



**PROPOSED AGENDA
GREENVILLE BOARD OF ADJUSTMENT
Thursday, January 28, 2021
6:00 PM
Zoom Webinar**

I. ROLL CALL

II. APPROVAL OF MINUTES –December 17, 2020

III. NEW BUSINESS

1. PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY
CREIGHTON COMPANIES LLC

The applicant, Creighton Companies LLC, desires to operate a convenient store with gasoline sales pursuant to Appendix A, Use (10)b. of the Greenville City Code. The proposed use is located at 3750 S Memorial Drive. The property is further identified as being tax parcel numbers 16368 and 06399. **WITHDRAWN**

2. PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY WEST
PARK MOTOR COMPANY AND ALLIGOOD REAL ESTATE LLC

The applicants, West Park Motor Company and Alligood Real Estate LLC, desire to operate an automobile, truck, recreational vehicle, motorcycle and boat sales and service pursuant to Appendix A, Use (11)f. of the Greenville City Code. The proposed use is located at 1221 Portertown Rd. The property is further identified as being tax parcel numbers 69656.

IV. ADJOURN

DRAFT MINUTES OF THE GREENVILLE BOARD OF ADJUSTMENT
December 17, 2020

The Greenville Board of Adjustment met electronically on the above date at 6:00 PM from different locations due to Covid 19 protocols.

The members present are denoted by an "*" and those absent are denoted by an "X".

Michael Glenn – Chairman - *	Nathan Cohen- X
Christopher Lilley- *	Stephen Atkinson- *
Rodney Bullock - Co-Chair - *	Ann Bellis - *
Hunt McKinnon - X	John Landrine - *
Sharon Evans-*	

VOTING MEMBERS: Glenn, Bullock, Bellis, Lilley, Evans, Atkinson, Landrine

OTHERS PRESENT: Elizabeth Blount, Lead Planner; Donald Phillips, Assistant City Attorney; Tony Parker, Planner I; Valerie Shiuwegar, City Clerk.

OPENING STATEMENT: Mr. Glenn read the following statement:

I would like to start by acknowledging that we are conducting this meeting using a remote, electronic platform. I would ask for your patience today as we proceed. There may be slight delays as we transition between speakers, participants and presentations.

The Board of Adjustment is a quasi-judicial body that is governed by the North Carolina General Statutes and the City's Code of Ordinance. We conduct evidentiary hearings on requests for special use permits, variances, appeals of administrative decisions and interpretations.

Before we begin the evidentiary hearings on today's agenda, I would like to provide some important information about the steps taken to ensure that each parties' due process rights are protected as we proceed in this remote platform.

First, today's meeting will be conducted in accordance with the newly enacted statutes in Session Law 2020-3, which allow for remote meetings and quasi-judicial hearings during declarations of emergency.

Second, each applicant on today's agenda was notified before being placed on the agenda that this meeting would be conducted using a remote, electronic platform. Every applicant on today's agenda has consented to the Board conducting the evidentiary hearing on their request using this remote platform. We will also confirm today at the start of each evidentiary hearing that the participants in the evidentiary hearing consent to the matter proceeding in this remote platform. If there is any objection to a matter proceeding in this remote platform, the case will be continued.

Third, notice of this meeting was provided to the applicants and the public in numerous ways, well beyond the legal requirements for noticing this meeting and the evidentiary hearings.

Specifically, notice of today's evidentiary hearings was provided by mail to all property owners within 250 feet of each subject property. The mailed notices were sent two weeks in advance of the meeting date and within the law to provide such notice – and each notice letter notified the recipient of the remote meeting platform.

Notice was also provided by posting signs on the site of each property, publishing notice in the newspaper and providing notice on the City's website. Each of these notice methods were also done within the legal requirement to provide such notice.

The notices for today's meeting contained information about the means by which the public can access the remote meeting, as the meeting occurs.

Fourth, any individual wishing to participate in today's evidentiary hearings was required to sign-up prior to the meeting to participate. Information about this sign-up requirement, along with information about how to sign-up to participate, was included in the mailed notice letters sent to each property owner within 250 feet of each subject property. This information was also included on the Board's website and, among other information, a link to the Board's website was included in all methods of notice.

All individuals participating in today's evidentiary hearings were also required to submit a copy of any presentation, document, exhibit or other material that they wished to submit at the evidentiary hearing prior to today's meeting. All materials that the City received from the participants in today's cases, as well as a copy of City staff's presentations and documents, were posted online on the Board of Adjustment Meeting Schedule and Agenda prior to this meeting. All materials that will be discussed today can be viewed at any time during today's meeting by visiting <https://www.greenvillenc.gov/government/city-council/boards-and-commissions/board-of-adjustment/2020-board-of-adjustment-meeting-schedule-and-agendas> and clicking the December 17, 2020 Agenda and Meeting packet link. No new documents will be presented at today's meeting. All decisions of this board are subject to appeal with the Pitt County Superior court.

Finally, all individuals who signed-up to participate in an evidentiary hearing on today's agenda, as well as all City staff participants, were emailed a witness oath form prior to today's meeting. Any individual planning to testify or submit evidence in an evidentiary hearing was notified that they must sign the oath form prior to today's meeting. We will also reaffirm everyone's oath on the record at today's meeting.

MINUTES:

Motion made by Mr. Bullock, seconded by Mr. Landrine, to approve the November 19, 2020. Motion passed unanimously.

Mr. Glenn then swore in staff members who would be presenting, Elizabeth Blount.

Assistant City Attorney Phillips reviewed information as stated on pages 2 to 3 of the Meeting Handout available to the Public, the EVIDENCE TO BE CONSIDERED BY THE BOARD OF ADJUSTMENT IS AS FOLLOWS:

- A. The Board of Adjustment is a quasi-judicial body that makes a decision concerning an application, petition or appeal based on the evidence presented by those in favor as well as those in opposition.
- B. The members of the Board of Adjustment are lay persons and as such, the rules of evidence that are followed in a court are relaxed for cases heard before this body.
- C. Though the rules of evidence are relaxed, it does not mean they are ignored. Only evidence that is material, competent and substantial will be considered and may be used by the Board in its decision-making process.
- D. The Board may not consider, nor is it admissible to present or offer affidavits, letters or other writings in support of or in opposition to a matter before the Board unless the person who prepared the writing is testifying. These writings are considered hearsay.

1. Statements by a person such as in my opinion, the application will create a traffic hazard," is not an admissible opinion and may not be considered by the Board.
 - 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.

NEW BUSINESS

1. PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY MICHAEL SHREVES AND MICHAEL B. ROBERSON

The applicants, Michael Shreves and Michael B. Roberson, desire to operate other activities; retail sales not otherwise listed (gun shop) pursuant to Appendix A, Use (15)d. of the Greenville City Code. The proposed use is located at 3740 Charles Blvd. The property is further identified as being tax parcel number 37190.

Mr. Glenn confirmed and swore in one registered speaker – Michael Shreves.

Mr. Glenn asked staff to present the report.

Ms. Blount delineated the area on the map. She stated that the request is located in the southeastern quadrant of the City.

Zoning of Property:

CH (Heavy Commercial)

Surrounding Zonings:

North: CH (Heavy Commercial)
South: CH (Heavy Commercial)
East: RA20 (Residential Agricultural)
West: CG (General Commercial)

Surrounding Developments:

North: Greenville Pool & Supply Company
South: Vacant Lot
East: Hardee's Restaurant and Speedway Convenience and Gasoline Store
West: Cell Tower and vacant lot

Description of Property:

The subject property is 0.89-acres in size with approximately 125 feet of frontage along Charles Boulevard. The property currently houses one main building and three accessory structures. SCI Technologies is located in the main building. The proposed use will be located in an existing structure.

Comprehensive Plan:

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

Notice:

Notice was mailed to the adjoining property owners on December 3, 2020. Notice of the public hearing was published in the Daily Reflector on December 6 and December 13, 2020.

Related Zoning Ordinance Regulations:

Definition:

Retail sales. Establishments engaged in selling merchandise for personal or household consumption, and rendering services incidental to the sale of goods. Establishments are classified by kind of business according to the principal lines of commodities sold (apparel), or the usual trade designation (shoe store). Characteristics of retail trade establishment are: the establishment is usually a place of business and is engaged in activities to attract the general public to buy; the establishment buys or receives merchandise as well as sells; the establishment may process its products, but the processing is incidental or subordinate to selling; the establishment is considered as retail in the trade; and the establishment sells to customers for personal or household use.

Staff Recommended Conditions:

Establishment shall not be or evolve into a pawnbroker without separate application and compliance. Must comply with all local, state and federal laws and regulations regarding gun sales, storage, etc. and maintain all required licenses, such as a Federal Firearms License (FFL).

Staff 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.

Mr. Glenn opened the public meeting.

Mr. Shreves, applicant, spoke in favor of the request. He said that the property is owned by his brother-in-law, Michael Roberson, who is a trained firearms instructor. Their objective is to have a safe, controlled environment to sell handguns to Roberson's students should they want to follow up their training with the purchase of a gun. Mr. Shreves stated that he never intends to turn the shop into a pawn brokerage and has no desire to do so. He said that this will not be a traditional gun shop with displays. The business will only be for special orders for Mr. Roberson's student who take his conceal carry and firearm raining classes. He also stated that he has been working with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to make sure they had their permits correct. Mr. Atkinson asked if they would be dealing only in handguns or will other types of firearms be available.

Mr. Shreves said it would be primarily be handguns, but there could be sales of both.
Mr. Landrine asked for a confirmation that there would be no guns on display to sell.

Mr. Shreves answered that there would be no displays. He said it would be ordered and delivered under federal guidelines.

Mr. Landrine asked if there would be any firearms training on site.

Mr. Shreves said there would not be.

Mr. Atkinson asked staff if there has been information gathered about vehicular accidents at the intersection near the proposed shop. He asked how the city would address this busy traffic corridor.

Ms. Blount said that according to the applicant, there should not be much increase in traffic in and out of the property. She further said that the business is a special order business which will have a minimal impact on traffic patterns.

Mr. Atkinson asked if the business was limiting itself to one or two customers.

Mr. Shreves said that they intended to conduct business when the classes are in session which are held after hours. He said that there really should be no additional traffic to the location during standard business hours.

Mr. Atkinson said that people who work in the city but reside outside of the city all travel on this road after standard business hours, which is why the roadway will be widened. He said this is a concern of his and the location is terrible for a business.

No one else spoke in favor of the request.

No one spoke in opposition of the request.

Mr. Glenn asked for staff recommendation.

Ms. Blount said staff has objection to the request with the recommended conditions.

Mr. Glenn then closed the public hearing and opened up Board discussion.

Mr. Glenn said that Mr. Atkinson's point is correct, which is why NCDOT is working to correct the roadway and intersection.

Mr. Atkinson said until the road is improved, the access to this property is very limited, which is his concern.

Mr. Glenn read the criteria and the board's silence was a vote in favor of the criteria.

Mr. Bullock made a motion to adopt the Finding of Facts, Ms. Bellis seconded the motion and it passed unanimously. Vote: 7 to 0

Mr. Bullock made a motion to approve the petition, Mr. Lilley seconded the motion and it passed unanimously. Vote: 7 to 0

Mr. Glenn announced that Michael Shreves' special use permit has been granted.

With no further business, Ms. Bellis made a motion to adjourn, Ms. Evans seconded, and the motion to adjourn passed unanimously. Meeting adjourned at 6:28 p.m.

Respectfully submitted

Elizabeth Blount
Lead Planner

Elizabeth Blount

From: Patrick Byker <pbyker@morningstarlawgroup.com>
Sent: Friday, January 15, 2021 10:59 AM
To: Elizabeth Blount
Subject: Notice of Withdrawing Special Use Permit Application for 3750 S. Memorial Dr.

Good morning, Ms. Blount:

Hope you all are doing well today. I regret to inform you that our development team has chosen not to proceed with the redevelopment of 3750 S. Memorial Drive in Greenville. Pursuant to this email, we are hereby withdrawing our application to the Greenville Board of Adjustment for a Special Use Permit for fuel sales at 3750 S. Memorial Drive.

Please confirm this case has been withdrawn and will not be on the agenda for the Greenville Board of Adjustment on Jan. 28, 2021.

On behalf of our team, we do appreciate your help with this and your guidance in this matter.

Thank you,

Patrick



PATRICK L. BYKER | Partner

112 W. Main St. | Second Floor | Durham, NC 27701

direct 919.590.0384 | fax 919.882.8890

[Website](#) | [Twitter](#) | [Facebook](#)

Member of the Warwick Legal Network 

Special Use Permit – Board of Adjustment
January 28, 2021 6:00 p.m.
Zoom Webinars
Staff Contact: Elizabeth Blount, 252-329-4608

Date: December 23, 2020

Applicants: West Park Motor Company and Allgood Real Estate, LLC

Agenda #: 2 (New Business)

Request: The applicants, West Park Motor Company and Allgood Real Estate LLC, desire a special use permit to operate automobile, truck, recreational vehicle, motorcycle and boat sales and service pursuant to Appendix A, Use (11)f. of the Greenville City Code.

Location: The proposed use is located at 1221 Portertown Road. The property is further identified as being tax parcel number 69656.

Zoning of Property: CG (General Commercial)

Surrounding Zoning:

North: CG (General Commercial)
South: CG (General Commercial)
East: CG (General Commercial)
West: RA20 (Residential Agricultural)

Surrounding Development:

North: Sheet Convenience and Gasoline store
South: Vacant Lot
East: The Shops at Hardee Village
West: Pinewood Cemetery

Description of Property:

The subject property is 1.22-acres in size with approximately 235 feet of frontage along Portertown Road. The property contains a 3,874 square foot commercial building which use to house East Carolina Bank.

Comprehensive Plan:

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

Notice:

Notice was mailed to the adjoining property owners on January 7, 2021. Notice of the public hearing was published in the Daily Reflector on January 17 and January 24, 2021.

Related Zoning Ordinance Regulations:

Definition:

Automobile, truck, recreational vehicle, motorcycle and boat sales. Establishments engaged in the retail and/or wholesale of new and/or used automobiles, trucks, recreational vehicles and campers, motorcycles and motor boats including other watercraft, trailers, marine supplies and outboard motors, collectively referred to as vehicles for purposes of this definition. These establishments frequently maintain repair departments (see also major and minor repair) and carry stocks of replacement parts and accessories. For purposes of interpretation, the concurrent display for sale of not more than any five such vehicles upon a lot containing a legal nonresidential principal use may be considered an accessory use in accordance with applicable conditions set forth by definition. Specifically, the concurrent display for sale of not more than any five such vehicles upon any lot containing a legal vehicle-related major or minor repair establishment, or a bank, savings and loan or other lending institution engaged in the repossession of vehicles shall be considered an accessory use to the principal use.

Staff Recommended Conditions:

Site plan approval is required before occupancy.

Display of automobiles for sale in the right-of-way or bufferyards shall not be permitted.

Staff 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.

BOA 21 - 02
Date Received 12-23-2020

**CITY OF GREENVILLE
SPECIAL USE PERMIT APPLICATION**

Applicant Name(s) West Park Motor Company
Alligood Real Estate, LLC

Contact Name and Mailing Address Kyle Alligood
4030 US Hwy. 264 W.
Washington, NC 27889

Contact Phone Number (252) 974-2886

Contact Phone Number (_____) _____

Contact Fax Number (_____) _____

Contact Email Address kawestpark@gmail.com

Location /Street address of proposed use 1221 Portertown Road (Lot 2, Hardee Square)

Tax Parcel # ~~60442~~ 09656

Proposed use Used Car Dealership

The Zoning Ordinance imposes the following General Restrictions on the use requested by the applicant. Under each requirement the applicant should explain, with reference to attached plans, where applicable, how the proposed use satisfies these requirements. Answers should be supported by facts when possible.

The Board of Adjustment may grant permission for the establishment of a listed special use if the Board finds from the evidence produced after a study of the complete record that:

- (a) Conditions and Specifications. That the proposed use meets all required conditions and specifications of the Zoning Ordinance and policies of the City for submission of a special use permit. Such conditions and specifications include but are not limited to the following:

- Compliance with lot area, dimensional standards, setback and other location standards, off-street parking requirements, all additional specific criteria set forth for the particular use, Section 9-4-86, of Article E, and all application submission requirements.

The proposed plan is in compliance with applicable City of Greenville Zoning Regulations and meets or exceeds the minimum requirements for lot area, dimensional standards, setbacks, and parking requirements.

- (b) Comprehensive Plan. That the proposed use is in general conformity with the Comprehensive Land Use Plan of the City and its extraterritorial jurisdiction.

The Comprehensive Plan provides for development of this area as commercial uses. The proposed use is therefore in compliance with the Comprehensive Land Use Plan.

- (c) Health and Safety. That the proposed use will not adversely affect the health and safety of persons residing or working in the neighborhood of the proposed use.

Such health and safety considerations include but are not limited to the following:

1. The safe and convenient location of all on-site parking and drives.
2. The existing vehicular traffic on area streets.
3. The condition and capacity of area streets which will provide access to the proposed development.
4. The visibility afforded to both pedestrians and operators of motor vehicles both on-site and off-site.
5. The reasonably anticipated increase in vehicular traffic generated by the proposed use.
6. The anticipated, existing and designed vehicular and pedestrian movements both on-site and off-site.

The proposed use is in harmony with the existing neighborhood and current zoning patterns. The proposed use will utilize existing driveway access and pedestrian circulation which are in conformance with the applicable City of Greenville regulations. The proposed use is located along Portertown Road, a Major Thoroughfare, which has the capacity to accommodate the anticipated traffic generated by the use.

- (d) Detriment to Public Welfare. That the proposed use will not be detrimental to the public welfare or to the use or development of adjacent properties or other neighborhood uses.

The proposed use is in harmony with the existing zoning pattern and commercial uses of the surrounding properties and will not be detrimental to the public of adjacent properties or neighborhood uses.

- (e) Existing Uses Detrimental. That the proposed use would not be adversely affected by the existing uses in the area in which it is proposed.

The existing uses in the area will not negatively impact the proposed use as the area consists of an existing gas station, grocery store with out parcels, and a cemetery across the street.

- (f) Injury to Properties or Improvements. That the proposed use will not injure, by value or otherwise, adjoining or abutting property or public improvements in the neighborhood.

The proposed use and property improvements will not injure the adjoining property or public improvements in the neighborhood. The existing public improvements are adequate to serve the demands of the intended use and the proposed use is in harmony with the existing surrounding uses.

- (g) Nuisance or Hazard. That the proposed use will not constitute a nuisance or hazard. Such nuisance or hazard considerations include but are not limited to the following:

1. The number of persons who can reasonably be expected to frequent or attend the establishment at any one time.
2. The intensity of the proposed use in relation to the intensity of adjoining and area uses.
3. The visual impact of the proposed use.
4. The method of operation or other physical activities of the proposed use.
5. The noise; odor; smoke; dust; emissions of gas, particles, solids or other objectionable or toxic characteristics which are proposed or that can reasonably be expected to be a result of the operation of the proposed use.
6. The danger of fire or explosion.

The proposed use will be similar in nature to surrounding existing commercial uses as it relates to the intensity of the use. The building and parking is existing and is in architectural harmony with the area and the day to day operations of the use will not create increase noise, odor, smoke, dust, emissions of gas, particles, solids or other objectionable or toxic characteristics. The operations do not create any danger of fire or explosion.

I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information and belief. I authorize the City of Greenville to place a sign on the property in question, for the purpose of alerting the general public of my request.

<u>Kyle Alligood</u>	<u>Kyle Alligood</u>	<u>12/22/2020</u>
Print Name	Signature of Applicant	Date
_____	_____	_____
Print Name	Signature of Applicant	Date

NOTE: If the person who is requesting the Board of Adjustment to take action on a particular piece of property is not the owner of the property and does not have a binding option to purchase the property, then the actual owner(s) of the land must complete this form. If the person who is requesting the Board of Adjustment to take action on a particular piece of property is the owner of the property or has a binding option to purchase the property, please disregard this form. **Attach a copy of the option to purchase if the applicant has a binding option to purchase the property.**

I /We _____ am /are the owner(s) of the property located at _____

I /We hereby authorize _____ to appear by consent before the Greenville Board of Adjustment in order to ask for a special use permit to _____

at this location. I /We understand that the special use permit, if granted, is permanent and runs with the land unless otherwise conditioned. I /We authorize the City of Greenville to advertise and present this matter in my /our name as the owner of the property.

If there are any questions, you may contact _____ at my address,

or by telephone at (_____) _____ or (_____) _____

Respectfully yours,

Owner Date

Owner Date

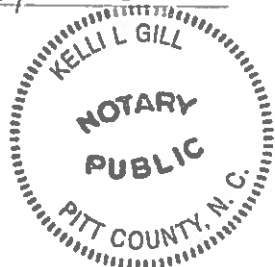
Pitt County, North Carolina

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Kyle Alligood

Date: 12/22/2020

Kelli L. Gill
Notary Public

(Official Seal)



My commission expires: Sept. 25, 2021

West Park Motor Company

OwnerName	OwnerName2	OwnerAddress1	CityStateZip
EAST CAROLINA BANK THE		1001 RED BANKS RD.	GREENVILLE NC 27858
GREENVILLE RETAIL INVESTMENT LLC		550 LONG POINT ROAD	MOUNT PLEASANT SC 29464
PINEWOOD MEMORIAL PARK INC		PO BOX 2245	GREENVILLE NC 27836
RAWLS & ASSOC DEV CO LLC		PO BOX 8699	GREENVILLE NC 27835
RAWLS INC		PO BOX 8694	GREENVILLE NC 27835
TMBH HOLDINGS LLC	SHEETZ INC STORE # 415	5700 SIXTH AVE	ALTOONA PA 16602



PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

January 21, 2021

Kyle Alligood
4030 US Hwy 264 W
Washington, NC 27889

Dear Petitioner:

This is to inform you that your request for a special use permit has been scheduled for the Board of Adjustment meeting on **Thursday, January 28, 2021 at 6 pm**. Please be advised that the **BOARD'S JANUARY 28, 2021 meeting will be A REMOTE MEETING CONDUCTED BY ELECTRONIC MEANS**.

The State of North Carolina, Pitt County and the City of Greenville have all declared States of Emergency in response to the COVID-19 virus. Because of the risks to the public that would arise from in person meetings, the City is converting this Board of Adjustment meeting to a remote electronic format.

Your presence (or that of your authorized representative) is **required** at this meeting to answer any questions which may arise concerning your request. Individuals who participate in this evidentiary hearing will be required to register and provide copies of all documents, exhibits, and any other materials they wish to present at the hearing, **no later than 5 p.m. on Monday, January 25th**. You may register on our website at www.greenvillenc.gov under the Board of Adjustment webpage. All participates (including yourself) in the evidentiary hearing must fill out the enclosed witness oath and remote meeting consent sheet in the presence of a city notary. Please call the Planning Division at 252-329-4498 to set up an appointment to fill out the forms in person or electronically via Zoom **no later than January 25th**. **PLEASE DO NOT SIGN THE FORM UNTIL YOU ARE IN THE PRESENCE OF A NOTARY FROM THE CITY**. You will need a picture ID, preferably one that has been issued by the State. You will also be sworn in and asked for your consent for a remote meeting on the night of the hearing. **Please submit applicable presentations, documents, exhibits or other material that you wish to show at this meeting, via our dropbox link <https://www.dropbox.com/request/7pkUNJK3ctlmVWouiYmf>**. All material received from participants will be posted online. **If you have any issues or concerns about the electronic platform, please contact me as soon as possible, but no later than January 25th**. Additional information will be posted on the City's website (<https://greenvillenc.gov>). Enclosed is the meeting's agenda and witness oath and consent.

If you have any further questions regarding this matter or if you would like a copy of the staff findings of fact concerning your request, please call me at (252) 329-4608.

Sincerely,

A handwritten signature in black ink that reads 'Elizabeth Blount'.

Elizabeth Blount, Planner

Enclosures



PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

January 14, 2021

Dear Greenville Area Property Owner:

The Planning and Development Department wishes to inform you that the regular scheduled Board of Adjustment meeting is scheduled for **Thursday, January 28, 2021 at 6 pm.** The request by West Park Motor Company and Alligood Real Estate, LLC for a special use permit to operate an automobile, truck, recreational vehicle, motorcycle and boat sales and service pursuant to Appendix A, Use (11)f. of the Greenville City Code will be heard at this meeting. The proposed use is located at 1221 Portertown Road. The property is further identified as being tax parcel number 69659. You are receiving this notification because your property is within 250 feet of the proposed request.

-- COVID-19 UPDATE --

**PLEASE BE ADVISED THAT THE BOARD'S JANUARY 28, 2021 MEETING WILL BE A
REMOTE MEETING CONDUCTED BY ELECTRONIC MEANS**

The State of North Carolina, Pitt County and the City of Greenville have all declared States of Emergency in response to the COVID-19 virus. Because of the risks to the public that would arise from in person meetings, the City is converting this Board of Adjustment meeting to a remote electronic format.

The Board of Adjustment meeting will be broadcast and available for viewing by the public via the following methods: the City's website http://greenville.granicus.com/mediaplayer.php?publish_id=13 or the Public Access Channel 9 on television the night of the meeting. The Board of Adjustment meeting can also be listened to by telephone and instructions for doing so are posted on the City's website (<https://greenvillenc.gov>).

If you have competent and material evidence relevant to this case, you may participate in the evidentiary hearing. If you have questions about how to participate in the electronic evidentiary hearing, or if you have any issues or concerns about the electronic platform, please contact the undersigned plan reviewer as soon as possible, but no later than January 25. Individuals who participate in the evidentiary hearing will be required to register and provide copies of all documents, exhibits, and any other materials they wish to present at the hearing, no later than 5 p.m. on Monday, January 25, 2021. All participates in the evidentiary hearing must fill out the enclosed witness oath and remote meeting consent sheet in the presence of a city notary. Please call the Planning Division at 252-329-4498 to set up an appointment to fill out the forms in person or electronically via Zoom **no later than January 25th.** **PLEASE DO NOT SIGN THE FORM UNTIL YOU ARE IN THE PRESENCE OF A NOTARY FROM THE CITY.** You will need a picture ID, preferably one that has been issued by the State. **You will also be sworn in and asked for your consent for a remote meeting on the night of the hearing.** The registration link and additional information will be posted on the City's website (<https://greenvillenc.gov>). Attached is the meeting's agenda and information sheet about the Greenville Board of Adjustment.

Doc. 1141093

More information regarding the case for which you are receiving this notice can be found on the City of Greenville's website, <https://greenvillenc.gov>, on the Board of Adjustment page. Any additional documents and materials received on or after Monday, January 25th will be added to the City's website no later than Friday, January 29, 2021.

If you have any questions concerning this matter, please feel free to contact me.

Best Regards,

Elizabeth Blount
Planning Division, Staff Liaison for the Board of Adjustment
252-329-4608
Eblount@greenvillenc.gov

Enclosures

Doc. 1141093

FOR **PARTICIPANTS** IN THE EVIDENTIARY HEARING ONLY

**City of Greenville Board of Adjustment
Witness Oath**

You have signed-up to participate in the evidentiary hearing for agenda item number **(2) West Park Motor Company and Alligood Real Estate** at the **January 28, 2021** meeting of the City of Greenville Board of Adjustment. All persons testifying and presenting evidence to the board in a case scheduled for evidentiary hearings must be under oath.

Please sign below to indicate that you swear or affirm that the evidence and testimony you shall give to the City of Greenville Board of Adjustment in the case or cases in which you signed-up to participate shall be the truth, the whole truth, and nothing but the truth, so help you God.

Date

Signature

**City of Greenville Board of Adjustment
Remote Meeting Consent**

You have signed-up to participate in the evidentiary hearing for agenda item number **(2) West Park Motor Company and Alligood Real Estate** at the **January 28, 2021** meeting of the City of Greenville Board of Adjustment. All persons with standing in a case scheduled for an evidentiary hearing must consent to the case being heard remotely.

Please sign below to indicate that you consent to the City of Greenville Board of Adjustment holding a remote public hearing to consider a automobile sales and service facility (case description) at 1221 Portertown Road (address of proposed request).

Date

Signature

Notary Signature Only

_____ County, North Carolina

I signed this notarial certificate for the following person(s) located in the noted county according to the emergency video notarization requirements contained in G.S. 10B-25 :

Date: _____

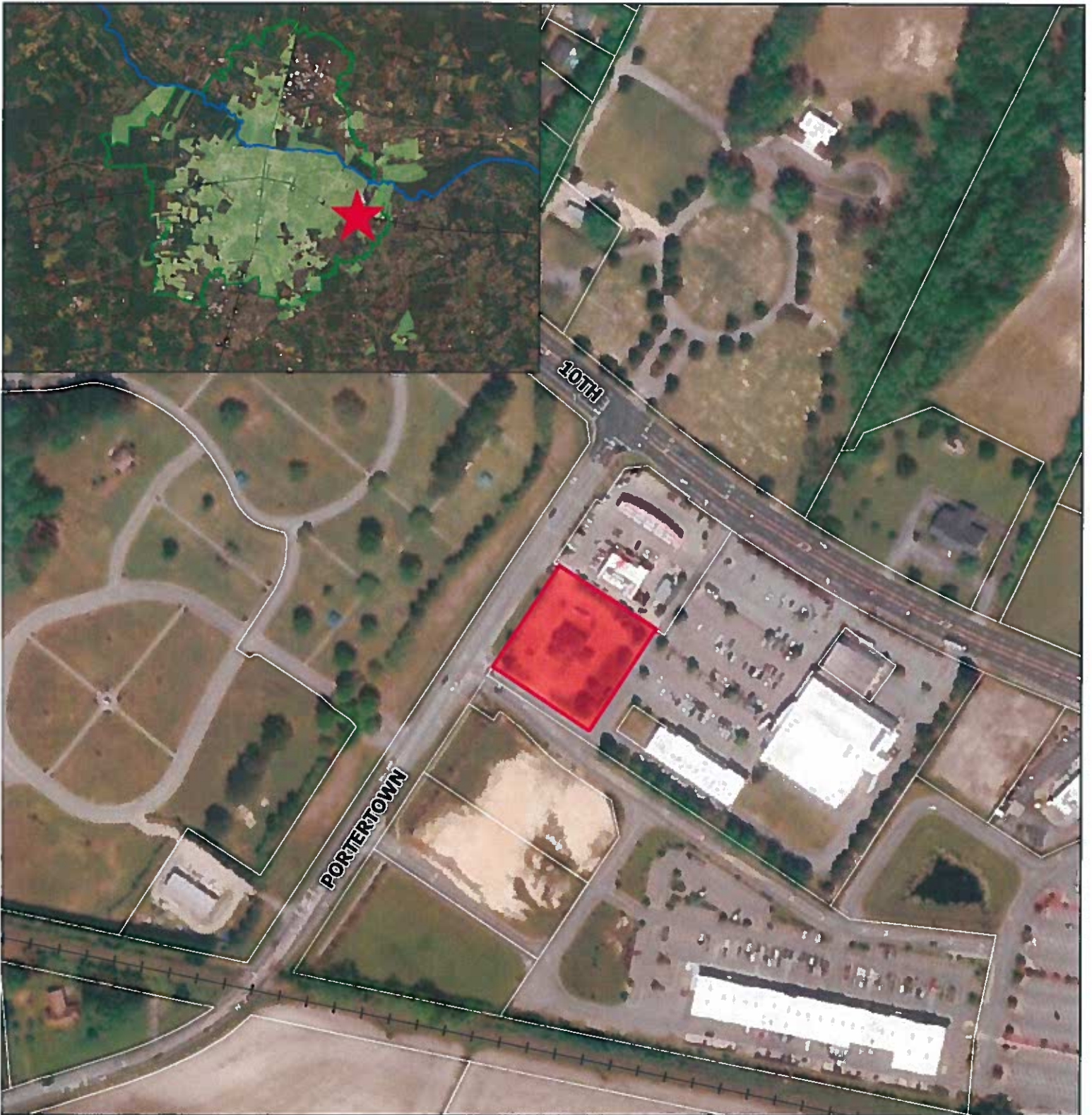
_____, Notary Public

My commission expires _____



West Park Motor Company & Alligood Real Estate LLC

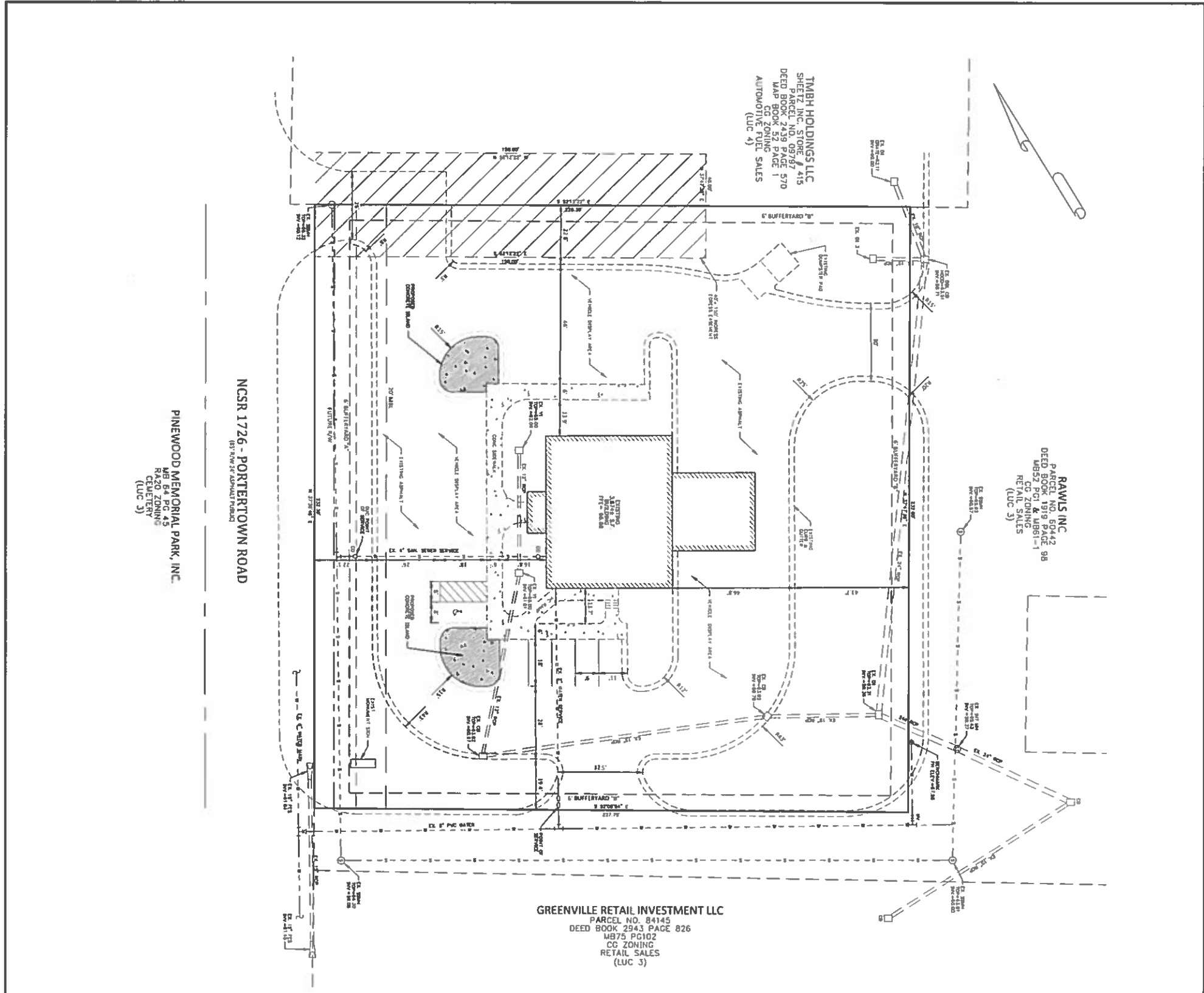
Find yourself in good company®



 Tar River  ETJ  Subject Property

 City Limits  Railroads





Site Data

TOTAL ACRES ON SITE:	1.324 AC.
TAX PARCEL NUMBER:	06558
CURRENT ZONING:	CC (COMMERCIAL)
LAND USE CLASSIFICATION:	4000 SALES
GROSS FLOOR AREA:	2,941 SF
BUILDING HEIGHT IN FT. & STORIES:	7.5M EXIST. 7.5M PROPOSED
TOTAL NO. OF PROPOSED PARKING SPACES:	24 (11 STORM)
TOTAL NO. FEET OF IMPERVIOUS AREA:	4,594 SQ. FT. (1.0)
APPROVED AREA FOR PARKING:	50,513 SF
DEED BOOK 1818, PAGE 181	
1231 PORTERTOWN ROAD	
GREENVILLE, NC 27838	

Parking Requirements:

AUTO SALES 1 SPACE / 400 SF OF SHOWROOM	2 SPACES
50 SF OF SHOWROOM / 400 SF	2 SPACES
TOTAL REQUIRED PARKING:	3 SPACES
REQUIRED MANICURE PARKING:	1 SPACE



General Notes:

1. NCDOT DRIVEWAY APPROVAL PERMITS ARE NOT REQUIRED.
2. ANY UNPAVED DRIVEWAY MUST BE CLOSED IN ACCORDANCE WITH THE CITY OF GREENVILLE'S DRIVEWAY ORDINANCE.
3. CONTRACT WITH CAROLINA ONE-CALY CENTER, INC. (INC. ONE-CALY) AT 811 TO MAKE ALL UNDERGROUND UTILITIES LOCATED PRIOR TO EXCAVATING OR TRENCHING.
4. ALL REQUIRED IMPROVEMENTS SHALL CONFORM TO THE CITY OF GREENVILLE MANUAL OF STANDARD DESIGN AND DETAILS (MSDD) AND THE GREENVILLE UTILITIES MANUAL FOR THE DESIGN AND CONSTRUCTION OF WATER AND WASTEWATER SYSTEMS EXTENSION.
5. CONTRACTOR SHALL NOTIFY PUBLIC WORKS STREET MAINTENANCE DIVISION 48 HOURS PRIOR TO MAKING CONNECTIONS TO EXISTING STORM DRAINS LOCATED WITHIN PUBLIC STORM DAMAGE EASEMENTS OR RIGHT-OF-WAY.
6. THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FIRM 87205000X, DATED JUNE 18, 2000.
7. PROVIDE ALL NECESSARY SIGNAGE FOR MANICURE PARKING.
8. PARKING LOT SHALL BE STRIPPED IN ACCORDANCE WITH PLAN.
9. THIS PROJECT DISTURBS LESS THAN 1 ACRE. EROSION CONTROL PLAN APPROVAL IS NOT REQUIRED.
10. THIS PROJECT DISTURBS LESS THAN 0.3 ACRES FOR PURPOSES OF A COMMERCIAL DEVELOPMENT STORMWATER MANAGEMENT PLAN APPROVAL IS NOT REQUIRED.
11. STORM WATER DETENTION IS PROVIDED BY MASTER STUDY FOR THE DEVELOPMENT.
12. REFUSE COLLECTION SHALL BE PROVIDED BY PRIVATE SERVICE.
13. DUMPSTER PADS SHALL BE EMPLOYED ON THREE SPOTS BY COMPLETE VISUAL SCREEN CONSISTING OF A FENCE, VEGETATION OR COMBINATION THEREOF.
14. ALL DRAINAGE ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
15. SITE SHALL MEET ALL RELATED ACCESSIBILITY CODE REQUIREMENTS.
16. SITE SHALL COMPLY WITH SECTION 510 OF THE INTERNATIONAL FIRE CODE.

Survey Note:

BOUNDARY AND TOPOGRAHY INFORMATION FROM HERRON WALK DRAWN FROM SITE PLAN PREPARED BY SAUNDERS AND ASSOCIATES, A SURVEYOR DRAWING, ENTITLED SITE & STAGING PLAN, EAST CAROLINA BANK LOT 2, HARRETT SQUARE, DATED SEPTEMBER 27, 2004.

SHEET INDEX

Sheet No. C-1	Site Plan
Sheet No. C-2	Landscaping Plan

Owner / Developer

AUTOGOLD REAL ESTATE, L.L.C.
4201 US HWY 264 W
WASHINGTON, NC 27889
PHONE: (252) 974-2888



City of Greenville Site Plan Approval

Drawn By	CEJ
Checked By	STV
Printed Number	20000
Drawing Number	D-1250

City of Greenville Site Plan Approval

Project Manager	EIA
Drawn By	CEJ
Checked By	STV
Printed Number	20000
Drawing Number	D-1250

NC License P-1198

ARK CONSULTING GROUP, PLLC
ENGINEERS & PLANNERS
2755-B Charles Blvd.
Greenville, NC 27858
(252) 558-0888
www.arkconsultinggroup.com

12/21/2020

SITE PLAN

WEST PARK MOTOR COMPANY

PORTERTOWN ROAD (NCSR 1726)
Grimesland Township, Pitt County, North Carolina

Final Drawings Issued For Permit Review Purposes Only

REVISIONS

#	DATE	COMMENTS
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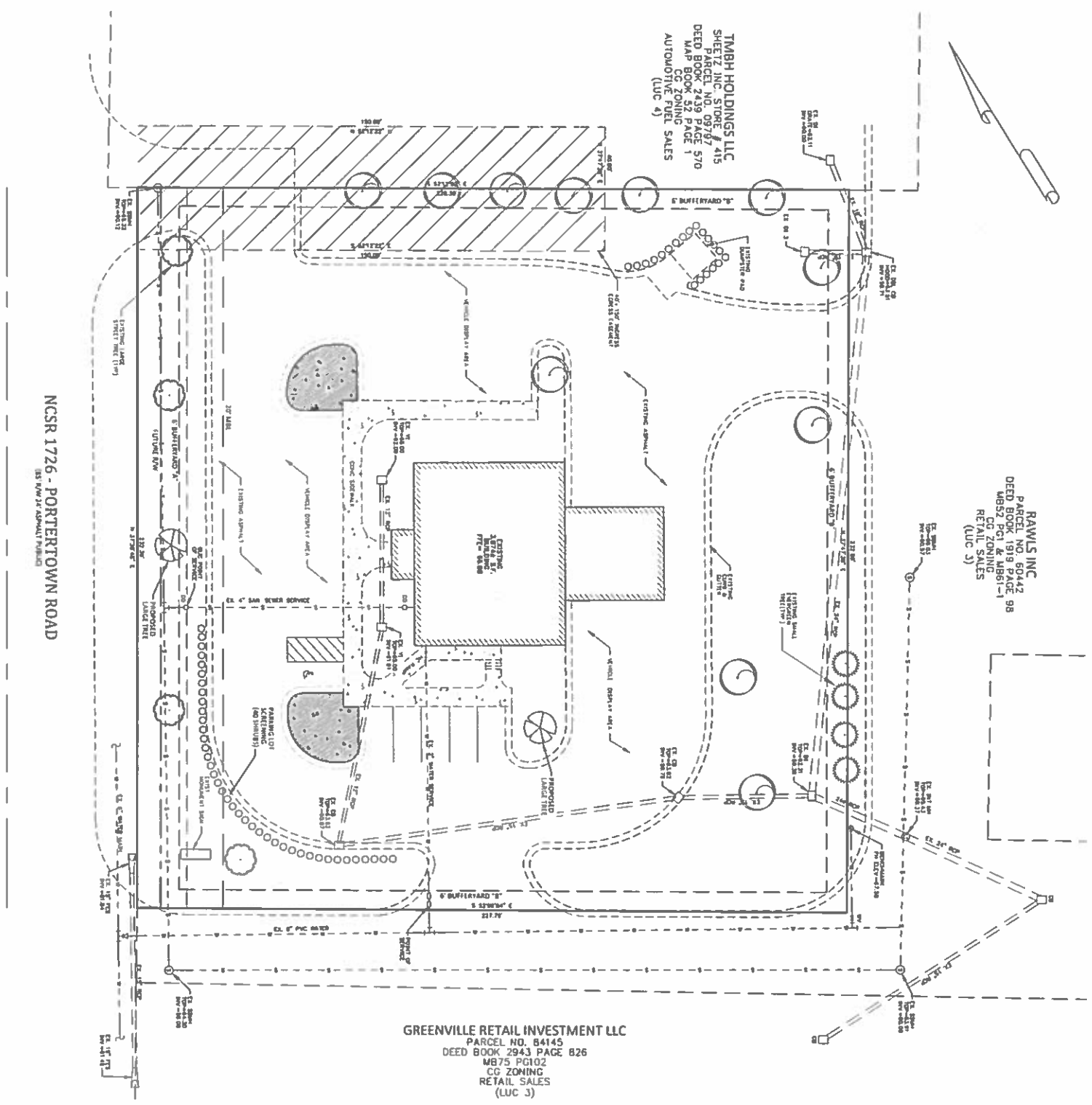


Bufferyard Notes:

1. SITE DATA, LAND AREA FOR VEGETATION REQUIREMENTS: 1.2 AC.
 - A. REQUIRED VEGETATION FOR LOT:
 - 1. LARGE TREES: 4 (4 PROPOSED)
 - 2. SMALL TREES: 12 (8 EXISTING, 4 TO BE PLANTED)
 - 3. SHRUBS: 30 (20 PROPOSED)
 - B. REQUIRED STREET VEGETATION:
 - 1. LARGE TREES: 9 (222 291J NCSR 1726 PORTERTOWN ROAD)
 - C. REQUIRED SCREENING VEGETATION: NONE
 - D. REQUIRED VEGETATION LOCATED IN EASEMENTS: NONE
2. REQUIRED VEGETATION LOCATED IN EASEMENTS AS FOLLOWS:
 - A. MINIMUM PLANT SIZES SHALL BE IN ACCORDANCE WITH THE ZONING REGULATIONS AS FOLLOWS:

PLANTING MATERIAL TYPE	MINIMUM PLANTING SIZE
1. LARGE TREE - SINGLE STEM	27" (HEIGHT) AND 7" CALIPER
2. SMALL TREE	8" (HEIGHT) AND 1.5" CALIPER
3. SHRUB	18" (HEIGHT), EXCEPT AS PROVIDED UNDER SECTION 9-4-2.714
 - B. NO PORTION OF ANY PLANTING AREA, INCLUDING ANY DRIVeway, PARKING SPACE, DRIVE AND/OR TURNING AREA, SHALL BE LOCATED MORE THAN THIRTY (30) FEET FROM ANY ON-SITE SMALL TREE OR MORE THAN SEVENTY-FIVE (75) FEET FROM ANY ON-SITE LARGE TREE. FOR PURPOSES OF THIS SECTION, THE MEASUREMENT SHALL BE FROM THE FARTHEST EDGE OF THE SUBJECT AREA TO THE CENTER OF THE BASE OF THE CLOSEST QUALIFYING TREE.
 - C. SITE PLAN APPROVAL FROM THE RESPECTIVE EASEMENT HOLDER SHALL BE CONTINUED AS APPROVAL OF ALL ENCROACHMENTS AS SHOWN ON THIS PLAN. (SEE NOTE ON ITEM 1.D)
 - D. THE FOLLOWING VEGETATION MATERIALS AS LISTED BY COMMON NAME, SHALL CONSTITUTE NOT MORE THAN TWENTY-TWO (22) PERCENT OF THE TOTAL REQUIREMENT FOR THE SPECIFIC CATEGORY:

A. LARGE TREE CATEGORY:	RIVER BIRCH
B. SMALL TREE CATEGORY:	ARISTOCATA PEAR BALSAMIC PEAR CAPTION PEAR CLEVELAND SELECT PEAR
C. EVERGREEN SHRUB CATEGORY:	RED TIP PHOENIX
 - E. DUMPSTER/COMPACTION SHALL BE SCREENED ON 3 SIDES IN ACCORDANCE WITH SECTION 9-4.216 (D) OF THE CITY CODE.
 - F. EXISTING SUBSTITUTE VEGETATION MATERIALS HAVE BEEN NOTED INCLUDING THEIR SPECIFIC LOCATION(S), TYPE(S), AND SIZE(S).
 - G. EXISTING SUBSTITUTE VEGETATION MATERIAL SHALL BE PROTECTED FROM SITE DEVELOPMENT ACTIVITIES IN ACCORDANCE WITH SECTION 9-4.235 (D) OF THE CITY CODE.
 - H. NO LARGE TREES TO BE PLANTED WITHIN SANITARY SEWER, WATERLINE OR ELECTRIC EASEMENTS.
 - I. PARKING LOT AREA TO BE SCREENED IN ACCORDANCE WITH SECTION 9-4.235 (B) OF THE CITY CODE. PARKING AREA SCREENING SHALL BE INSTALLED WITHIN A 10 FOOT SETBACK TO AND EXTENDING THE FULL STREET SIDE WIDTH OF ALL PARKING AREAS WHICH FRONT A PUBLIC OR PRIVATE STREET.
 - J. MINIMUM OF 3 FEET CLEARANCE MUST BE MAINTAINED AROUND ALL TREE TRUNKS IN ACCORDANCE WITH STATE BUILDING CODE.
 - K. ALL REQUIRED PLANT MATERIAL (LARGE AND SMALL TREES, SHRUBS) LOCATED IN A SCREENING BUFFERYARD (C, D, E, F, G) SHALL BE EVERGREEN.

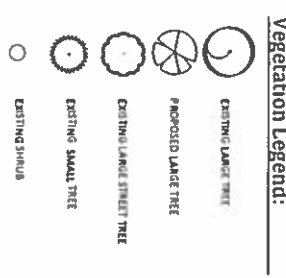


NCSR 1726 - PORTERTOWN ROAD
153 WEST 24, ASPHALT PAVED

GREENVILLE RETAIL INVESTMENT LLC
PARCEL NO. 84145
DEED BOOK 2941 PAGE 826
MB75 PG102
CG ZONING
RETAIL SALES
(LUC 3)

TMBH HOLDINGS LLC
SHEET 12 INC. STORE # 7415
DEED BOOK 2439 PAGE 570
MAP BOOK 32 PAGE 1
CG ZONING
AUTOMOTIVE FUEL SALES
(LUC 4)

RAWLINS INC
PARCEL NO. 60442
DEED BOOK 1919 PAGE 98
MB52 PG1081-1
CG ZONING
RETAIL SALES
(LUC 3)



LANDSCAPING PLAN

WEST PARK MOTOR COMPANY

PORTERTOWN ROAD (NCSR 1726)
Grimesland Township, Pitt County, North Carolina

Project Manager: EJA
Designed By: SVA
Checked By: SVA
Printed Number: 2000
Drawing Number: D-1255

12/21/2020

SEAL
S.E. JAMES
28425
REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT
NORTH CAROLINA

C-2

Date: 12-23-2020

#	DATE	COMMENTS
1		Final Drawings Issued For Permit Review Purposes Only