

Special Exemption Criteria

The four criteria for a special exception can be found in the [Whataburger application](#) and provided below:

A special exception may be granted for a use identified as a special exception in Div. 19-3.2., if the Board of Zoning Appeals finds that the applicant demonstrates the following standards are met:

- a. The proposed special exception is consistent with the [Comprehensive Plan](#).
- b. The proposed special exception complies with all use standards in Div. 19-3.4. *[I have attached relevant sections]*
- c. The proposed special exception is appropriate for its location and compatible with the character of surrounding lands and the uses permitted in the zoning districts of surrounding lands, and will not reduce property values of surrounding lands.
- d. The design of the proposed special exception minimizes adverse effects, including visual impacts of the proposed use on adjacent lands; furthermore, the proposed special exception does not impose significant adverse impact on surrounding lands regarding service delivery, parking and loading, odors, noise, glare, vibration, and does not create a nuisance.

Although the building and site are being regulated under are under the old zoning code, the after midnight hours request was made after the fact and will be regulated under the new code.

The Board will evaluate if the application meets these criteria or not and make its decision based on that. Commentary and evidence should be fact based and centered around the criteria.

Public comments on the application can be emailed to planning@greenvillesc.gov. These comments are part of the public record and are intended for the review by the Board and not the applicant. Ideally all written comments are provided by Monday 11th close of business so the Board has a reasonable amount of time to read them. We will take written comments up until noon Thursday (day of hearing) and will do our best to make sure they are provided to the Board.

Staff hopes to have the staff report completed by this Friday close of business. It will be publicly posted with the agenda online [here](#).