

GREENWOOD CITY COUNCIL

November 15, 2004 - 5:35 p.m.

PUBLIC HEARING

PRESENT

Mayor Pro Tempore Niki Hutto; Council Members: Betty Boles, Herbert Vaughn, Johnny Williams, and Barbara Turnburke; City Manager; Assistant City Manager; City Clerk; City Attorney; and Wallace McBride from the Index-Journal.

Linda Edwards entered into the meeting at 5:38 p.m.

ABSENT

Mayor Floyd Nicholson

CALL TO ORDER

The meeting in the Council Chambers was called to order by Mayor Pro Tempore Niki Hutto at 5:35 p.m., and she welcomed everyone to the meeting.

The Mayor Pro Tempore also gave special recognition to the American Heritage Girls Troop #7777 with their leader, Ms. Tammy Christly, introducing them and Mr. Benny Garrett introduced his Boy Scout Troop #58.

City Manager, Steven Brown, gave the invocation.

STATEMENT AND
QUORUM

The Mayor Pro Tempore gave the following statement: "In accordance with the Freedom of Information Act, Chapter 4, Title 30, Code of Laws of South Carolina, 1976, an agenda has been posted on the front door of City Hall and notification of this meeting has been given to the news media."

Mayor Pro Tempore Niki Hutto asked the City Clerk, Steffanie Dorn, if a quorum was present. She said, "Yes, Ms. Hutto, we have a quorum present."

ORDINANCE

A m e n d i n g
Ordinance 03-
010, Zoning
Ordinance,
Chapter 3,
Zoning District
Regulations,
Section 3.1.3,
Zoning District
Use Matrix and
S e c t i o n
3 . 3 . 4 . 2 ,
Additional
Conditional
Uses Allowed in
G C , (Z)
S e x u a l l y
O r i e n t e d
Business.

Mayor Pro Tempore Hutto said, "To start this meeting, we will go through our two public hearings tonight."

The Mayor Pro Tempore then read the first item and said, "This ordinance corrects an error in the original draft of the zoning text ordinance. It views sexually oriented businesses as a permitted use in the zoning classification GC, General Commercial. Do I have anyone here to speak in favor or against this ordinance? Seeing and hearing none, we will close the first public hearing."

Linda Edwards Enters the Meeting

REQUEST

By Thomas
Harvin, Jr. to
Rezone 1709
Gateway from R3
(Residential
District) to
LIW (Light
Industrial /
Warehousing).

Mayor Pro Tempore Hutto read the last item and said, this is a request to rezone the building and property previously used by GRADS located on Gateway. We have petitions of over 100 resident signatures from both Beechwood and Canyon Drive Subdivisions. The property is R-3, which makes the plan use of the daycare as non-conforming. The owners are requesting an LIW zoning classification, which allows daycare. Is there anyone to speak in favor of this rezoning? Please state your name and residence."

ANGIE RAINES

"My name is Angie Raines. My residence is 419 Dodson Lane in Waterloo, South Carolina. I'm under contract to purchase that piece of property on Gateway. My intention is to keep it as a daycare center, but I just have issues with the zoning. If I need to add an office, or add on to the business, I can't because it's nonconforming. Also, if the building was to burn, I wouldn't be able to rebuild."

**MAYOR PRO
TEMPORE HUTTO**

"Alright. Are there any other issues? Is the purchase of this property based on getting

rezoning?"

ANGIE RAINES

"It's one of the contingencies of sale."

MAYOR PRO
TEMPORE HUTTO

"Thank you. Is there anyone else that would like to speak on this issue? State your name and address, please?"

FLORENCE LAROSE

"My name is Florence LaRose from 101 Beechwood Circle. I live adjacent to that property, 1709. I'm speaking for myself, my family, and all of Beechwood, Botany Court, Gateway, and those four homes in Beechwood Subdivision. Our mailing addresses are Gateway because the front is facing Gateway and it's adjacent to that property.

We've been living at 101 Beechwood Circle since January 10, 1962. We were told that Beechwood Subdivision would be one-family homes with no trailers, farm animals, and businesses allowed. It would be strictly a residential area, and we would like for it to stay residential. Our homes would lose their value if there was an industrial warehouse. We wouldn't mind a daycare or learning center if it didn't have to be rezoned. If we let it be rezoned, what would stop the owners from behind that building connecting to Canyon Drive and the side building going to that dangerous curve (from rezoning also)?

We had two meetings about Drew a while back. He wanted to build apartment houses on that Drew Park property where the curb is. It's a real dangerous curve, and there are a lot of accidents from (there) down to North Emerald. There was (an accident) in my yard. It knocked the Beechwood sign down, broke all the shrubbery, knocked down a 29 foot fence of ours, and made holes all over the yard. This man landed against the fence, was ejected from the car, and went 60 feet into the next yard behind us. He had been drinking. I went to the hospital to see him because I found some keys. I thought that he would be in a cast, but all he had were scratches and bruises. Now, every time I cut grass, or pick up litter, I'm always afraid because those cars are just whizzing past there. I'm always afraid that one might get me. It is a dangerous situation from that corner. I'm probably not supposed to speak about the traffic and all, but it exists. We would like to keep it as residential."

MAYOR PRO

"Okay. Is there anyone else to speak against?"

TEMPORE HUTTO

JUDY SWYGERT
KELLY

"My name is Judy Swygert Kelley and my residence is 113 Canyon Drive. I appreciated the opportunity to put the copies of our letter and petitions in your presence before today. May I step to the map? Our main disagreement is with the rezoning of the daycare. Just like Mrs. LaRose said, we have no objections to the daycare, and we've had no problems with the daycare in the past. It's been fine. Our main objection is, if this area (pointing) is rezoned to light warehousing, we see no reason why the people who own this land behind it be denied rezoning either. They have done some fill work where they could build on that property, even through there is a little bit of a canyon there. But if that were the case, we have resident homes right here (pointing), and that property will come right up this side and the backyards of at least four of the homes on Canyon Drive. That is our main argument of asking for a denial in rezoning. I appreciate your letting us speak."

MAYOR PRO
TEMPORE HUTTO

"Thank you so much. Is there anyone else who would like to speak concerning this issue?"

STEVEN BROWN

"Let me just give the City Council some information. If you look at the property (pointing), this is the creek, which is the City Limit line. That property was R3 until we adopted the new land use maps. I was not aware of this specific change. About two or three months ago, that was also R3 property, which would have meant this property would not have been contiguous to LIW. The contiguity with the LIW has only occurred since you passed the land use maps. I assume the owner of that property, Lex Walters, requested the Planning Commission to include all of his property in LIW. That then made this property circled in red (pointing) contiguous to the adjacent LIW zoning classification.

This (pointing) is owned by Mr. Drew who is the owner of the Sunshine Houses. There have been requests in the past to use this either for multi-family or other purposes. I think that's the major concern. The residents of Beechwood and Canyon Drive have no problem with the use as a daycare."

MAYOR PRO
TEMPORE HUTTO

"It's non conforming because it is being used as a daycare as present. It can continue to be used as

daycare, correct?"

STEVEN BROWN

"It can."

MAYOR PRO
TEMPORE HUTTO

"Okay. Is there anyone else to speak against? At this time, we are going to adjourn our public hearing section and go into our regular business meeting."

There being no further business, the public hearing was adjourned at 5:47 p.m.

Niki Hutto, Mayor Pro Tempore

Attest:

City Clerk and Treasurer