



**PROPOSED AGENDA
GREENVILLE BOARD OF ADJUSTMENT
Thursday, February 25, 2021
6:00 PM
Zoom Webinar**

- I. ROLL CALL
- II. APPROVAL OF MINUTES –January 28, 2021
- III. NEW BUSINESS

1. PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY
SIDEWALK GREENVILLE, LLC

The applicant, Sidewalk Greenville, LLC, desires to amend their special use permit to operate a dormitory development to reduce the square footage of the nonresidential use pursuant to Appendix A, Use (2)e(1). of the Greenville City Code. The proposed use is located at 550 Pitt Greene Connector. The property is further identified as being tax parcel number 16544.

2. PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY GEINO
SURIEL

The applicant, Geino Suriel, desires to place a mobile home on a lot pursuant to Appendix A, Use (2)g. of the Greenville City Code. The proposed use is located at 2010 Corbett Ave. The property is further identified as being tax parcel number 86675.

3. PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY GEINO
SURIEL

The applicant, Geino Suriel, desires to place a mobile home on a lot pursuant to Appendix A, Use (2)g. of the Greenville City Code. The proposed use is located at 2008 Corbett Ave. The property is further identified as being tax parcel number 86674.

4. PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY MANGO
MAN, LLC

The applicant, Mango Man, LLC, desires to operate a convenience store with gasoline sales pursuant to Appendix A, Use (10)b. of the Greenville City Code. The proposed use is located at 0 Frog Level Road. The property is further identified as being tax parcel number 86472.

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5. PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY WGBJR HOWELL, LLC

The applicant, WGBJR HOWELL, LLC, desires to operate a building supply; lumber and materials sales, plumbing and/or electrical supply including outside storage pursuant to Appendix A, Use (12)d. of the Greenville City Code. The proposed use is located at 301 Hooker Road. The property is further identified as being tax parcel number 07166.

6. PUBLIC HEARING ON A REQUEST FOR A VARIANCE BY POWER OF HIS PRESENCE CHURCH, INC.

The applicant, Power of His Presence Church, Inc., desires a variance from the parking regulations found in Section 9-4-251(B)(11) of the Zoning Ordinance in the Greenville City Code. The subject property is located at 114 E 11th Street. The property is further identified as being tax parcel number 86872.

IV. ADJOURN

DRAFT MINUTES OF THE GREENVILLE BOARD OF ADJUSTMENT
January 28, 2021

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- *
Christopher Lilley- *	Stephen Atkinson- *
Rodney Bullock - Co-Chair - *	Ann Bellis - *
Hunt McKinnon - *	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; Thomas Barnett, Director of Planning and Development Services; Les Everett, Assistant Director of Planning Services; Kelvin Thomas, Communications Specialist

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/2021-board-of-adjustment-meeting-schedule-and-agendas> and clicking the January 28, 2021, 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. McKinnon, to approve the December 17, 2020. Motion passed unanimously.

Chairman Glenn swore in presenting staff members-, 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 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.

Chairman Glenn stated that the applicant has withdrawn their request for a Special Use Permit. No further action was required.

2. PUBLIC HEARING ON A REUEST 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 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. The proposed use is located at 1221 Portertown Road. The property is further identified as being tax parcel number 69656.

Chairman Glenn confirmed and swore in one registered speaker – Kyle Alligood.

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

Zoning of Property:

CG (General Commercial)

Surrounding Zonings:

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

Surrounding Developments:

North: Sheetz 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 14, 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.

Chairman Glenn opened the public meeting.

Mr. Alligood, applicant, spoke in favor of the application. He said that he would like to open a retail car business at this location. He currently owns another location in Washington, NC. Mr. Alligood said that he has been in business for fourteen years. Mr. Alligood said that the building and property have been vacant for some time.

Mr. McKinnon asked how the applicant will handle the service aspect of the business.

Mr. Alligood stated that there will be no onsite service at this location. All of the service would be handled by his Washington, NC location. He said the proposed site would only be for sales.

Ms. Bellis asked Mr. Alligood what he planned to use the building for.

Mr. Alligood stated he intended to use the building as an office to close transactions and conduct other business as needed.

No one else spoke in favor of the request.

No one spoke in opposition of the request.

Chairman Glenn asked for staff's recommendation.

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

Chairman Glenn closed the public hearing and open up for Board discussion.

No board discussion.

Chairman 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

Chairman Glenn announced that Kyle Alligood's special use permit had been granted.

With no further business, Ms. Evans made a motion to adjourn, Mr. Bullock seconded, and the motion to adjourn passed unanimously. Meeting adjourned at 6:30 p.m.

Respectfully submitted

Elizabeth Blount
Lead Planner

Special Use Permit - Board of Adjustment

February 25, 2020 6:00 p.m.

Council Chambers

Staff Contact: Elizabeth Blount, 252-329-4608

Date: November 11, 2020

Applicant: Sidewalk Greenville, LLC

Agenda #: 1 (New Business)

Request: The applicant, Sidewalk Greenville, LLC, desires to amend their special use permit to allow for an increase in market rate units and parking and a decrease in nonresidential space of their dormitory development, pursuant to Appendix A, Use (2)e(1). of the Greenville City Code.

Location: The proposed use is located at 550 Pitt Greene Connector. The property is further identified as being tax parcel number 16544.

Zoning of Property: CD (Downtown Commercial)

Surrounding Zoning:

North: CD (Downtown Commercial) & CDF (Downtown Commercial Fringe)

South: CD (Downtown Commercial) & CDF (Downtown Commercial Fringe)

East: CD (Downtown Commercial)

West: CD (Downtown Commercial)

Surrounding Development:

North: Centurylink and City of Greenville Fire/Rescue and Police Department

South: Dickinson Avenue Public House, Federal Courthouse, Dickinson Avenue Antique Market and vacant lots

East: City of Greenville Fire/Rescue and Police Department, Jarvis Church, Sheppard Library

West: Greenville Transportation Activity Center, Farmers and Makers Market, Greenville Times, GRECO Restaurant Equipment, Whirligig Stage

Description of Property:

The subject properties are bounded by Dickinson Avenue, S. Pitt Street and Reade Circle and is located in the West Greenville Certified Redevelopment Area. The properties total 2.17 acres in size. The applicant wishes to amend their previous amended request dated February 28, 2020 to include the addition of 8 units and reducing the nonresidential square footage by 7,153 square feet. The proposed amendment would increase the total number of market rate units from 157 to 165 and the total number of beds from 426 to 437. This amendment would also decrease the nonresidential space from 13,269 square feet to 6,116 square feet.

Background of Request

University Edge and Dickinson Lofts were developed as part of the agreement between the City and Sidewalk Development LLC in November 2015. The agreement required Sidewalk to provide a minimum of 20,000 square feet of office and/or retail space on lower floors and a minimum of 45 market rate units. In January 2016, the original special use permit was issued for 120 multi-family units with 345 beds and 20,000 square feet of nonresidential space. The first amended request was submitted for additional beds because of the reorientation of a building. It was approved for 150 multi-family units with 400 beds and additional parking at the rate of .7 parking spaces per bed in June of 2016. The seconded amended request was submitted because additional land was acquired which triggered an increase in beds. It was approved for 144 multi-family units with 413 beds and 290 parking spaces in January 2017. The third amended request was submitted on February 28, 2020 because the applicant was unsuccessful in obtaining clients for the nonresidential space. The amended request was granted for 157 multi-family units with 426 beds and a decrease of 6,731 square feet of nonresidential space. This new amended request is for 8 new Live-Work market rate apartments with additional 11 beds for a total of 165 multi-family units and 437 beds. The decrease of 7,153 square feet of nonresidential space will leave a remainder of 6,116 square feet. This amendment would also require 6 additional off-street parking spaces. The amended request was presented to City Council on February 11, 2021. Council unanimously approved the request.

Comprehensive Plan:

The property is located within the Uptown Core and Uptown Edge character types as designated by the Horizon 2026 Greenville Community Plan. The proposed use is in compliance with the Future Land Use Plan which recommends commercial and mixed use development for the subject properties.

Dickinson Avenue Corridor Study:

The property is located in Area Two of the Dickinson Avenue Corridor Study. The study supports developments of this nature in this geographical area.

The Dickinson Avenue Corridor Study describes Area Two as:

Arts District and Transit North of Dickinson Avenue, near Reade Circle, this sub-area includes the new transit center (the GTAC). Early-phased development providing residential for both students and young professionals should be built adjacent to this transit resource - creating a TOD, or Transit-Oriented Development. Several existing streets in this zone should also be realigned both to improve accessibility/visibility to ECU and the Uptown District - this will better integrate the GTAC into other adjacent areas in the study area including the Imperial Site. This realignment will create larger parcels ideally configured for larger format, mixed-use residential. This sub-area also features significant pads for PDR (Production, Distribution and Repair) businesses - combining jobs and living spaces. A majority of the area is already zoned CD (Downtown Commercial), which is the preferred zoning district. This has mainly been

accomplished via private rezoning requests from property owners. The remaining portion of this area is currently zoned CDF (Downtown Commercial Fringe and IU (Unoffensive Industry)). The purpose of this rezoning request is to have the entire Area Two be zoned CD. This zoning district is preferred because it allows for more intensive and complementary uses for the Uptown District with zero-lot line setbacks, mixed use development, no vegetation requirements, and less restrictive parking standards.

Notice:

Notice was mailed to the adjoining property owners on February 14, 2021. Notice of the public hearing was published in the Daily Reflector on February 14 and February 21, 2021.

Related Zoning Ordinance Regulations:

Definition: *Dormitory*

A building or group of buildings where group sleeping accommodations are provided with or without meals for persons not members of the same family group, in one room or in a series of closely associated rooms under joint occupancy and single management, such as a college dormitory or privately owned dormitory intended for use by college students.

Specific Criteria: *Dormitory development within the CD District.*

- (1) Minimum habitable (mechanically conditioned) floor area per each bedroom: 200 square feet. For purposes of this requirement, the term floor area shall include private living spaces and any connected common living spaces associated with the subject bedroom, provided however the common living space allocation devoted to a bedroom shall not qualify for or count toward the minimum floor area requirement of any other bedroom.
- (2) Minimum lot area: None.
- (3) Minimum lot width: None.
- (4) Minimum street, side and rear yard setbacks: None.
- (5) Minimum parking requirement: One-half space per bedroom.
- (6) Parking location requirements:
 - (a) Each required parking space shall be located:
 1. On the lot containing the associated residential use;
 2. Within a remote parking facility located within 800 feet of the use it is intended to serve, as measured with and along an improved pedestrian path from the most distant parking space to the building entrance; or
 3. Within a remote parking facility located in a Downtown Commercial (CD) District.
 - (b) Such remote parking facility shall be in accordance with the applicable provisions of

Article O.

- (7) Off-street parking: All off-street parking areas designed for three or more spaces shall be in accordance with Article O.
- (8) Preservation design: In order to protect the architectural integrity of existing buildings within the CD Zoning District, and in so doing to preserve the continuity of scale and design within those areas, the following requirements shall be met:
- (a) All slip covers previously applied to the facade of existing buildings shall be removed.
 - (b) All canopies, except for those made of canvas, shall be removed from the facade.
 - (c) Where evidence exists of original windows and door openings subsequently enclosed, the windows and doors shall be reopened in an operable manner and in a style in keeping with the building. Where other unique architectural features remain, including cornices, mid-cornices and window surrounds, they shall be repaired and/or replaced with elements of like design.
 - (d) Nothing in this subsection shall supersede applicable North Carolina State Building Code requirements.
- (9) Maximum residential occupancy limits:
- (a) Residential occupancy within dormitory units shall be limited to one bed per each bedroom and one person per each bedroom.
 - (b) Residential occupancy within dwelling units shall be limited to one family per each dwelling unit.
- (10) Signage: All signs shall be erected in accordance with Article N of this chapter, but in no event shall a sign be mounted over existing windows, doors or other architectural features described in subsection (MM)(8)(c) above.
- (11) Residential and nonresidential uses allowed: Subject to district standards, and requirements, development allowed under this section may include both residential and nonresidential use.

Recommended Conditions:

The development shall comply with all development agreements in place and approved by the City of Greenville City Council for the subject property.

Public parking along Pitt and Dickinson Ave shall remain as general public parking with a 1-hour parking restriction and not be calculated to fulfill the parking requirements. No special signing will be installed.

Contractual agreement for additional parking and a site plan indicating parking and any

additional site improvements must be submitted and approved prior to the occupancy of the additional units.

Right-of-way improvements shall comply with the adopted City of Greenville Streetscape Masterplan.

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.

October 19, 2020

ATTN: City Council and Board of Adjustment
Members
City of Greenville, Planning Department
200 W. Fifth Street
Greenville, NC 27858



Re: Dickinson Lofts Residential Substitution for Vacant Retail Space

To whom it may concern:

Sidewalk Greenville, LLC, is requesting your support to substitute 7,884 square feet of commercial space along the Dickinson Avenue frontage with 8 new Live-Work market rate style apartments. We have been fully open since August of 2018 and actively marketing the retail space since the beginning of construction over three years ago, with no success to date. It has become clear to us that the market demand is not sufficient to support the remaining +/- 7,884 leasable square feet of retail space at this location in the near term. Therefore, we would like to convert the smaller portion along Dickinson Avenue to small Live-Work market rate style apartments. The new units will be leased out of the Dickinson Lofts office and they are designed to target local professionals and business people with a minimalist Live-Work lifestyle. This target group appreciates the ride-share and public transportation options the site offers and spending time outside of their living quarters whether at work or the convenient cafes, eateries, and pubs in the Dickinson Corridor.

Our local commercial real estate representative found the overall downtown Greenville retail market had significantly slowed in the 4th quarter of 2019. However, post-pandemic, the downtown Greenville retail market was hit with a "one-two punch" finding itself with a 33% vacancy rate. Without a doubt, the vacant storefronts detract from the street life and send a subliminal message to potential candidates who might be interested in renting a residential unit or the adjacent retail space. Adding the 8 units will help to activate the streetscape and eliminate the 'ghost-town' effect of the vacant storefronts. Another consideration is the fact that this space has been designed for commercial and could be converted back to retail once the demand is established. The residential units will not impact the existing architectural elevation along the public street, and the rear elevation, or courtyard side of the building, will only require minor alterations to window and door openings to meet residential codes. Ultimately, we view this as a win-win for both the City and us.

We have provided 300 total off-street parking spaces for a required 298.2 (426 beds @ .7 spaces/bed) and with the additional 11 beds we would be required 305.9 spaces (437 beds @ 0.7 spaces/bed) resulting in an extra 6 spaces being needed to match the current ratio. To meet this requirement, we will be seeking a lease opportunity with property Owners within the required 800' distance to our facility. In addition to the 306 off-street parking spaces we will be providing, we constructed 9 on-street parking spaces that have a one-hour limit which could be used for resident overnight parking if parking becomes an issue and to support our Live-Work spaces. As I mentioned above, we believe the residents who will rent these Live-Work style units will not have the same car ownership ratio as the larger units with multiple bedrooms. We anticipate and will market the Live/Work units as being very convenient to the nearby GTAC and walking distance to the employment and dining opportunities within the Uptown District and the Dickinson Corridor.

Following your review of the enclosed concept, I would be happy to answer any questions that you may have or provide you with additional information.

Sincerely,

A handwritten signature in blue ink that reads "William (Gus) Cook". The signature is fluid and cursive, with a long horizontal line extending to the right.

William (Gus) Cook
EVP, Hallmark
Owner Representative, Sidewalk Greenville, LLC.
150 East Broad Street
Columbus, OH 43215
Phone: 614-221-3504

BOA _____ - _____

Date Received _____

**CITY OF GREENVILLE
SPECIAL USE PERMIT APPLICATION**

Applicant Name(s) Sidewalk Greenville, LLC

Contact Name and Mailing Address William H. Cook

150 East Broad Street

Columbus, OH 43215

Contact Phone Number (614) 221-3504

Contact Phone Number (614) 883-1123

Contact Fax Number (614) 221-0518

Contact Email Address gcook@hccliving.com

Location /Street address of proposed use 523 S. Pitt Street

At the southwest corner of Reade Circle and Dickinson Avenue

Tax Parcel # 16544, 09676

Proposed use Dormitory Development - Student Housing/Market Rate/ Live-Work Units

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 property is currently zoned CD with the following requirements: Min. Lot area - none. Min lot width - none, Min street, side and rear yard setbacks - none, Min parking requirements - 0.5 spaces per bedroom. The development will meet the dimensional, area and setback requirements and will exceed the parking space requirements by providing 0.7 spaces per bedroom. Parking location requirements will be met by providing spaces on site, within a remote parking facility and with leased parking within 800 feet of the use. The remote and lease parking lot is within the CD district. Occupancy for dormitory shall be limited to 1 bed per bedroom and 1 person per bedroom.~~

- (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 proposed development is within the area shown as commercial on the Future Land Plan for Greenville. Residential and non-residential uses are allowed in this area. This project will be a combination of residential and commercial uses which matches the recommendations from previous downtown redevelopment plans. In addition this project used the Dickinson Avenue Corridor Study Plan as a guide for development.~~

- (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 on-site parking is provided under and adjacent to the student housing building as shown on the provided plan. The City of Greenville has developed the GTAC to the west of this development across Pitt Street and has made improvements to Pitt Street as well as the surrounding areas. Off site parking is provided in a COG developed lot to the west of the GTAC and will have security and lighting included. Pedestrian ways and sidewalks will be provided to connect the development to the off-site parking. All residential vehicular traffic is will access the site from Pitt Street. Service vehicles will enter from Dickinson Avenue. Existing signaled crosswalks have been improved and are being used for pedestrians to cross Reade Street and Dickinson Avenue. Streetscapes and improvements along Dickinson Avenue have been provided to meet the current Corridor Plan.~~

- (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 consistent with previously developed areas and proposed developments in the downtown area. The downtown commercial areas should benefit from the development of the residential units by increased patronage. The COG GTAC development to the west of this development benefits from student uses and supports this development. The addition of the security installed for this development should benefit the public welfare in this area.~~

- (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 will not be adversely affected by the proposed development nor will the proposed development be adversely affected by the existing uses. The commercial developments in this area will benefit from this development since additional patronage will be created due to proximity. The surrounding developments include an undeveloped lot to the east, the GOG Police/Fire/Rescue facility to the north, COG GTAC facility to the west and commercial development to the south. In addition the amount of redevelopment occurring within this general area is consistent and supportive of this development.~~

- (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 existing use of this property is for dormitory and residential uses and the proposed improvements will not injure, by value or otherwise the adjoining or abutting property or public improvements in the neighborhood. The commercial and transportation uses adjacent to this development will benefit in value based on this development. This development should increase the value of the property adjacent to it. All improvements to this property will be consistent with the City of Greenville Development Ordinance.~~

- (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 number of residents will be consistent with the zoning requirements for occupancy and all living functions will be housed inside of the developments which includes an interior courtyard that is screened and accessible by residents only. The intensity of the development will be consistent with residential developments and dormitories. The development has security and access restrictions so that only residents and their guests are allowed to enter the building. Existing developments in the area are visually consistent with the development proposed including height and building materials. The proposed improvements will be built in accordance with NC State Building Code so no unusual fire or explosion dangers area created.~~

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.

William H. Cook		10/20/2020
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 Sidewalk Greenville, LLC am /are the owner(s) of the property located at 523 South Pitt Street

I /We hereby authorize William Cook, Jim Blount and Michelle Clements to appear by consent before the Greenville Board of Adjustment in order to ask for a special use permit to allow a change in a portion of the current commercial use space to Live-Work residential space leaving 6,116 sf of commercial space in the project.

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 William Cook at my address, 150 East Broad Street Columbus, OH 43215

or by telephone at (614) 221-3504 or (614) 883-1123

Respectfully yours,
[Signature] 2-16-2021
Owner Date
Owner Representative, Sidewalk Greenville LLC
Owner Date

Franklin County, ~~North Carolina~~
Ohio

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: Owner Representative

Date: February 16, 2021 [Signature]
Notary Public

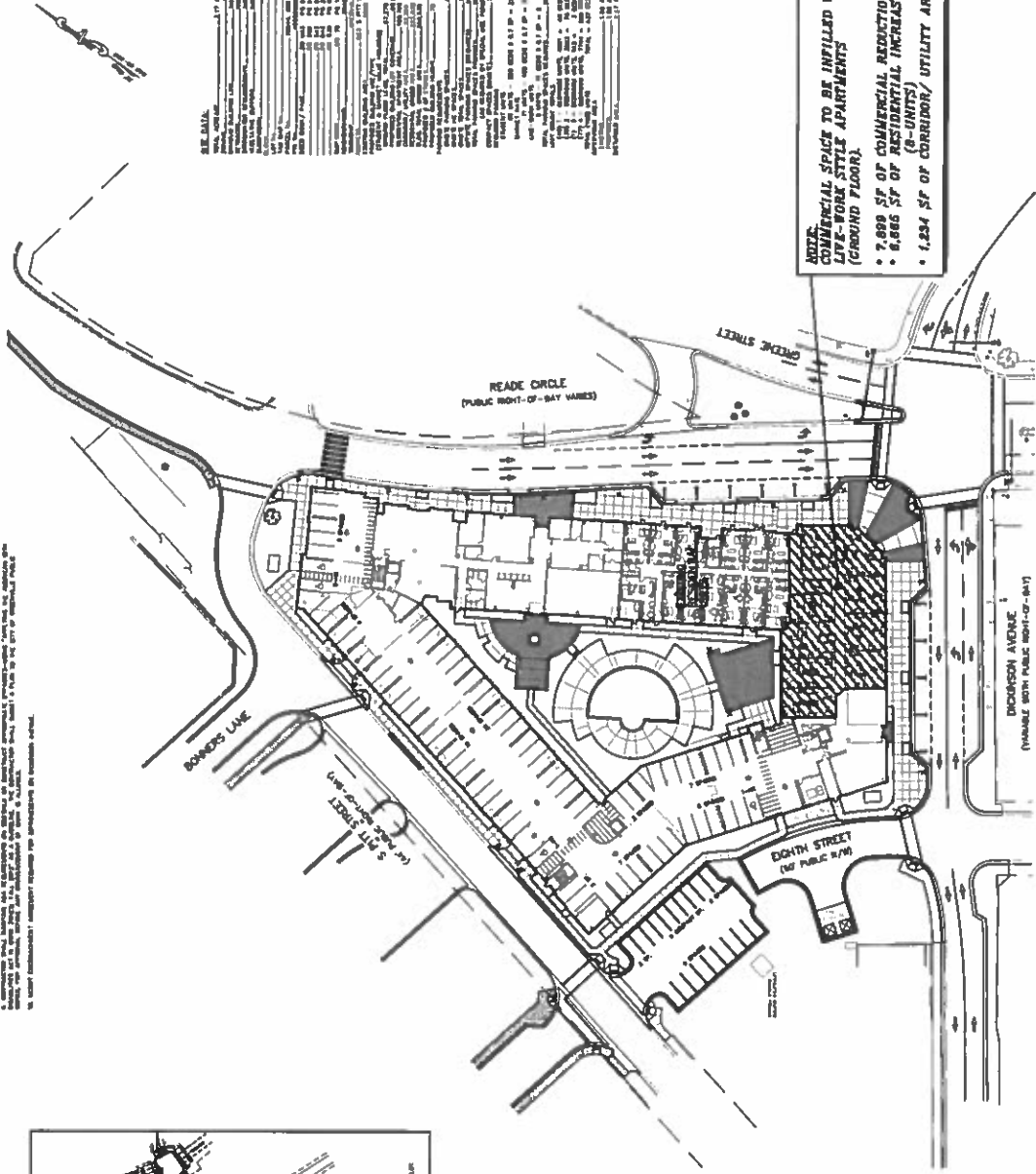
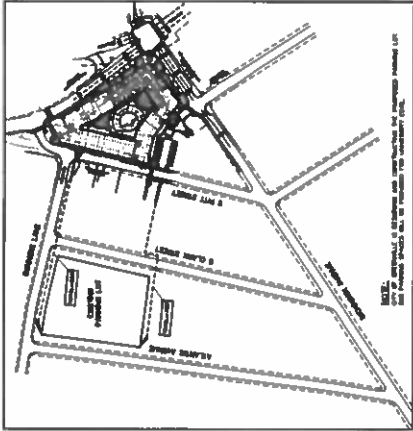


My commission expires: 10-07-24



STANDARD NOTES:

1. SITE IS BEING DEVELOPED IN ACCORDANCE WITH THE CITY OF GREENVILLE ZONING ORDINANCES.
2. ALL UTILITIES SHOWN HEREIN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE USER OF THIS PLAN SHOULD VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
3. ALL DISTANCES ARE MEASURED TO THE CENTER OF THE ROAD UNLESS OTHERWISE NOTED.
4. ALL DISTANCES ARE MEASURED TO THE CENTER OF THE ROAD UNLESS OTHERWISE NOTED.
5. ALL DISTANCES ARE MEASURED TO THE CENTER OF THE ROAD UNLESS OTHERWISE NOTED.



NOTE:
**COMMERCIAL SPACE TO BE INFILLED W/
 LIVE-WORK STYLE APARTMENTS
 (GROUND FLOOR)**

- 7,800 SF OF COMMERCIAL REDUCTION
- 6,066 SF OF RESIDENTIAL INCREASE
- (8-UNITS)
- 1,234 SF OF CORRIDOR, UTILITY AREA

SEE PLAN NOTES:

1. ALL UTILITIES SHOWN HEREIN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE USER OF THIS PLAN SHOULD VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
2. ALL DISTANCES ARE MEASURED TO THE CENTER OF THE ROAD UNLESS OTHERWISE NOTED.
3. ALL DISTANCES ARE MEASURED TO THE CENTER OF THE ROAD UNLESS OTHERWISE NOTED.
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5. ALL DISTANCES ARE MEASURED TO THE CENTER OF THE ROAD UNLESS OTHERWISE NOTED.

SEE DATA:

NO.	DESCRIPTION	AMOUNT
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THE EAST GROUP
 ARCHITECTS

1425 EAST 85TH AVE
 SUITE 200
 GREENVILLE, SC 29615
 PH: 864.687.8500
 FAX: 864.687.8501
 WWW.THEEASTGROUP.COM

DEAN A. WENZ
 ARCHITECTS

2415 MARKET STREET
 GREENVILLE, SC 29615
 PH: 864.687.8500
 FAX: 864.687.8501
 WWW.DAWENZARCHITECTS.COM

UNIVERSITY EDGE - GREENVILLE
 DEVELOPER:
 READE CIRCLE AND PIN STREET
 GREENVILLE, NORTH CAROLINA

SIDEWALK GREENVILLE, LLC

Project Number
 2011M0214

Date
 October 20, 2009

Project Name
 UNIVERSITY EDGE - GREENVILLE

Sheet No.
 SITE PLAN
 SPECIAL USE PERMIT ONLY

Sheet Number
 CL-1





DICKINSON LOFTS



DICKINSON LOFTS
ONE BEDROOM

Dickinson Lofts Greenville, North Carolina



DEAN A. WENZ

ARCHITECTS

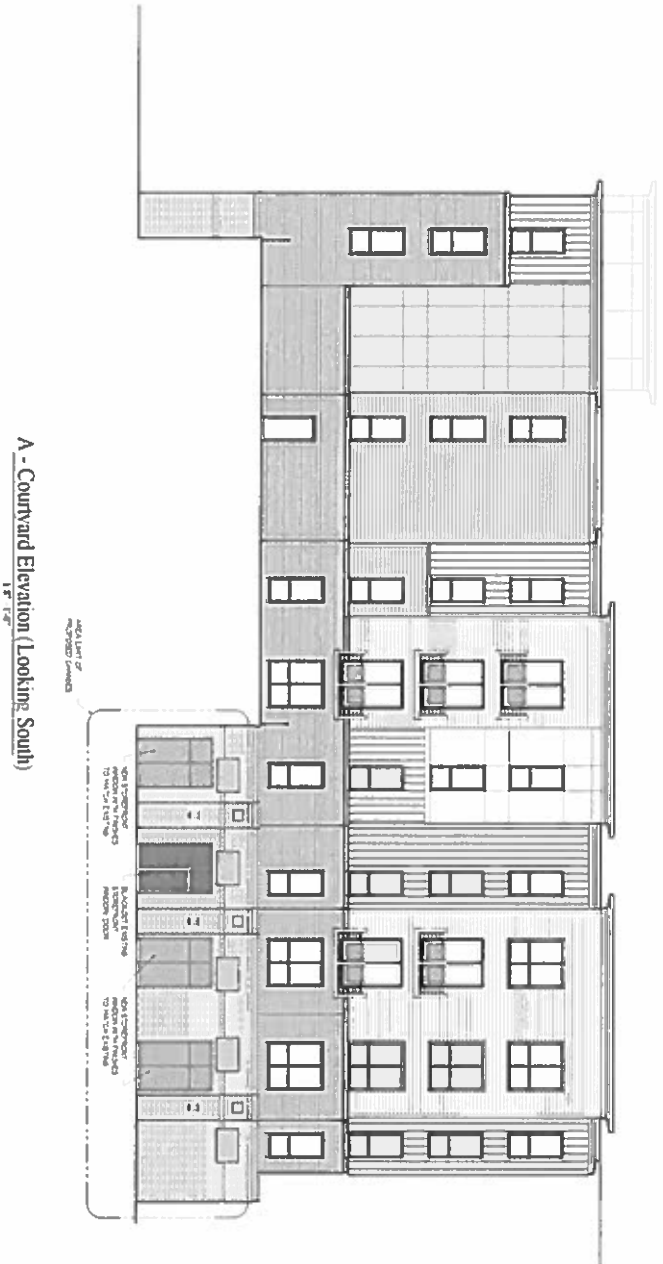
2463 East Main Street

Bexley, Ohio 43209

Phone (614) 239-6868

www.wenz-architects.com

Dickinson Lofts - Workforce Units
560 Pitt-Greene Connector Greenville NC



DEAN A. WENZ
ARCHITECTS
2463 East Main Street
Bexley, Ohio 43209
Phone (614) 239-6868
www.wenz-architects.com

Dickinson Lofts - Workforce Units
560 Pitt-Greene Connector Greenville NC



B - Dickinson Avenue Elevation

DEAN A. WENZ

ARCHITECTS

2463 East Main Street Beley, Ohio 43209 Phone (614) 239-6868 www.wenz-architects.com

Dickinson Lofts - Workforce Units
560 Pitt-Greene Connector Greenville NC



C - Dickinson Avenue Elevation



D - Reade Circle Elevation

DEAN A. WENZ

ARCHITECTS

2463 East Main Street Bexley, Ohio 43209 Phone (614) 239-6868 www.wenz-architects.com



PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

February 11, 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, February 25, 2021 at 6 pm.** The request by Sidewalk Greenville, LLC for a special use permit to amend a special use permit to increase the number of market rate units and decrease the non-residential area for a dormitory development pursuant to Appendix A, Use (2)e(1). of the Greenville City Code will be heard at this meeting. The proposed use is located at 550 Pitt Greene Connector. The property is further identified as being tax parcel number 16544. 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 FEBRUARY 25, 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 February 22nd. 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, February 22, 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 February 22nd.** **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. 1142485

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, February 22nd will be added to the City's website no later than Friday, February 26, 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. 1142485

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 **(1) Sidewalk Greenville, LLC** at the **February 25, 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 **(1) Sidewalk Greenville, LLC** at the **February 25, 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 amending their special use permit to decrease nonresidential use and increase residential (case description) at 550 Pitt Greene Connector. (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 _____



PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

February 11, 2021

William H. Cook
150 East Broad Street.
Columbus, OH 43215

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, February 25, 2021 at 6 pm. Please be advised that the BOARD'S FEBRUARY 25, 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, February 22nd**. You may register on our website at www.greenvillenc.gov under the Board of Adjustment webpage. All participants (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 February 22nd**. **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 February 22nd.** Additional information will be posted on the City's website ([https://www.greenvillenc.gov](http://www.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'.

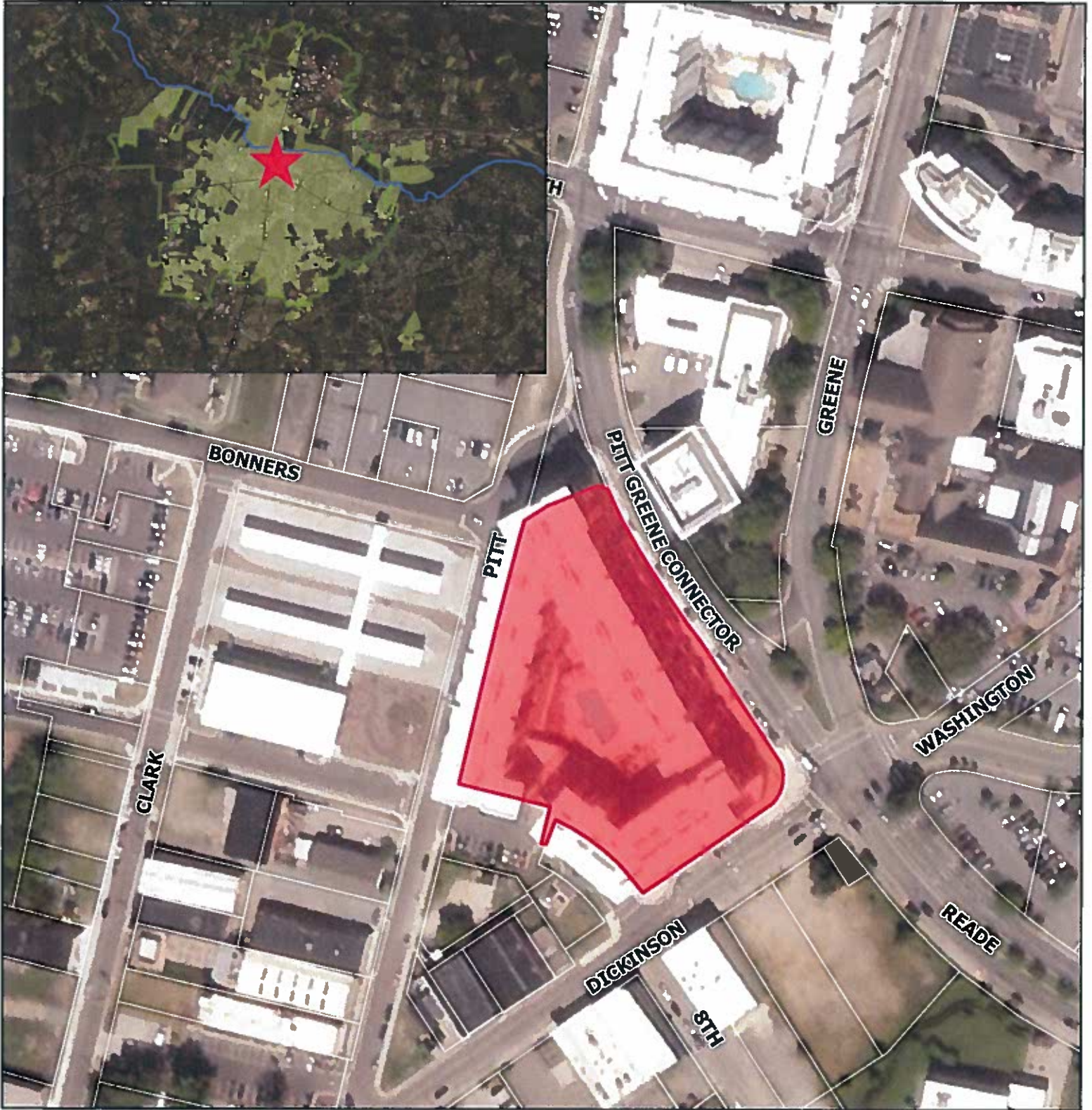
Elizabeth Blount, Planner

Enclosures

Sidewalk Greenville, LLC

OwnerName	OwnerName2	OwnerAddress1	CityStateZip
CAROLINA TELEPHONE AND TELEGRAPH CO		PO BOX 7909	OVERLAND PARK KS 66207
DICKINSON AVE INVESTMENTS LLC		PO BOX 566	GREENVILLE NC 27835
BARBARA ANNE CREECH GARRIS		8550 RIVER RD	VANCEBORO NC 28586
JARVIS MEMORIAL UNITED METHODIST CHURCH		510 S WASHINGTON ST	GREENVILLE NC 27858
JOYNER COMMERCIAL RENTALS LLC		208 WETLAND DR	WILMININGTON NC 28412
EKOW T MONNEY	JOYCE MONNEY	307 WILLIAMSBURG DR	GREENVILLE NC 27858
NC BREWING VENTURES LLC		PO BOX 566	GREENVILLE NC 27835
OMG PROPERTIES LLC		PO BOX 39	GREENVILLE NC 27835
RAYN ENTERPRISES LLC		PO BOX 8373	GREENVILLE NC 27835
SIDEWALK GREENVILLE LLC		150 EAST BROAD ST 2ND FL	COLUMBUS OH 43215
TAFT CORPORATE OFFICE LLC		PO BOX 566	GREENVILLE NC 27835
ALISON NICOLE THOMPSON		1212 N HOLLY STREET	GREENVILLE NC 27834

Find yourself in good company®



 Tar River  ETJ  Subject Property

 City Limits  Railroads



Special Use Permit – Board of Adjustment

February 25, 2021 6:00 p.m.

Zoom Webinar

Staff Contact: Elizabeth Blount, 252-329-4608

Date: January 25, 2021

Applicant: Geino Suriel

Agenda #: 2 (New Business)

Request: The applicant, Geino Suriel, desires a special use permit to place a mobile home on a lot pursuant to Appendix A, Use (2)g. of the Greenville City Code.

Location: The proposed use is located at 2010 Corbett Ave. The property is further identified as being tax parcel number 86775.

Zoning of Property: RA20 (Residential Agricultural)

Surrounding Zoning:

North: RA20 (Residential Agricultural)

South: RA20 (Residential Agricultural)

East: RA20 (Residential Agricultural)

West: RA20 (Residential Agricultural)

Surrounding Development:

North: Vacant Lot

South: Single Family Home

East: Vacant Lot

West: Vacant Lot

Description of Property:

The subject property is a 0.39-acre lot with approximately 114 feet of frontage along Corbett Avenue. The property is currently vacant and is located within the floodplain.

Comprehensive Plan:

The property is located within the Low-Medium Density Residential character type as designated by the Horizon Plan. The proposed use is in compliance with the Future Land Use Plan which recommends single family detached residential.

Notice:

Notice was mailed to the adjoining property owners on February 11, 2021. Notice of the public hearing was published in the Daily Reflector on February 14 and February 21, 2021.

Related Zoning Ordinance Regulations:

Definition:

Mobile home. A manufactured building designed to be used as a single-family dwelling unit which has been constructed and labeled indicating compliance with the HUD-administered National Manufactured Housing Construction and Safety Standards Act of 1974.

Specific Criteria:

(N) *Mobile home.*

- (1) No mobile home established (new setup) or relocated within the city planning and zoning jurisdiction shall be occupied until the mobile home has been inspected and approved for compliance with the Minimum Housing Code set forth under Title 9, Chapter 1, Article F of the City Code when the Building Inspector makes a finding of noncompliance with the Minimum Housing Code.
- (2) Mobile homes shall, upon installation, have either a permanent, continuous masonry foundation, or a continuous and opaque skirt consisting of vinyl, fiberglass or other similar solid nonmetal material. The skirt for a mobile home shall be attached to weather resistant material when required for support.

Staff Recommended Condition

Development of the property is subject to the requirements of the Flood Damage Prevention Ordinance. Minimum finished floor and service equipment to be elevated 2 feet above the base flood elevation. Elevated service equipment on a platform such as HVAC unit and LP tanks shall be anchored to prevent movement and flotation.

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.

LOT # 4

Revised March, 2018

BOA 21 - 04
Date Received 1-22-2021

**CITY OF GREENVILLE
SPECIAL USE PERMIT APPLICATION**

Applicant Name(s) Geino Suriel
For GFSProperties of Greenville, NC llc

Contact Name and Mailing Address Geino Suriel
P O BOX 30247
GREENVILLE, NC 27833

Contact Phone Number 252-388-8282 Office

Contact Phone Nun 516-697-5775 Cel

Contact Fax Number ()

Conta gfs@gfsproperty.com gfsone1@gmail.com

Location /Street address of proposed use 2010 Corbett Ave
Greenville, NC 27834

Tax Parcel # 9916 836675

Proposed use Install manufactured single family home (single wide trailer)

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 attached final plot No. 20-27 shows Lot #3 (recombined plot for Floral Park Subdivision) with an extension of 112.5 ft by 150.61 ft for total area of 16,943.63 sqft. This lot's area is more than sufficient to hold the MH described above (attached) and parking spaces (4)

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

Single family home (manufactured MH) to be moved on or about 03/15/2021. This mobil home, at the moment, seats on Cypress Acres MHP, where i rent the lot. Reason why i purchased the lot on Corbett Ave. Title and other documents are attached. This is a residential area and this Single Family MH will keep the residential area in compliance with the city planning

- (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.

This lot is fenced all around and has sufficient space for 2-3 cars to be parked in front of the MH housing.

Corbett Ave. is a dead end street and has only residential minimum daily traffic circulation

on either direction. No business activities will be permitted to tenants of the MH.

- (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.

Lot #4 is fenced all around, adjacent properties are not visible and all land in front of this lot is vacant land.

Since there will be NO Business activities allowed and minimum traffic there should be no detriment to public welfare

- (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 two next properties on Corbett Ave. (2016 & 2018) are vacant. The corner lot of Azalea and Corbett Ave is also vacant

Therefore, there are no close neighbor that could be affected to any family moving to the MH to be moved to lot #3.

(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.


At the moment only one property, at the end of Corbett Ave is occupied. All other lots on the side of Lot #3 are either vacant or empty of houses or other appurtenances. Therefore, by moving two single family homes to that street will improve and add value to other properties in the neighborhood and other properties nearby.

(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 single family home (MH) to be moved to Lot #3, is a 3BD, 2BA manufactured home with a maximum capacity of five (5) people to live at the property as specified on the rental-lease agreement. Maximum three (3) cars for family living at the house and 2 parking spaces for visitors will be available. As specified before, there will be no business activities, trash burning, loud music, alcoholic beverage will be allowed per the rental - lease agreement.

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.

GEINO SURIEL		01/11/2021
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 GEINO SURIEL/GFSProperties of Greenville, NC llc am /are the owner(s) of the property located 2010 CORBETT AVE, GREENVILLE, NC 27834

I /We hereby authorize GEINO SURIEL to appear by consent before the Greenville Board of Adjustment in order to ask for a special use permit to MOVE A MANUFACTURED SINGLE FAMILY HOME (SINGLE WIDE) TO BE LEASED TO PROSPECTIVE TENANTS

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 GEINO SURIEL at my address, P O BOX 30247, GREENVILLE, NC 27833

or by telephone at 252-388-8282 OFFICE 516-697-5775 CEL

*GFS PROPERTIES OF
GREENVILLE, NC LLC
REGISTERED AGENT
Geino Suriel*

Respectfully yours,
Geino Suriel 1/13/2021
Owner Date

Owner Date

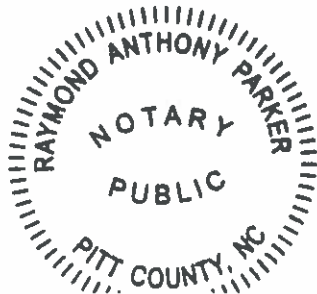
PITT County, North Carolina

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: _____

Date: 2/16/2021

Raymond Anthony Parker
Notary Public

(Official Seal)



My commission expires: Oct 26, 2025



Doc ID: 014849110002 Type: CRP
 Recorded: 10/30/2020 at 11:54:52 AM
 Fee Amt: \$70.00 Page 1 of 2
 Revenue Tax: \$44.00
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK **4004** PG **561-562**

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: 44.00

Parcel Identifier No. 9912; 9918 Verified by _____ County on the _____ day of _____, 20____
 By: Parcel 9917; most of parcel 9916

Mail/Box to: GFS Properties of Greenville NC LLC, P.O. Box 30247, Greenville, N.C. 30247

This instrument was prepared by: DeLyle M. Evans, P. O. Box 522, Ayden, N.C. -File 27833

Brief description for the Index: _____

THIS DEED made this 30 day of October, 2020, by and between

GRANTOR	GRANTEE
Robert F. Sumerlin, Trustee of the Robert F. Sumerlin Revocable Living Trust dated September 8, 2016, and Robert F. Sumerlin, individually	GFS Properties of Greenville NC, LLC a North Carolina Limited Liability Company of P.O. Box 30247, Greenville, N.C.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of _____, Pactolus _____ Township, Pitt _____ County, North Carolina and more particularly described as follows:

Lots 3 and 4 (formerly lots 35, 36, 37, 38, 39, 40, 41, 42, 43 of Block I as recorded in Map Book 5, Page 178--Floral Park) as shown on that map titled Recombination Plat for Floral Park, made by Gary S. Miller, recorded in Map Book 86, Page 14 of the Pitt County Registry, to which reference is made for particular description. The property hereinabove described was acquired by Grantor by instrument recorded in Book 3489 page 542.

A map showing the above described property is recorded in Plat Book 86 page 14.

10/18/19

MVR-191 (Rev. 01/2017)

CERTIFICATE OF TITLE

VEHICLE IDENTIFICATION NUMBER NCFLS41A42964C012	YEAR MODEL 1995	MAKE CORO	BODY STYLE MH
TITLE NUMBER 774836190993147 * DUPLICATE *		TITLE ISSUE DATE 04/24/2019	PREVIOUS TITLE NUMBER 770167151745147

MAIL TO

JUDSON HASSELL BLOUNT III
PO BOX 855
GREENVILLE NC 27835-0855

ODOMETER READING
ODOMETER STATUS
TITLE BRANDS

OWNER(S) NAME AND ADDRESS

JUDSON HASSELL BLOUNT III
170 HOLLY HILLS RD
GREENVILLE NC 27858-8405



The Commissioner of Motor Vehicles of the State of North Carolina hereby certifies that an application for a certificate of title for the herein described vehicle has been filed pursuant to the General Statutes of North Carolina and based on that application, the Division of Motor Vehicles is satisfied that the applicant is the lawful owner. Official records of the Division of Motor Vehicles reflect vehicle is subject to the liens, if any, herein enumerated at the date of issuance of this certificate.

As WITNESS, his hand and seal of this Division of the day and year appearing in this certificate as the title issue date.

[Signature]

COMMISSIONER OF MOTOR VEHICLES



FIRST LIENHOLDER: DATE OF LIEN

LIEN RELEASED BY:
SIGNATURE _____
TITLE _____ DATE _____

SECOND LIENHOLDER: DATE OF LIEN

LIEN RELEASED BY:
SIGNATURE _____
TITLE _____ DATE _____

THIRD LIENHOLDER: DATE OF LIEN

LIEN RELEASED BY:
SIGNATURE _____
TITLE _____ DATE _____

FOURTH LIENHOLDER: DATE OF LIEN

LIEN RELEASED BY:
SIGNATURE _____
TITLE _____ DATE _____

ADDITIONAL LIENS:

103520178
147 TIC1474



PITT COUNTY
ENVIRONMENTAL HEALTH
 1717 W. 5th Street
 Greenville, NC 27834-1696
 Office (252) 902-3200
 Fax (252) 902-3208

IMPROVEMENT PERMIT

Type of Inspection: Evaluation for a New Septic System
 Appointment Requested: No
 Date Site Ready: 6/3/2020
 Fees Paid: Yes

Application Date: 06/02/2020

Project Number: PRJ2020-124947

Application Number: WLS2020-107973

Applicant:
 ROBERT R SUMERLIN
 2040 PACTOLUS HWY
 GREENVILLE, NC 27834

Owner:
 ROBERT R SUMERLIN
 2040 PACTOLUS HWY
 GREENVILLE, NC 27834

Site Address:

Tax Parcel #(s): 09912

Subdivision Name: FLORAL PARK

Lot #: 4

Block/Phase:

Directions to Site: Turn right on MOORE ST; Turn left on MELODY LN; Turn right on DUDLEY ST; Turn left on GREENE ST and immediately turn right on DUDLEY ST; Turn left on VAN DYKE ST; Turn right on MUMFORD RD; Turn right on NC 33 E; Turn left on AZALEA ST; Turn right on CORBETT AV; Finish at 0 CORBETT AV 2 LOTS TO THE RIGHT 2016 CORBETT AV, on the right;

Date of Evaluation 7-13-20

System Type TRE

Tank Size 1000 gal

Nitrification Field 60 600 ft sq

Pump Tank _____ gal

Trench Bottom Depth 16" in

Grease Trap _____ gal

Estimated Flow 360 gpd

Maximum # of Occupants 6

of Bedrooms 3

Remarks: CONCRETE SYSTEM W/ APPROVED MATERIAL & LANDSCAPE TO
SHED SURFACE WATER.
DO NOT DRIVE/BUILD OVER SYSTEM/PERMIT AREAS
THIS PERMIT IS ISSUED PURSUANT TO SECTION 11.(C) OF
SL 2018-114 USING THE SIGNED AND SEALED LSS
EVALUATION ATTACHED HERE.

Permit Reference #'s _____

An Authorization to Construct a wastewater system must be obtained from Environmental Health before construction of the wastewater system begins. Depending on the system design, an additional fee may be charged before the Authorization to Construct can be issued.

Date issued: 9-25-20 Environmental Health Specialist: [Signature]

(GS130A-335) This Improvement Permit is subject to revocation if the site is altered or if the site plan or intended use change.

Improvement Permit Valid _____ No Expiration Five (5) Years



PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

February 11, 2021

Geino Suriel
PO Box 30247
Greenville, NC 27833

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, February 25, 2021 at 6 pm. Please be advised that the BOARD'S FEBRUARY 25, 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, February 22nd**. 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 February 22nd**. **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 February 22nd**. 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

February 11, 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, February 25, 2021 at 6 pm.** The request by Geino Suriel for a special use permit to place a mobile home on a lot pursuant to Appendix A, Use (2)g. of the Greenville City Code will be heard at this meeting. The proposed use is located at 2010 Corbett Ave. The property is further identified as being tax parcel number 86675. 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 FEBRUARY 25, 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 February 22nd. 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, February 22, 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 February 22nd.** **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. 1142486

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, February 22nd will be added to the City's website no later than Friday, February 26, 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. 1142486

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) Geino Suriel** at the **February 25, 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) Geino Suriel** at the **February 25, 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 place a mobile home on a lot (*case description*) at 2010 Corbett Ave. (*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 _____

Geino Suriel _ Parcel 86675

OwnerName	OwnerName2	OwnerAddress1	CityStateZip
CARLTON THOMAS CATES	BARBARA HALES CATES	2007 E REDMOND AVENUE	GREENVILLE NC 27834
DARLENE POLLARD ENTPAKA JANICE DARLENE DAIL WALTER R DAVIS		3851 ROBIN RD	AYDEN NC 28513
FRUITION INVESTMENTS GROUP INC		2015 REDMAN AV	GREENVILLE NC 27834
GFS PROPERTIES OF GREENVILLE NC LLC		555 FAYETTEVILLE ST STE 201 PO BOX 300247	RALEIGH NC 27601
EMANUEL GONZALEZ		2015 CORBETT AVE	GREENVILLE NC
HARDEE J C HEIRS	C/O MARILYN ORE-BOOTH	133 AVON AVE	GREENVILLE NC 27834
GEORGE N JOHNSTON	JAMES C KESLER	5408 BROADLEAF RD	WASHINGTON NC 27889
MCCLLENNEY PROPERTY GROUP LLC		PO BOX 1622	SUMMERFIELD NC 27358
MAGGIE L MANNING NEWTON		2016 CORBETT AV	GREENVILLE NC 27835
PITT CO AMERICAN LEGION AGRICULTURAL FAIR INC		PO BOX 1293	GREENVILLE NC 27835
SUMERLIN ROBERT F ENTPAKA ROBERT F SUMERLIN REVOCABLE LIVING		2040 PACTOLUS HWY	GREENVILLE NC 27834


Find yourself in good company®



 Tar River  ETJ  Subject Property

 City Limits  Railroads

0 100 200 400 Feet



Special Use Permit – Board of Adjustment

February 25, 2021 6:00 p.m.

Zoom Webinar

Staff Contact: Elizabeth Blount, 252-329-4608

Date: January 25, 2021

Applicant: Geino Suriel

Agenda #: 3 (New Business)

Request: The applicant, Geino Suriel, desires a special use permit to place a mobile home on a lot pursuant to Appendix A, Use (2)g. of the Greenville City Code.

Location: The proposed use is located at 2008 Corbett Ave. The property is further identified as being tax parcel number 86774.

Zoning of Property: RA20 (Residential Agricultural)

Surrounding Zoning:

North: RA20 (Residential Agricultural)
South: RA20 (Residential Agricultural)
East: RA20 (Residential Agricultural)
West: RA20 (Residential Agricultural)

Surrounding Development:

North: Vacant Lot
South: Single Family Home
East: Vacant Lot
West: A Barn and a Single Family Home

Description of Property:

The subject property is a 0.39-acre lot with approximately 114 feet of frontage along Corbett Avenue. The property is currently vacant and is located within the floodplain.

Comprehensive Plan:

The property is located within the Low-Medium Density Residential character type as designated by the Horizon Plan. The proposed use is in compliance with the Future Land Use Plan which recommends single family detached residential.

Notice:

Notice was mailed to the adjoining property owners on February 11, 2021. Notice of the public hearing was published in the Daily Reflector on February 14 and February 21, 2021.

Related Zoning Ordinance Regulations:

Definition:

Mobile home. A manufactured building designed to be used as a single-family dwelling unit which has been constructed and labeled indicating compliance with the HUD-administered National Manufactured Housing Construction and Safety Standards Act of 1974.

Specific Criteria:

(N) *Mobile home.*

- (1) No mobile home established (new setup) or relocated within the city planning and zoning jurisdiction shall be occupied until the mobile home has been inspected and approved for compliance with the Minimum Housing Code set forth under Title 9, Chapter 1, Article F of the City Code when the Building Inspector makes a finding of noncompliance with the Minimum Housing Code.
- (2) Mobile homes shall, upon installation, have either a permanent, continuous masonry foundation, or a continuous and opaque skirt consisting of vinyl, fiberglass or other similar solid nonmetal material. The skirt for a mobile home shall be attached to weather resistant material when required for support.

Staff Recommended Condition

Development of the property is subject to the requirements of the Flood Damage Prevention Ordinance. Minimum finished floor and service equipment to be elevated 2 feet above the base flood elevation. Elevated service equipment on a platform such as HVAC unit and LP tanks shall be anchored to prevent movement and flotation.

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.

LOT#3

Revised March, 2018

BOA 21 - 05

Date Received 1-22-2021

CITY OF GREENVILLE SPECIAL USE PERMIT APPLICATION

Applicant Name(s) Geino Suriel

For GFSProperties of Greenville, NC llc

Contact Name and Mailing Address Geino Suriel

P O BOX 30247

GREENVILLE, NC 27833

Contact Phone Number (252-388-8282) Office

Contact Phone Number (516-697-5775) Cel

Contact Fax Number ()

Contact Email Address gfs@gfsproperty.com gfsone1@gmail.com

Location /Street address of proposed use 2009 ~~2012~~ Corbett Ave

Greenville, NC 27834

Tax Parcel # ~~9916~~ 86674

Proposed use Install manufactured single family home (single wide trailer)

CORONADO VIN#NCFLS41A42964C012

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 attached final plot No. 20-27 shows Lot #3 (recombined plot for Floral Park Subdivision) with an extension of

112.5 ft by 149.82 ft for total area of 16,864.75 sqft. This lot's area is more than sufficient to hold the MH

described above (attached) and parking spaces (4)

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

Single family home (manufactured MH) to be moved on or about 03/15/2021. This mobil home, at the moment, seats

on Cypress Acres MHP, where i rent the lot. Reason why i purchased the lot on Corbett Ave.

Title and other documents are attached.

This is a residential area and this Single Family MH will keep the residential area in compliance with the city planning

- (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.

This lot is fenced all around and has sufficient space for 2-3 cars to be parked in front of the MH housing.

Corbett Ave. is a dead end street and has only residential minimum daily traffic circulation

on either direction. No business activities will be permitted to tenants of the MH.

- (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.

Lot #3 is fenced all around, adjacent properties are not visible and all land in front of this lot is vacant land.

Since there will be NO Business activities allowed and minimum traffic there should be no detriment to public welfare.

- (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 two next properties on Corbett Ave. (2016 & 2018) are vacant. The corner lot of Azalea and Corbett Ave is also vacant

Therefore, there are no close neighbor that could be affected to any family moving to the MH to be moved to lot #3.

(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.

At the moment only one property, at the end of Corbett Ave is occupied. All other lots on the side of Lot #3 are either vacant or empty of houses or other appurtenances. Therefore, by moving two single family homes to that street will improve and add value to other properties in the neighborhood and other properties nearby.

(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 single family home (MH) to be moved to Lot #3, is a 3BD, 2BA manufactured home with a maximum capacity of five (5) people to live at the property as specified on the rental-lease agreement. Maximum three (3) cars for family living at the house and 2 parking spaces for visitors will be available. As specified before, there will be no business activities, trash burning, loud music, alcoholic beverage will be allowed per the rental - lease agreement.

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.

GEINO SURIEL



01/11/2021

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 GEINO SURIEL/GFSProperties of Greenville, NC llc am /are the owner(s) of the property located at 2012 CORBETT AVE, GREENVILLE, NC 27834

I /We hereby authorize GEINO SURIEL to appear by consent before the Greenville Board of Adjustment in order to ask for a special use permit to MOVE A MANUFACTURED SINGLE FAMILY HOME (SINGLE WIDE) TO BE LEASED TO PROSPECTIVE TENANTS

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 GEINO SURIEL at my address, P O BOX 30247, GREENVILLE, NC 27833

or by telephone at (252-388-8282) OFFICE or (516-697-5775) CEL

*GFS PROPERTIES OF
GREENVILLE NC, LLC
REGISTERED AGENT.*

Respectfully yours,
Geino Suriel 2-16-2021
Owner Date

Geino Suriel

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: _____

Date: 2/16/2021

Raymond Anthony Parker
Notary Public

(Official Seal)



My commission expires: Oct 26, 2021



Doc ID: 014849110002 Type: CRP
 Recorded: 10/30/2020 at 11:54:52 AM
 Fee Amt: \$70.00 Page 1 of 2
 Revenue Tax: \$44.00
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 4004 PG 561-562

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: 44.00

Parcel Identifier No. 9912; 9918 Verified by _____ County on the _____ day of _____, 20____
 By: Parcel 9917; most of parcel 9916

Mail/Box to: GFS Properties of Greenville NC LLC, P.O. Box 30247, Greenville, N.C. 30247

This instrument was prepared by: DeLyle M. Evans, P.O. Box 522, Ayden, N.C. - File 27833

Brief description for the Index: _____

THIS DEED made this 30 day of October, 2020, by and between

GRANTOR	GRANTEE
Robert F. Sumerlin, Trustee of the Robert F. Sumerlin Revocable Living Trust dated September 8, 2016, and Robert F. Sumerlin, individually	GFS Properties of Greenville NC, LLC a North Carolina Limited Liability Company of P.O. Box 30247, Greenville, N.C.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of _____, Pactolus _____ Township, Pitt _____ County, North Carolina and more particularly described as follows:

Lots 3 and 4 (formerly lots 35, 36, 37, 38, 39, 40, 41, 42, 43 of Block I as recorded in Map Book 5, Page 178—Floral Park) as shown on that map titled Recombination Plat for Floral Park, made by Gary S. Miller, recorded in Map Book 86, Page 14 of the Pitt County Registry, to which reference is made for particular description.
 The property hereinabove described was acquired by Grantor by instrument recorded in Book 3489 page 542.

A map showing the above described property is recorded in Plat Book 86 page 14.

2

MVR 191 (Rev 12/11)

CERTIFICATE OF TITLE

Cym 137

VEHICLE IDENTIFICATION NUMBER NCFLX41A64377-V012	YEAR MODEL 2000	MAKE FLEE	BODY STYLE MH
TITLE NUMBER 772970131229147 * DUPLICATE *	TITLE ISSUE DATE 05/18/2013	PREVIOUS TITLE NUMBER 779155050454020	

MAIL TO

JUDSON HASSELL BLOUNT III
PO BOX 855
GREENVILLE NC 27835-0855

ODOMETER READING
ODOMETER STATUS
TITLE BRANDS

OWNER(S) NAME AND ADDRESS

JUDSON HASSELL BLOUNT III
170 HOLLY HILL RD
GREENVILLE NC 27858-8405



The Commissioner of Motor Vehicles of the State of North Carolina hereby certifies that an application for a certificate of title for the herein described vehicle has been filed pursuant to the General Statutes of North Carolina and based on that application, the Division of Motor Vehicles is satisfied that the applicant is the lawful owner. Official records of the Division of Motor Vehicles reflect vehicle is subject to the liens, if any, herein enumerated at the date of issuance of this certificate.

As WITNESS, his hand and seal of this Division of the day and year appearing in this certificate as the title issue date.

James L. Foote
COMMISSIONER OF MOTOR VEHICLES

FIRST LIENHOLDER: DATE OF LIEN

LIEN RELEASED BY:
SIGNATURE _____
TITLE _____ DATE _____

SECOND LIENHOLDER: DATE OF LIEN

LIEN RELEASED BY:
SIGNATURE _____
TITLE _____ DATE _____

THIRD LIENHOLDER: DATE OF LIEN

LIEN RELEASED BY:
SIGNATURE _____
TITLE _____ DATE _____

FOURTH LIENHOLDER: DATE OF LIEN

LIEN RELEASED BY:
SIGNATURE _____
TITLE _____ DATE _____

ADDITIONAL LIENS:

147 TIC1474 89925137



PITT COUNTY
 ENVIRONMENTAL HEALTH
 1717 W. 5th Street
 Greenville, NC 27834-1696
 Office (252) 902-3200
 Fax (252) 902-3208

IMPROVEMENT PERMIT

Type of Inspection: Evaluation for a New Septic System
 Appointment Requested: No
 Date Site Ready: 6/3/2020
 Fees Paid: Yes

Application Date: 06/02/2020

Project Number: PRI2020-124946

Application Number: WLS2020-107972

Applicant:
 ROBERT FRANKLIN SUMERLIN
 SUMERLIN OPAL DIXON
 2040 PACTOLUS HWY
 GREENVILLE, NC 27834
 (252) 412-1657

Owner:
 ROBERT R SUMERLIN
 2040 PACTOLUS HWY
 GREENVILLE, NC 27834

Site Address:

Tax Parcel #(s): 09917

Subdivision Name: FLORAL PARK

Lot #: 3

Block/Phase:

Directions to Site: Turn right on MOORE ST; Turn left on MELODY LN; Turn right on DUDLEY ST; Turn left on GREENE ST and immediately turn right on DUDLEY ST; Turn left on VAN DYKE ST; Turn right on MUMFORD RD; Turn right on NC 33 E; Turn left on AZALEA ST; Turn right on CORBETT AV; Finish at 0 CORBETT AV 4 LOTS TO THE RIGHT 2016 CORBETT AV, on the right;

Date of Evaluation	<u>7-13-20</u>	System Type	<u>IFC</u>
Tank Size	<u>1000</u> gal	Nitrification Field	<u>1000</u> ft sq
Pump Tank	_____ gal	Trench Bottom Depth	<u>16</u> in
Grease Trap	_____ gal	Estimated Flow	<u>500</u> gpd
Maximum # of Occupants	<u>10</u>	# of Bedrooms	<u>3</u>

Remarks: COVER SYSTEM W/ APPROVED MATERIAL + LANDSCAPE TO
SHED SURFACE WATER.
DO NOT DRIVE BUILD OVER SYSTEM/SEPTIC AREAS.
THIS PERMIT IS ISSUED PURSUANT TO SECTION 11.6) OF
SL2018-114 USING THE SIGNED AND SEALED BLSS
EVALUATION ATTACHED HERE.

Permit Reference #'s _____

An Authorization to Construct a wastewater system must be obtained from Environmental Health before construction of the wastewater system begins. Depending on the system design, an additional fee may be charged before the Authorization to Construct can be issued.

Date Issued: 9-25-20 Environmental Health Specialist 

(GS130A-335) This Improvement Permit is subject to revocation if the site is altered or if the site plan or intended use change.

Improvement Permit Valid _____ No Expiration Five (5) Years



PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

February 11, 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, February 25, 2021 at 6 pm.** The request by Geino Suriel for a special use permit to place a mobile home on a lot pursuant to Appendix A, Use (2)g. of the Greenville City Code will be heard at this meeting. The proposed use is located at 2008 Corbett Ave. The property is further identified as being tax parcel number 86674. 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 FEBRUARY 25, 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.

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Doc. 1142487

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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. 1142487

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 **(3) Geino Suriel** at the **February 25, 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 **(3) Geino Suriel** at the **February 25, 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 place a mobile home on a lot (case description) at 2008 Corbett Ave. (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 _____



PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

February 11, 2021

Geino Suriel
PO Box 30247
Greenville, NC 27833

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, February 25, 2021 at 6 pm. Please be advised that the BOARD'S FEBRUARY 25, 2021 meeting will be A REMOTE MEETING CONDUCTED BY ELECTRONIC MEANS.**

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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

Geino Suriel _ Parcel 86674

OwnerName	OwnerName2	OwnerAddress1	CityStateZip
CARLTON THOMAS CATES	BARBARA HALES CATES	2007 E REDMOND AVENUE	GREENVILLE NC 27834
DAIL DARLENE POLLARD ENTPAKA JANICE DARLENE DAIL		3851 ROBIN RD	AYDEN NC 28513
CONSUELO MARTINEZ ESPINO	DIEGO MARTINEZ ESPINO	1619 MANDY DR	GREENVILLE NC 27834
FRUITION INVESTMENTS GROUP INC		555 FAYETTEVILLE ST STE 201	RALEIGH NC 27601
GFS PROPERTIES OF GREENVILLE NC LLC		PO BOX 300247	GREENVILLE NC
HARDEE J C HEIRS	C/O MARILYN ORE-BOOTH	133 AVON AVE	WASHINGTON NC 27889
BETTY LACOCK	EDWIN RAY TRIPP	333 HARLENDALE DR	WILMINGTON NC 28411
MCCLLENNEY PROPERTY GROUP LLC		PO BOX 1622	GREENVILLE NC 27835
MAGGIE L MANNING NEWTON		2016 CORBETT AV	GREENVILLE NC 27858
SUMERLIN ROBERT R ENTPAKA ROBERT F SUMERLIN REVOCABLE LIVING		2040 PACTOLUS HWY	GREENVILLE NC 27834

Find yourself in good company®



 Tar River  ETJ  Subject Property

 City Limits  Railroads



Special Use Permit –Board of Adjustment Meeting

February 25, 2021 6:00 p.m.

Zoom Webinar

Staff Contact: Elizabeth Blount, 252-329-4608

Date: January 25, 2021

Applicant: Mango Man, LLC

Agenda #: 4 (New Business)

Request: The applicant, Mango Man, LLC, desires a special use permit to provide gasoline sales and convenience store pursuant to Appendix A, Uses (10)b.of the Greenville City Code.

Location: The proposed use is located at 0 Frog Level Road. The property is further identified as being tax parcel number 86472.

Zoning of Property: CN (Neighborhood Commercial) and O (Office)

Surrounding Zoning:

North: R6A (Residential)

South: CN (Neighborhood Commercial)

East: RA20 (Residential Agricultural)

West: CN (Neighborhood Commercial) and O (Office)

Surrounding Development:

North: Augusta Trails Duplex Residential Subdivision and Hawthorne Place Apartments
(under construction)

South: Dollar General Store and a vacant lot

East: Single Family Home

West: Vacant lot

Description of Property:

The subject property is 2.116 acres in size and has approximately 312 feet of frontage along Frog Level Road and 452 feet of frontage along Davenport Farm Road. The property is bordered on two sides by minor thoroughfares and at the intersection of a residential transportation corridor. The property is currently undeveloped. The applicant wishes to subdivide the property and operate a convenience store with gasoline sales and a fast food restaurant as an ancillary use.

Comprehensive Plan:

The property is located within both the Mixed Use and the Traditional Neighborhood Medium to High Density Commercial character types as designated by the Horizon Plan. The proposed use is in compliance with the Future Land Use Plan which recommends neighborhood-scale commercial development at key intersections and a use that can provide shopping to nearby residential uses while serving as a transition in intensity to nearby neighborhoods.

Notice:

Notice was mailed to the adjoining property owners on February 11, 2021. Notice of the public hearing was published in the Daily Reflector on February 14 and February 21, 2021.

Related Zoning Ordinance Regulations:

Definition:

Restaurant, fast food.

- (1) An eating establishment open to the general public of which the principal use is food services, including food ordering, food preparation and on-premises food consumption, and which meets all of the following:
 - (a) Does not require a membership, cover or minimum charge for admittance or service during regular or special periods of operation;
 - (b) Has sales of prepared and/or packaged foods, in a ready-to-consume state, in excess of 50% of the total gross receipts for the establishment during any month.
 1. In determining the portion of sales that can be attributed to the sale of prepared and/or packaged food in a ready-to-consume state, the following sales shall be included: food prepared in the establishment's kitchen and served as a meal to be consumed on the premises or as a take-out order; packaged food sold to accompany the meal; and non-alcoholic beverages sold to accompany the meal.
 2. The following shall not be included in the portion of sales that can be attributed to the sales of prepared and/or packaged food in a ready-to-consume state: mixed alcoholic beverages, including the mixer; any other alcoholic beverage; grocery items not ordered and purchased with meals; and any other product, item, entertainment, service, or gratuity which is not specified in this subsection(b) as a sale to be included in the portion of sales that can be attributed to the sales of prepared and/or packaged food in a ready-to-consume state.
 3. For purposes of determining compliance under this subsection (b), the Zoning Enforcement Officer may utilize and rely upon any routine or special audit report prepared by a department, division of a department, or agency of the State of North Carolina.
 - (c) Does not qualify as a conventional restaurant by definition; and
 - (d) May have as an ancillary or accessory use a full service bar, live or recorded amplified music, floor show, and dancing area which is open to the

restaurant patrons and general public and is limited to the hours of operation of the principal use restaurant.

(2) The following is not considered a “restaurant, fast food” under this definition.

(a) Ancillary or accessory food service for a permitted principal use where the food service is open to the general public such as an employee and/or patron cafeteria or eating area;

(b) Temporary food service as part of permitted temporary uses such as carnivals, fairs, street fairs, circuses, athletic events, community events, concerts, nonprofit fund raising events, emergency shelters and the like; or

(c) Any establishment where the preparation of food is merely incidental to the sale of food such as a grocery store or food market and the like.

Accessory use. A use which meets the following conditions:

- (1) A use located on the same lot as the principal use, whether located in the same building, in an accessory building or as an accessory use of land;
- (2) Is incidental to and subordinate to the principal use;
- (3) Is dependent to the principal use;
- (4) Is customarily associated with the principal use; and
- (5) Will not create a nuisance or hazard to the principal use or area uses to a greater degree than that which can be expected by the principal use prior to creation of the accessory use.

Specific Criteria:

(P) *Restaurant; conventional or fast food.*

- (1) Except as further provided, whenever a proposed restaurant is to be located adjacent to a permitted residential use, or a residential zoning district, the following minimum standards shall be required:
 - (a) The restaurant principal structure shall maintain a public street (front yard) setback not less than the adjoining residential zoning district;
 - (b) The restaurant principal structure shall maintain a side and rear yard setback not less than 25 feet from any property line which abuts a residential zoning district or a permitted residential use;
 - (c) The maximum height of the restaurant principal and/or accessory structure(s) shall not exceed 35 feet; and
 - (d) Any exterior menu reader board or order station which contains an audio speaker(s) shall be set back not less than 50 feet from any side or rear property line which abuts a permitted residential use or residential zoning district, and the speaker shall be oriented and directed away from any adjacent permitted residential use or residential zoning district in a manner approved by the Director of Community Development or the Director’s authorized

representative, and the requirements shall be indicated upon an approved site plan. Separation of the speaker from an adjacent permitted residential use or residential zoning district by an intervening nonresidential building or structure of sufficient dimension to negate or block the transmission of sound may, upon approval of the Director of Community Development or representative, substitute for the speaker setback, orientation and direction standards of this section. No exterior menu reader board or order station shall be utilized or operated in a manner which constitutes a nuisance or hazard to the general public.

Staff Recommended Conditions:

Final platting, stormwater management, erosion control, NCDOT access agreement and site plan approval is required prior to issuance of a building permit.

Traffic impact analysis is required prior to site plan submission.

Parking shall satisfy both gasoline fuel sales and convenient store requirements.

Outdoor amplified paging of patrons, guests or/or employees shall be prohibited.

Outdoor amplified sound, including music, shall be allowed, provided

- (i) any sound transmission device, system, and/or speaker shall be oriented in a manner that directs all mechanical and/or amplified sound toward the building and away from any abutting residential property line, and
- (ii) no amplified sound shall be audible from any point located on any property zoned for residential purposes. Outdoor amplified sound is defined as any sound using amplifying equipment, whose source is outside or whose source is inside and the sound propagates to the outside through open door(s) or window(s) or other openings in the building. Measurement standards shall be human auditory senses.

No television transmission, movie projection and/or computer display shall be viewed from the gasoline activity area.

Exterior lighting associated with the gasoline activity area shall be directed away from all public and/or private street, and away from property zoned for residential purposes. On-site and under canopy lighting shall be shielded and directed to prevent the light cone from crossing the right-of-way line or perimeter property line. Exterior lighting shall comply with the City of Greenville Lighting Standards.

No exterior neon lighting, no neon light signs, and no flashing signs shall be allowed in conjunction with the principal use convenient store and/or gasoline activity area.

The owner(s) and operator(s) or designee(s) shall collect and properly dispose of all litter and debris located on their property immediately following the closure of business or not later than 7:00 a.m. each morning following any period of operation. All litter or debris shall be collected from within the boundaries of the establishment, associated parking areas, adjacent sidewalks

and public rights-of-way (inclusive of the open ditches along both street frontages) or other adjacent public property open to the public. Posting this statement shall be visible to employees and management inside the building.

The convenience store shall not contain 20% or more of the establishment's floor area dedicated to the display or stocking of tobacco products or 40% or more of the establishment's on-site signage that is visible from public right-of-way advertising tobacco products.

The establishment shall not operate any outdoor dining area without obtaining the appropriate special use permit.

No loitering or outdoor activities permitted.

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.

BOA 21.06
Date Received 1-20-2021

**CITY OF GREENVILLE
SPECIAL USE PERMIT APPLICATION**

Applicant Name(s) Mango Man, LLC
Robert A. Jeffreys, Manager
2719 Graves Drive, Bldg 21, Suite B
Goldsboro, NC 27534-9542

Contact Name and Mailing Address Sulayman Alkanshaly
601 W Ash ST
Goldsboro NC 27530

Contact Phone Number (919) 344-4411

Contact Phone Number (_____) _____

Contact Fax Number (_____) _____

Contact Email Address ADAMSCMART1805@YAHOO.COM

Location /Street address of proposed use _____

Tax Parcel # 86472

Proposed use Convenience store with gasoline sales

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 use is on a proposed 2.116 acre lot which is in compliance with dimensional standards of the zoning ordinance. Set backs are in compliance with the zoning ordinance. 30 parking spaces are provided which are provided which is more than 27 which are required.

- (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 Future Land Use plan classifies this property as Mixed Use (MU) described as "Small-scale activity centers that contain places to live, work and shop." The proposed use fits that description.

- (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 provides safe access to both Frog Level Road and Davenport Farm Road and a sufficient number of off street parking spaces located so as not to impede ingress and egress.

Frog Level Road and Davenport Farm Road have adequate capacity to accomodate traffic generated by the proposed 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 compatible with the on going development of adjacent properties; for example the Dollar General store across the street.

- (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 include a Dollar General Store directly across Davenport Farm Road
These uses are compatible with the proposed convenience store.

(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 is located at a major intersection which is developing as a neighborhood commercial hub. The proposed use is compatible with other uses at this intersection and as such will not injure by value or otherwise the adjoining or abutting property or public improvement.

(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 site has been designed and the facilities will be designed so as not to create any nuisance or hazard including but not limited to items 1-6 above.

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>Robert A. Jeffreys</u>	<u>Robert A. Jeffreys</u>	<u>1-28-2021</u>
Print Name	Signature of Applicant	Date

_____	_____	_____
Print Name	Signature of Applicant	Date



PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

February 11, 2021

Sulayman Alkanshaly
601 W Ash St.
Goldsboro, NC 27530

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, February 25, 2021 at 6 pm. Please be advised that the BOARD'S FEBRUARY 25, 2021 meeting will be A REMOTE MEETING CONDUCTED BY ELECTRONIC MEANS.**

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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

February 11, 2021

Dear Greenville Area Property Owner:

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-- COVID-19 UPDATE --

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Doc. 1142488

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, February 22nd will be added to the City's website no later than Friday, February 26, 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. 1142488

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 **(4) Mango Man, LLC** at the **February 25, 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 **(4) Mango Man, LLC** at the **February 25, 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 the operation of a convenience store with gasoline sales (case description) at 0 Frog Level 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 _____

Mango Man, LLC

OwnerName	OwnerName2	OwnerAddress1	CityStateZip
A ELKS CONSTRUCTION INC		1645 E ARLINGTON BV STE C	GREENVILLE NC 27858
AGREE LIMITED PARTNERSHIP		70 EAST LONG LAKE RD	BLOOMFIELD HILLS MI 48304
TYREK ALSTON		3920 B PALMER DR	GREENVILLE NC 27834
CARL J ATEN	KRISTINA V ATEN	3920 A PALMER DR	GREENVILLE NC 27834
ROBERT W BURT		3120 CHESSWOOD LN	WINTERVILLE NC 28590
CHARLESTON DEVELOPMENT COMPANY INC		PO BOX 1607	WILSON NC 27894
ELIZABETH A COX		3908 A PALMER DR	GREENVILLE NC 27834
JOLYNN CRIGGER	SUSAN L CRIGGER	PO BOX 1117	GREENVILLE NC 27835
EDMONSON PROPERTIES LLC		1302 E FIRE TOWER RD	GREENVILLE NC 27858
FOSS RENTALS LLC		306 PLANTATION RD	GOLDSBORO NC 27530
GILL RUPINDER S ENTPAKA NICOLAS MORA IRREVOCABLE TRUST		PO BOX 51549	DURHAM NC 27717
ELISSA L GORDON		134 INVERNESS DR	HUBERT NC 28539
JAMES WESLEY HEATH	PAIGE A HEATH	990 DAVENPORT FARM RD	WINTERVILLE NC 28590
LESTER JACOBS	AUDREY JACOBS	3908 B PALMER DR	GREENVILLE NC 27834
MANGO MAN LLC		2719 GRAVES DR BLDG 21 STE B	GOLDSBORO NC 27534
BOBBY RAY MILLS	DELORES ANN WILLIAMS	976 DAVENPORT FARM RD	WINTERVILLE NC 28590
SEAN D MORGAN	GEORGE D MORGAN	928 SELWOOD LN	WINTERVILLE NC 28590
ROBERT L MORRIS	MARGARET M MORRIS	1280 DAIRY GLEN DRIVE	FUQUAY-VARINA NC 27526
PARROTT ROBERT D CPA TRUSTEE		1003 RED BANKS RD	GREENVILLE NC 27858

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 Tar River  ETJ  Subject Property

 City Limits  Railroads

0 130 260 520 Feet



Special Use Permit - Board of Adjustment
February 25, 201 6:00 p.m.
Zoom Webinar
Staff Contact: Elizabeth Blount, 252-329-4608

Date: January 25, 2021

Applicants: WGBJR Howell, LLC

Agenda #: 5 (New Business)

Request: The applicant, WGBJR Howell, LLC, desires a special use permit to operate a building supply; lumber and materials sales, plumbing and/or electrical supply facility including outside storage pursuant to Appendix A, Use (12)d. of the Greenville City Code.

Location: The proposed use is located at 301 Hooker Road. The property is further identified as being tax parcel number 07166.

Zoning of Property: CDF (Downtown Commercial Fringe)

Surrounding Zoning:

North: CDF (Downtown Commercial Fringe)
South: CDF (Downtown Commercial Fringe) and CH (Heavy Commercial)
East: CDF (Downtown Commercial Fringe)
West: CDF (Downtown Commercial Fringe)

Surrounding Development:

North: The Next Generation Funeral Home and a vacant lot
South: Electric Motor Sales & Service of Pitt County, Inc. and a warehouse
East: Vacant Lot
West: City of Greenville Building

Description of Property:

The subject property is 3.22 acres in size with approximately 325 feet of frontage along Hooker Road and 441 feet of frontage along Howell Street. The property is located along a minor thoroughfare. The applicant wishes to operate a building supply facility with outdoor storage racks.

Comprehensive Plan:

The property is located within the Mixed Use character types as designated by the Horizon 2026 Greenville Community 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 February 11, 2021. Notice of the public hearing was published in the Daily Reflector on February 14 and February 21, 2021.

Related Zoning Ordinance Regulations:

(LL) Building supply; lumber and material sales, plumbing and/or electrical supply including outside storage.

- (1) The Board of Adjustment may attach additional reasonable screening conditions to any perimeter property boundary when the Board determines that the proposed outside storage area and use would otherwise be incompatible with, and detrimental to, adjacent and area land uses absent such additional screening.
- (2) Required screening may be accomplished by a solid wood fence, masonry wall, earth berm, evergreen vegetation, enclosed structure or combination thereof. Vegetation utilized for this purpose shall comply with Article P.
- (3) The requirements of this section shall be in addition to the applicable bufferyard and planting requirements set out under Article G and Article P; provided, however, that qualified existing and planted vegetation shall be credited and count toward applicable requirements.

Staff Recommended Conditions:

Site plan approval is required prior to operation.

Opaque screening shall be installed around outside storage area.

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.

BOA 21-07
Date Received 1-28-2021

**CITY OF GREENVILLE
SPECIAL USE PERMIT APPLICATION**

Applicant Name(s) WGBJR Howell, LLC

Contact Name and Mailing Address WGBJR Howell, LLC, Attn: Jason Tew

2045 D Eastgate Drive

Greenville, NC 27858

Contact Phone Number (252) 758-4151

Contact Phone Number (_____) _____

Contact Fax Number (_____) _____

Contact Email Address tewj@homebuildersnc.com

Location /Street address of proposed use NE Corner of Howell Street and Hooker Road

Tax Parcel # 07166

Proposed use Building supply; lumber and materials sales; plumbing and/or electrical
supply including outside storage.

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 (CDF - Commercial Downtown Fringe). The proposed use is allowable as a
Special Use within the CDG district and 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 driveway access and pedestrian circulation in conformance with the applicable City of Greenville regulations. The proposed use is located at the intersection of Howell Street and Hooker Road 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 the City of Greenville Parks Maintenance Center with outside storage facility, Electric Motor Sales and Service of Pitt Co., Inc., Greenville Noland Co., Piggly Wiggly and The Next Generation Funeral Home.

(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 will be in architectural harmony with the area and the day to day operations of the use will not create increase in 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.

<i>Gray Blount</i>	<i>Gray Blount</i>	<i>1-27-2021</i>
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

_____ 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: _____

Date: _____

Notary Public

(Official Seal)

My commission expires: _____



PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

February 11, 2021

WGBJR Howell, LLC
Attn: Jason Tew
2045 D Eastgate Drive
Greenville NC 27858

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, February 25, 2021 at 6 pm**. Please be advised that the **BOARD'S FEBRUARY 25, 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, February 22nd**. 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 February 22nd**. **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 February 22nd.** 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'. The signature is written in a cursive style with a large, looped 'B'.

Elizabeth Blount, Planner

Enclosures



PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

February 11, 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, February 25, 2021 at 6 pm.** The request by WGBJR Howell, LLC for a special use permit to operate a building supply; lumber and materials sales, plumbing and/or electrical supply including outside storage pursuant to Appendix A, Use (12)d. of the Greenville City Code will be heard at this meeting. The proposed use is located at 301 Hooker Rd. The property is further identified as being tax parcel number 07166. 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 FEBRUARY 25, 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 February 22nd. 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, February 22, 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 February 22nd.** **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. 1142489

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, February 22nd will be added to the City's website no later than Friday, February 26, 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. 1142489

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 **(5) WGBJR, Howell, LLC** at the **February 25, 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 **(5) WGBJR, Howell, LLC** at the **February 25, 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 the **operation of a building supply; lumber and materials sales, plumbing and/or electrical supply including outside storage** (case description) at **301 Hooker 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 _____

WGBJR, Howell, LLC

OwnerName	OwnerName2	OwnerAddress1	CityStateZip
MARSHALL L BOWEN	BOBBY R BOWEN	PO BOX 7044	GREENVILLE NC 27835
MARGIE S CANNON	THOMAS RAY CANNON	PO BOX 30803	GREENVILLE NC 27833
DAVID A EVANS JR	BREWER ANNE EVANS	PO BOX 2548	GREENVILLE NC 27836
BARBARA R MITCHELL		1000 HOWELL ST	GREENVILLE NC 27834
NOLAND PROPERTIES INC		PO BOX 54786	LEXINGTON KY 40555
PITT GROCERY INVESTMENTS LLC		PO BOX 295	RICHLANDS NC 28574
TAR RIVER HOLDINGS LLC		595 WHISPERING PINES DR	WESTMINSTER SC 29693
WGBJR HOWELL LLC		2045 D EASTGATE DR	GREENVILLE NC 27858


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 Tar River  ETJ  Subject Property

 City Limits  Railroads

0 210 420 840 Feet



Variance Request – Special Board of Adjustment Meeting

February 25, 2021 6:00 p.m.

Zoom Webinar

Staff Contact: Elizabeth Blount, 252-329-4608

Date: January 25, 2021

Applicant: Power of His Presence

Agenda #: 6 (New Business)

Request: The applicant, Power of His Presence, desires a variance from the parking requirements found in Section 9-4-251 (B) (11) of the Zoning Ordinance in the Greenville City Code.

Location: The proposed use is located at 114 E 11th Street. The property is further identified as being tax parcel number 86872.

Zoning of Property: CDF (Downtown Commercial Fringe)

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: Single family dwellings

South: A wooded, vacant lot

East: Single family dwellings

West: Single family dwellings

Description of Property:

The subject property is 0.32 acres in size and has approximately 94 feet of frontage along 11th Street and 122 feet of frontage along Forbes Street. The applicant recently purchased an adjacent lot to build a parking lot. The property is located within the Center City Revitalization Area.

Comprehensive Plan:

The property is located within the Uptown Edge character type as designated by the Horizon 2026 Greenville Community Plan. The proposed use is in compliance with the Future Land Use Plan which recommends adapt and reuse of existing buildings for non-industrial uses.

Notice:

Notice was mailed to the adjoining property owners on February 11, 2021. Notice of the public hearing was published in the Daily Reflector on February 14 and February 21, 2021.

Staff Comments:

Pertinent facts regarding the application:

The applicant began construction on the recently purchased lot with a permit. The applicant was informed that a site plan was required. A site plan was submitted and during the review process the insufficient parking was noted. The parking requirements requires 1 space per 5 seats in the congregation area which would require 40 off-street parking spaces. The existing and proposed spaces will only provide approximately 16 spaces. Staff held a meeting with the applicant and engineer to discuss parking options. The property does not qualify for exemption because the maximum number of off-street parking spaces must be provided on the same lot as the principal use. With the proposed parking and the existing remote parking, the applicant still would not be able to comply with the ordinance parking requirement. Greenville City Code Section 9-4-251 (B)(11) requires all uses to provide off-street parking on the same parcel of land as the use it is intended to serve. A variance would be required for legal documentation.

Variance Criteria:

The Board must find in favor of the applicant on each criteria in order to grant the requested variance

1. Conditions and Specifications - The proposed property was built in 1950 and therefore is a legal nonconforming use in accordance to the current Greenville City Code specifications.
2. Notice - Persons owning property adjacent of the proposed development or use, as listed on the current tax records, were served notice of the public hearing by mail in accordance with applicable requirements; and that notice of a public hearing to consider the special use permit was published on February 14, 2021 and February 21, 2021 in The Daily Reflector.
3. Unnecessary Hardship - The applicant would suffer an unnecessary hardship if a strict application of the ordinance is applied.
4. Unique Circumstances - The hardship of which the applicant complains results from unique circumstances related to the applicant's land – location and size. Only two lots on the block are vacant. The rest of the land is built out and has been for decades. The applicant does not have the option to purchase land adjacent to the current location.
5. General Purpose of the Ordinance - If granted, the variance would be in harmony with the general purpose and intent of the Zoning Ordinance and would preserve its spirit.
6. Safety and Welfare - The granting of the variance secures the public safety and welfare and does substantial justice.

The Applicant is seeking relief of

SEC. 9-4-251 IMPROVEMENT STANDARDS

(B) All off-street parking areas designed from three or more spaces shall meet the following requirements:

(11) All uses shall provide off-street parking on the same parcel of land as the use it is intended to serve, provided however, parking may be allowed within parking bays located on private streets.

Staff Recommended Conditions:

Site plan approval is required for all off-street parking area prior to occupancy.

Off-street parking areas must be designed to accommodate the maximum number of off- street parking spaces allowed by the City's Manual of Standard Designs and Details.

Off-street parking areas shall be constructed with approved surface material.

Required city permits must be obtained prior to continuing construction.

Must comply with all federal and state laws, rules, and local ordinances applicable to project.

Other Comments

Must meet all related North Carolina State fire and building codes prior to occupancy.

Staff Recommendation:

Planning staff recommends approval of the request with the noted conditions.

BOA 21-08
Date Received 1-28-2021

**CITY OF GREENVILLE
VARIANCE APPLICATION**

Applicant Name(s) Power of His Presence Church, Inc.

Contact Name and Mailing Address Bishop T.C. Daniels
114 E. 11th Street Greenville N.C. 27858

Contact Phone Number (252) 756-0350

Contact Phone Number () _____

Contact Fax Number () _____

Location /Street address where variance is requested 114 E. 11th St. Greenville, N.C
27858

Tax Parcel # 86872

Variance requested from section(s) (what variance is requested) Section 9-4-243
Section 9-4-251611

_____ of the Greenville City Code.

Reason for Variance Current parcel is structurally unable to
provide to required spaces for on-site parking.

FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE

When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following: (State facts and arguments in support of each)

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property. (What hardships would be created by a strict following of the ordinance.)

The limitations the ordinance will inflict will result in a decrease in worship services as it will be difficult to sensibly park. Due to a decrease in attendance affects fiscal resources that allow for outreach efforts, community impact and as a result diminish a place of hope in a key place.

2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. (What are the unique features of this property as compared to other properties in the area that create the hardship identified.)

The building takes 100% of the existing parcel space prior to the new acquisition. We are located in a majority residential neighborhood where we are commercial and due to the popularity of the location, parking is becoming increasingly challenging due to new developments.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship. (What and/or who caused the hardship.)

This is not identified as a "self-inflicted" hardship as the property was acquired in its current structural state, which is occupying 100% of the parcel prior to the new purchase of the additional parcel.

4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved. (How is the proposed requested variance consistent with the spirit, intent and purpose of the ordinance.)

Efforts are to provide parking according to the ordinance but the current front of the existing structure doesn't allow full compliance. We will be adding an additional 1 M spaces with on street parking that reflect our effort of meeting requirements where the structure allows.

I certify that all 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.

Bishop T.C. Daniels M.C. Daniels 1-28-21
Print Name Signature of Applicant Date

Print Name Signature of Applicant Date



PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

February 11, 2021

Power of His Presence
Attn: Bishop T.C. Daniels
114 E. 11th Street
Greenville, NC 27858

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, February 25, 2021 at 6 pm. Please be advised that the BOARD'S FEBRUARY 25, 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, February 22nd.** You may register on our website at www.greenvillenc.gov under the Board of Adjustment webpage. All participants (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 February 22nd.** **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 February 22nd.** 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

February 11, 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, February 25, 2021 at 6 pm.** The request by Power of His Presence for a variance from the parking requirements found in Sections 9-4-243 (B)(3) and 9-4-215 (B)(11) of the Greenville City Code will be heard at this meeting. The proposed use is located at 114 E 11th Street. The property is further identified as being tax parcel number 86872. 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 FEBRUARY 25, 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 February 22nd. 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, February 22, 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 February 22nd.** **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. 1142494

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, February 22nd will be added to the City's website no later than Friday, February 26, 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. 1142494

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 **(6) Power of His Presence** at the **February 25, 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 **(6) Power of His Presence** at the **February 25, 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 hear a request for a variance from the parking requirements (*case description*) at 114 E 11th Street (*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: _____

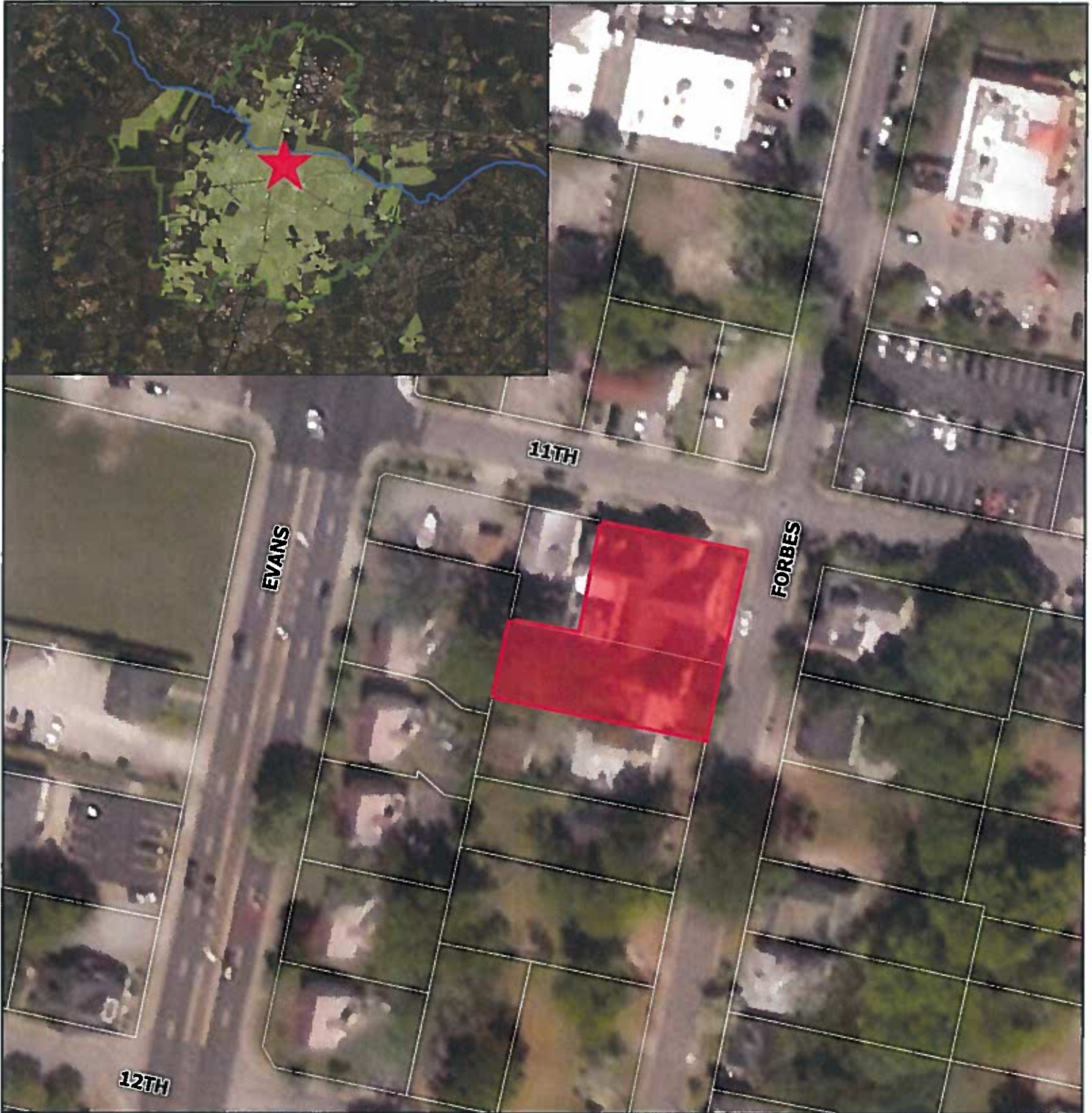
_____, Notary Public

My commission expires _____

Power of His Presence

OwnerName	OwnerAddress1	CityStateZip
ANZILIA KING ANDERSON	3233 SPEIGHT SEED FARM RD	WINTERVILLE NC 28590
MAHMOUD AHMAD ATIYHA	1101 EVANS ST	GREENVILLE NC 27834
BRODY PROPERTIES LLC	530 SE GREENVILLE BLVD STE 200	GREENVILLE NC 27858
CARLISLE RENTAL & INVESTMENTS II LLC	PO BOX 543	PRINCETON NC 27569
DHG HOLDINGS LLC	1901 S ELM ST	GREENVILLE NC 27858
GLENN ARTHUR LLC	PO BOX 8591	GREENVILLE NC 27858
LINDA ANDERSON HARRELSON	1746 TULL RD	GREENVILLE NC 27858
ROCKY ALEXANDER IPOCK	1103 FORBES ST	GREENVILLE NC 27858
JOSHUA DAVID JOHNSON	103 EAST BERKSHIRE DR	GREENVILLE NC 27858
LMH ASSOCIATES LLC	201 COMMERCE ST	GREENVILLE NC 27858
JOYCE AILENE G MCGALLIARD	5821 GUM SWAMP RD	AYDEN NC 28513
MNJ INVESTMENTS LLC	201 COMMERCE ST	GREENVILLE NC 27858
PIRATE PLACES DOT COM LLC	PO BOX 1058	GREENVILLE NC 27858
ERIC JOHN REYES	449 TARPON POINT RD	BATH NC 27808
SOUTH CHARLES PROPERTIES LLC	3505 HUNTINGTON RD	GREENVILLE NC 27858
TENTH STREET PROPERTIES LLC	1100 CONFERENCE DR	GREENVILLE NC 27858
WALKING PIRATE RENTALS II LLC	313 STANWOOD DR	GREENVILLE NC 27858
WARD HOLDINGS LLC	503 CHESAPEAKE PL	GREENVILLE NC 27858
PATRICIA ADSHEAD WEATHERSBEE	15 ABINGTON SQUARE APT 67	NEW YORK NY 10014

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