

Chairman Wubneh declared the meeting a public hearing as advertised in The Daily Reflector on January 8, 2007 and January 22, 2007. Those wishing to speak for or against the request were sworn in.

Mr. Laughlin delineated the area on the aerial map. Mr. Laughlin indicated the location of the request on the map. The property is zoned Residential and surrounding uses are residential. The property is located within Vision Area "G" as designated by the Comprehensive Plan. The Land Use Map recommends medium density residential uses for the subject property. Mr. Laughlin made reference to the standard criteria for a child day care facility. Mr. Laughlin stated that the requirements by the NC Division of Child Development were included in the packets. Mr. Laughlin asked that the proposed Findings of Fact be entered into the record.

Applicant: Tanya Powell

Request: The applicant, Tanya Powell, desires a special use permit to operate a home occupation, child day care pursuant to Section 9-4-78(f)(3)a of the Greenville City Code.

Location: The proposed use is located at 605 Pittman Drive. The property is further identified as being Tax Parcel Number 16794.

Zoning of Property: R6 (Residential)

<u>Surrounding Development:</u>	<u>Zoning</u>
North: Residential	R6 (Residential)
South: Residential	R6 (Residential)
East: Residential	R6 (Residential)
West: Residential	R6 (Residential)

Description of Property:

The property has approximately 99 feet of frontage along Pittman Drive with

a total lot area of approximately 0.23 acres.

Comprehensive Plan:

The property is located within Vision Area “G” as designated by the Comprehensive Plan. The Land Use Map recommends medium density residential uses for the subject property.

Notice:

Notice was mailed to the adjoining property owners on January 11, 2007. Notice of the public hearing was published in the Daily Reflector on January 8 and January 22, 2007.

Staff Comments:

Applicant may provide service to up to four (4) children.

1. Shall only be permitted within detached single-family dwelling units.
2. Shall not be permitted within any accessory building.
3. Shall constitute an accessory use to the principal use.
4. Shall not occupy more than twenty (20) percent of the mechanically conditioned enclosed floor space of the dwelling unit.
5. Shall not employ more than one (1) person other than those persons legally residing within the principal use dwelling.
6. Shall not be visible from any public right-of-way or adjacent property line.
7. Shall not involve the on-site sales of products.
8. Shall not involve any outside storage of related materials, parts or supplies.
9. Shall have signage in accordance with Article N, Signs.
10. Shall not create any hazard or nuisance to the occupants residing or working within the principal use dwelling or to area residents or properties.

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.

Ms. Tanya Powell spoke on behalf of her request. Ms. Powell stated that she would have two shifts, one to accommodate the 8 to 4 pm working parents and a 3 to 11 shift. Ms. Powell explained that she would have to meet all the State requirements before she can become licensed. Ms. Powell stated that she would like to focus on the pre-school age children, 3 to 5 years old.

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

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

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

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

REQUEST FOR A VARIANCE BY BRASFIELD AND GORRIE, LLC – GRANTED WITH CONDITIONS

Chairman Wubneh stated that the next item is a request for a variance. The applicant, Brasfield & Gorrie, LLC desires a variance from the height standards of the Airport Overlay zone, Section 9-3-5 of the Greenville City Code. The request is for a variance of 67 feet above the maximum height standard of 177 feet above sea level. The proposed use is located at 2100 Stantonsburg Road (Pitt County Memorial Hospital). The properties are further identified as being Tax Parcel Numbers 29138 and 29139.

Chairman Wubneh declared the meeting a public hearing as advertised in The Daily Reflector on January 8, 2007 and January 22, 2007. Those wishing to speak for or against the request were sworn in.

Mr. Laughlin delineated the area on the aerial map. Mr. Laughlin stated that the applicant desires a variance from the height standards of the Airport Overlay zone of 67 feet above the maximum height standards of 177 feet. The site is located at 2100 Stantonsburg Road. The property is zoned Medical Institutional and surrounding property is zoned Medical Institutional and Medical Support. The parcels to house the proposed cranes have approximately 66 feet of frontage along Moye Boulevard and approximately 440 feet along Childs Way, with a total combined area of approximately 4.6 acres. The property is located within Vision Area "F" as designated by the Comprehensive Plan. Management actions for Vision Areas "F" supports the increase in number and intensity of medical related uses. The Land Use Plan Map recommends Medical Core for the subject property. Mr. Laughlin made reference to the variance criteria. Mr. Laughlin asked that the findings of fact be entered into the record.

Applicant: Brasfield & Gorrie, LLC

Request: The applicant, Brasfield & Gorrie, LLC desires a variance from the height standards of the Airport Overlay zone, Section 9-3-5 of the Greenville City Code. The request is for a variance of 67 feet above the maximum height standard of 177 feet above sea level.

Location: The proposed use is located at 2100 Stantonsburg Road (Pitt County Memorial Hospital). The properties are further identified as being Tax Parcel Numbers 29138 and 29139.

Zoning of Property: MI (Medical Institutional)

Surrounding Development:

Zoning

North: ECU Medical School

MI (Medical Institutional)

South: Retail & Offices

MS (Medical Support)

East: Nursing Home

MI (Medical Institutional)

West: Medical Offices

MS (Medical Support)

Description of Property:

The parcels to house the proposed cranes have approximately 66 feet of frontage along Moye Boulevard and approximately 440 feet along Childs Way, with a total combined area of approximately 4.6 acres.

Comprehensive Plan:

The property is located within Vision Area “F” as designated by the Comprehensive Plan. Management actions for Vision Areas “F” supports the increase in number and intensity of medical related uses. The Land Use Plan Map recommends Medical Core for the subject property.

Notice:

Notice was mailed to the adjoining property owners on January 11, 2007. Notice of the public hearing was published in the Daily Reflector on January 8, 2007 and January 22, 2006.

Variance Criteria:

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

1. Reasonable Return – The applicant could not comply with the literal terms of the ordinance and still secure a reasonable return or make reasonable use of the property.
2. Unique Circumstances – The hardship of which the applicant complains results from unique circumstances related to the applicant’s land.
3. Hardship by Applicant’s Action - The hardship is not the result of the applicant’s own action.
4. General Purpose of the Ordinance – If granted, the variance would be in harmony with the general purpose and intent of the ordinance and would preserve its spirit.
5. Public Safety and Welfare – The granting of the variance must secure the public safety and welfare and does substantial justice.

Staff Recommendation:

Planning staff does not object to the requested variance provided that continuing approval is received from the Federal Aviation Administration concerning the height limitations and restrictions waivers, and no complaints are received or filed by the Pitt-Greenville Airport Authority.

Ms. Bellis asked if this request is for an additional crane or a continuation of the existing cranes.

Mr. Laughlin stated this request is for additional cranes.

Mr. Bob Williford, Senior Project Manager with Brasfield & Gorrie, stated the project is on schedule. Mr. Williford explained that this request is to allow miscellaneous cranes on the site to set cooling towers, lift various materials and to unload and set major equipment intermittently from February until the project is completed in September. The cranes will not be continuous use, they will come in for a couple of days at a time. Mr. Williford explained that the FAA has conducted an aeronautical study and determined there is no hazard to air navigation. This determination is in effect until February, 2008. The FAA was notified that Brasfield & Gorrie would be using additional cranes at the site, the height of the cranes and what the cranes would be used for. Mr. Williford explained that the FAA sent a signed conformation letter that no further determination or applications needed to be made for the use of the additional cranes. Mr. Williford assured the Board that they would comply with the same conditions as applied to the original variance request and made reference to the previously imposed conditions.

Mr. Brian Becker, Attorney, spoke on behalf of the request. Mr. Becker stated that the additional cranes would not be on site all the time but when needed. Mr. Becker stated that Item #4 is being withdrawn from the Board's consideration because it was for extension of the existing two cranes. Mr. Becker stated that the existing cranes will have completed their portion of the project by the end of the month.

There was discussion in regards to limiting the variance request to the applicant's proposal or to amend the request to the date indicated by the FAA or when a certificate of occupancy is issued.

Mr. Becker stated that the applicant would ask that the application for the variance

be amended to be in effect until February, 2008.

No one spoke in opposition.

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

Motion was made by Mr. Harwell, seconded by Mr. Estes, to adopt the proposed findings of fact and evidence presented as amended to include (1) the crane will be lowered during inclement weather (2) the crane will be lowered at night and (3) extend the date to February, 2008. Motion carried unanimously.

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

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

REQUEST FOR AN EXTENSION OF A VARIANCE – PCMH – WITHDRAWN

REQUEST FOR A SPECIAL USE PERMIT BY COLLICE C. MOORE - CONTINUED

Mr. Laughlin stated that the applicant was not in attendance.

Motion was made by Mr. Harwell, seconded by Mr. Hutchens, to continue the request until the February meeting. Motion carried unanimously.

ANNUAL TRAINING SESSION

Mr. Little stated that since the Board has some new members it is time for an annual session to refresh the Board on some matters. Mr. Little stated that Mr. Laughlin would contact the members and try to establish a date and time for April or March. Mr. Little stated that staff has stated that dinner would be provided. Mr. Little asked that if any Board member had a suggestion for any topic to be covered to contact Mr. Laughlin.

Mr. Ward stated that Thursday is set aside for the Board meeting and feels that a Thursday would best accommodate the members.

There being no further business the meeting adjourned at 7:45 PM.

Respectfully submitted

Seth Laughlin
Planner