

Zoning Docket from January 23, 2017 Public Hearing

Docket Number	Applicant	CC DIST.	STAFF REC.	GCPC REC.	P&D REC.	COUNCIL ACTION
CZ-2017-06	Mark Warner Kerhulas for Thomas Ernest Kerhulas Trust 351 E. Lake Shore Drive 0624010300813 R-7.5, Single-Family Residential to C-1, Commercial	17	Approval	Approval 1/25/17	Held 2/7/17	
Public Comments	<p>Some of the general comments made by Speakers at the Public Hearing on January 23, 2017 were:</p> <p><u>Speakers For:</u></p> <p>1) Applicant</p> <ul style="list-style-type: none"> • Built in 1924 • Opened year round in 1970's • Parking critical to meeting code requirements for restaurant • No bands will be allowed on the dock • Apart of Lake Lanier Civic Association • Currently working on getting it back open <p>2) Representative</p> <ul style="list-style-type: none"> • Have an interested party wanting to buy and reopen the restaurant • 15ft right of way from the center line <p>3) Resident</p> <ul style="list-style-type: none"> • For the rezoning • Great place • Lived there most of their life • Worked at camp • Lake used to be noisier <p>4) Resident</p> <ul style="list-style-type: none"> • For the rezoning • Liven on since 1940's • Expects some noise out on the lake <p><u>Speakers Against:</u></p> <p>1) Resident</p> <ul style="list-style-type: none"> • Opposed to commercial use • Property is for sale • Closed for 7 of the past 10 years • No restroom facilities on dock • In 2007 issues with noise • Concerns about the dock and its safety <p>2) Resident</p> <ul style="list-style-type: none"> • Road not designed to handle commercial traffic • Concerned about traffic safety issues • Worried about the decline of surrounding property values • Worried about the upkeep of the property if restaurant fails or is resold <p>3) Resident</p> <ul style="list-style-type: none"> • Worried about water supply and having commercial facility over it • Opposed to rezoning 	<p>Petition/Letter</p> <p><u>For:</u> 77</p> <p><u>Against:</u> 63</p>				

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	<p>List of meetings with staff: December 7, 2016 and December 18, 2016</p>	
<p>Staff Report</p>	<p>The subject parcel zoned R-7.5, Single-Family Residential is 0.17 acres of property located on East Lakeshore Drive approximately 0.8 miles west of the intersection of Asheville Highway and Ridge Road. The parcel has approximately 250 feet of frontage along East Lakeshore Drive.</p> <p>The applicant is requesting to rezone the property to C-1, Commercial. The subject parcel is located on and along Lake Lanier. There is a boathouse located to the north of the subject site and a boat dock to the south. There is a restaurant zoned C-1, Commercial to the east of the subject site.</p> <p>The applicant states the proposed land use is for commercial use in association with the restaurant zoned C-1 across the street.</p> <p>Staff is of the opinion the existing boat garage and dock is an accessory structure to the existing restaurant to the east of the subject site zoned C-1, Commercial. Staff believes rezoning the subject site to C-1, Commercial would not be precedent setting for other properties along the lake, since this restaurant has been a long standing business. Additional safeguards put into place such as the City of Tryon's restrictions on the lake will limit the future commercialization of Lake Lanier.</p> <p>Based on these reasons staff recommends approval of the requested rezoning to C-1, Commercial.</p>	
<p>P & D</p>	<p>At the Planning and Development Committee meeting on February 7, 2017, the Committee placed CZ-2017-06 on hold for further research.</p>	

Planning Report

DOCKET NUMBER: CZ-2017-06

APPLICANT: Mark Warner Kerhulas for Thomas Ernest Kerhulas Trust

PROPERTY LOCATION: 351 E. Lake Shore Drive

PIN/TMS#(s): 0624010300813

EXISTING ZONING: R-7.5, Single-Family Residential

REQUESTED ZONING: C-1, Commercial

ACREAGE: 0.17

COUNCIL DISTRICT: 17 – Dill

ZONING HISTORY: The parcel was originally zoned R-7.5, Single-Family Residential in May 1994, as part of Area 9. There was an unsuccessful C-1, Commercial rezoning request in 2011, CZ-2011-19.

EXISTING LAND USE: boat garage and dock

AREA CHARACTERISTICS:

Direction	Zoning	Land Use
North	R-7.5	boathouse
East	C-1	restaurant (Teahouse)
South	R-7.5	boat dock
West	R-7.5	Lake Lanier

WATER AVAILABILITY: City of Tryon

SEWER AVAILABILITY: No Sewer Available

FUTURE LAND USE: The subject property is part of the Imagine Greenville comprehensive plan and is designated as *Residential Land Use 1* which prescribes 0.3 to 3 units per acre.

ROADS: East Lakeshore Drive: two-lane State-maintained minor collector

TRAFFIC: No traffic counts in proximity of East Lakeshore Drive.

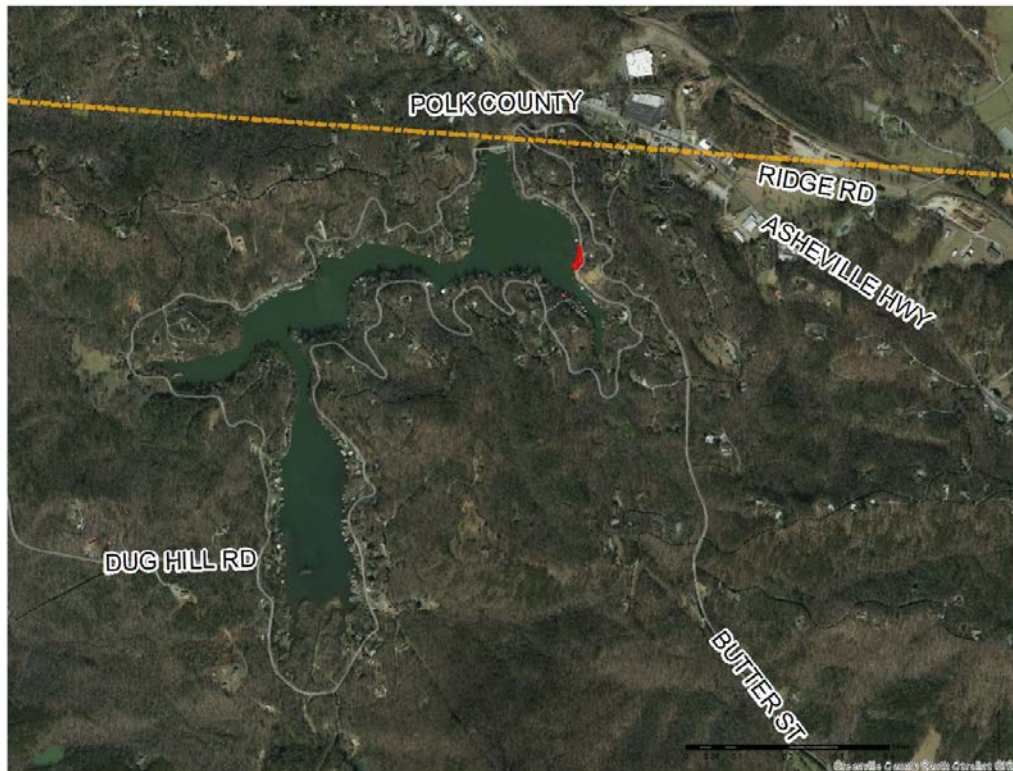
SUMMARY: The subject parcel zoned R-7.5, Single-Family Residential is 0.17 acres of property located on East Lakeshore Drive approximately 0.8 miles west of the intersection of Asheville Highway and Ridge Road. The parcel has approximately 250 feet of frontage along East Lakeshore Drive.

The applicant is requesting to rezone the property to C-1, Commercial. The subject parcel is located on and along Lake Lanier. There is a boathouse located to the north of the subject site and a boat dock to the south. There is a restaurant zoned C-1, Commercial to the east of the subject site.

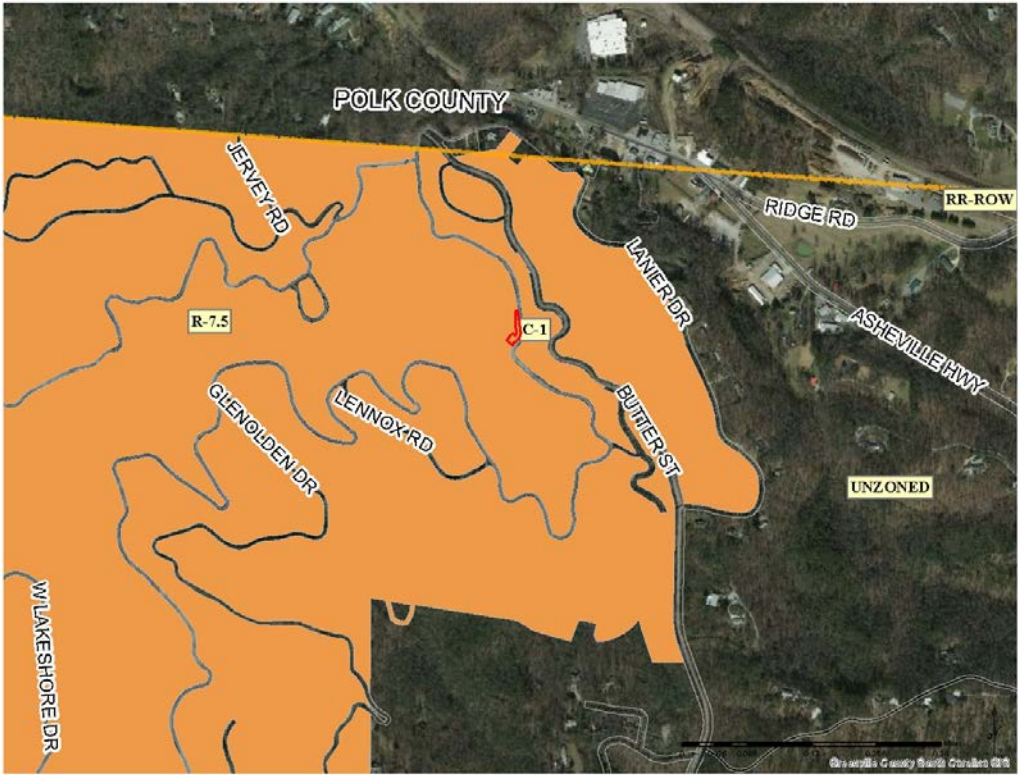
The applicant states the proposed land use is for commercial use in association with the restaurant zoned C-1 across the street.

Staff is of the opinion that the existing boat garage and dock is an accessory structure to the existing restaurant to the east of the subject site zoned C-1, Commercial. Staff believes rezoning the subject site to C-1, Commercial would not be precedent setting for other properties along the lake, since this restaurant has been a long standing business. Additional safeguards put into place such as the City of Tryon's restrictions on the lake will limit the future commercialization of Lake Lanier. Based on these reasons, staff recommends approval of the requested rezoning to C-1, Commercial. The Planning Commission recommended approval

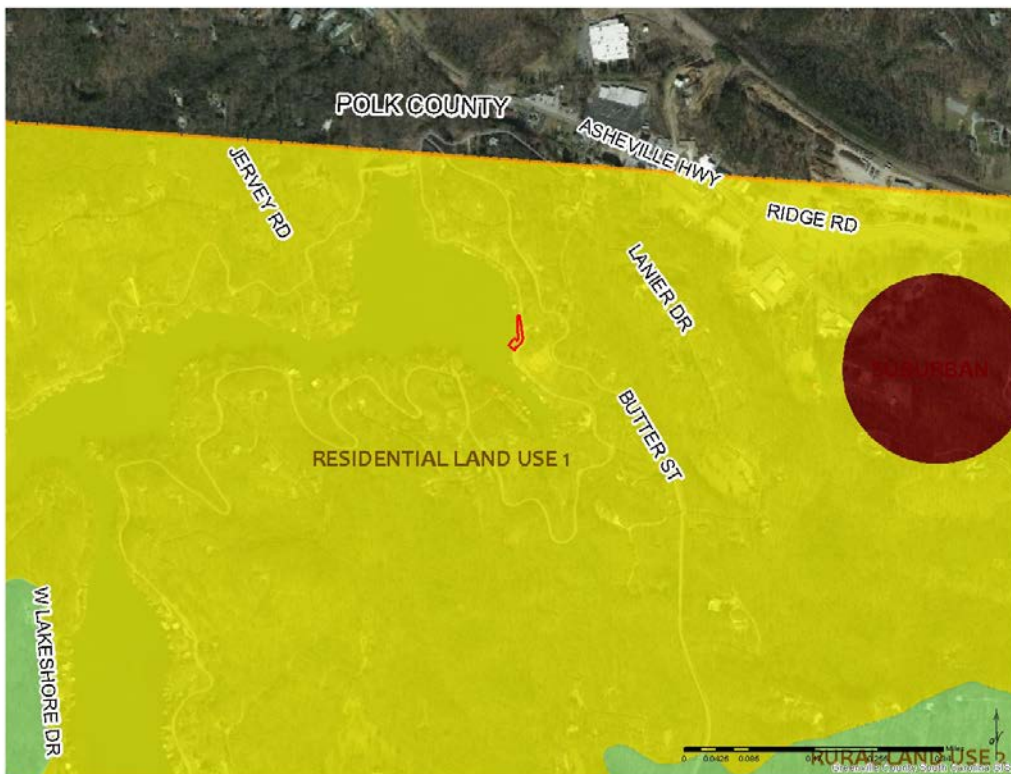
At the February 6, 2017 Committee meeting the item was held until the next Committee meeting.



Aerial Photography, 2016



Zoning Map



Future Land Use Map