail stated the building was located along Greenville Boulevard, but behind a larger commercial building and next to a residential neighborhood. Mr. Dail stated the zoning of the property was CG, General Commercial. The property is located on a major thoroughfare being Southeast Greenville Boulevard.

Surrounding Zoning:

- North: CG (General Commercial)
- South: CG (General Commercial)
- East: R15S (Residential-Single Family)
- West: CH (Heavy Commercial)

Surrounding Development:

North: Mongolian Empire Restaurant  
South: Piano and Organ Distributors  
East: Single Family Residences (Lynndale Subdivision)  
West: Multiple Commercial Uses along Greenville Blvd.

Description of Property:

The subject property has approximately 200 feet of frontage along Greenville Boulevard with a lot area of 0.92 acres. The property contains three commercial buildings. The largest building has multiple units and fronts on Greenville Boulevard. The other two commercial buildings are single unit and are located on the rear of the property behind the largest building. The applicant is requesting to locate her business in the single unit building on the south side of the property.

Comprehensive Plan:

The property is located within Vision Area "D" as designated by the Comprehensive Plan. The proposed use is in general 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 April 10, 2008. Notice of the public hearing was published in the Daily Reflector on April 14, 2008 and April 21, 2008.

Other Comments:

The proposed project must meet all related NC State 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.

Mr. Ewen asked the previous use of the building.

Mr. Dail stated it was a beauty shop.

Chairman Wubneh asked the applicant to come forward.

Mrs. April Ann Williams, applicant, spoke on behalf of the request. She stated she currently had her business on Memorial Drive and wanted to use this location.

Mr. Ward asked if there would be two locations.

Mrs. Williams stated if the new location was approved, the other location would be closed.

Mr. Ward asked what signage she would use.

Mrs. Williams said she wasn't sure yet.

Mr. Harwell asked if she came before the board for her present location.

She stated she did.

Mr. Harwell asked if the special use permit would end on the other building once it was vacated.

Mr. Dail stated it would after being vacant for 6 months.

Chairman Wubneh asked if the signage would be in front of the building or incorporated with all of the other businesses in the area.

Mr. Dail stated it would be incorporated with the other buildings.

Mrs. Harrington asked the hours of operation.

Mrs. Williams stated she was open from 9-9.

Chairman Wubneh asked about the parking restrictions.

Mr. Dail stated it was considered an office type use, with 1 parking space per 300 square feet of area. Mr. Dail stated there were ample parking spaces available for use.

No one else spoke in favor or opposition to the application.

Mr. Dail stated staff had no objections to the request.

Chairman Wubneh closed the public hearing and opened discussion to the board.

Chairman Wubneh read the criteria for granting/denying a special use permit. Chairman Wubneh asked for motion to approve the findings of fact. Motion made by Mr. Ward, seconded by Mr. Harwell. Motion carried unanimously.

Chairman Wubneh asked for a motion to approve the petition. Motion made by Mr. Thomas, seconded by Mr. Harwell. 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.

#### REPORT ON ANNUAL REVIEW OF PUBLIC/PRIVATE CLUBS

Mr. Dail stated that all public and private clubs that received a special use permit were required to have a staff review of their business. Mr. Dail stated if any clubs were found to be in violation of their order they would be brought before the BOA for a new hearing. Mr. Dail stated the request had been routed out to several departments for their comments. Mr. Dail stated there were no citations during the course of the last year. Mr. Dail stated there were 2 ABC/ALE warnings issued to Still Life for happy hour violations. Emerald City closed and if it remained closed for 6 months the special use permit would expire. Reflections on NC 33 is also closed and has been torn down, so that special use permit will also expire after their 6 months is up. Club Dynasty's owner is deceased but the city has received a privileged license request to reopen the club under a different name. Mr. Dail stated the police department did not appear to have any real issues with any of the clubs. Mr. Dail stated the next review would be held beginning January 2008.

Mrs. Safford White asked what "not an unusually high number of calls for service" means.

Mr. Dail stated he had requested someone from the police department be there to explain their comments, however something came up and they were not available.

Mrs. Safford-White asked if they could be present at the next meeting.

Mr. Harwell asked the status for Dynasty's. He stated they had some severe restrictions at one time and the restrictions had been modified by the board.

Mr. Dail stated the special use permit was still in effect and a privileged license would be issued to the new owner to operate under a new name.

Chairman Wubneh asked if the staff felt this system of review was working.

Mr. Dail stated he felt the system was working and the report indicated there weren't any real problems with these clubs that are operating under a special use permit.

#### ANNUAL TRAINING UPDATE

Mr. Dail stated he had spoken with the Institute of Government and had 3 dates available for a training session. He stated the dates available were Tuesday, June 10, Monday, June 16 and Thursday, June 19.

The board discussed the dates and decided on Thursday, June 19.

With no further discussion, the meeting adjourned at 8:37 pm.

Respectfully Submitted

Michael R. Dail, II  
Planner