



# Board of Zoning Appeals

PHONE: 864-467-7425  
 E-MAIL: [www.greenvillecounty.org](http://www.greenvillecounty.org)

## MINUTES of HEARING on MARCH 10, 2021

### Attendance Record

Board Members	Present	Absent
1. DRUMMOND, Keith L.	P	
2. FARRAR, Brittany	P	
3. GODFREY, Laura	P	
4. HATTENDORF, Mark	P	
5. HOLLINGSHAD, Nicholas	P	
6. JACOBS, Lindsey	P	
7. MOORE, Wayne H.- Chairman	P	
8. REDMOND, Jeffery	P	
9. Vacant Seat		

**Members of Staff:** Joshua Henderson, Zoning Administrator  
 Meagan Staton, Deputy Zoning Administrator  
 Brook Denny, Planner  
 Terry Abrahams, Board Secretary

The Greenville County Board of Zoning Appeals held its monthly meeting on Wednesday, March 10, 2021, at 3:00 p.m. in Conference Room D at Greenville County Square. Notice of this meeting was appropriately posted in the Greenville Journal, at the County Council office and on the County website. Due to the Covid-19 pandemic, some members of the Board, County Staff and applicants participated electronically via Zoom.

1. **CALL TO ORDER:** Vice Chairman Mark Hattendorf called the meeting to order at 3:00 p.m. Chairman Moore was delayed.
2. **INVOCATION/PLEDGE:** Conducted by Mr. Keith Drummond.
3. **ROLL CALL:** Attendance was taken by the Secretary, Terry Abrahams. Ms. Lindsey Jacobs, Ms. Brittany Farrar, Ms. Laura Godfrey and Mr. Jeffery Redmond participated in the meeting electronically via Zoom.
4. **PROCEDURES:** Vice Chairman Hattendorf stated the purpose of, and provided an overview of the procedures of the Board of Zoning Appeal hearings for the benefit of the applicants and visitors present.

Ms. Meagan Staton stated the conditions under which decisions/rulings may be made by the Board as outlined in the Greenville County Zoning Ordinance including Section 3:4.1, and Section 11:1.

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**5. NEW BUSINESS:**

**i. CB-21-08: RONALD WATERS - Withdrawn**

**ii. CB-21-09: LISTER PROPERTIES, LLC**

**BACKGROUND:**

This property is located on E. Belvue Road between Piedmont Park Road and Robertson Road, off Rutherford Road and close to the Sevier Middle School in Taylors.

The applicant is requesting a variance from the right side setback required for division of the existing parcel and allow application for rezoning of the parcel from R-10 to I-1; Industrial District to bring the structures and uses into compliance.

Research of county records revealed permits were purchased between 2008–2010 for non-commercial detached buildings. The building depicted in the aerial view at 224/226 Sunnydale Drive was the only building inspected and approved. There were no inspections conducted on the building located at 202 E. Belvue Road or the one at 220/222 Sunnydale Drive.

**FINDINGS OF FACT:**

On Monday, February 22, 2021, Staff inspected the property to ensure that the "Appeal Notice" signs had been posted as required by the Greenville County Zoning Ordinance and photographs were taken.

**Section 7:3, Table 7.3.1, Setback/Height Requirements lists the following for Setbacks in the I-1 district**

FRONT = 50' from property line; Sides & Rear = 25' from property lines.

The applicant is requesting a **Variance of 8-feet from the Right Side setback** of the existing building at #202 E. Belvue as first depicted on the aerial view of 2003.

**Section 3:4.1 – Consideration of Variances:** A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following findings:

- A.** There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- B.** These conditions do not generally apply to other property in the vicinity;
- C.** Because of the conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- D.** The authorization of a variance will not be of substantial detriment to adjacent property or to the public good.

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**5. ii. CB-21-09: FINDINGS of FACT cont.**

Representatives present for this application were Mr. Scott Lister and Ms. Kristen Lewis.

There was no opposition, present or submitted, to this application.

Ms. Meagan Staton presented the facts as they pertained to the Greenville County Zoning Ordinance. In response to questions from the Board, Staff provided clarification of the survey submitted, the purpose of the request and necessity for the Variance required prior to submittal of an application for rezoning.

Mr. Lister presented the application to the Board. He informed the Board of his desire to bring the existing buildings into compliance, that the buildings are used for storage of personal automobiles and are not as accessory use to the single-family residences. Mr. Lister stated the necessity for the variance in order to submit application for rezoning of the parcels outlined on the survey submitted.

**CONCLUSIONS of LAW:**

The application was reviewed by the Board. Vice Chairman Hattendorf made a motion to grant the variance as requested, based on the conditions as outlined in Section 3:4.1 being met; particularly,

- A.** There are extraordinary and exceptional conditions pertaining to the particular piece of property; *unique shape of the parcel and unique circumstances per testimony presented*
- B.** These conditions do not generally apply to other property in the vicinity; *adjacent lots are significantly smaller and does not support the structures used for storage*
- C.** Because of the conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; *it would prevent the owner from renting the residences*
- D.** The authorization of a variance will not be of substantial detriment to adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance.

Ms. Lindsey Jacobs seconded the motion. There was no objection and no discussion. The motion carried, resulting in a vote of 7-0 in favor of approval. Chairman Moore did not cast a vote and there is one vacant seat.

**5. iii. CB-21-10: DANIEL & HALEY PANDOLPH**

Prior to hearing of this case, Mr. Keith Drummond submitted his recusal.

**BACKGROUND:**

This property is located on N. Rockview Drive and the corner of Old Buncombe Road in the Rockview Heights sub-division, east of Hwy 276/Poinsett Hwy and the City of Travelers Rest.

Research of County records reveal the discovery of violations on inspection of the Property Following a complaint filed with the Codes Enforcement department.

The applicant is requesting a Variance from the front setback for the encroachment of the front porch as discovered on the most recent survey obtained.

**FINDINGS of FACT:**

On Monday, February 22, 2021, Staff inspected the property to ensure that the "Appeal Notice" sign(s) had been posted as required by the Greenville County Zoning Ordinance. Photographs were taken of the subject property.

**Section 7:3, Table 7.3 – Setback/Height Requirements for the R-10 District;**

FRONT	=	20' from edge of road R.O.W. (typically)
RIGHT SIDE	=	5' from Left side property line
LEFT SIDE	=	30' from property line (corner lot)
REAR	=	5' from the Rear property line

**Section 7:3.4:** Setbacks are measured from the foundation wall. Overhangs, architectural embellishments, etc., may encroach the setback a maximum of 2 feet. Cantilevers consisting of roofed over space may not encroach the setback line. **Setback is not measured from stoops, porches, and landings provided they do not occupy more than 20% of any exterior wall.**

The exterior wall area is 22.4 feet wide. The porch addition is 8'W x 7' D = **40+%**

Based on the setback shown on the recent survey and setback for porches outlined in the Ordinance, the applicant is requesting a Variance of **22.6 feet from the FRONT setback**

**Section 3:4.1 – Consideration of Variances:**

A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following findings:

- A.** There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- B.** These conditions do not generally apply to other property in the vicinity;
- C.** Because of the conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- D.** The authorization of a variance will not be of substantial detriment to adjacent property or to the public good.

**5. iii. CB-21-10: FINDINGS of FACT cont.**

The recent survey dated 3/25/20 further revealed encroachment into the front setback of 30-feet prior to addition/alteration of the existing residence on site, indicating the single-family residence to be existing/nonconforming.

**Section 9:3.3, Expansion of Nonconforming Structures:**

Nonconforming structures existing at the time of adoption of this Ordinance or structures made nonconforming as a result of road improvements may be expanded in any zoning district provided that the expansion conform to the setback requirements provided in the zoning district in which such structures are located. The Board of Zoning Appeals may permit expansion in to the required setback area.

Based on the results of research and recent survey, a Use by Special Exception will be required to bring the property into compliance for a clean record.

**Section 11:1 - General Provisions for Uses Permitted by Special Exception states:**  
The Board of Zoning Appeals may grant permission for those uses permitted by special exception which are in accordance with the provisions of this Ordinance and the specific conditions set forth in this section.

**The Board shall consider the following factors:**

- A.** The use meets all required conditions
- B.** The use is not detrimental to the public health or general welfare
- C.** The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar services
- D.** The use will not violate neighborhood character nor adversely affect surrounding land uses

Representative present for this application was Mr. Jeverus Howard, prior owner of the property and contractor responsible for the renovations to the residence .

There was no opposition, present or submitted, to this application.

Ms. Meagan Staton presented the facts as they pertained to the Greenville County Zoning Ordinance; particularly, Condition 18(b) and Section 3:4.1 which was previously read into the record. In response to a question from the Board, Staff provided clarification of the circumstances leading up to application before the BZA including a complaint filed with the Codes Enforcement Department and permits obtained for the renovations to the structure. Chairman Moore stated his understanding of the purpose for the application including the necessity for a Variance as well as a Use by Special Exception.

Mr. Howard presented his application to the Board. He informed the Board of the history and circumstances resulting in the application to the BZA. In response to questions from the Board, Mr. Howard clarified the location and type of renovations made to the house including relocation of the entrance to the residence and addition of the front porch.

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**5. iii. CB-21-10 – CONCLUSIONS of LAW:**

The application was reviewed by the Board. There was discussion surrounding the permits obtained by the applicant and subsequent inspections conducted and the misunderstanding related to a separate permit required for the front porch. Staff informed the Board of the new/current process in place for setback verification.

Vice Chairman Hattendorf made a motion to grant the variance of 22.6 feet based on the survey submitted and the conditions as outlined in Section 3:4.1 being met; particularly,

- A.** There are extraordinary and exceptional conditions pertaining to the particular piece of property; *unique shape, size & original front entrance of the property*
- B.** These conditions do not generally apply to other property in the vicinity; *not an issue with adjacent properties*
- C.** Because of the conditions, the application of the ordinance to the particular piece of property would unreasonably restrict the utilization of the property; *historically the entrance has been from Rockview Drive*
- D.** The authorization of a variance will not be of substantial detriment to adjacent property or to the public good; *although it is close to the road this is not on a busy street*

Mr. Jeffery Redmond seconded the motion. There was no objection and no further Discussion. The motion carried resulting in a vote of 5-1 in favor with Ms. Laura Godfrey voting against. Chairman Moore did not cast a vote and Mr. Drummond recused.

With reference to the request for a Use by Special Exception, Vice Chairman Hattendorf made a motion to grant the request based on the conditions as outlined in Section 11:1 being met; particularly,

- A.** The use meets all required conditions; *property has been in existence for a long time*
- B.** The use is not detrimental to the public health or general welfare
- C.** The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar services.
- D.** The use will not violate neighborhood character nor adversely affect surrounding land Uses; *the updated home will be beneficial to the surrounding uses*

Mr. Jeffery Redmond seconded the motion. There was no objection and no further discussion. The motion carried, resulting in a vote of 6-0 in favor of approval. Chairman Moore did not cast a vote and Mr. Keith Drummond recused.

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**5. iv. CB-21-11 – CHRISTINA LYNN HERRING:**

**BACKGROUND:**

This property is located on Greenbranch Way off Hipps Road in the Autumn Woods sub-division off Neely Ferry Road in Simpsonville.

The applicant is requesting a Use by Special Exception to allow the manufacturing/sewing Of face masks, making custom decals, custom picture frames and custom art work as a Home Occupation.

**FINDINGS OF FACT:**

On Tuesday, February 23, 2021, Staff inspected the property to ensure that the "Appeal Notice" sign had been posted as required by the Greenville County Zoning Ordinance. Photographs were taken of the subject property.

**Section 5:5 and Table 6.1** (Uses Permitted, Uses by Special Exception and Conditional Uses) of the Greenville County Zoning Ordinance lists Home Occupation as an approved use in Residential districts in accordance with Condition (13). The proposed use is not included on the list of approved home occupation and requires approval from the BZA.

**(13) Home Occupation**

Occupations, professions, or trades customarily carried on by occupants of dwelling units as secondary uses which are clearly incidental to use of dwelling units for residential purposes are allowed as accessory uses in districts where dwelling units are permitted or permissible, subject to the following conditions:

- A.** Not more than one person who is not a member of the applicant's immediate family and who is not a resident in the applicant's home may be employed.
- B.** Home occupations shall be conducted only within principal structures.
- C.** An area equal to not more than 25 percent of the floor area of the principal structure may be utilized for home occupational purposes.
- D.** The occupation shall not involve the retail sale of merchandise manufactured off the premises except for products related directly to the service performed such as beauty products.
- E.** No display of merchandise shall be visible from the street.
- F.** No outdoor storage shall be allowed in connection with any home occupation.
- G.** No alteration of the residential character of the premises may be made.
- H.** The occupation shall not be a nuisance or cause any undue disturbance in the neighborhood.
- I.** No sign shall be permitted except one non-illuminated nameplate not more than 2 square feet (i.e. 1' x 2') in area mounted flat against the wall of the principal building in which the occupation is conducted.

Off-street parking shall be provided in accordance with the provisions set forth in Table 12.1, Off-street Parking Requirements.

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**5. iv. CB-21-11 – CHRISTINA LYNN HERRING:**

The following home occupations shall be permitted. The Board of Zoning Appeals in accordance with the provisions of Article 3 and the aforementioned requirements may permit other home occupations.

Barber / Beautician
Child day care home
Home-based food production operations (as covered under Section 44-1-143 of the State of South Carolina Code of Laws, commonly known as the Cottage Food Law)
Instruction and Tutoring, such as
Academic Tutor
Music Teacher
Dance Instructor
Internet retail sales
Locksmith
Manufacturer's representative
Notary (Public)
Photographer
Professional Consultant, such as
Accountant and bookkeeper
Attorney
Insurance agent
Information technology professional
Residence as business mailing address
Secretarial Service
Tailoring

**Section 11:1** General Provisions for Uses Permitted by Special Exception states: The Board of Zoning Appeals may grant permission for those uses permitted by special exception which are in accordance with the provisions of this Ordinance and the specific conditions set forth in this section.

The Board shall consider the following factors:

- A.** The use meets all required conditions
- B.** The use is not detrimental to the public health or general welfare
- C.** The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar services
- D.** The use will not violate neighborhood character nor adversely affect surrounding land uses



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**5. iv. CB-21-11 – FINDINGS of FACT:**

Representative present for this application was Ms. Christina Herring.

There was no opposition, present or submitted, to this application.

Ms. Meagan Staton presented the facts as they pertained to the Greenville County Zoning Ordinance, particularly Section 11.1 as previously read into the record.

Ms. Herring presented her application to the Board. She informed the Board of her desire to sew and create items for sale via the internet to supplement the household income. Ms. Herring provided pictures of the items she creates including face masks, custom decals, picture frames and artwork.

**CONCLUSIONS of LAW:** The application was reviewed by the Board. Dr. Hollingshad reviewed the items outlined in condition (13) with Mr. Herring, who expressed understanding and compliance with the conditions. Chairman Moore called attention to the letter submitted by the property owner and stated that approval of the request would be solely for this applicant and not for any subsequent tenant.

Mr. Keith Drummond made a motion to grant the use as requested, based on the conditions as outlined in Section 11:1 being met; particularly,

- A. The use meets all required conditions; *per testimony related to Condition (13)*
- B. The use is not detrimental to the public health or general welfare
- C. The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar services
- D. The use will not violate neighborhood character nor adversely affect surrounding; *the work is conducted inside the home*

Vice Chairman Hattendorf and Dr. Hollingshad seconded the motion. There was no objection and no discussion. The motion on the floor carried, resulting in a vote of 7-0 in favor of approval. Chairman Moore did not cast a vote and there is one vacant seat.

**v. CB-21-12 – CONSUELO & JAVIER GOMEZ**

**BACKGROUND:**

This property is located between Tanner and Bridges Road off Bethel Road off Hwy 14 S in Simpsonville.

A building permit was purchased for the pool; however, upon inspection it was found to be in violation of the setback requirement. The original address of the property was 47 James Riceland Court which would had placement of the pool in the left side yard. With the change of address, the proposed pool will be in the rear yard.

The applicant is requesting a Variance from the setback requirements for the pool.

**5. v. CB-21-12 – FINDINGS of FACT:**

On Tuesday, February 23, 2021, Staff inspected the property to ensure that the "Appeal Notice" sign had been posted as required by the Greenville County Zoning Ordinance and photographs were taken.

**Section 6:2 – Use Conditions 18-B states the following:**

**B. Swimming Pool Requirements**

1. Swimming pools shall be located in the rear yard.
2. Swimming pools shall be set back not less than 5 feet.
3. Setback requirements for swimming pools shall be the same as those for accessory buildings.
4. Swimming pools shall not occupy more than 50 percent of the rear yard.
5. Lighting for swimming pools shall have proper shielding from glare.

**The applicant is requesting a *Variance of 16-feet from the 30-foot setback from James Riceland Court.***

**Section 3:4.1 states that a variance may be granted if the Board makes and explains the following findings:**

- A.** There are extraordinary and exceptional conditions pertaining to the particular piece of property
- B.** These conditions do not generally apply to other property in the vicinity
- C.** Because of the conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- D.** The authorization of a variance will not be of substantial detriment to adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance.

Representative present for this application was Mr. Gabriel Moreno, current builder; and the property owners, Consuelo & Javier Gomez participated via Zoom.

There was no opposition, present or submitted, to this application.

Ms. Meagan Staton presented the facts as they pertained to the Greenville County Zoning Ordinance, particularly Section 11.1 as previously read into the record. In response to a question from the Board, Staff informed the Board of the circumstances surrounding the application to the BZA; particularly, the findings on inspection.

Mr. Moreno presented the application to the Board. Mr. Moreno informed the Board of the owner's design of the pool specifically for exercise due to his medical condition. He further stated that the original builder was not a contractor and construction was not in compliance with setbacks. Mr. Moreno stated that he is the second contractor for the project and is now assisting the owners in bringing the project into compliance; particularly, with the setback requirements for the pool and necessity for a variance from the property line at the cul-de-sac. Mr. Moreno informed the Board of the stage of construction of the pool.

**5. v. CB-21-12 – CONCLUSIONS of LAW:**

The application was reviewed by the Board. There was discussion surrounding the dimensions of the setback from property lines as indicated on the site plan submitted. Chairman Moore called attention to the change of address by E-911. Mr. Moreno mentioned the demolition of the original residence on site, with Bethel Road always as the front of the property. There was discussion surrounding the accuracy of the amount of variance being requested in relation to the diagram outlined on the site plan submitted. Mr. Moreno confirmed the amount of variance required to be 16 feet. There was also discussion surrounding concerns with screening from the adjacent residence in the rear of the property, particularly due to the height of the "structure" in the pool. The property owners confirmed this will be a "water feature".

Vice Chairman Hattendorf made a motion to grant the variance of 16-feet from the Left side setback at James Riceland Court as requested, based on the conditions as outlined in Section 3:4.1 being met; particularly,

- A.** There are extraordinary and exceptional conditions pertaining to the particular piece of property; *based on testimony, the pool is sized in this length due to the medical condition of the owner who is utilizing as much of the property that he can, so the pool cannot be shifted in another direction to avoid the necessity for a variance*
- B.** These conditions do not generally apply to other property in the vicinity; *this is a strangely shaped lot*
- C.** Because of the conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; *based on testimony, it would unreasonably restrict accessibility for the owner getting in and out of the pool*
- D.** The authorization of a variance will not be of substantial detriment to adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance; *with the condition that evergreen screening be installed along the length of the pool adjacent to James Riceland Court, plantings to be a minimum of 3" caliper and 6-feet tall at the time of planting.*

Mr. Jeffery Redmond seconded the motion. There was no objection and no discussion. The motion on the floor carried, resulting in a vote of 5-2 in favor of approval with Ms. Lindsey Jacobs and Ms. Laura Godfrey voting against. Chairman Moore did not cast a vote and there is one vacant seat.

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**5. vi. CB-21-13 – YENNY GUERRERO/GABRIAL MORENO**

This property is located on James Riceland Court with Bridges Road in the rear of the property.

The applicant is requesting a Variance from the rear setback for placement of a swimming pool and a cabana in the rear yard which is adjacent to Bridges Road which is located within the city limits of Mauldin.

**FINDINGS OF FACT:**

On Tuesday, February 23, 2021, Staff inspected the property to ensure that the "Appeal Notice" sign had been posted as required by the Greenville County Zoning Ordinance and photographs were taken.

**Section 6:2 – Use Conditions 18-B states the following:**

**B. Swimming Pool Requirements**

1. Swimming pools shall be located in the rear yard.
2. Swimming pools shall be set back not less than 5 feet.
3. Setback requirements for swimming pools shall be the same as those for accessory buildings.
4. Swimming pools shall not occupy more than 50 percent of the rear yard.
5. Lighting for swimming pools shall have proper shielding from glare.

***The applicant is requesting a Variance of 22-feet from the rear setback for placement of a pool and cabana in the rear yard.***

**Section 3:4.1 states that a variance may be granted if the Board makes and explains the following findings:**

- A.** There are extraordinary and exceptional conditions pertaining to the particular piece of property
- B.** These conditions do not generally apply to other property in the vicinity
- C.** Because of the conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- D.** The authorization of a variance will not be of substantial detriment to adjacent property or the public good and the character of the district will not be harmed by the granting of the variance.

Representative present for this application was Mr. Gabriel Moreno, owner of the property.

There was no opposition, present or submitted, to this application.

Ms. Meagan Staton presented the facts as they pertained to the Greenville County Zoning Ordinance, particularly Section 11.1 as previously read into the record.

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**5. vi. CB-21-13 – FINDINGS of FACT cont.**

Mr. Moreno presented the application to the Board. Mr. Moreno informed the Board of the desire to install a pool and cabana in the rear yard of his new home. He informed the Board of the necessity for a variance from the rear setback for the pool due to the following restrictions: placement of the house on the lot was dictated by the septic field in the front yard and the 40-foot setback from Bridges Road located within the City of Mauldin and classified as a major collector which requires a setback of 40-feet from the property line per the GC Zoning Ordinance. In response to questions from the Board pertaining to screening, Mr. Moreno stated his plans to install a privacy fence as well as landscaping on top of a 3-foot retaining wall where indicated for adequate privacy.

Mr. Keith Drummond made a motion to grant the variance of 22-feet from the rear setback for placement of a pool and cabana as requested, based on the conditions as outlined in Section 3:4.1 being met; particularly,

- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property; *the house is placed on the property based on the location of the septic system & reserve field in the front yard*
- B. These conditions do not generally apply to other property in the vicinity;
- C. Because of the conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; *suitable room in the back yard, however as noted on the print out Bridges Road has already been widened*
- D. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance; *with the condition that evergreen screening be installed along the entire length of the pool at Bridges Road, 6-feet tall at the time of planting with mature growth of 12 feet or greater.*

Vice Chairman Hattendorf seconded the motion. There was no objection and no discussion. The motion on the floor carried, resulting in a vote of 7-0 in favor of approval. Chairman Moore did not cast a vote and there is one vacant seat.

**vii. CB-21-14 – LARKSPUR POINTE APARTMENTS,LLC**

**BACKGROUND:**

This property is located on Woodruff Road between Scuffletown Road and Ashridge Way in the Five Forks community in Simpsonville. The parcel includes a small area with the zoning of C-2 allowing for the use of a Communication tower on that portion. The property was rezoned in November 2012 from C-2 to R-M16 for re-development of an apartment complex on site.

**5. vii. CB-21-14 – BACKGROUND cont.**

Research of county records revealed that the appropriate building permits were issued for the garages and car wash station with the required setbacks of 25-feet from the side and rear property lines. Inspections were conducted and C.O.'s issued for the structures which were non-compliant with the setbacks outlined.

The applicant is requesting a variance from the setbacks of the existing structures to bring the property into compliance.

**FINDINGS OF FACT:**

On Tuesday, February 23, 2021, Staff inspected the property to ensure that the "Appeal Notice" sign(s) had been posted as required by the Greenville County Zoning Ordinance. Photographs were taken of the subject property.

**Section 7:3.1, Table 7:3, Setback/Height Requirements in the R-M16 district:  
SIDES & REAR = 25-ft. from property lines**

The applicant is requesting the following variances:

**RIGHT SIDE:** Mailbox Bldg-9.8 feet; Garage #1-14.12 feet; Garage #2-14.16 feet;  
Garage #3 - 14.49 feet

**LEFT SIDE:** Garage #4 - 12.63 feet; Car Wash station, 19 feet

The front setback is compliant with the required setbacks including those for GPATS.

**Section 3:4.1 states that a variance may be granted if the Board makes and explains the following findings:**

- A.** There are extraordinary and exceptional conditions pertaining to the particular piece of property
- B.** These conditions do not generally apply to other property in the vicinity
- C.** Because of the conditions, the application of the ordinance to the particular piece of Property would effectively prohibit or unreasonably restrict the utilization of the property; and
- D.** The authorization of a variance will not be of substantial detriment to adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance.

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**5. vii. CB-21-14 – FINDINGS of FACT cont.**

Representatives present for this application were Mr. Randy Parks, Architect; and, Mr. Stephen Mack, property owner, was present via Zoom.

There was no opposition, present or submitted, to this application.

Ms. Meagan Staton presented the facts as they pertained to the Greenville County Zoning Ordinance, particularly Section 11.1 as previously read into the record. Staff informed the Board of the rezoning, records of the building permits purchased with the correct setbacks on the permits, inspections were conducted and C.O.'s issued. However, setback violations were discovered upon submittal of the most recent plan.

Mr. Randall Parks presented the application to the Board. He informed the Board of the rezoning and initial development of the property in 2014-2015. Mr. Parks informed the Board of the typical permitting process for these type of developments, that the accessory buildings may not be depicted on the initial site plans. However, building permits were obtained and approved for the structures in question.

**CONCLUSIONS of LAW:**

Mr. Keith Drummond made a motion to grant the variances for the existing garages, mailbox station and car wash station as requested, based on the conditions as outlined in Section 3:4.1 being met; particularly,

- A.** There are extraordinary and exceptional conditions pertaining to the particular piece of property; *the buildings have been constructed*
- B.** These conditions do not generally apply to other property in the vicinity; *the site is built out*
- C.** Because of the conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; *this is an existing use with existing buildings*
- D.** The authorization of a variance will not be of substantial detriment to adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance; *with the installation of the privacy fence along the property line adjacent to single-family residences, which is already in place.*

Vice Chairman Hattendorf and Dr. Hollingshad seconded the motion. There was no objection and no discussion. The motion on the floor carried, resulting in a vote of 7-0 in favor of approval. Chairman Moore did not cast a vote and there is one vacant seat.

**5. viii. CB-21-15 – STEPHEN MACK, Jr./IMMANUEL LUTHERAN CHURCH**

**BACKGROUND:**

These properties are located on Woodruff Road, with the Immanuel Lutheran Church fronting Woodruff Road, Sparrows Point subdivision to the left and the Larkspur Pointe Apartments to the right next to the Publix shopping center at Scuffletown Road.

The applicant is requesting variances from required setbacks for the proposed redevelopment of #2824 and a portion of #2820 for Phase II of the adjacent Larkspur Pointe Apartments. The site plan required for application to rezone will need to reflect compliance with setbacks.

**FINDINGS OF FACT:**

On Tuesday, February 23, 2021, Staff inspected the property to ensure that the "Appeal Notice" sign(s) had been posted as required by the Greenville County Zoning Ordinance. Photographs were taken of the subject property.

**Section 7:3.1, Table 7:3, Setback/Height Requirements in the R-M16 district:  
SIDES & REAR = 25-ft. from property lines**

The applicant is requesting the following variances for the proposed buildings:

**LEFT SIDE:** Garage #5 - 14.82 feet; Garage #6 - 14.82 feet; Garage #7 - 10.22 feet;

**RIGHT SIDE:** Building #8 - 15 feet; Building #10 - 10.71 feet

At the present time, these two buildings are encroaching in to the right side setback and will not be compliant until the parcels are combined to remove the existing property line.

The applicant plans to utilize the existing entrance from Woodruff Road so there will be no issue with the front setback.

**FINDINGS of FACT cont.**

**Section 3:4.1 states that a variance may be granted if the Board makes and explains the following findings:**

- A.** There are extraordinary and exceptional conditions pertaining to the particular piece of property
- B.** These conditions do not generally apply to other property in the vicinity
- C.** Because of the conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- D.** The authorization of a variance will not be of substantial detriment to adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance.



**MINUTES**  
**Board of Zoning Appeals**  
**MARCH 10, 2021**  
**Page Seventeen**

**5. viii. CB-21-15 – FINDINGS of FACT cont.**

Representatives present for this application were Mr. Randy Parks, Architect; and, Mr. Stephen Mack who was present via Zoom.

There was no opposition, present or submitted, to this application. The church did submit notice of support via e-mail for this application.

Ms. Meagan Staton presented the facts as they pertained to the Greenville County Zoning Ordinance, particularly Section 11.1 as previously read into the record.

Mr. Randall Parks presented the application to the Board. He informed the Board of the proposed re-development of the parcels involved, similar to that of the adjacent Phase I complex. The Phase II complex will consist of 96 units. Mr. Parks informed The Board of the necessity for the variances dictated by the location of the detention area which has been increased to serve both the church and proposed complex, thereby reducing the amount of buildable space.

**CONCLUSIONS of LAW:**

The application was reviewed by the Board. There was discussion surrounding the relocation on site of the proposed garages to eliminate the necessity of a variance. The applicant stated that the garages were strategically placed on site for the convenience of the residents; however, they were amenable to relocating two of the garages to the rear of the property, leaving one garage near the property line close to the church. Mr. Mack further stated the proposed garage on the right side close to the property line at Phase I could also be relocated.

In response to a question from the Board related to the design of a development not compliant with the regulations, Mr. Mack mentioned the issues related to storm water requirements. There was discussion surrounding compliance with parking spaces. Mr. Mack stated there are always issues with a lack of parking in such communities; however, there is no issue with parking compliance at the present time.

Vice Chairman Hattendorf made a motion to grant the variances for garage #7, Building #8 & 10 as requested, with the relocations as discussed and based on the conditions as outlined in Section 3:4.1 being met; particularly,

- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property; *storm retention ponds limit the number of units, parking spaces and garages that can be reasonably placed on the site*
- B. These conditions do not generally apply to other property in the vicinity; *each parcel is unique, but storm water issues can limit the design of a site*
- C. Because of the conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; *this would unreasonably restrict access to the garages for some tenants*
- D. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance; *with relocation of the garages from the residences on the left side to the rear of the proposed development*

Ms. Laura Godfrey seconded the motion based on the amendments from the applicant. There was no objection. The motion on the floor carried, resulting in a vote of 6-1 in favor, with Dr. Hollingshad voting against. Chairman Moore did not cast a vote and there is one vacant seat.

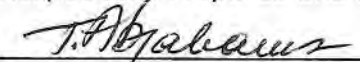
**MINUTES**  
**Board of Zoning Appeals**  
**MARCH 10, 2021**  
**Page Eighteen**

6. **Approval of Minutes of February 10, 2021:** The minutes were reviewed by the Board. Dr. Hollingshad made a motion to approve the minutes as presented. Vice Chairman Hattendorf seconded the motion. There was no objection. The motion carried, resulting in 7-0 in favor. Chairman Moore did not cast a vote and there is one vacant seat.
7. **ANNOUNCEMENTS/REQUESTS:** Chairman Moore provided an update to the status of the process for the upcoming vacant seats. He informed members of Mr. Drummond's decision to withdraw his application for re-appointment. Vice Chairman Hattendorf informed members of the expiration of his term in May 2021.
8. **ADJOURNMENT:** There being no further business to discuss, the meeting adjourned at approximately 6:08 p.m. with unanimous approval.

  
\_\_\_\_\_  
Wayne H. Moore, Chairman  
Greenville County Board of Zoning Appeals

  
\_\_\_\_\_  
Date

Respectfully Prepared and Submitted by

  
\_\_\_\_\_  
Terry Abrahams, Secretary

# Greenville County Board of Zoning Appeals

**MARCH 10, 2021  
PUBLIC HEARING**

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# Uses by Special Exception Considerations

**Section 11:1 of the Greenville County Zoning Ordinance** states the Board may grant permission for those uses which are in accordance with the following conditions:

- A. The use meets all required conditions;
- B. The use is not detrimental to the public health or general welfare;
- C. The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar services;
- D. The use will not violate neighborhood character nor adversely affect surrounding land uses.

# Variations – Considerations

**Section 3:4.1 of the Greenville County Zoning Ordinance** states that a variance may be granted if the Board makes and explains the following findings:

- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- B. These conditions do not generally apply to other property in the vicinity;
- C. Because of the conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; *and*
- D. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance.

# Conditional Use (13) of the Greenville County Zoning Ordinance:

**Home Occupation:** Occupations, professions, or trades customarily carried on by occupants of dwelling units as secondary uses which are clearly incidental to use of dwelling units for residential purposes are allowed as accessory uses in districts where dwelling units are permitted or permissible, subject to the following conditions:

- A. Not more than one person who is not a member of the applicant's immediate family and who is not a resident in the applicant's home may be employed.
- B. Home occupations shall be conducted only within principal structures.

## Conditional Use (13) of the Greenville County Zoning Ordinance, cont.

- C. An area equal to not more than 25 percent of the floor area of the principal structure may be utilized for home occupational purposes.
- D. The occupation shall not involve the retail sale of merchandise manufactured off the premises except for products related directly to the service performed
- E. No display of merchandise shall be visible from the street.
- F. No outdoor storage shall be allowed in connection with any home occupation.
- G. No alteration of the residential character of the premises may be made

# Conditional Use (13) of the Greenville County Zoning Ordinance, cont.

H. The occupation shall not be a nuisance or cause any undue disturbance in the neighborhood.

I. No sign shall be permitted except one non-illuminated nameplate not more than 2 square feet (i.e. 1' x 2') in area mounted flat against the wall of the principal building

## **Further:**

Off-street parking shall be provided in accordance with the provisions set forth in Table 12.1.

The following home occupations shall be permitted. The Board of Zoning Appeals in accordance with the provisions of Article 3 and the aforementioned requirements may permit other home occupations



The following home occupations shall be permitted. The Board of Zoning Appeals in accordance with the provisions of Article 3 and the aforementioned requirements may permit other home occupations.

Barber / Beautician

Child day care home

Home-based food production operations (as covered under Section 44-1-143 of the State of South Carolina Code of Laws, commonly known as the Cottage Food Law)

Instruction and Tutoring, such as

Academic Tutor

Music Teacher

Dance Instructor

Internet retail sales

Locksmith

Manufacturer's representative

Notary (Public)

Photographer

Professional Consultant, such as

Accountant and bookkeeper

Attorney

Insurance agent

Information technology professional

Residence as business mailing address

Secretarial Service

Tailoring

# CB-21-09

- Applicant: LISTER PROPERTIES, LLC
- Project type: Variance
- Address: 202 E. Belvue Road, Taylors SC
- Zoning: R-10; Single-Family Residential District
- Posting: Confirmed 2/22/21

## CB-21-09

- E. Belvue Road off Piedmont Pk Rd & Robertson Rd
- Rutherford Road

### Request

Variance from the Right Side setback from the new Property line to separate the existing commercial storage building on the site from the adjacent residential use

# Section 7:3, Table 7:3 of Greenville County Zoning Ordinance

Setback Requirements for a single family residence in the I-1 District:

FRONT	=	50' from road R.O.W./property line
SIDES/REAR	=	25' from property lines

The applicant is requesting a 8-foot Variance from the Right Side setback from the adjacent single-family residence to allow application for rezoning to I-1; Industrial District to bring the existing storage buildings into compliance.

Rezoning will also be required for the reduction in size of the adjacent residential lots.

# Variances – Considerations

**Section 3:4.1 of the Greenville County Zoning Ordinance** states that a variance may be granted if the Board makes and explains the following findings:

- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- B. These conditions do not generally apply to other property in the vicinity;
- C. Because of the conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; *and*
- D. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance.

# Project CB-21-09 - Location

## Zoning



## Aerial





8-foot  
Variance

P003000300112

230

68.2

74.5

P003000300112

202

E BELVUE RD

P003000300113

P003000300112

98.1

7.6

36.7

75.4

34.1

P003000300113

56.4

P003000300105

MOUNTAIN CREEK

476.6

105.2

P003000300201

36.3

11.9

P003000300108

32.6

66.6

P003000300105

66.6

P003000300201

P003000300108

74.7

6.7

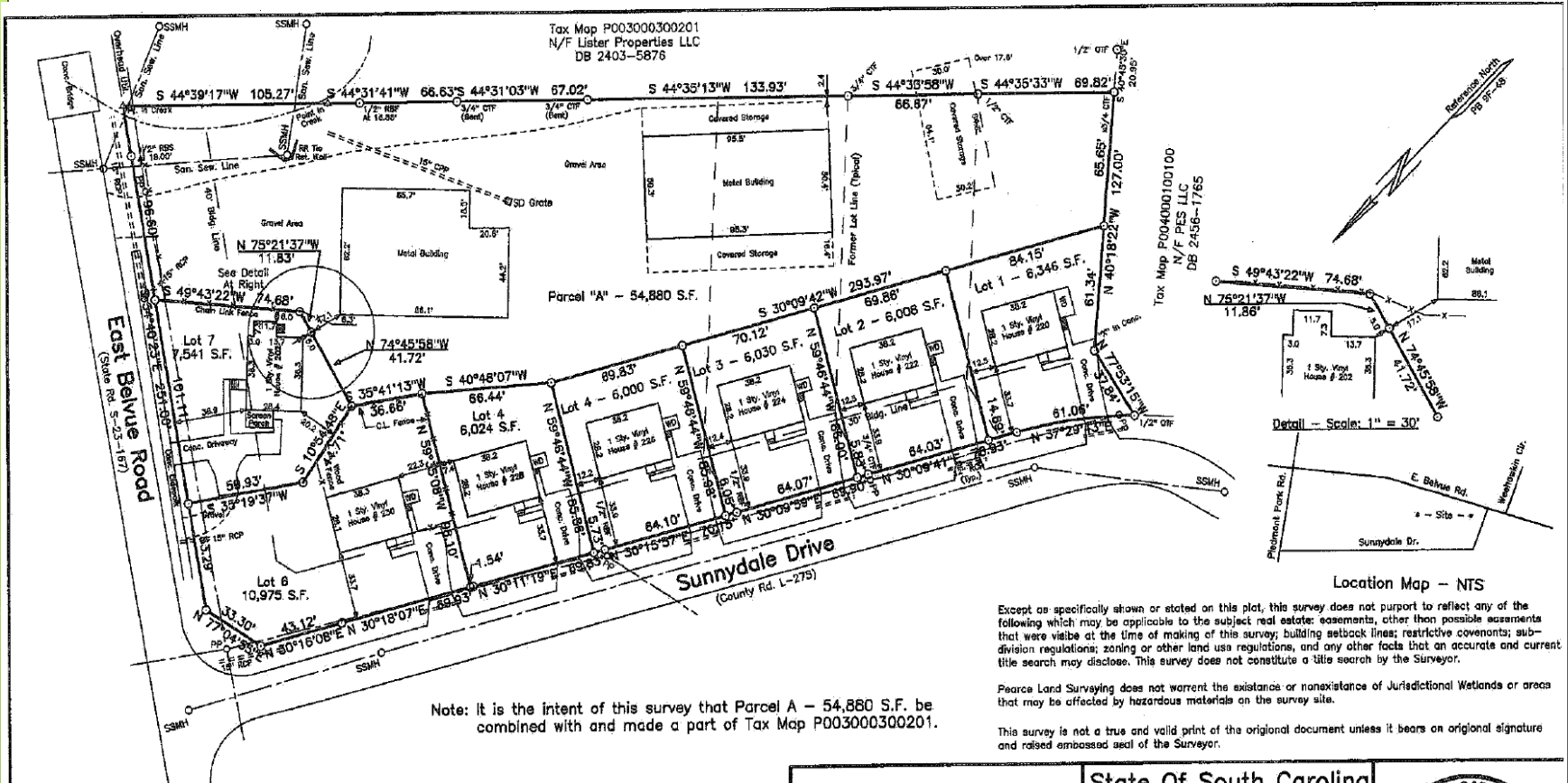
MOUNTAIN CREEK

P003000300201

P003000300109

66.9

# CB-21-09 Survey



Note: It is the intent of this survey that Parcel A - 54,880 S.F. be combined with and made a part of Tax Map P003000300201.

Except as specifically shown or stated on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than those easements that were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision regulations; zoning or other land use regulations, and any other facts that an accurate and current title search may disclose. This survey does not constitute a title search by the Surveyor.

Pearce Land Surveying does not warrant the existence or nonexistence of Jurisdictional Wetlands or areas that may be affected by hazardous materials on the survey site.

This survey is not a true and valid print of the original document unless it bears an original signature and raised embossed seal of the Surveyor.

"I hereby state that to the best of my professional knowledge, information and belief, the survey shown herein was made in accordance with the Minimum Standards Manual for the Practice of Land Surveying in South Carolina and meets or exceeds the requirements for a Class "B" survey as specified therein.

This property is subject to any and all easements and/or rights-of-way of record or not of record.

According to FEMA floodway data, this property is located in an established flood hazard area.

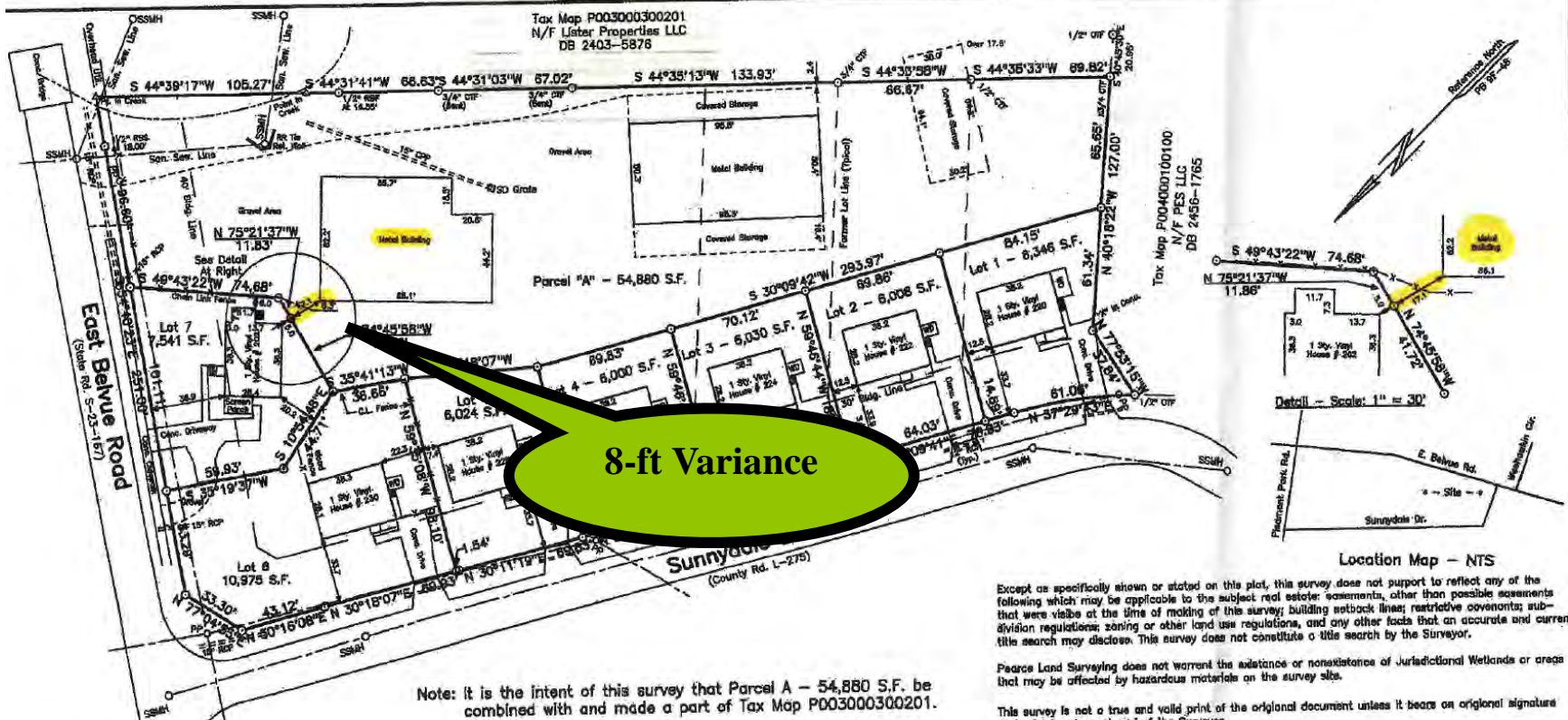
1/2" rebar set at all corners unless otherwise noted.

There is a 5' drainage easement along all side and rear lot lines.

<p><b>Pearce Land Surveys</b> Complete Surveying Services</p> <p>Alfred J. Pearce (854) 915-9050 P.O. Box 2091, Taylors, S.C. 29687</p>	<p>State Of South Carolina County Of Greenville Surveyed At The Request Of</p>		
	<p><b>Lister Properties, LLC</b></p>		
<p>25 0 25 60 1" = 80'</p>		<p>A Redivision Of Lots 1 Thru 7 <b>Jerry &amp; Steve Lister Realty Co.</b></p>	
<p>Date: Feb. 01, 2021</p>	<p>Tax Map: P3-3-1, 1.5 Thru 1.7</p>	<p>Reference Deed: 636-617, 1636-62</p>	<p>Drawn By: JMW</p>
<p>Field Book: Ranger, Page PLS03</p>	<p>Field Crew: AP/JW</p>	<p>Reference Plat: 9F-48</p>	<p>Project # PLS03</p>



# CB-21-09 – Color



"I hereby state that to the best of my professional knowledge, information and belief, the survey shown herein was made in accordance with the Minimum Standards Manual for the Practice of Land Surveying in South Carolina and meets or exceeds the requirements for a Class "B" survey as specified therein.

This property is subject to any and all easements and/or rights-of-way of record or not of record. According to FEMA floodway data, this property is located in an established flood hazard area. 1/2" rebar set at all corners unless otherwise noted. There is a 5' drainage easement along all side and rear lot lines.

Except as specifically shown or stated on this plot, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements that were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision regulations; zoning or other land use regulations, and any other facts that an accurate and current title search may disclose. This survey does not constitute a title search by the Surveyor.

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<p><b>Pearce Land Surveys</b> Complete Surveying Services.</p> <p>Alfred J. Pearce (854) 915-9050 P.O. Box 2091, Taylors, S.C. 29687</p>	<p>State Of South Carolina County Of Greenville Surveyed At The Request Of</p>	
	<p><b>Lister Properties, LLC</b></p>	
<p>25 0 25 60 1" = 60'</p>	<p>Date: Feb. 01, 2021 Field Book/Reader, Page PLS03</p>	<p>Reference: Deed: 1636-617, 1636-822 Reference Plat: 9F-48</p>
<p>Field Crew: AP/JW</p>		<p>Drawn By: JMW Project # PLS03</p>

# CB-21-09 - Zoom





# Project CB-21-09

Posting from both directions



# Project CB-21-09

Existing Building & Residence



Existing separation



# Project CB-21-09

Left side of building



Right side



# Project CB-21-09

Left side of Property



Residence to the Right



# CB-21-10

- Applicant: DANIEL & HALEY PANDOLPH
- Project type: Variance
- Address: 10 N. Rockview Drive, Greenville SC
- Zoning: R-M10; Multi-Family Residential District
- Posting: Confirmed 2/22/21



## CB-21-10

- N. Rockview Drive off Old Buncombe Road
- East of Pointsett Hwy/City of Travelers Rest

### Request

Variance from the Front setback of the existing porch and a Use by Special Exception for expansion to the Existing Nonconforming Residence

# Section 7:3, Table 7:3 of Greenville County Zoning Ordinance

Setback Requirements for a single family residence in the C-2 District:

FRONT	=	30' from road R.O.W./property line
RIGHT SIDE	=	30' from property line (corner lot)
LEFT SIDE	=	20' from property line
REAR	=	5' from property line

The applicant is requesting a Variance of 22.6-feet from the FRONT setback of the existing porch

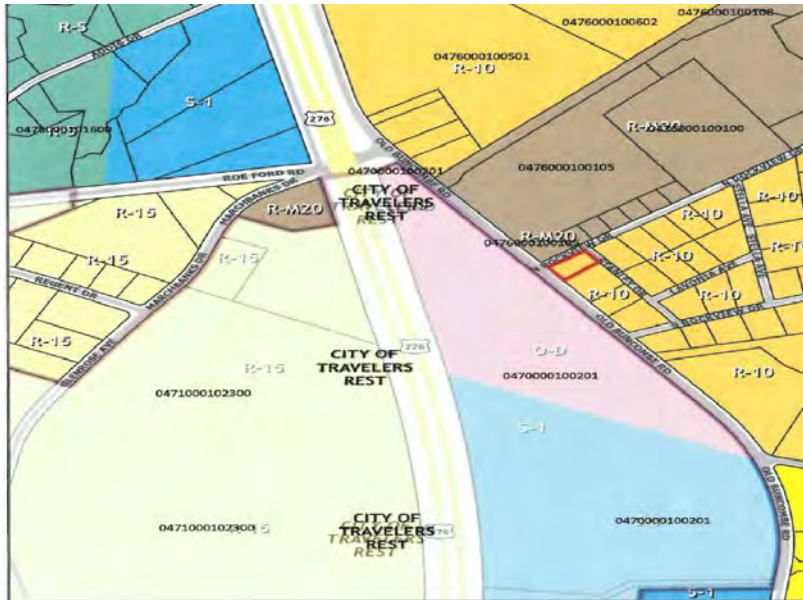
# Variations – Considerations

**Section 3:4.1 of the Greenville County Zoning Ordinance** states that a variance may be granted if the Board makes and explains the following findings:

- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- B. These conditions do not generally apply to other property in the vicinity;
- C. Because of the conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; *and*
- D. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance.

# Project CB-21-10 - Location

Zoning



Aerial



# CB-21-10 Survey

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION LOTS, ZONING OR OTHER LAND USE REGULATIONS AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. - ANY FLOOD PLAIN DATA SHOWN HEREON IS AN APPROXIMATE LOCATION GRAPHICALLY PLOTTED FROM THE REFERENCED FEMA MAP UNLESS OTHERWISE NOTED. - THIS SURVEY DOES NOT CONSTITUTE A TITLE RESEARCH, FLOOD STUDY, WETLAND SURVEY OR ENVIRONMENTAL INSPECTION BY SURVEYOR.



**LOT 31**  
**PROPERTY OF JOE A PHILLIPS**  
**12,171 SQ. FT.**  
**0.279 ACRES**  
 (INCLUDES ANY AND ALL R/W)



I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENDOACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

THE PROPERTY SHOWN IS KNOWN AS LOT 31, PROPERTY OF JOE A PHILLIPS, RECORDED IN PLAT BOOK 39, PAGE 189, OFFICE OF R.O.D., GREENVILLE COUNTY, S.C.

**LEGEND**

- |                           |                           |                        |
|---------------------------|---------------------------|------------------------|
| BL BUILDING LINE          | CO CLEAN OUT              | A CLAY JONES, P.L.S.   |
| CL CENTERLINE             | CS CATCH BASIN            | S.C. REG. NO. 26210    |
| CMF CORRUGATED METAL PIPE | DI DROP INLET             | GUY GUY ANCHOR         |
| CT CRIMP TOP              | ELC BLEC TRANS            | DM ELECTRIC METER      |
| DE DRAINAGE EASEMENT      | ELEVATION                 | CTV CABLE TV           |
| EF EDGE OF PAVEMENT       | FH FIRE HYDRANT           | FL FENCE LINE          |
| EP IRON PIN OLD           | GM GAS METER              | FOC FIBER OPTIC CABLE  |
| EP IRON PIN SET           | GV GAS VALVE              | GL GAS LINE            |
| ENG NAIL & GAP            | LP LIGHT POLE             | OP OVERHEAD POWER      |
| OT OPEN TOP               | PM POWER POLE             | OHT OVERHEAD TELEPHONE |
| RR REBAR                  | SMH MANHOLE (SD)          | SD STORM DRAIN         |
| RCP REINFORCED CONC PIPE  | SMH MANHOLE (SS)          | DHT OVERHEAD TELEPHONE |
| R/W RIGHT OF WAY          | TMH MANHOLE (TELEPHONE)   | SS SANITARY SEWER      |
| SO STORM DRAIN            | TELPEL TELEPHONE PEDESTAL | UD UNDERGROUND POWER   |
| SS SANITARY SEWER         | TCABLE TELECAST           | UGT UNDERGROUND TEL    |
| SEE SEE EASIMENT          | WM WATER METER            | W WATER LINE           |
| WSP MITRIFIED CLAY PIPE   | WV WATER VALVE            |                        |



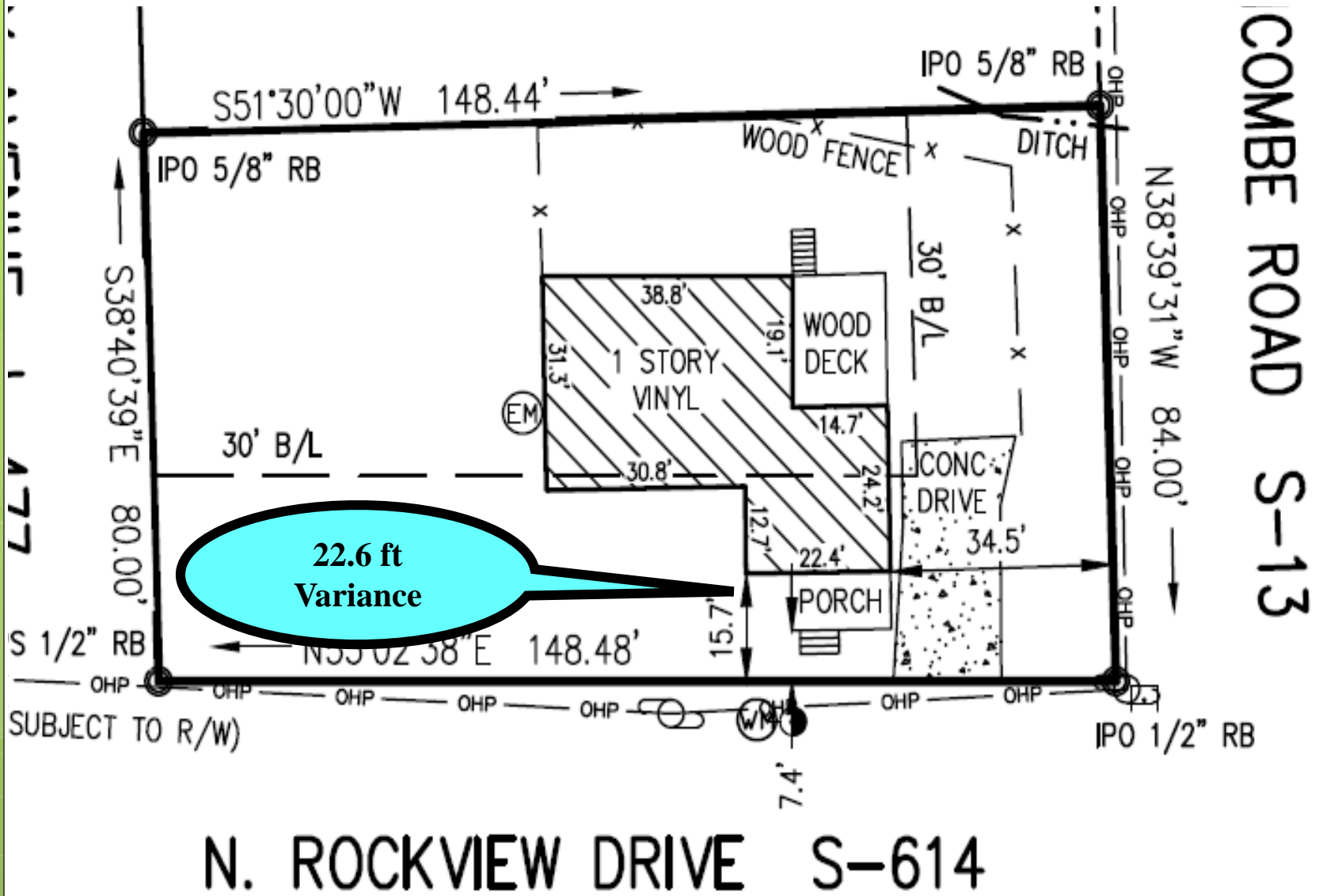
**SURVEY FOR**  
**CONCEPT MARKETING GROUP, LLC**  
 GREENVILLE COUNTY, SOUTH CAROLINA

SCALE 1"=40'	PROPERTY ADDRESS 10 N. ROCKVIEW DRIVE	TAX ID 0469000300100
DATE 3-25-20	40 0 40 80	FIELD SHEW HB/CW
		DRAWN BY J/G

**SITE DESIGN, INC.**  
 CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS

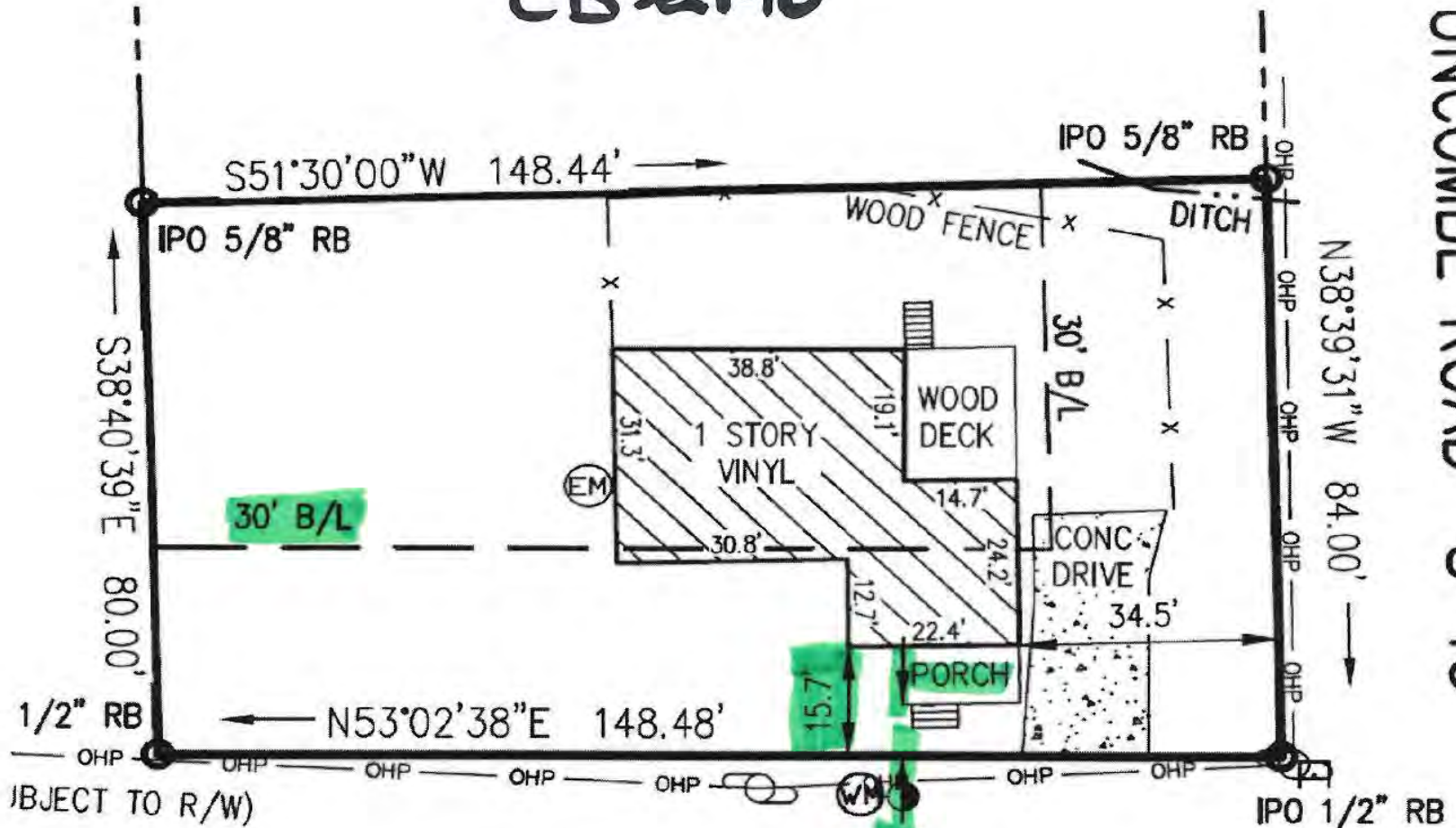
800 E. WASHINGTON ST, STE B GREENVILLE, SC 29601  
 PH: (864)271-0498 FAX: (864)271-0402  
 www.sitedesign-inc.com

# CB-21-10 – Zoom



CB-21-10 Color Survey

CB-21-10



UNCOMBE ROAD S-13

N. ROCKVIEW DRIVE S-614

# Project CB-21-10

Posting on N. Rockview & Old Buncombe





# Project CB-21-10

View of Porch



Front of Residence



# Project CB-21-10

Across Old Buncombe Rd



Across Stanley Dr



# Project CB-21-10

View towards Old Buncombe



Right Side/Old Buncombe



# Project CB-21-10

2012 Google Street View



# CB-21-11

- **Applicant:** CHRISTINA LYNN HERRING
- **Project Type:** Home Occupation
- **Address:** 7 Greenbranch Way, Simpsonville SC
- **Zoning:** R-12; Single Family Residential
- **Posting:** Confirmed on 02-23-21

## Location

- Greenbranch Way off Hipps Road
- Neely Ferry Road off Fairview Road

## Request

Allow manufacturing of face masks, custom decals, picture frames and art work as a Home Occupation

## Section 5.5 and Table 6.1 of Greenville County Zoning Ordinance:

Home Occupation as a permitted use in the residential district based on compliance with Condition (13) which includes a list of approved home occupations.

Manufacturing of metal/clay products/acrylic paintings is not listed as an approved home occupation.  
Therefore, approval is required from the BZA.

# Conditional Use (13) of the Greenville County Zoning Ordinance:

**Home Occupation:** Occupations, professions, or trades customarily carried on by occupants of dwelling units as secondary uses which are clearly incidental to use of dwelling units for residential purposes are allowed as accessory uses in districts where dwelling units are permitted or permissible, subject to the following conditions:

- A. Not more than one person who is not a member of the applicant's immediate family and who is not a resident in the applicant's home may be employed.
- B. Home occupations shall be conducted only within principal structures.



## Conditional Use (13) of the Greenville County Zoning Ordinance, cont.

- C. An area equal to not more than 25 percent of the floor area of the principal structure may be utilized for home occupational purposes.
- D. The occupation shall not involve the retail sale of merchandise manufactured off the premises except for products related directly to the service performed
- E. No display of merchandise shall be visible from the street.
- F. No outdoor storage shall be allowed in connection with any home occupation.
- G. No alteration of the residential character of the premises may be made

# Conditional Use (13) of the Greenville County Zoning Ordinance, cont.

H. The occupation shall not be a nuisance or cause any undue disturbance in the neighborhood.

I. No sign shall be permitted except one non-illuminated nameplate not more than 2 square feet (i.e. 1' x 2') in area mounted flat against the wall of the principal building

### **Further:**

Off-street parking shall be provided in accordance with the provisions set forth in Table 12.1.

The following home occupations shall be permitted. The Board of Zoning Appeals in accordance with the provisions of Article 3 and the aforementioned requirements may permit other home occupations

# Uses by Special Exception Considerations

**Section 11:1 of the Greenville County Zoning Ordinance** states the Board may grant permission for those uses which are in accordance with the following conditions:

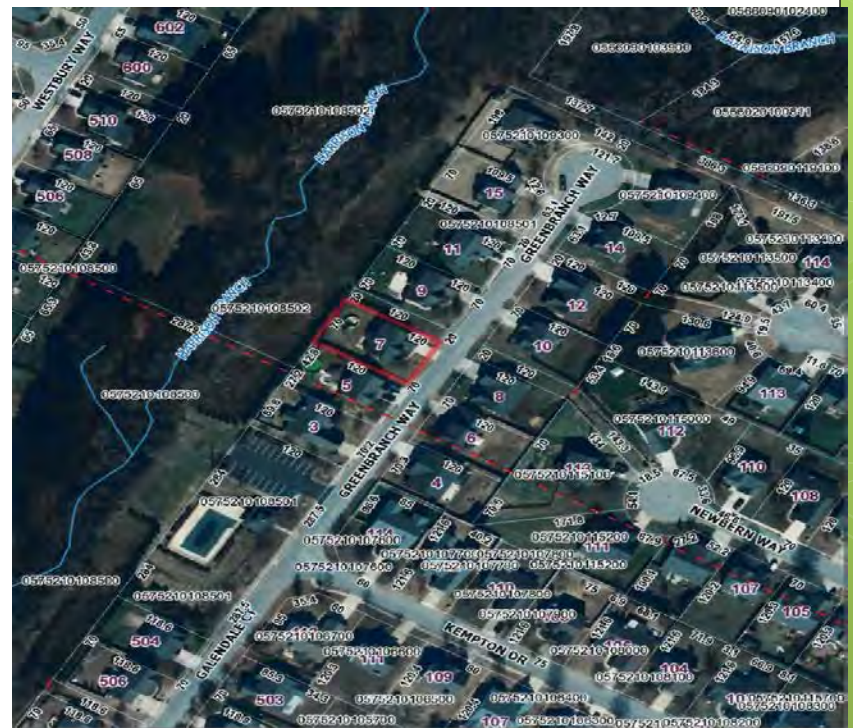
- A. The use meets all required conditions;
- B. The use is not detrimental to the public health or general welfare;
- C. The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar services;
- D. The use will not violate neighborhood character nor adversely affect surrounding land uses.

# CB - 21 - 11 Location

Zoning



Aerial



# Project CB-21-11

## Sign Posting



# Project CB-21-11

Left of the property



Right of the property



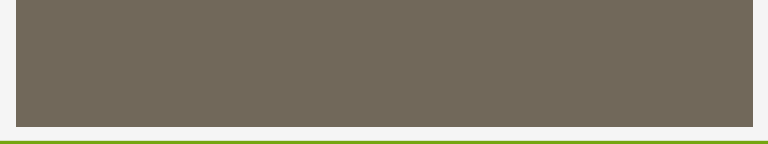
# Samples

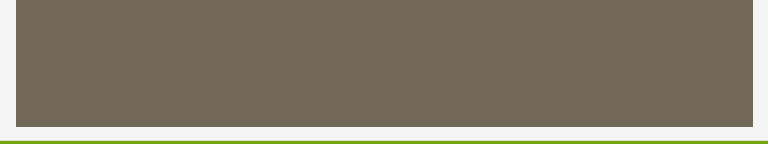












# CB-21-12

- **Applicant:** CONSUELO & JAVIER GOMEZ
- **Project type:** Variance
- **Address:** 3103 Bethel Rd, Simpsonville SC
- **Zoning:** R-S; Residential Suburban District
- **Posting:** Confirmed 2/23/21

## CB-21-12

- Bethel Road at Tanner Road
- Hwy 14 S/Bridges Road

### Request

Variance from the LEFT side setback from James Riceland Court for a swimming pool.

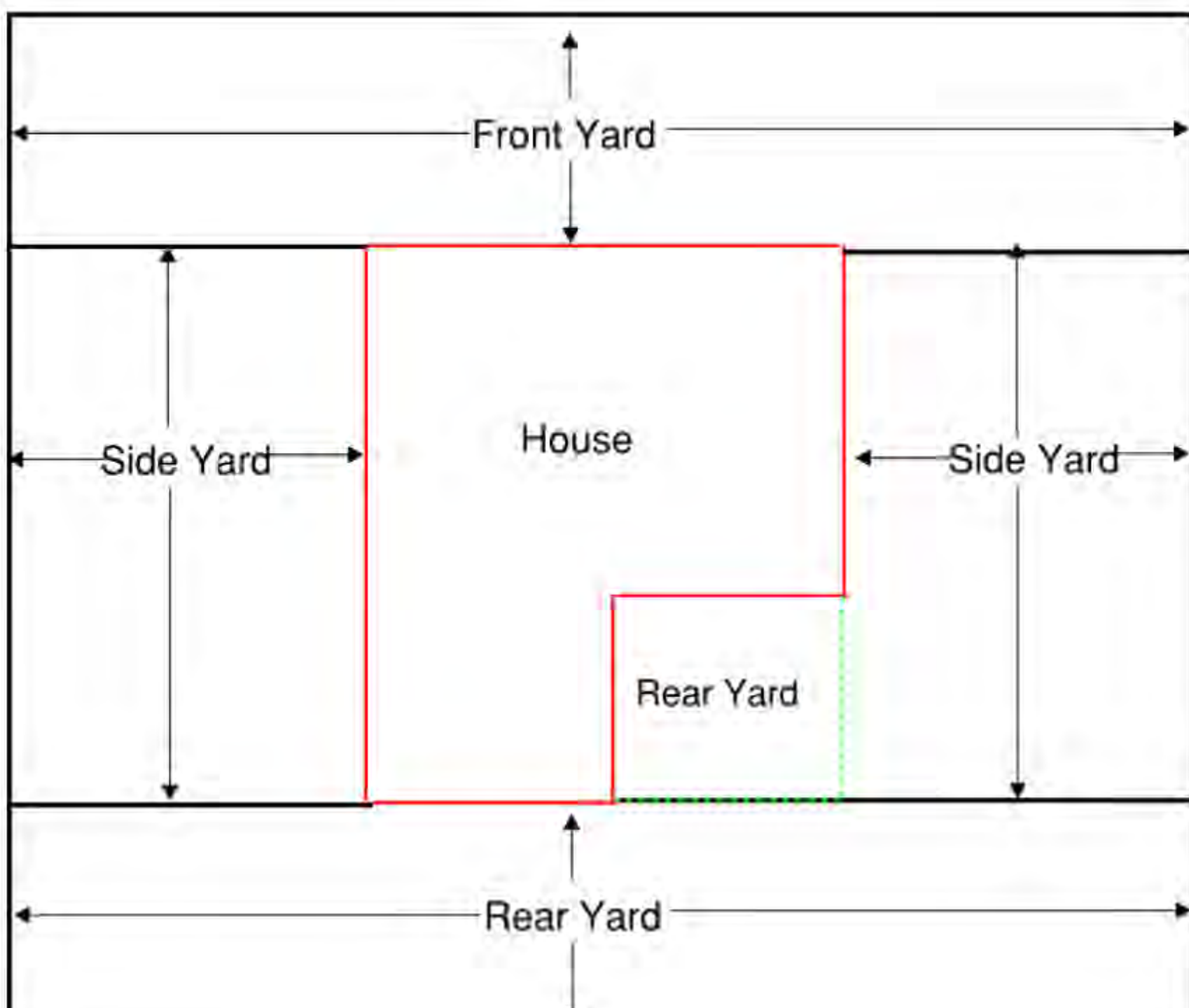
The original address of this parcel was 47 James Riceland Ct. The address was changed by the owner to 3103 Bethel Road, making James Riceland Ct the left side of the property.

**Section 6:2 - Use Conditions (18) Recreation Area, Private**  
Private recreation areas on single-family residential lots may be permitted in all residential districts subject to the district requirements and the following conditions:

B. Swimming Pool Requirements

1. Swimming pools shall be located in the rear yard.
2. Swimming pools shall be set back not less than 5 feet.
3. Setback requirements for swimming pools shall be the same as those for accessory buildings.
4. Swimming pools shall not occupy more than 50 percent of the rear yard.
5. Lighting for swimming pools shall have proper shielding from glare.

The applicant is requesting a Variance from the requirement as outlined in the Ordinance, interpretation and diagram of a yard



# Variances – Considerations

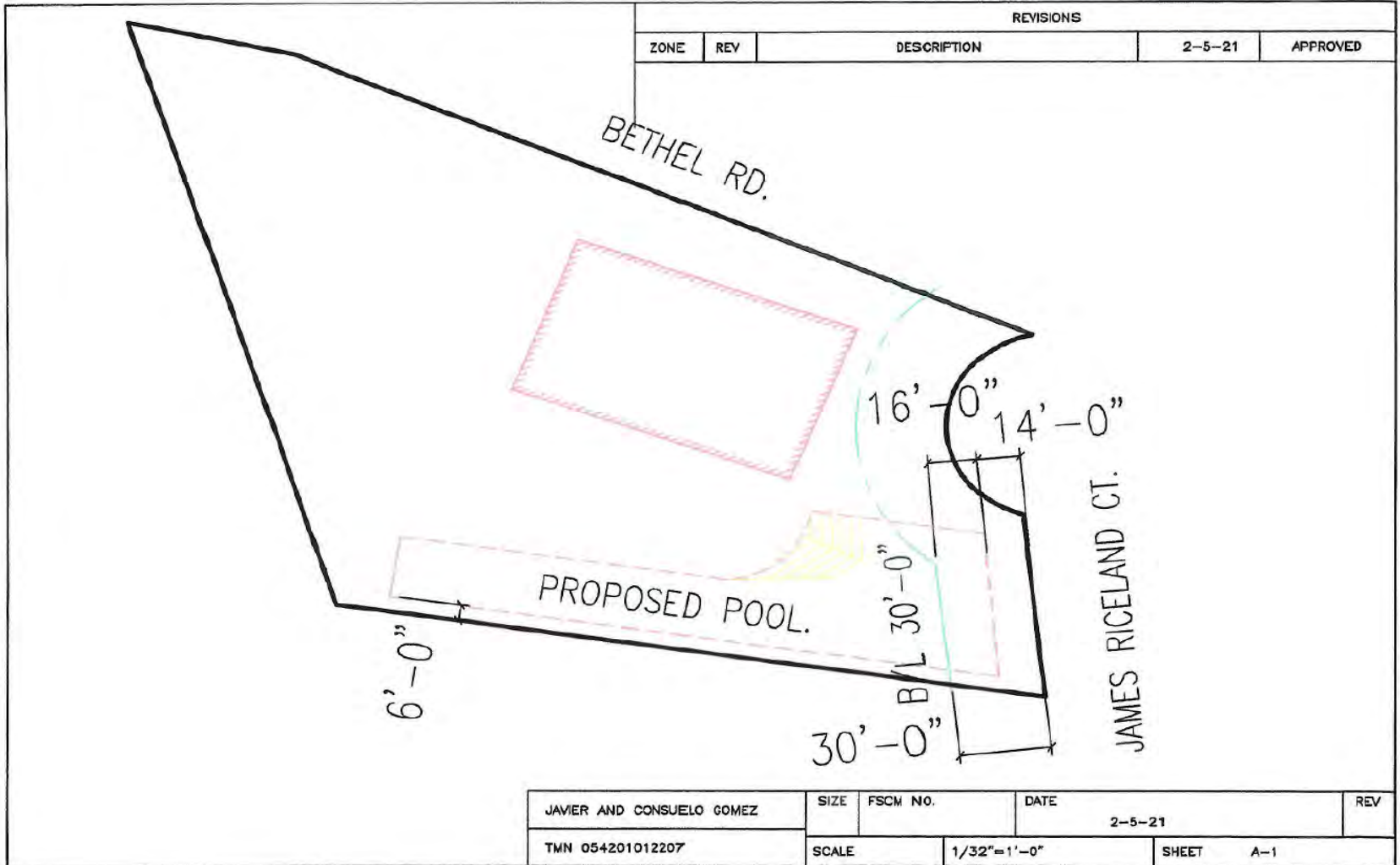
**Section 3:4.1 of the Greenville County Zoning Ordinance** states that a variance may be granted if the Board makes and explains the following findings:

- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- B. These conditions do not generally apply to other property in the vicinity;
- C. Because of the conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; *and*
- D. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance.



# CB-21-12 – Site Plan

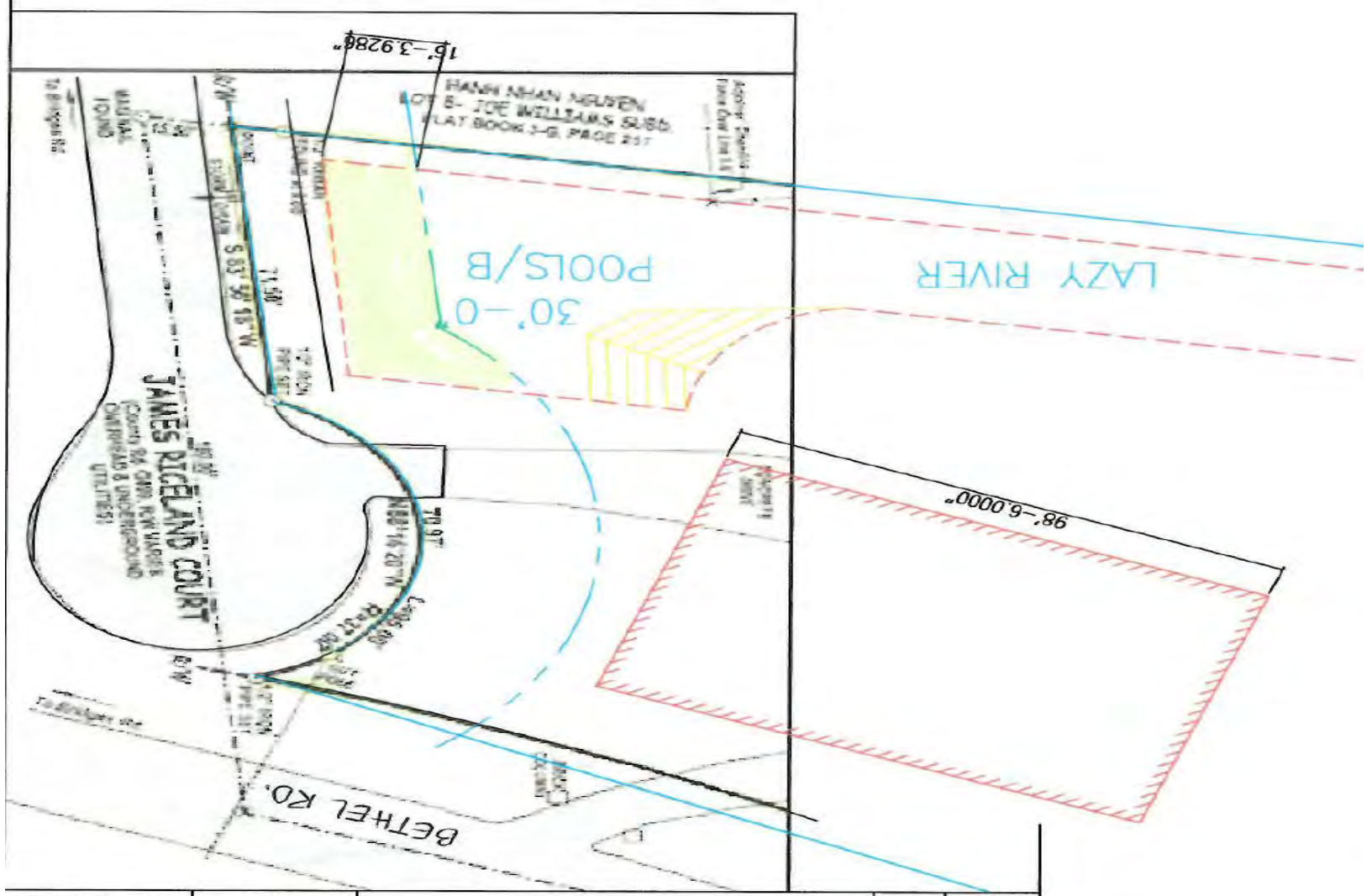
**CB-21-12**



REVISIONS			
ZONE	REV	DESCRIPTION	APPROVED
			2-5-21

JAVIER AND CONSUELO GOMEZ	SIZE	FSCM NO.	DATE	REV
TMN 054201012207	SCALE	1/32"=1'-0"	2-5-21	A-1

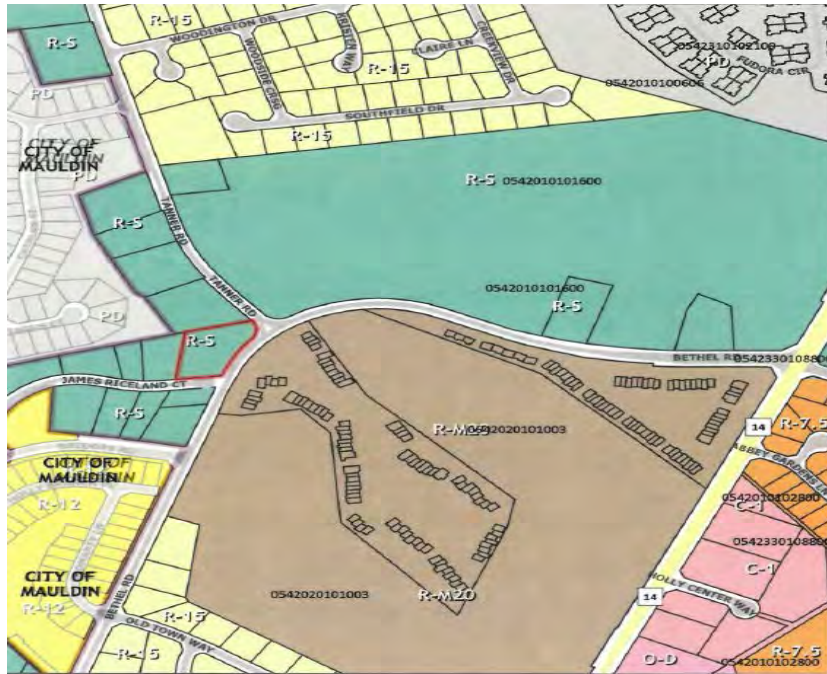
# CB-21-12 Zoom



REVISIONS	DATE	APPROVED	ZONE	REV	DESCRIPTION

# Project CB-21-12

Zoning



Aerial



# CB - 21- 12 Posting

Postings on Bethel Rd and James Riceland Ct



# CB- 21- 12 Photos

Left Side



Rear of parcel/pool



# CB - 21-12 Photos

Across the Road



View from cul-de-sac



# CB-21-13

- **Applicant:** YENNY GUERRERO/GABRIEL MORENO
- **Project type:** Variance
- **Address:** 40 James Riceland Ct, Simpsonville SC
- **Zoning:** R-S; Residential Suburban District
- **Posting:** Confirmed 2/23/21

## CB-21-13

- James Riceland Ct off Bridges Road
- Bethel Road off Hwy 14 S

### Request

Variance from the REAR setback from  
Bridges Road for a swimming pool

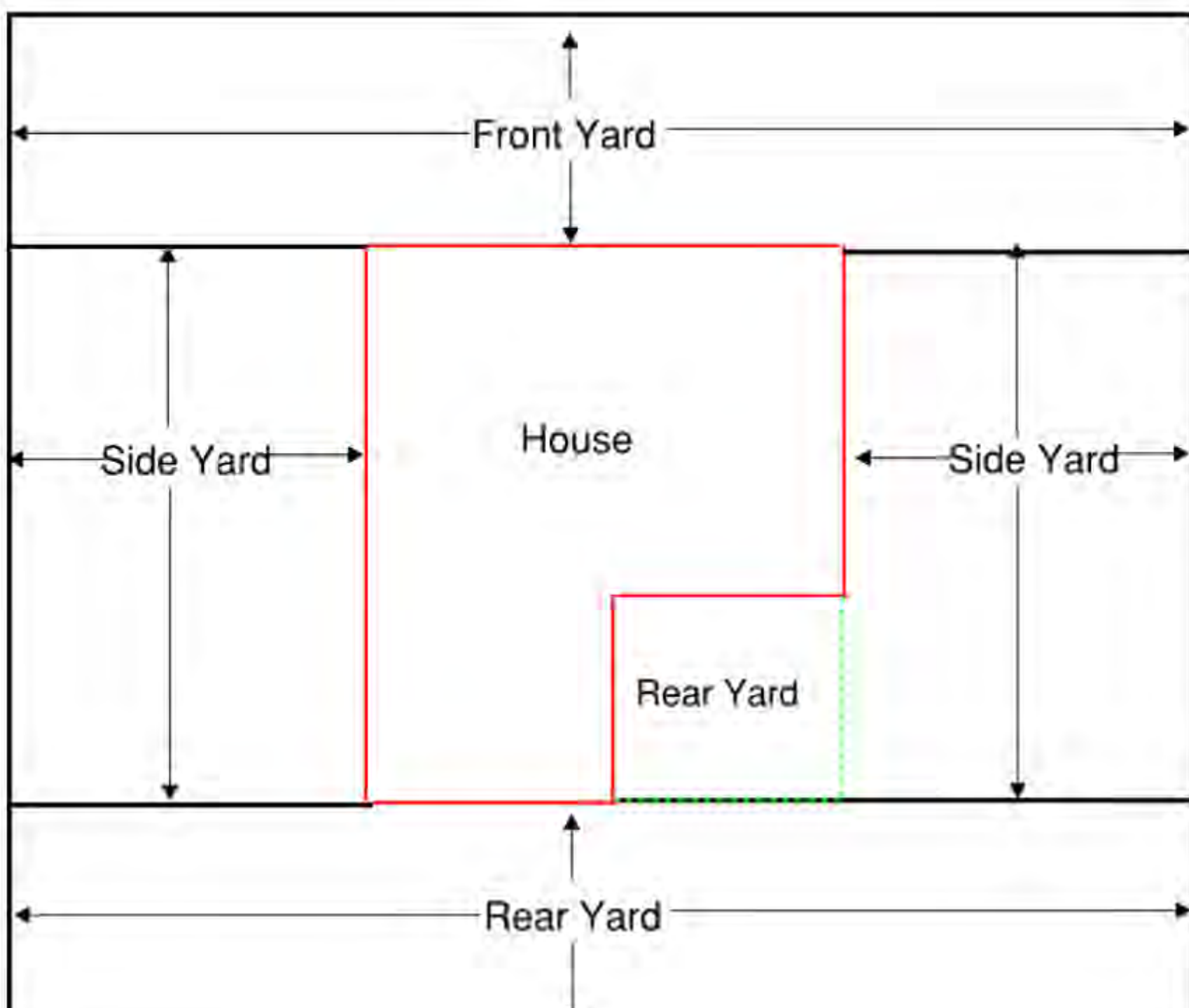


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5. Lighting for swimming pools shall have proper shielding from glare.

The applicant is requesting a Variance from the requirement as outlined in the Ordinance, interpretation and diagram of a yard

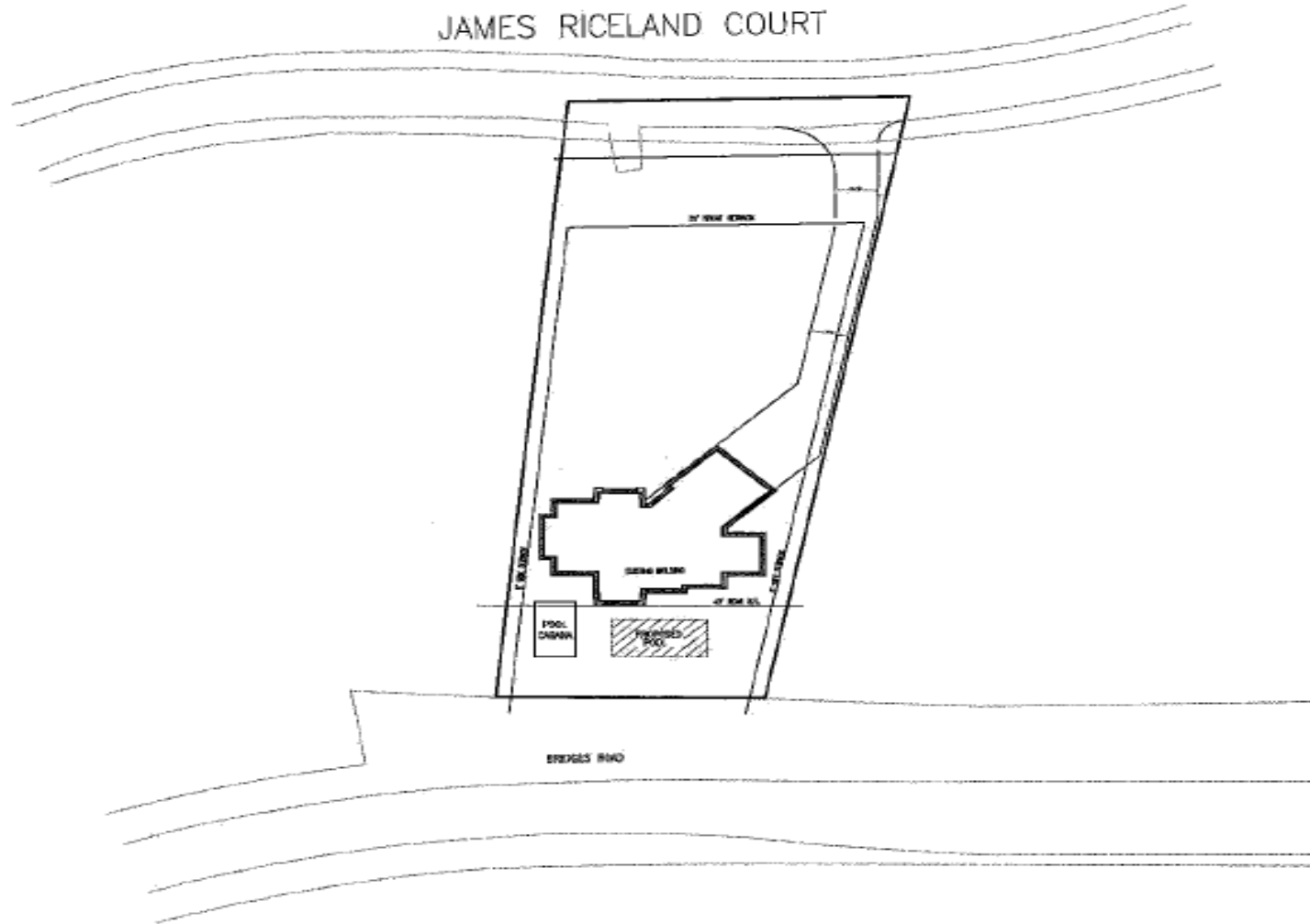


# Variances – Considerations

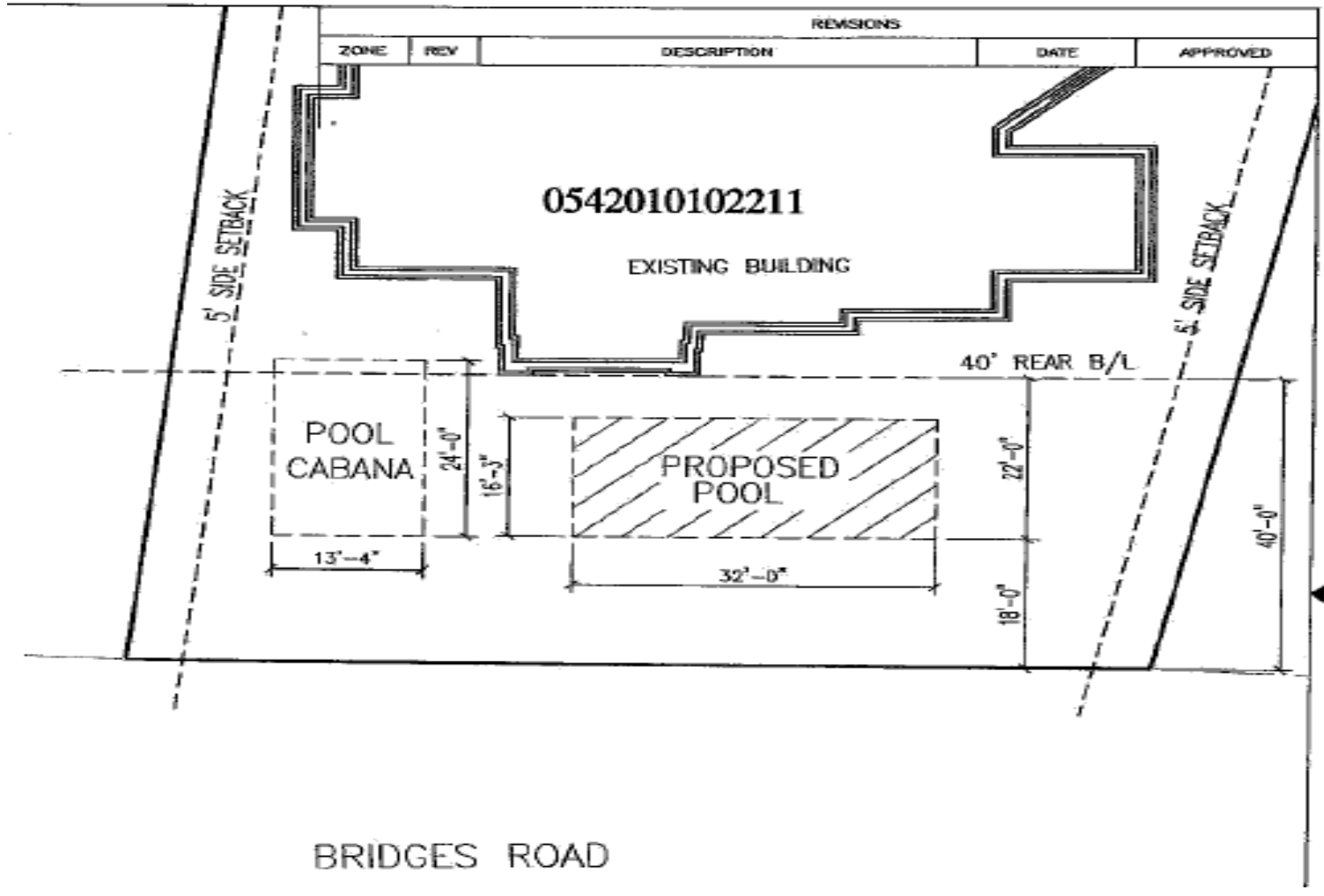
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- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
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# CB-21-13 – Site Plan

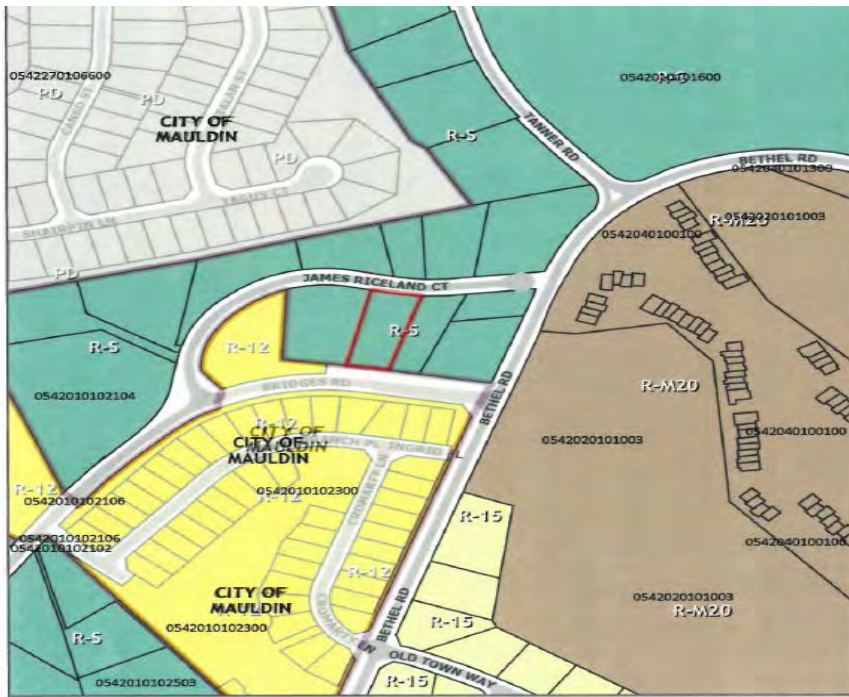


# CB-21-13 Zoom



# Project CB-21-13

Zoning



Aerial



# CB - 21- 13 Posting

Sign on James Riceland



Sign on Bridges Rd



# CB- 21- 13 Photos

Left Side



Right Side





# CB- 21- 13 Photos

Rear from Bridges



Rear from Left Side



# CB- 21- 13 Photos

Across the Road



Right to the cul-de-sac



# CB-21-14

- Applicant: LARKSPUR POINTE APARTMENTS, LLC
- Project type: Variance
- Address: 1000 Knight Spur Ct, Simpsonville SC
- Zoning: R-M16; Multi-Family Residential District
- Posting: Confirmed 2/23/21

## CB-21-14

- Woodruff Road at Five Forks
- Scuffletown Road/Publix at Five Forks

### Request

Variances from Right & Left Side setbacks of the existing garages, car wash station and mailbox building

## Section 7:3, Table 7:3 of the Zoning Ordinance

Setback Requirements for Multi-family Residential use in the R-M16 District:

FRONT = 50' from road R.O.W./property line +GPATS  
SIDES = 25' from property lines  
REAR = 25' from property line

The applicant is requesting the Variances as outlined in green ink to bring the existing buildings into compliance.

**Right Side** – Mailbox Bldg. = 9.8'; Garage #1 = 14.12'  
Garage #2 = 14.16'; Garage #3 = 14.49'

**Left Side** – Garage #4 = 12.63'; Car wash station = 19'

# Variances – Considerations

**Section 3:4.1 of the Greenville County Zoning Ordinance** states that a variance may be granted if the Board makes and explains the following findings:

- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
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# Project CB-21-14 - Location

Zoning



Aerial



# CB-21-09 – Site Plan



No.	Date	Description
1	10/22/2009	PRELIMINARY
2	10/22/2009	REVISION
3	10/22/2009	REVISION

Scale: 1/8" = 1'-0"

North Arrow

Project Name: LARKSPUR POINTE APARTMENTS - PHASE I & II

Location: HENNING COUNTY SOUTH-CAROLINA

Client: PARKS-PLAYER ARCHITECTURE & PLANNING, LLC

Address: 1000 S. 10TH ST. SUITE 100, WASHINGTON, NC 27578

Site No: BZA-1-00

Phase: EXIST. PHASE I & PROPOSED PHASE II

Scale: 1/8" = 1'-0"

North Arrow

Project Name: LARKSPUR POINTE APARTMENTS - PHASE I & II

Location: HENNING COUNTY SOUTH-CAROLINA

Client: PARKS-PLAYER ARCHITECTURE & PLANNING, LLC

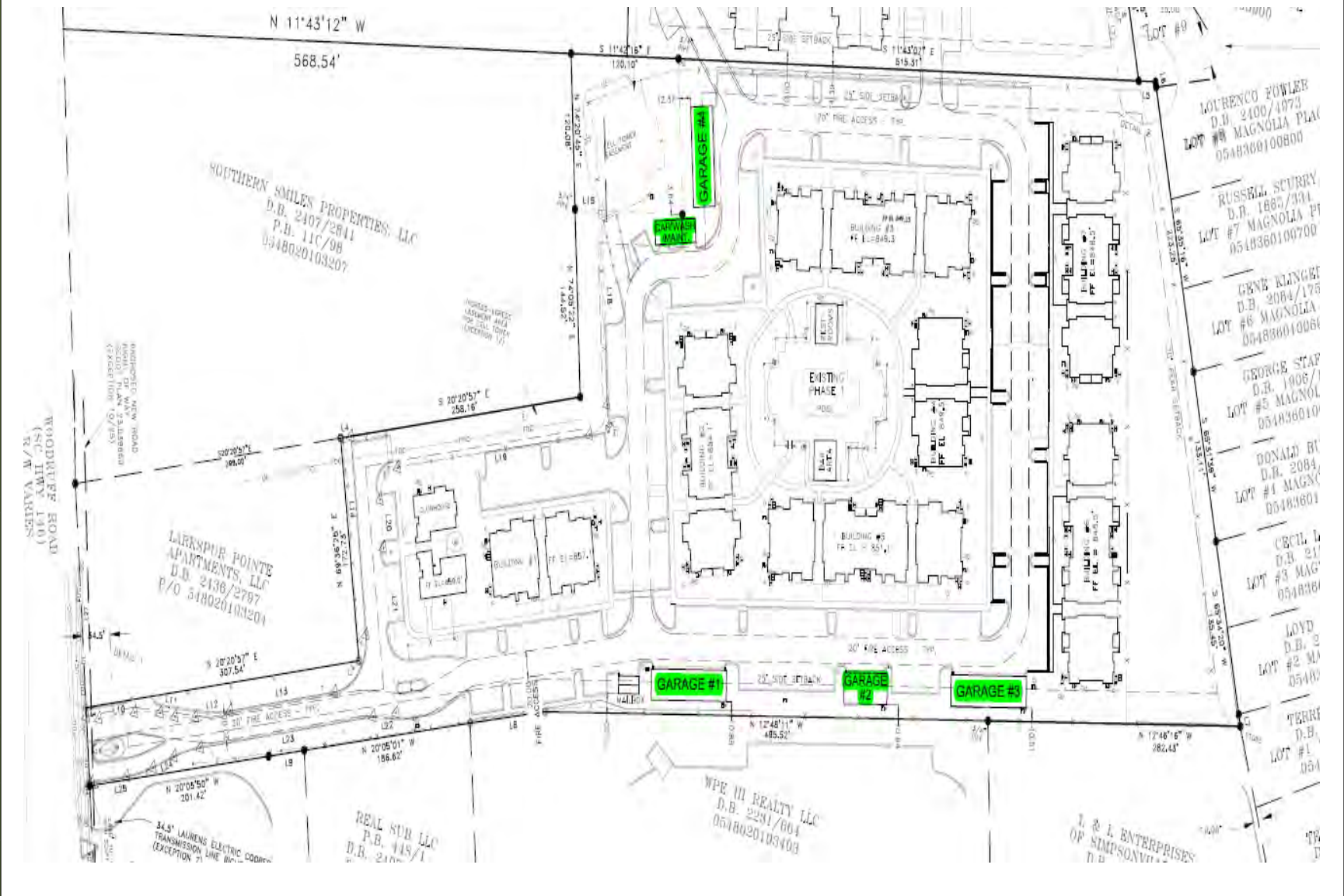
Address: 1000 S. 10TH ST. SUITE 100, WASHINGTON, NC 27578

Site No: BZA-1-00

Phase: EXIST. PHASE I & PROPOSED PHASE II



# CB-21-14 Site Plan Zoom



# Project CB-21-14

Posting on Woodruff Rd



# Project CB-21-14

Entrance to Complex



View to the Right



# Project CB-21-14

Existing Rear setback of Mailbox & Garages



# Project CB-21-14



# Project CB-21-14



# Project CB-21-14



# CB-21-15

- Applicant: STEPHEN MACK, Jr./  
IMMANUEL LUTHERAN CHURCH
- Project type: Variance
- Address: 2820/2824 Woodruff Rd, Simpsonville
- Zoning: R-S; Residential Suburban District
- Posting: Confirmed 2/23/21



## CB-21-15

- Woodruff Road, Five Forks community
- Scuffletown Road/Five Forks

### Request

Variances from Right & Left Side setbacks for proposed re-development, necessary to submit application for rezoning from R-S to R-M16.

## Section 7:3, Table 7:3 of Zoning Ordinance

Setback Requirements for a single family residence in the R-M16 District:

FRONT	=	50' from road R.O.W./property line + GPATS
SIDES	=	25' from property lines
REAR	=	25' from property line

The applicant is requesting Variances from the Right & Left Side setbacks for the proposed garages & two residential buildings as outlined in blue ink on the site plan submitted:

**Right Side** – Building #8 = 15'; Building #10 = 10.71'

NOTE: At the present time these two buildings are encroaching into the right side setback. The parcels will need to be combined to avoid encroachment.

**Left Side** – Garages #5 & 6 = 14.82'; Garage #7 = 10.22'

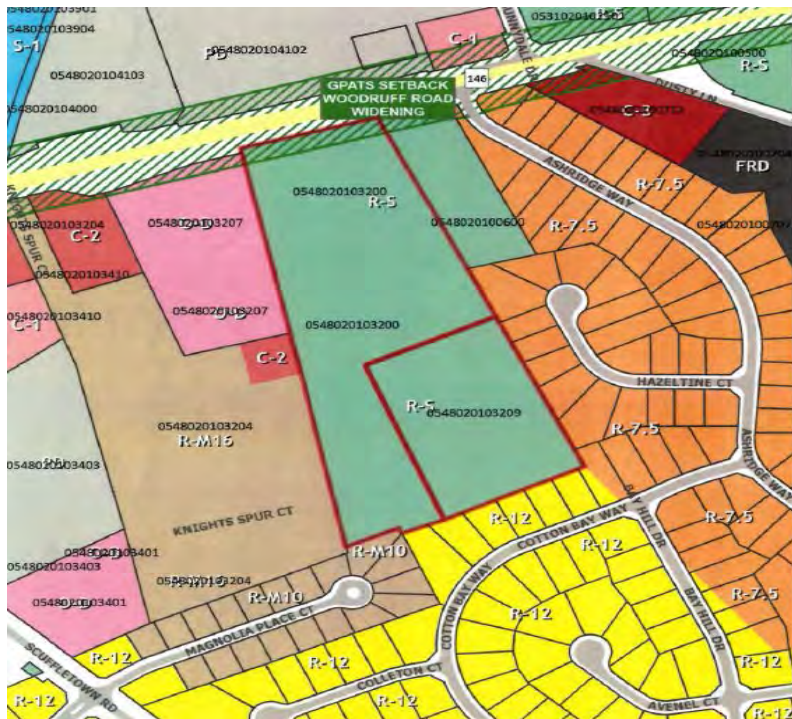
# Variances – Considerations

**Section 3:4.1 of the Greenville County Zoning Ordinance** states that a variance may be granted if the Board makes and explains the following findings:

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# Project CB-21-15 - Location

Zoning



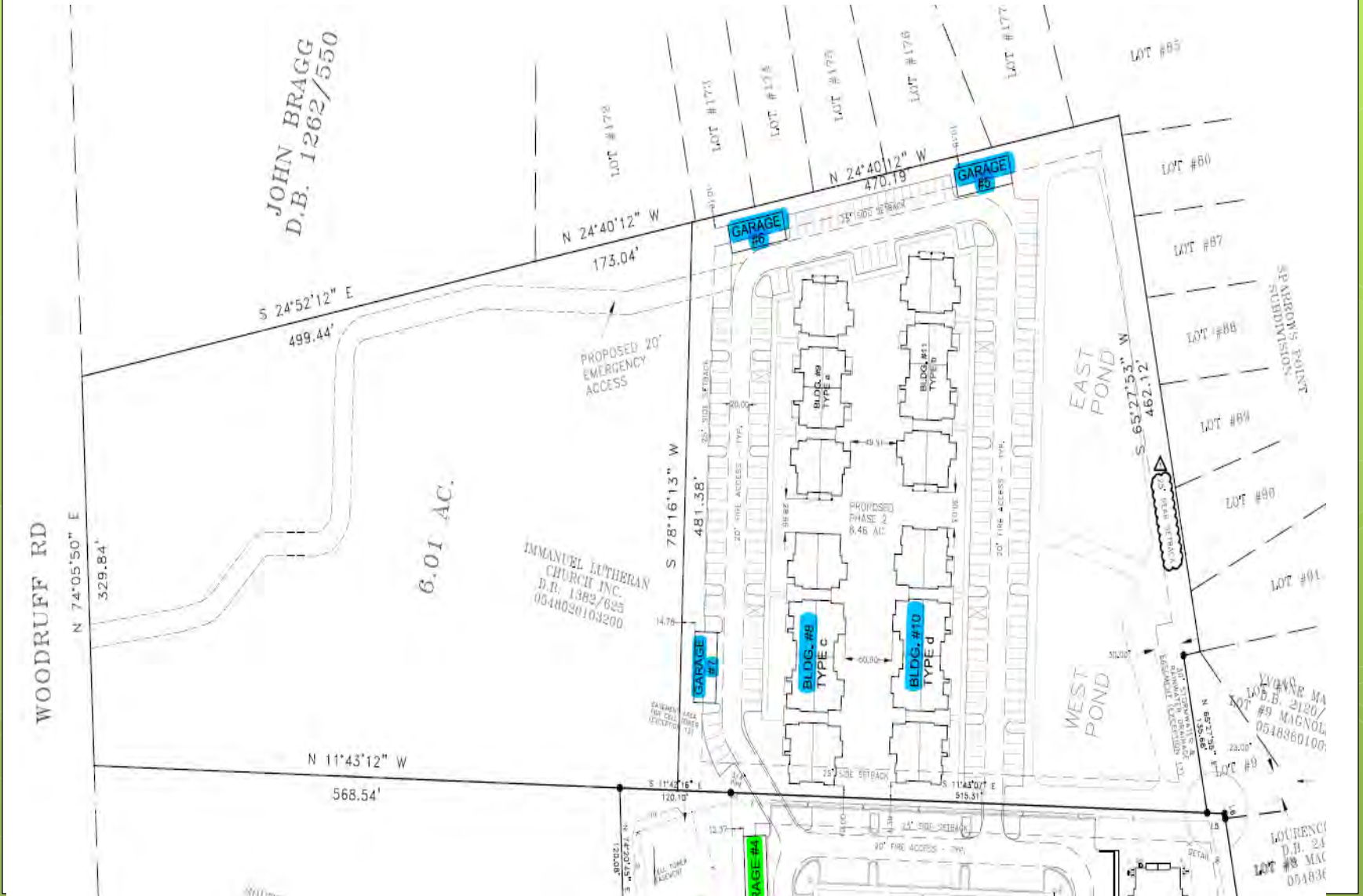
Aerial



# CB-21-15 Site Plan



# CB-21-15 - Zoom



# Project CB-21-15

Posting on Woodruff Road



# Project CB-21-15

Front view of Church



Residence in the Rear





# Project CB-21-15

View to the Left Side



View to the Right Side



# Project CB-21-15

View to the Left side



Across the Road



# End of Dockets

- Approval of Minutes of 2/10/21
- Announcements/Requests by BZA Members
- Adjournment