



# Greenville County Board of Zoning Appeals

(864) 467-7425

www.greenvillecounty.org

## Meeting Minutes November 09, 2022

### Board Members:

1. Barber, Teresa
2. Farrar, Brittany – *absent*
3. Godfrey, Laura – Vice Chairwoman
4. Hamilton, Paul
5. Hattendorf, Mark – Chairman
6. Hollingshad, Nicholas
7. Matesevac, Kenneth
8. Shuman, Michelle
9. Akers Jr., James

### Staff Present:

1. Joshua Henderson – Zoning Administrator
2. Dean Miller – Planner II
3. Todd Baxley – Planner
4. Jessica McDuffie – Planner

1. **Call to Order:** Chairman Hattendorf called the meeting to order at approximately 3:00. At this time, Chairman Hattendorf introduced the new Board Member, Mr. James Akers.

2. **Invocation/Pledge:** Conducted by Ms. Shuman.

3. **Roll Call:** Attendance was taken by Ms. McDuffie. Ms. Farrar was absent.

4. **Approval of Minutes and Adoption of Final Decisions and Orders of October 12, 2022:**  
Ms. Barber made a motion to approve the minutes from the October 12, 2022 meeting. Ms. Godfrey seconded. The motion carried with an 8- 0 vote.

Ms. Barber made a motion to adopt the Final Decisions and Orders from the October 12, 2022 meeting. Mr. Matesevac seconded. The motion carried with an 8 - 0 vote.

6. **Hearing Procedures/Regulations:** Chairman Hattendorf provided an overview of procedures. Mr. Miller introduced the PowerPoint as an exhibit and stated the conditions under which decisions and rulings may be made by the Board of Zoning Appeals as outlined in the Greenville County Zoning Ordinance.

7. **New Business**

- i. CB-22-61, Clarence Sevillian – **Administratively Withdrawn**

ii. **CB-22-63, Brian K. Fowler for Suzanne Townes**

The property is located east of Boiling Springs Road and south of Devenger Road.

The applicant is requesting a variance from the requirements for placement of a swimming pool as outlined in Condition 18-B of the Greenville County Zoning Ordinance.

This is a continuation of a case that was held from the October 12, 2022 hearing. There are no prior applications before the BZA.

The representatives present for this application were Brian Fowler with BKF Builders and Aaron Norris with Pool Life.

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

Staff presented and discussion ensued. Prior to presenting, Mr. Fowler offered apologies for premature construction and asked that the homeowners not be penalized for the company's error. Mr. Fowler advised that they were not reported for violation, but learned about the BZA procedure after construction had commenced. At that time, construction was halted immediately as the company applied for a variance. After expressing a desire to correct the error, Mr. Fowler presented with more quantitative data and imagery. Ms. Barber acknowledged the quantitative evidence, but some data she needed was missing. Ms. Barber requested the dimension from the rear, 5' setback line to the pool. Mr. Henderson offered to scale the distance on his computer. He advised that the distance was approximately 245 feet.

Discussion ensued. The Chairman expressed that he appreciated the applicant submitting letters of approval from the surrounding neighbors that would be impacted by the pool in the front yard. Coupled with the images of privacy fencing, the Chairman expressed that the new items in this applicant's presentation should be taken into serious consideration. Ms. Barber thanked the applicant for the additional information. Ms. Barber then made a motion to approve the Variance to be moved from the rear yard to the side yard under the following conditions:

- The pool will be approximately 245' from the rear property line to the rear of the pool.
- It would be approximately 119' from the left property line facing the property.
- It would be approximately 59.4' from the property line at the front of the property.

---

Mr. Henderson advised on a correction. He stated that Ms. Barber motioned that the pool was being placed in the side yard, but it is in the front yard. Ms. Barber amended the motion so that the motion to approve the Variance to be moved from the rear yard to the front yard under the previously stated conditions. Ms. Godfrey seconded the motion. Discussion ensued.

Chairman Hattendorf brought the motion proposed by Ms. Barber to a vote. The motion carried 7-1 with Ms. Shuman dissenting.

iii. **CB-22-69, Rosa Elaine Mattress for Cutting Edge Learning Center, LLC:**

The property is located on Feaster Road South of the intersection of Feaster Road and Roper Mountain Road.

The applicant is requesting a variance to encroach 15' into the required 25' left side setback and 20' into the required 25' right side setback.

There are no prior applications before the BZA.

The representatives present for this application were the applicant, Rosa Mattress and the architect, R. Bradley Van Name.

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

Staff presented and discussion ensued. Ms. Shuman asked staff if on the current drawing (SP-1) of the setbacks included the parking. Mr. Henderson clarified the setbacks are only measured to the foundation wall of the structure and clarified that the current slide was showing future plans.

Discussion ensued. Ms. Mattress explained that there is growth in the area. She would like to design a daycare structure that reflected the characteristics and growth in the surrounding area as well as provide jobs. Mr. Van Name stated that there were two designs submitted: Phase One and the Future Phase. The variance requests will allow the applicant to have a future phase that is directed toward after school programs as opposed to just the regular daycare. Mr. Van Name advised that the pie shape of the property does not allow for a significant rear yard. He continued to say that the applicant's future growth is impeded without the variance. Mr. Van Name explained that the purpose behind dividing the project up into two phases was to manage the cost of the project and ensure that the project stays in motion. The two phases designed allow the architect to plan for a structure complying with the current requirements and present a plan for a future phase if the applicant can get some relief on the side boundaries because the unique shape of the lot is very constrictive. Mr. Van Name expressed that there should be another plan showing a design in compliance with the current setbacks. Chairman Hattendorf advised the board did not have a plan that shows compliance with all existing setbacks. Chairman Hattendorf confirmed with Mr. Van Name that the whole idea was to get a setback variance for the sake of growth. Mr. Van Name confirmed that this was accurate, depending on the numerical data provided by the contractor. Mr. Akers made a motion to table the docket until next month so that the board could receive more information. Mr. Akers advised the board was not privy to the plan that was missing nor the requested

square footage. He further expressed that in order to grant a variance he would need more information

Mr. Akers amended the motion to place the request on hold until next meeting to receive more information, to include the plan that was missing. The motion was seconded by Mr. Hamilton and Ms. Shuman. Discussion ensued. Dr. Hollingshad wished to give input on what he would like to see when the applicant returned. Dr. Hollingshad explained that the text on the plans inside each of the rooms was illegible even with the use of a magnifying glass. Secondly, Dr. Hollingshad wanted the dimensional information about the square footage of the buildings and the layout as he had requested previously. Thirdly, he wanted some discussion of parking and how it relates to the staffing and the pick-up and drop-off scheme planned. Fourth, he requested that the applicant further refine the estimates for the number of students and staff expected. Ms. Shuman expressed that she also wanted to see the plan of what the property would look like without an approved variance. Dr. Hollingshad agreed with Ms. Shuman that he would like to see the plans as well.

The amended motion made by Mr. Akers was brought to a vote. The motion carried 8 – 0.

**iv. CB-22-70, Justin Rink Middaugh with Giving Tree Properties, LLC**

The property is located on the southeast corner of West Lee Road and Hallcox Street, between Rutherford Road and Wade Hampton Boulevard near the City of Greenville.

The applicant is requesting the following variances:

**A. Setback Variances:**

- 18 feet 0 inches into the required 35 foot front setback along West Lee Road
- 24 feet 0 inches into the required 35 foot front setback along Hallcox Street
- 9 feet 0 inches into the required 15 foot left side setback
- 9 feet 0 inches into the required 15 foot rear setback

The applicant is also requesting a Use by Special Exception to replace the existing non-conforming manufactured homes with new, slightly larger manufactured homes.

There are no prior applications before the BZA.

The representative present for this application was Justin Rink Middaugh.

The opposition present for this application was Joanne Armstrong whose organization owns the property adjacent to the manufactured home park.

The person with comments and questions was Jaime Lara.

Staff presented and discussion ensued. Chairman Hattendorf asked staff for details about the site. Staff explained that this site is a nonconforming property, single-family residential that pre-dates the R-20 zoning. In addition to approximately 10 single-wide mobile homes on the property, there is also an individual single family home on the property. The Chairman reminded opposing and those with questions of the 10 minute limit.

---

Mr. Middaugh said, "I have requested a permit for demo on one of the mobile homes. We have not done that yet because of the six month window that you have to replace the home in. And the issue is, again, that I cannot find an identical mobile home to replace that with. I can't remove any of the mobile homes because I haven't been able to identify exactly the same size mobile home to bring back onto the property. So that's why I haven't been able to." Ms. Barber asked, "But have you been issued a citation from Code Enforcement to remove the mobile homes from the property?" "I was getting to that; I was answering his first question. Yes, I have been issued a citation as well for cleanup of the property and for removing the mobile homes," responded Mr. Middaugh.

Chairman Hattendorf made a motion to approve the following variances:

- 18 feet 0 inches into the required 35 foot front setback along West Lee Road
- 24 feet 0 inches into the required 35 foot front setback along Hallcox Street
- 9 feet 0 inches into the required 15 foot left side setback
- 9 feet 0 inches into the required 15 foot rear setback

Chairman Hattendorf made a motion to approve the use by special exception to replace the existing nonconforming manufactured homes with newer slightly larger manufactured homes not to exceed a dimension of 16 x 80' This activity is to occur within 6 months. Additionally, as a condition to this motion, it is required that the applicant restores a 6' high privacy fence along the rear and side property lines. With that Chairman Hattendorf moved to approve the variance and the use by special exception with the conditions stated.

Discussion ensued. The Chairman amended his motion to 8 months' time frame. The motion was seconded by Mr. Akers.

The Chairman brought the amended motion to a vote. The motion carried 7 – 1 With Mr. Matesevac dissenting.

**v. CB-22-71, Kimberly Marie Gallagher Neperud**

The property is located on Galewood Drive, north of the intersection of Galewood Drive and Beechwood Drive near the City of Greer.

The applicant is requesting a Variance to encroach 10 feet into the required 30 foot front setback.

There are no prior applications before the BZA.

The representative present for this application was Kimberly Neperud.

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

Staff presented and discussion ensued. Chairman Hattendorf and Mr. Henderson clarified that the variance is for placement in the front yard.

Ms. Neperud explained that there was a previous shop before the prior owner tore it

down. The backyard is steeply sloped down to the creek. Ms. Neperud said she talked to the neighbors and received signed approval from them. Chairman Hattendorf clarified if they would be adjacent to the neighbor's shop. Ms. Neperud said yes. Chairman Hattendorf asked what the applicant is doing. Ms. Neperud is building a shop in what would be considered the front yard for her husband. He will be fixing cars, doing projects, and lounging in the shop.

The application was reviewed by the Board. Mr. Hamilton made a motion to approve request for the location Variance.

Chairman Hattendorf requested a point of clarification to include the distance in the location variance approval.

Mr. Hamilton amended the motion to approval 54' into the front yard.

Mr. Akers seconded the motion. The motion carried with an 8 – 0 vote.

**vi. CB-22-72, Kristy Graham with Renewable Water Resources for Greg Wright:**

The property is located on N. Harrison Bridge Road, northwest of the intersection of Harrison Bridge Road and New Harrison Bridge Road.

The applicant is requesting a Use by Special Exception to allow for the expansion of a public utility to add a fine screen structure on site.

On April 8, 1998 The Board of Zoning Appeals approved Docket CB-98-42 for a Use by Special Exception to allow construction of additions to the wastewater treatment facility.

On September 15, 2004 The Board of Zoning Appeals approved Docket CB-04-72 for a Use by Special Exception to allow construction of additions to the wastewater treatment facility.

On August 8, 2018 The Board of Zoning Appeals approved Docket CB-18-31 for a Use by Special Exception to allow construction of additions to the wastewater treatment facility.

The representatives present for this application were Dylan Thompson with Rewa and Brian Wright from AECOM.

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

Staff presented and discussion ensued. The applicant explained that there are some areas that are causing issues with debris getting into some of the equipment that needs to be screened out. They are putting a screening structure that improves wastewater as it goes into the remaining treatment. They are creating a structure that does additional screening in advance of going further into the treatment system.

Chairman Hattendorf asked if the screening was being done on site or if they would be going to a drying bed where there would be additional odors. The applicant said, "No. It will be collected. If it is taken off, it will be disposed of as any other debris."

The application was reviewed by the Board. Chairman Hattendorf motioned to approve the request for Use by Special Exception to allow for the expansion of a public utility.

Dr. Hollingshad seconded the motion. There was no further discussion. The motion carried with an 8 – 0 vote.

**vii. CB-22-73, Austin Fowler with Darrohn Engineering, LLC for Tricia Austin for McCarter Community Club**

The property is located on McCarter Avenue at the intersection of McCarter Avenue and Sweetbriar Road.

The applicant is requesting a Use by Special Exception to allow for the expansion of a private recreation facility to add a covered shelter and restrooms.

The applicant is requesting a variance to encroach 12.1' into the required 20' front setback for a nonresidential use on a residential zoned property.

The applicant is requesting a variance from the requirement for parking associated with the new addition to waive the parking requirements.

On May 8, 2002 The Board of Zoning Appeals approved Docket CB-02-65 for a Use by Special Exception to allow a private recreation facility, as well as a variance to reduce the 50' side setback by 45' as required by a previous Zoning Ordinance.

The representatives present for this application were John Darrohn and Tricia Austin.

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

Staff presented and discussion ensued. The applicant explained that the pool has been in existence as long as the building. There will be no increase in capacity or use of the pool.

Chairman Hattendorf asked, "Where do people park now?" Ms. Fowler answered that the organization has parking in the City of Greenville in the same place they have already been using. Chairman Hattendorf asked if they owned the parcel with the parking. Ms. Fowler said "yes." Ms. Shuman asked if there had been an issue with "meets." Ms. Fowler says they have been using the same parking for swim meets. Chairman Hattendorf asked why the organization is tearing up a tennis court. Mr. Darrohn said it was due to the creek buffer and the fact that they are land locked. Mr. Henderson calculated 1 space for each 2000 sq. ft. or 2 spaces.

The application was reviewed by the Board. Ms. Barber motioned to approve the request for Use by Special Exception allow for the expansion of a private recreation facility and covered sheltered restrooms. Ms. Barber made a motion to approve the request for Variance to encroach 12.1' into the required 20' setback for a nonresidential use on a residential property. Ms. Barber made a motion to approve the request for Variance to waive the requirement for two parking spaces.

---

Ms. Barber amended her motion. She stated, "To approve the variance to not require the 14 parking spaces that are required because there is off-street parking on the other parcel."

Mr. Hamilton seconded the amended motion. The amended motion was brought to a vote. The motion carried with an 8 – 0 vote.

viii. **CB-22-74, Robert C. Cashion with Robert C. Cashion, Architect, Inc. for Richard Williams - HELD**

ix. **CB-22-75, Demetrius Martin with 250 Logistics for Westdale Capital Investors 3, LP:**

The property is located on White Horse Road northwest of the intersection of White Horse Road and Augusta Road (Hwy. 291).

In preparation for an attempt to rezone the property to S-1, Services District, the applicant is requesting a Variance of 19.4' against the 25' side setback requirement in S-1 for the westernmost existing building, and a Variance of 18.7' against the 25' side setback requirement for the easternmost existing building.

There are no prior applications before the BZA.

The representative present for this application was Demetrius Martin.

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

Staff presented and discussion ensued. Dr. Hollingshad asked since the applicant is certain that they will be applying for a zoning change, how it lines up with the Comprehensive Plan. Mr. Henderson advised that it is "Transitional Corridor."

Mr. Martin pointed out that there are two existing structures on the property. He explained that the organization initially wanted to apply for rezoning from C-2, Commercial District to S-1, Services District.

Because the setback requirements for S-1, Services District are different from their current zoning, they are requesting a variance that would impact both structures on the right side of the property.

This would increase the use of the property to offer more services, mainly in the repair shop. The front building is mainly for office use. The Chairman asked if the building was vacant. Mr. Martin advised that the front structure is for office use and the rear structure is sublet for light services. Mr. Henderson confirmed that the motion is contingent on a passing rezoning. If the rezoning is not successful, the applicant would have to return for another variance.

The application was reviewed by the Board. Chairman Hattendorf made a motion to approve both requests for a variance of 19.4' against the 25' side setback requirement for the westernmost existing building and for a variance of 18.7' against the 25' side setback requirement for the easternmost existing building. This motion includes the following condition: if the rezoning request is not approved, the variance dies with the rezoning



request. At that point, any further changes must be brought back before the board.

The motion was seconded by Mr. Akers. Discussion ensued. Dr. Hollingshad asked what uses are different from the time of the board's approval and the time of the S-1, Services District zoning. Mr. Henderson explained we would not be able to allow it because the rezoning has not taken place and they are expanding a building is only approved to encroach if the property is S-1, Services District.

There was no additional discussion. Chairman Hattendorf brought the motion to a vote. The motion carried with an 8 – 0 vote.

**8. Announcements/Requests**

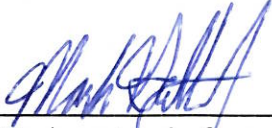
Chairman Hattendorf asked for clarification on a deadlocked vote. Mr. Henderson explained that a deadlock vote results in a denial. Ms. Barber requested clarification on how the definition of a variance should be interpreted as it pertains to a requirement for a dimension. Mr. Henderson advised that she was accurate in her reading of the definition of a variance. Mr. Henderson explained that it is case by case. Discussion ensued. Mr. Henderson advised that it was up to the board's discretion on whether more quantitative evidence was needed.

**9. Adjournment**

Chairman Hattendorf made a motion to adjourn the meeting. Mr. Akers seconded. The motion carried unanimously.

---

This decision was affirmed by the Greenville County Board of Zoning Appeals on December 14, 2022.



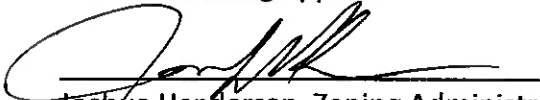
---

Mark Hattendorf, Chairman  
Board of Zoning Appeals

12-14-22

---

DATE



---

Joshua Henderson, Zoning Administrator

# GREENVILLE COUNTY BOARD OF ZONING APPEALS

**December 14, 2022**  
**PUBLIC HEARING**

Greenville County Square  
Conference Room D  
3:00 p.m.

# Use 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.

# Variance 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-22-69

<b>Applicant:</b>	Rosa Elaine Mattress
<b>Project Type:</b>	Variance
<b>Address:</b>	356 Feaster Rd., Greenville, SC 29607
<b>Zoning:</b>	S-1, Service District
<b>Posting:</b>	Confirmed 11/29/22

## CB-22-69 Request

The property is located on Feaster Road South of the intersection of Feaster Road and Roper Mountain Road.

The applicant is requesting a variance to encroach 15' into the required 25' left side setback and 20' into the required 25' right side setback.

This docket was held and carried over from the November 9, 2022 Board of Zoning Appeals hearing. There are no prior applications before the BZA.

# CB-22-69: Variance

## Section 7:3, Table 7.3 – Setback/Height Requirements for the S-1 District;

FRONT	= 45' from edge of road R.O.W.
RIGHT SIDE	= 25' from property line
LEFT SIDE	= 25' from property line
REAR	= 20' from property line

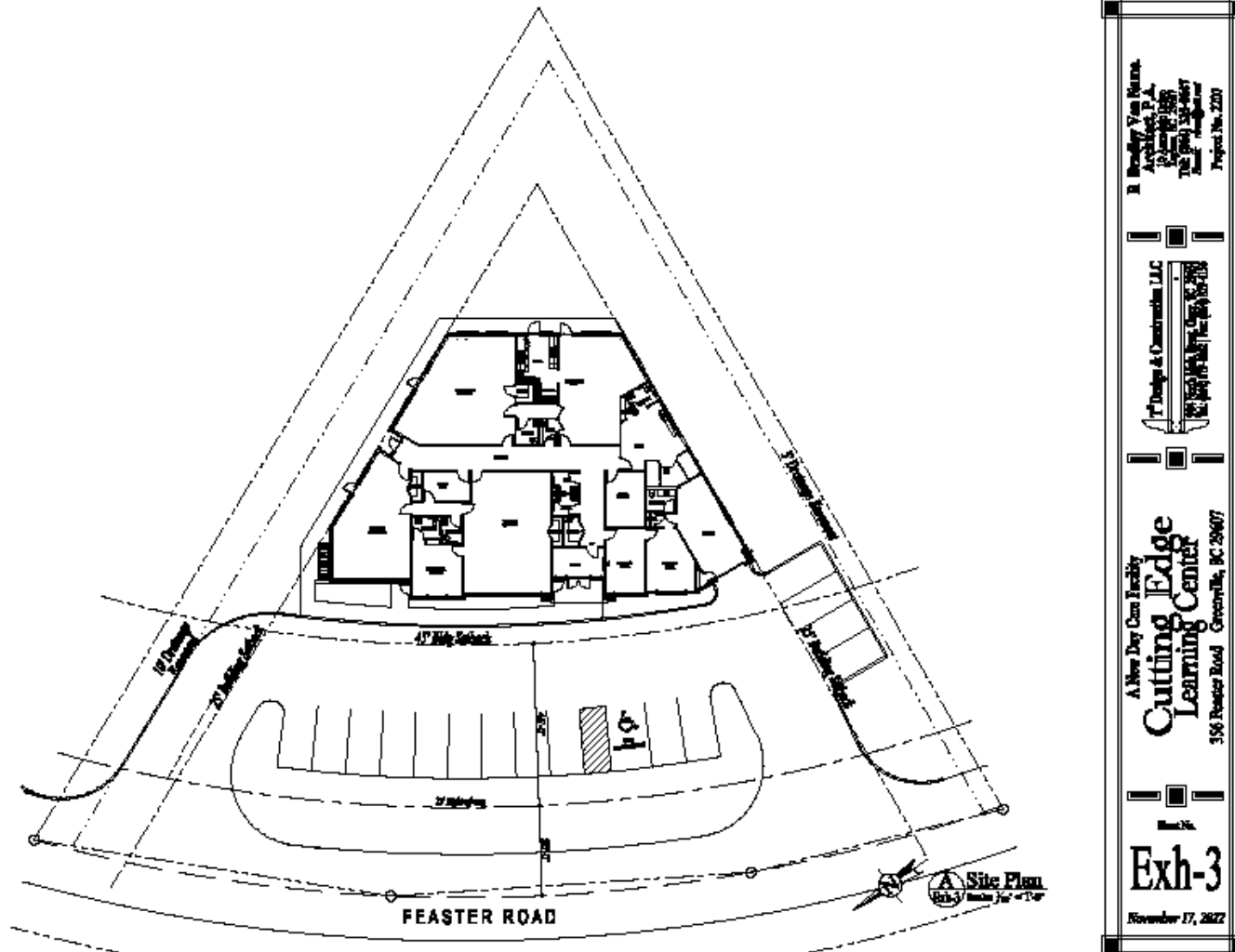


## CB-22-69: Variance Considerations

**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-22-69 Site Plan (without variance)



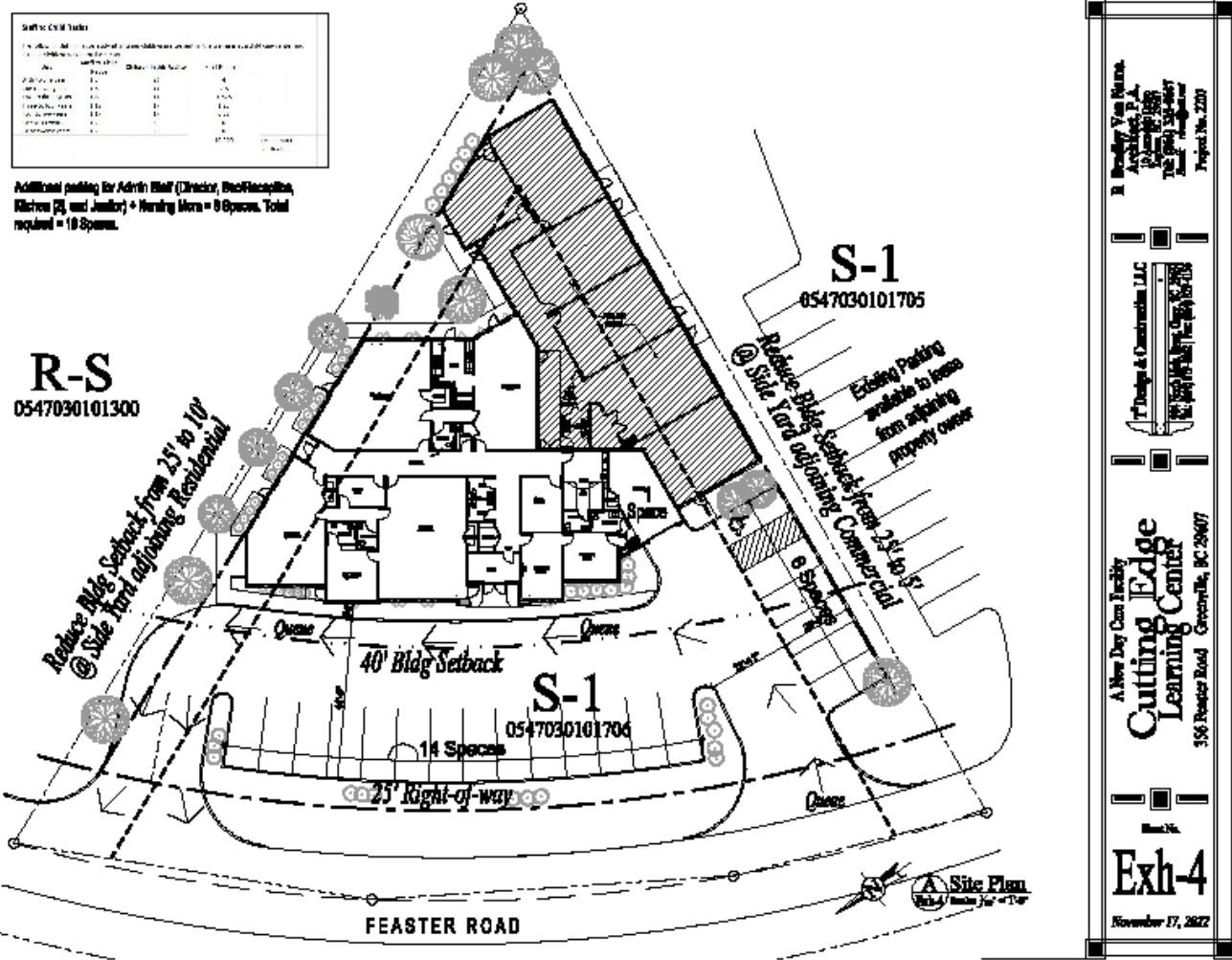
B. Bradley Van Natta  
 Architect, P. A.  
 10 January 1988  
 The Grand Lodge  
 The Grand Lodge  
 Project No. 2207

C. Design & Construction LLC  
 1000 10th Ave. S.E.  
 Seattle, WA 98108  
 Tel: (206) 467-1111 Fax: (206) 467-1118

A. New Day Care Facility  
**Cutting Edge Learning Center**  
 556 Feaster Road - Greenville, BC 20607

Exh-3  
 November 17, 2022

# CB-22-69 Site Plan (with variance)



# CB-22-69: Zoning Map





## CB-22-69 Photos



# CB-22-74

- Applicant:** Robert C. Cashion of Robert C. Cashion, Architect, Inc. for Richard Williams of Superfly Holdings, LLC
- Project Type:** Variance
- Address:** 976 Geer Hwy. (HWY 276), Travelers Rest, SC 29690
- Zoning:** I-1, Industrial District / Unzoned
- Posting:** Confirmed 11/29/22

## CB-22-74 Request

The property is located on Highway 276, northwest of the intersection of Highway 276 and Bridwell Road.

The applicant is requesting a Variance from the number of required parking spaces for a Community Recreation Area.

This docket was held and carried over from the November 9, 2022 Board of Zoning Appeals hearing. There are no prior applications before the BZA.



# CB-22-74: Variance Requirements

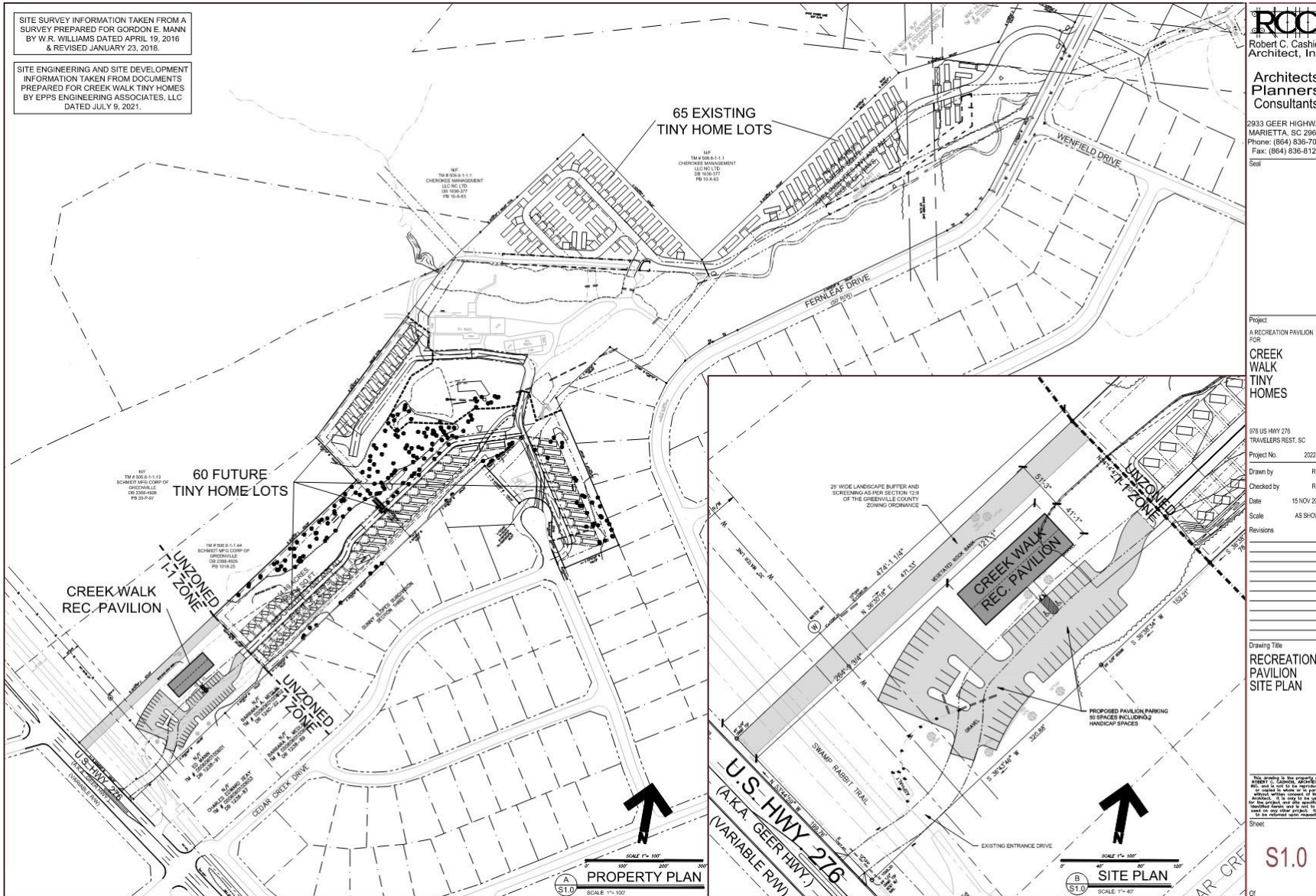
- **Section 12:2, Table 12.1 – Minimum Parking Requirements for a Community Recreation Area;**
- With Swimming Pool – One space for every 100 square feet of water surface.
- Without Swimming Pool – One Space per 30 square feet of assembly area.
- 
- The minimum parking spaces for the recreation area is 165 parking spaces and the applicant is requesting to reduce that to a total of 50 parking spaces or approximately a 70% reduction.

## CB-22-74: Variance 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-22-74 Site Plan



SITE SURVEY INFORMATION TAKEN FROM A SURVEY PREPARED FOR GORDON E. MANN BY W.R. WILLIAMS DATED APRIL 19, 2016 & REVISED JANUARY 23, 2018.

SITE ENGINEERING AND SITE DEVELOPMENT INFORMATION TAKEN FROM DOCUMENTS PREPARED FOR CREEK WALK TINY HOMES BY EPPS ENGINEERING ASSOCIATES, LLC DATED JULY 9, 2021.



Robert C. Cashin  
Architect, Inc.

**Architects  
Planners  
Consultants**

2933 GEER HIGHWAY  
MARIETTA, SC 29661  
Phone: (864) 836-7080  
Fax: (864) 836-8125

Sheet

Project  
A RECREATION PAVILION  
FOR  
**CREEK WALK  
TINY HOMES**

67E US HWY 276  
TRAVELERS REST, SC  
Project No. 2022-01  
Drawn by RCC  
Checked by RCC  
Date 15 NOV 2022  
Scale AS SHOWN  
Revisions

Drawing Title  
**RECREATION PAVILION  
SITE PLAN**

This drawing is the property of ARCHITECTS PLANNERS CONSULTANTS, INC. and shall not be reproduced, copied, or used in any way without written consent of the ARCHITECTS PLANNERS CONSULTANTS, INC. If you are a contractor or subcontractor, you shall not be permitted to use this drawing for any other project without the written consent of ARCHITECTS PLANNERS CONSULTANTS, INC.

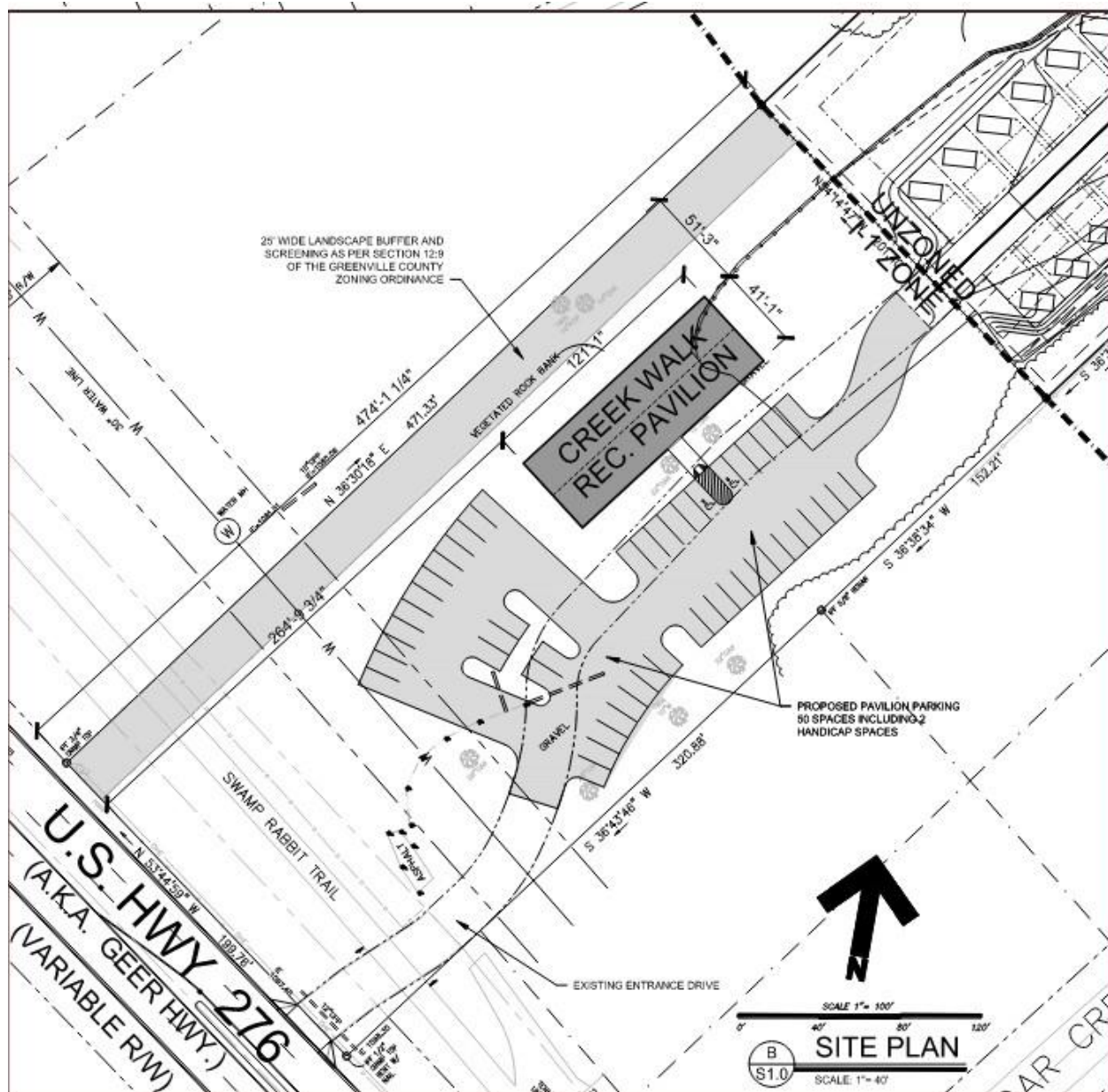
Sheet

**S1.0**

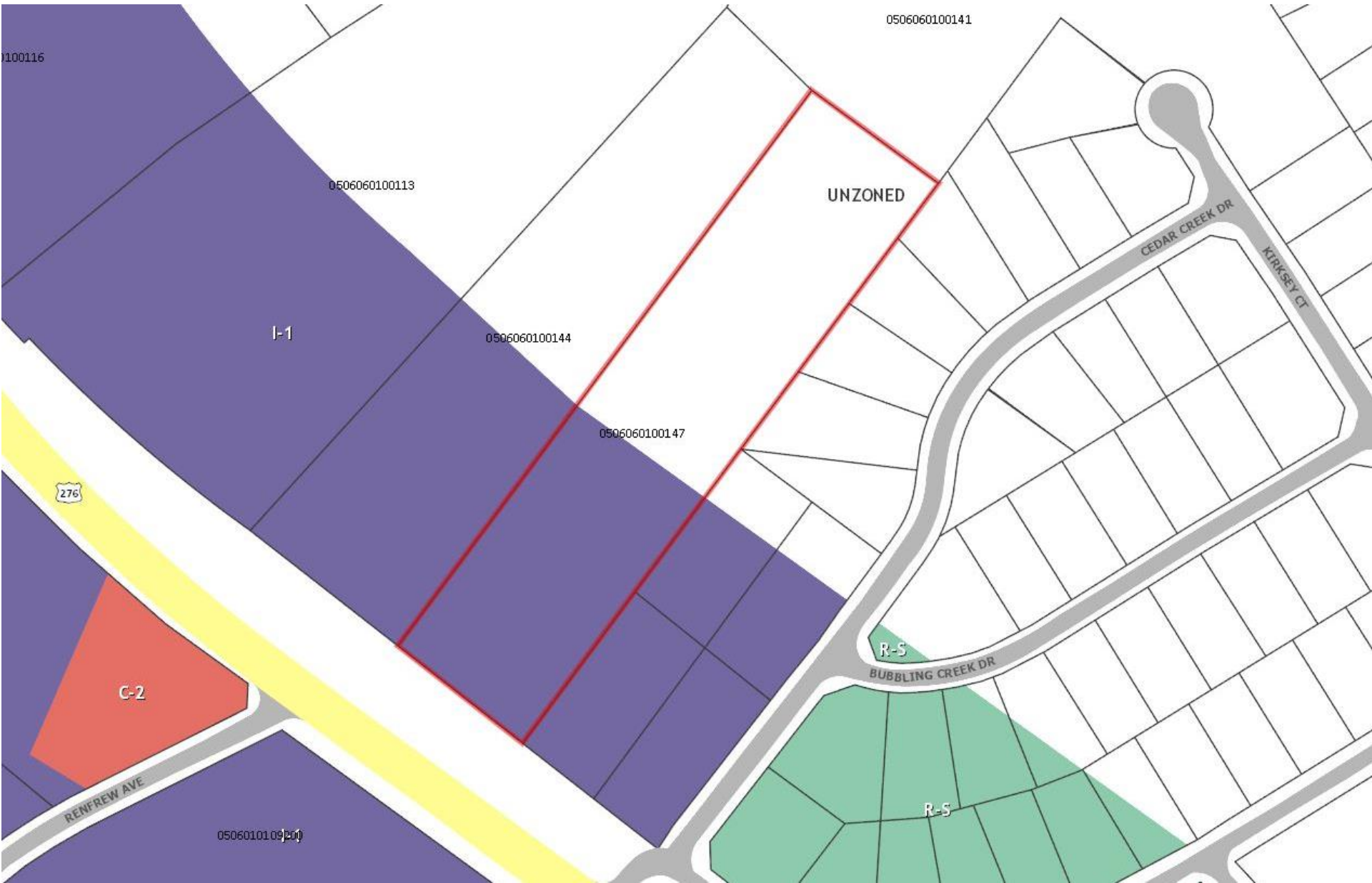
SCALE 1" = 100'  
**A**  
PROPERTY PLAN  
SCALE 1" = 100'

SCALE 1" = 100'  
**B**  
SITE PLAN  
SCALE 1" = 60'

# CB-22-74 Site Plan



# CB-22-74: Zoning Map



# CB-22-74: Aerial Map



# CB-22-74 Photos



Subject



West of subject



South of Subject



East of Subject

# CB-22-76

<b>Applicant:</b>	John Vincent Laux
<b>Project Type:</b>	Variance
<b>Address:</b>	108 Upper Meadow Way, Greenville, SC 29609
<b>Zoning:</b>	R-15, Single-Family Residential District
<b>Posting:</b>	Confirmed 11/29/22



## CB-22-76 Request

The property is located on the corner of Upper Meadow Way and Wood Stream Ct in the Brownstone Crossing subdivision.

The applicant is requesting a variance from the requirements for placement of a swimming pool as outlined in Condition 18-B of the Greenville County Zoning Ordinance.

There are no prior applications before the BZA.

# CB-22-76: Variance Requirements

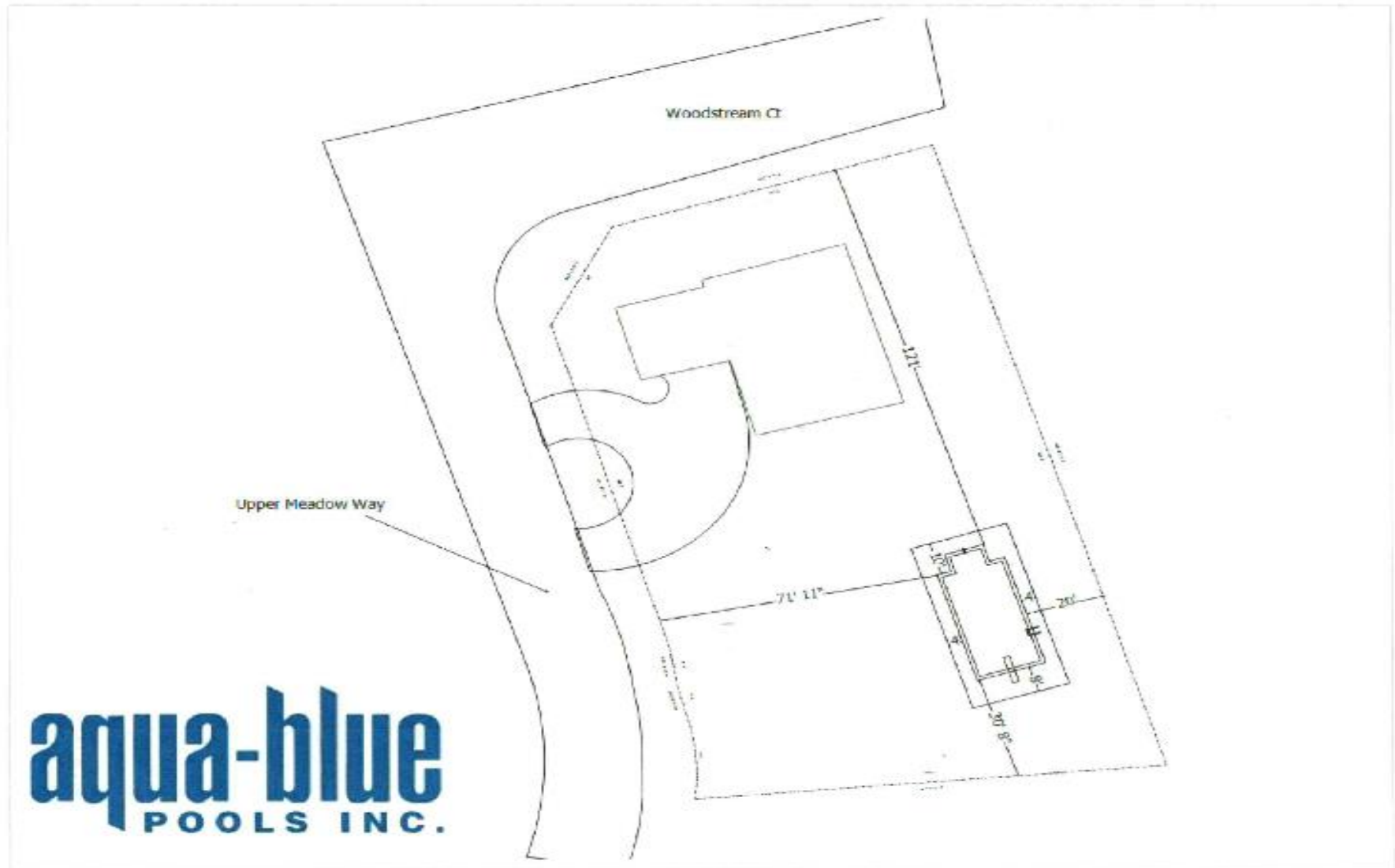
- **Section 6:2 – Use Conditions 18-B states the following:**
- 
- **B. Swimming Pool Requirements**
- 
- Swimming pools shall be located in the rear yard.
- Swimming pools shall be set back not less than 5 feet.
- Setback requirements for swimming pools shall be the same as those for accessory buildings.
- Swimming pools shall not occupy more than 50 percent of the rear yard.
- Lighting for swimming pools shall have proper shielding from glare.
- 
- The applicant is requesting a variance to allow a swimming pool in the side yard.

## CB-22-76: Variance Considerations

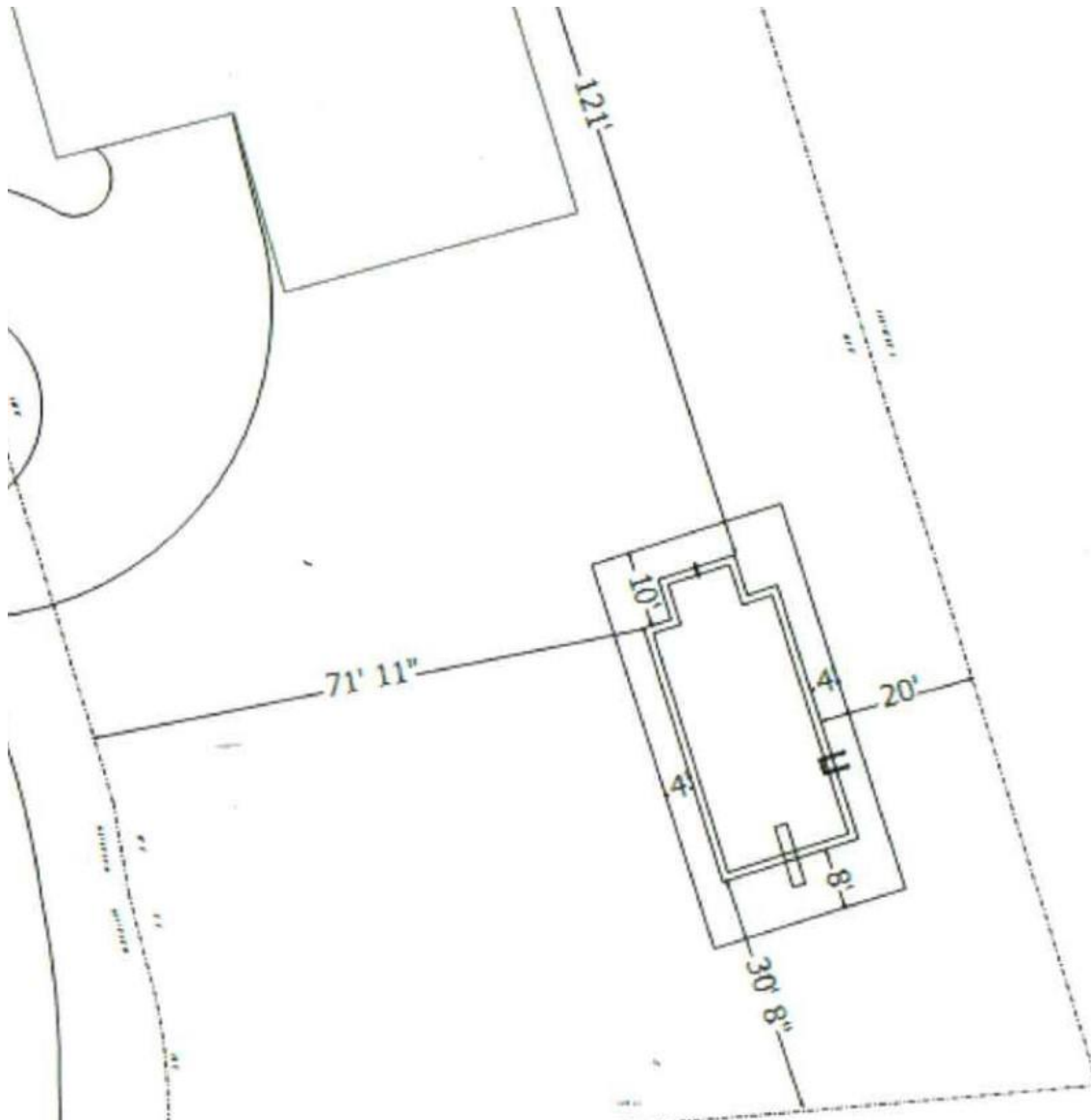
**Section 3:4.1 of the Greenville County Zoning Ordinance** states that a variance may be granted if the Board makes and explains the following findings:

- 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-22-76 Site Plan



# CB-22-76 Site Plan



# CB-22-76: Zoning Map



# CB-22-76: Aerial Map



# CB-22-76 Photos



Subject



West of subject



South of Subject



North of Subject



# CB-22-77

<b>Applicant:</b>	Brian James Graybrill with Spencer/Hines Properties for DSM & R Holdings, LLC.
<b>Project Type:</b>	Variance
<b>Address:</b>	2 Balfer Drive, Greenville, SC 29615
<b>Zoning:</b>	C-2, Commercial District
<b>Posting:</b>	Confirmed 11/29/22

## CB-22-77 Request

The property is located on Balfer Drive, north of the intersection of Balfer Dr. and Wade Hampton Boulevard.

The applicant is requesting a variance to encroach 1.9' into the required 5' right side setback and 11.9' into the required 20' rear setback.

There are no prior applications before the BZA.



## CB-22-77: Variance

### Section 7:3, Table 7.3 – Setback/Height Requirements for the C-2 Commercial District District;

FRONT	= 25' from edge of road R.O.W.
RIGHT SIDE	= 5' from property line
LEFT SIDE	= 5' from property line
REAR	= 20' from property line

## CB-22-77: Variance Considerations

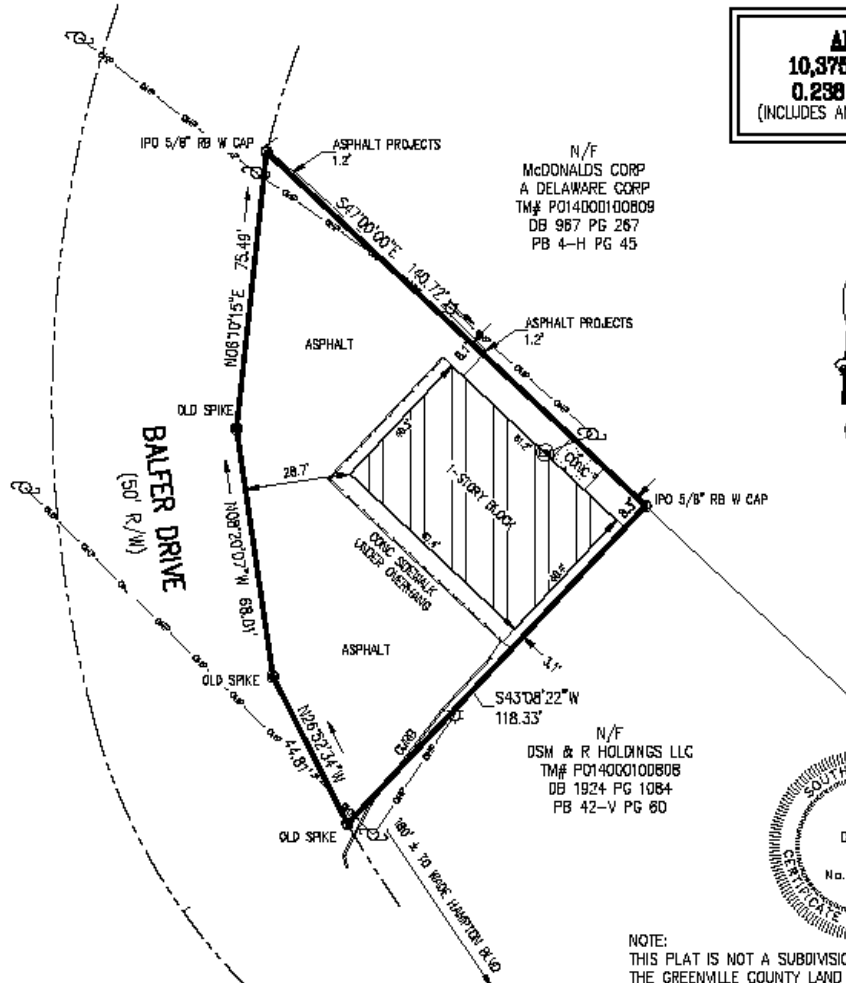
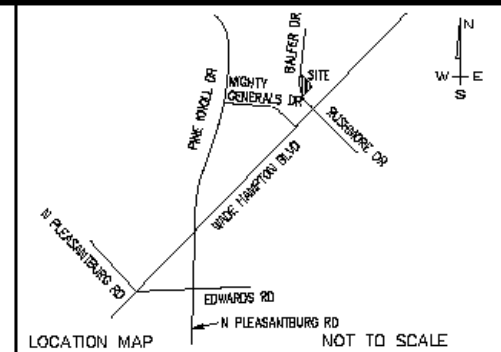
**Section 3:4.1 of the Greenville County Zoning Ordinance** states that a variance may be granted if the Board makes and explains the following findings:

- 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-22-77 Site Plan

NOTE: EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAN, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: RIGHTS-OF-WAY, EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; 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 DELINEATION OR ENVIRONMENTAL INSPECTION BY SURVEYOR.

**AREA**  
**10,375 SQ.FT.**  
**0.238 ACRES**  
 (INCLUDES ANY & ALL R/W)



N/F  
 McDONALDS CORP  
 A DELAWARE CORP  
 TM# P014000100809  
 DB 987 PG 267  
 PB 4-H PG 45

N/F  
 DSM & R HOLDINGS LLC  
 TM# P014000100808  
 DB 1924 PG 1084  
 PB 42-V PG 80



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 ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

REF DEED - 1924/1084  
 REF PLAT - 42-V/60

**LEGEND**

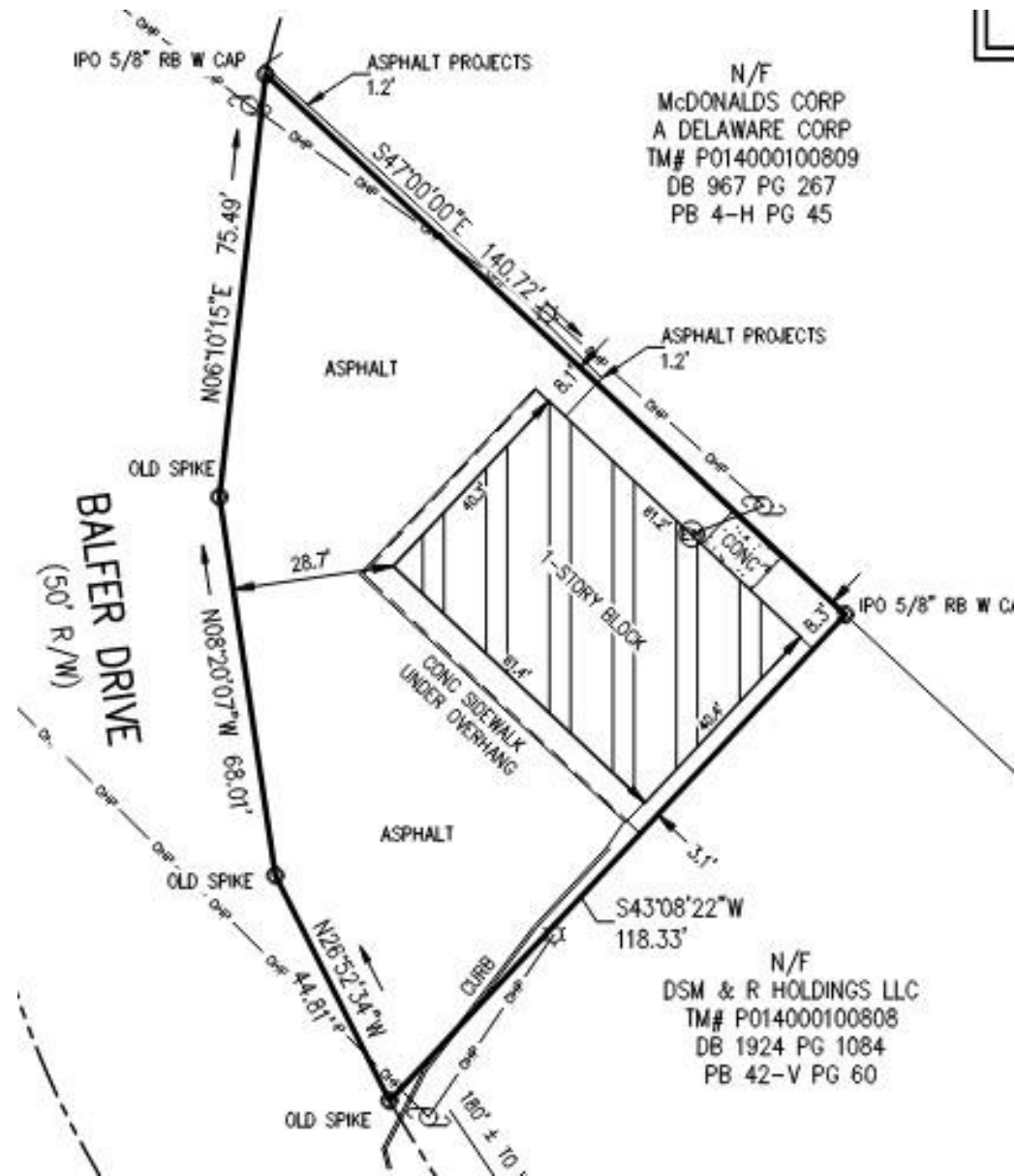
- |                              |                             |                              |
|------------------------------|-----------------------------|------------------------------|
| BL BUILDING LINE             | CO CLEAN OUT                | MACK L. CHAPMAN, JR., P.L.S. |
| CL CENTERLINE                | DB GATCH BASIN              | S.C. REG. NO. 10034          |
| CM CORRUGATED METAL PIPE     | DI DROP INLET               |                              |
| CT CROWN TOP                 | DI ELEV. TRANS.             | BUY & GUY ANCHOR             |
| DE DRAINAGE EASEMENT         | EL ELEVATION                | EMEN ELECTRIC METER          |
| EP EDGE OF PAVEMENT          | FM FIRE HYDRANT             | CTV CABLE TV                 |
| IPO IRON PIN OLD             | GM GAS METER                | FENCE LINE                   |
| IPS IRON PIN SET             | GV GAS VALVE                | FOC FIBER OPTIC CABLE        |
| N&C N&C                      | LP LIGHT POLE               | GAS GAS LINE                 |
| OT OPEN TOP                  | PP POWER POLE               | OHP OVERHEAD POWER           |
| RB REBAR                     | SMH (D) MANHOLE (25)        | OHT OVERHEAD TELEPHONE       |
| RCP REINFORCED CONCRETE PIPE | SMH (S) MANHOLE (25)        | SD STORM DRAIN               |
| R/W RIGHT OF WAY             | TMH (D) MANHOLE (TELEPHONE) | SS SANITARY SEWER            |
| SD STORM DRAIN               | TEPED TELEPHONE PEDESTAL    | UHP UNDERGROUND POWER        |
| SE SANITARY SEWER            | CTWPED CABLE PEDESTAL       | UHT UNDERGROUND TEL.         |
| SEE SEE EASEMENT             | WM WATER METER              | W WATER LINE                 |
| VCP VITRIFIED CLAY PIPE      | WT WATER VALVE              |                              |



NOTE:  
 THIS PLAT IS NOT A SUBDIVISION AS DEFINED IN THE GREENVILLE COUNTY LAND DEVELOPMENT REGULATIONS, ARTICLE 2, DEFINITIONS.

SURVEY FOR			
<b>DSM &amp; R HOLDINGS LLC</b>			
GREENVILLE COUNTY, SOUTH CAROLINA			
SCALE 1" = 30'	PROPERTY ADDRESS 2 BALFER DRIVE	TAX PIN PD14000100810	
DATE 10/17/22	30 0 30 60	FIELD DREW AM/WT	DRAWN BY BM
<b>SITE DESIGN, INC.</b>			
CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS			
225 ROCKY CREEK ROAD, GREENVILLE, SC 29615 PH (864)271-0498 www.sitedesign-inc.com			

# CB-22-77 Site Plan

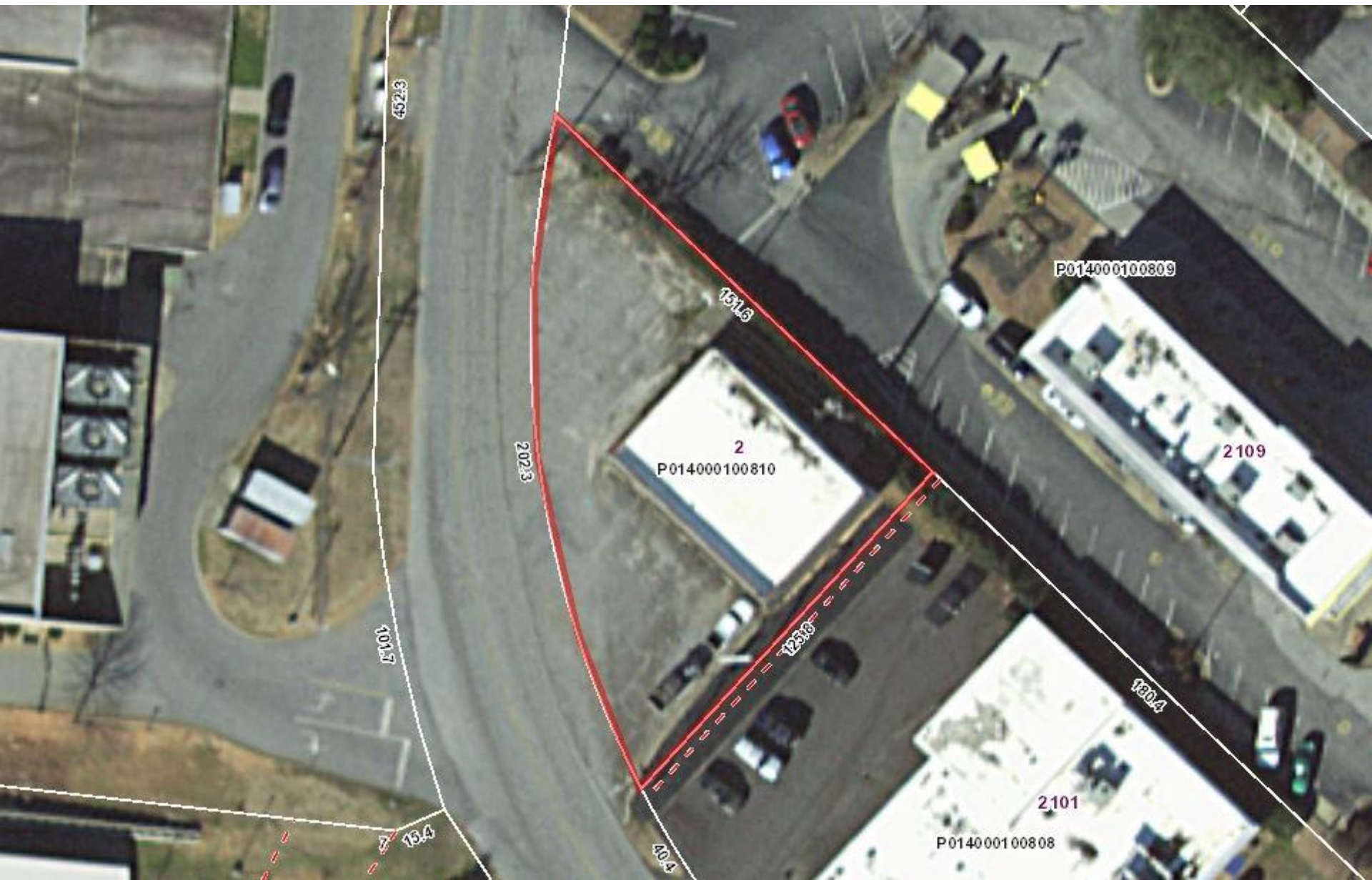


# CB-22-77: Zoning Map





# CB-22-77: Aerial Map



# CB-22-77 Photos



Subject



West of subject



Southeast of Subject



North of Subject

## CB-22-78

<b>Applicant:</b>	Natasha Bridges Sexton with Sexton Design and Development for Elaine M. Burgess with McAlister Family Trust
<b>Project Type:</b>	Use by Special Exception
<b>Address:</b>	Owens Road, Greer, SC 29651
<b>Zoning:</b>	R-S Residential Suburban District
<b>Posting:</b>	Confirmed 11/29/22

## CB-22-78 Request

The property is located on the northwest corner of Owens Road and Locust Hill Road, west of the City of Greer.

The applicant is requesting a Use by Special Exception to allow for the construction of a new church facility.

There are no prior applications before the BZA.

# CB-22-78: Use by Special Exception Requirements

- **Section 5:5 and Table 6.1** (Uses Permitted, Uses by Special Exception and Conditional Uses) of the Greenville County Zoning Ordinance lists “Church” as a Use by Special Exception in the R-S, Residential Suburban district.
- 
- **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.”
- 
- **Section 11:3** – Churches, states: "A church may be permitted in all residential districts subject to the requirements of the district and the following requirements":
- 
- **Section 11.3.1**- Lot Area - the minimum lot area shall be 40,000 square feet or 0.918 acres. *The entire site consists of approximately 5 acres.*
- 
- **Section 11.3.2** - Setback Requirements - all buildings shall be setback from the front, side, and rear property lines a minimum of 50 feet. *The site plan submitted reflects compliance.*
- 
- **Section 11.3.3** - Off-Street Parking: parking shall be provided in accordance with Section 12.2 and Table 12.1. *Compliance will be confirmed during the permitting process.*

## CB-22-78: Use by Special Exception Requirements

**11:3.4 Lighting:** For lighting of horizontal tasks such as roadways, sidewalks, entrances and parking areas, fixtures shall meet IESNA “full-cutoff” (no light output above 90 degrees at any lateral angle around the fixture). Fixtures shall not be mounted in excess of 16 feet above finished grade. All other outdoor lighting such as floodlights and spotlights shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light skyward, onto a neighboring property or onto a public roadway. Flashing lights are prohibited. *The site plan submitted does not include lighting details. Compliance will be confirmed during the permitting process.*

**11:3.5 Screening and Buffering:** Screening shall be provided in accordance with the provisions set forth in Section 12:9, Screening and Buffering Requirements. *Compliance will be confirmed during the permitting process.*

## **CB-22-78: Use by Special Exception Considerations**

### **Section 11:1 of the Greenville County Zoning Ordinance**

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.”

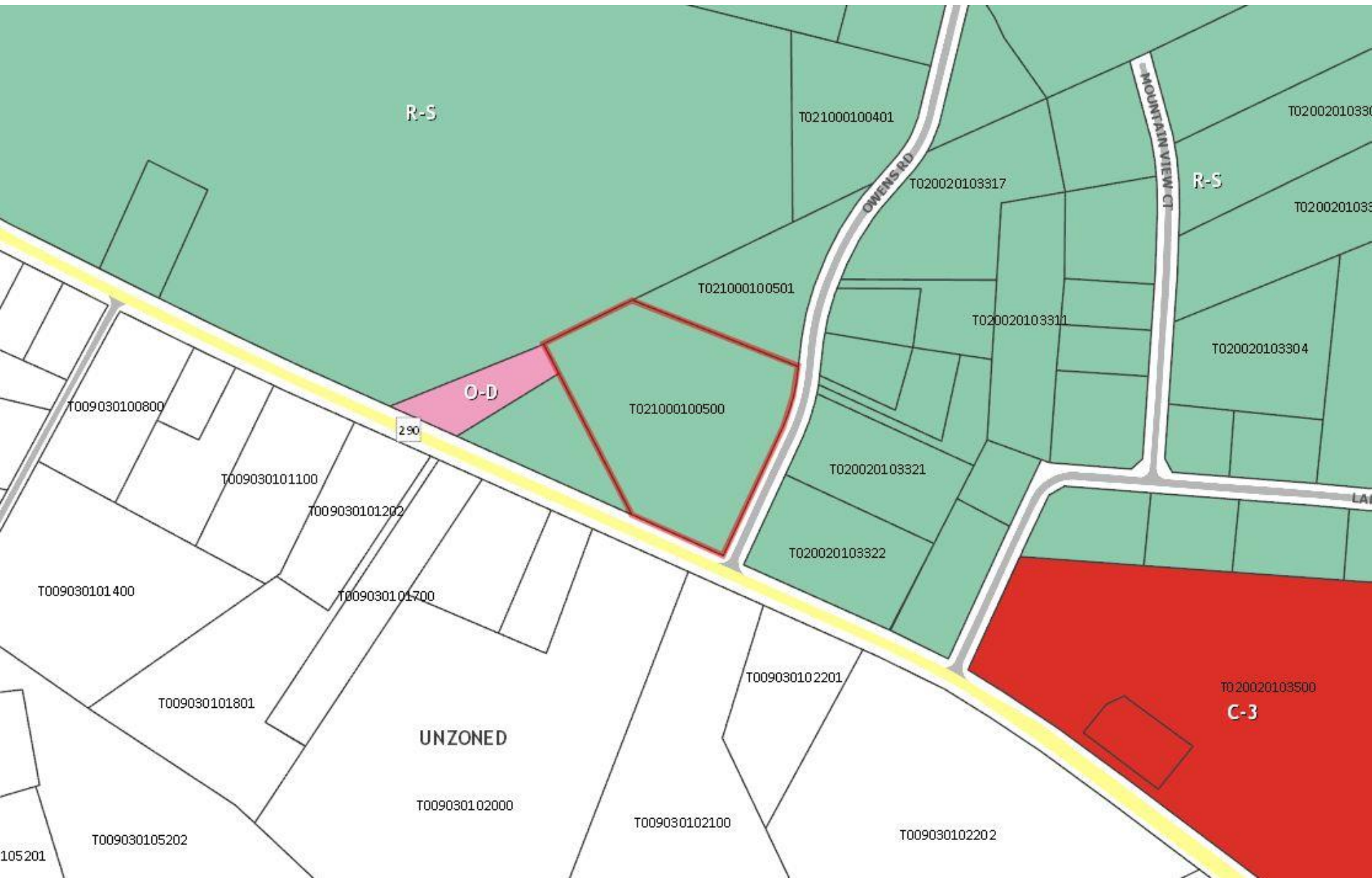
#### **The Board shall consider the following factors:**

- 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.





# CB-22-78: Zoning Map



# CB-22-78: Aerial Map



# CB-22-78 Photos



Subject



Subject



East of Subject



North of Subject

# CB-22-79

<b>Applicant:</b>	Richard Perry Hays II of Hays Homes Inc. for Frank W. and Jennifer L. Boaz
<b>Project Type:</b>	Variance
<b>Address:</b>	8 Batson Orchard Ct., Taylors, SC 29687
<b>Zoning:</b>	R-S, Residential Suburban District / Unzoned
<b>Posting:</b>	Confirmed 11/29/22

## CB-22-79 Request

The property is located on Batson Orchard Court, west of the intersection of Batson Orchard Court and Rivercrest Drive in Taylors.

The applicant is requesting a variance from the requirements for location of an accessory structure.

There are no prior applications before the BZA.

## CB-22-79: Variance

### **Section 7:3.4 – Side Setbacks in Single-family Residential Districts**

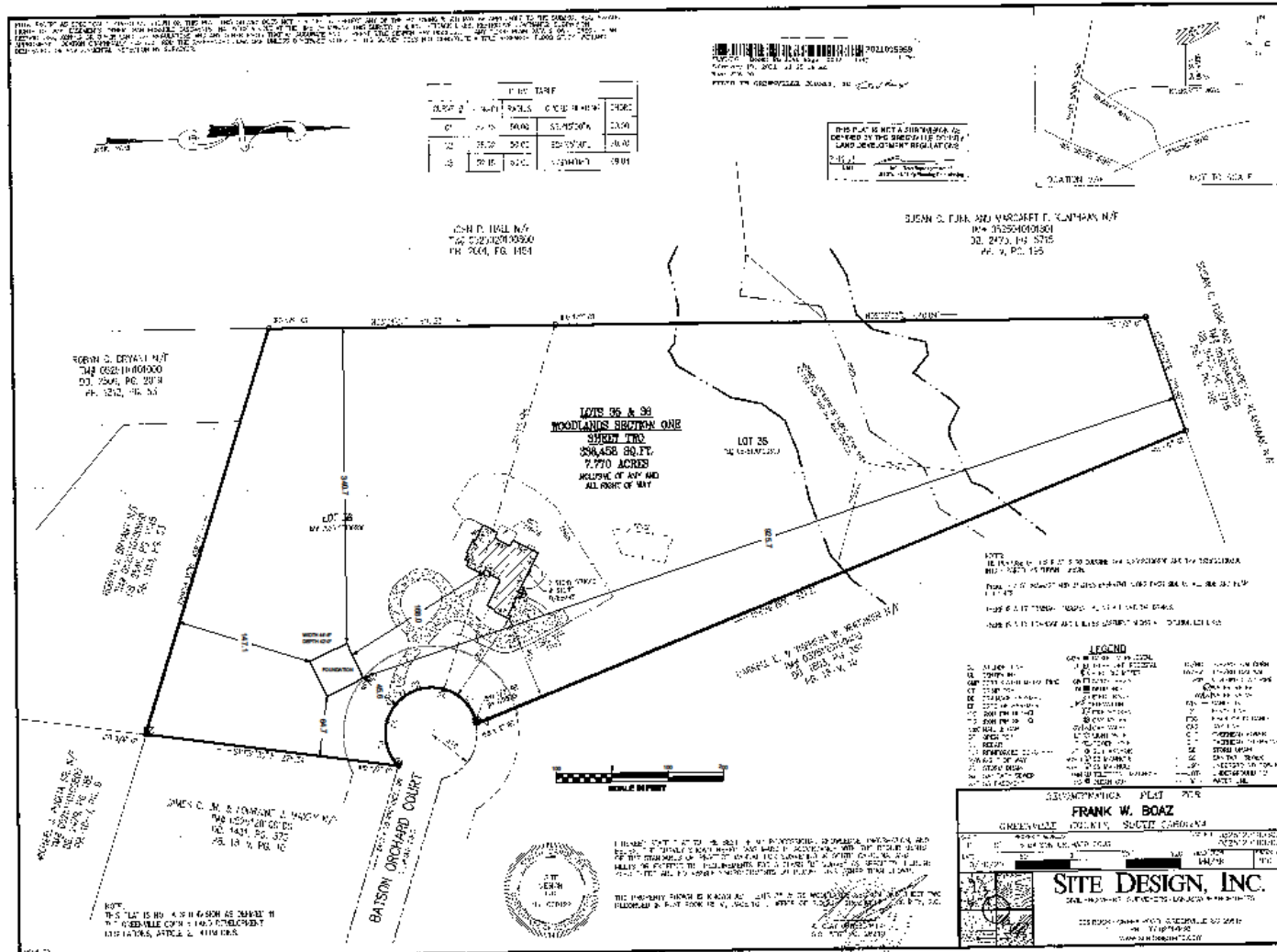
Accessory buildings may be located in the rear yard or side yard provided that they are set back not less than five feet from any lot line and occupy not more than 20 percent of the rear yard.

## CB-22-79: Variance 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:

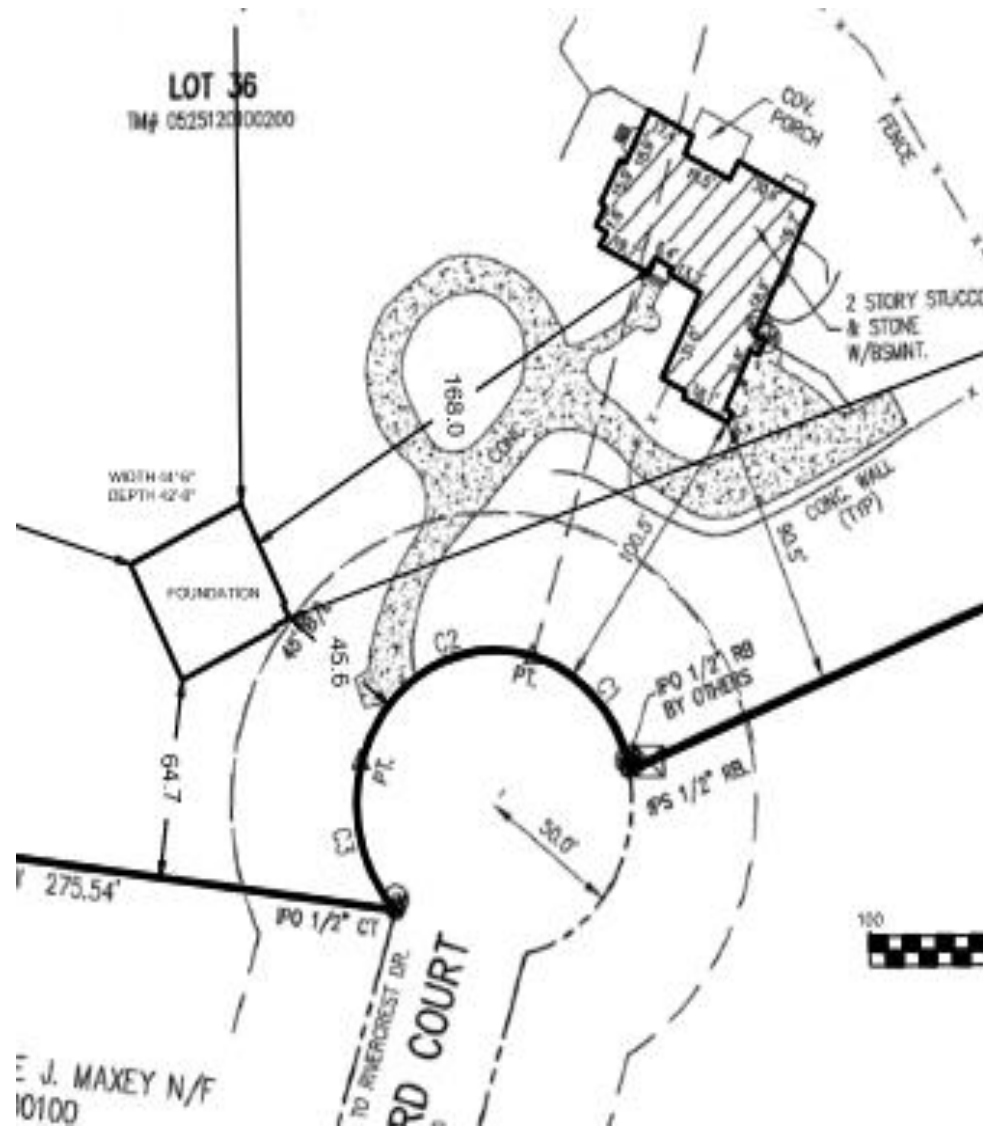
- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- B. These conditions do not generally apply to other property in the vicinity;
- C. Because of the conditions, the application of the ordinance to the particular piece of property would effectively 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-22-79 Site Plan

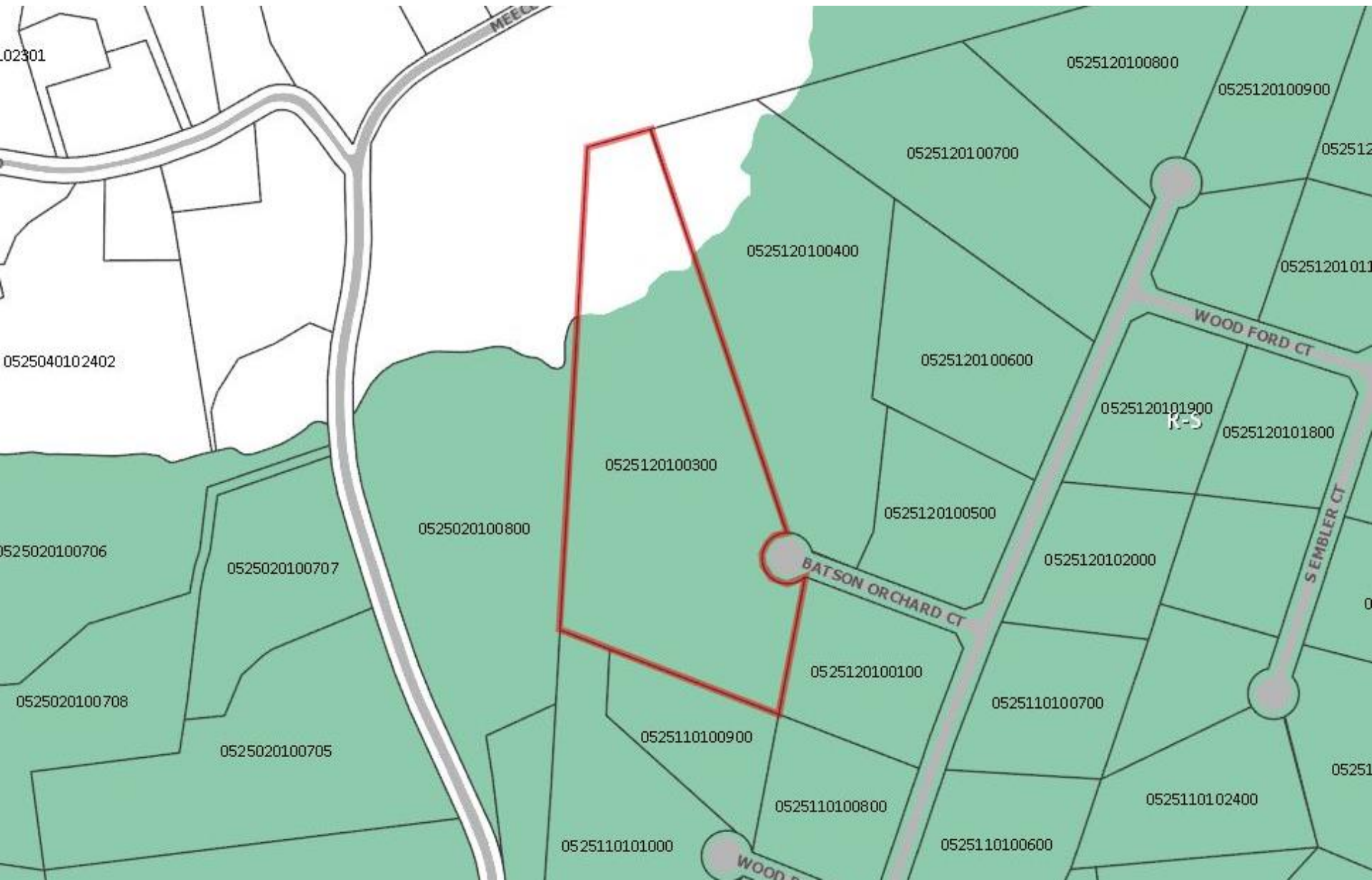




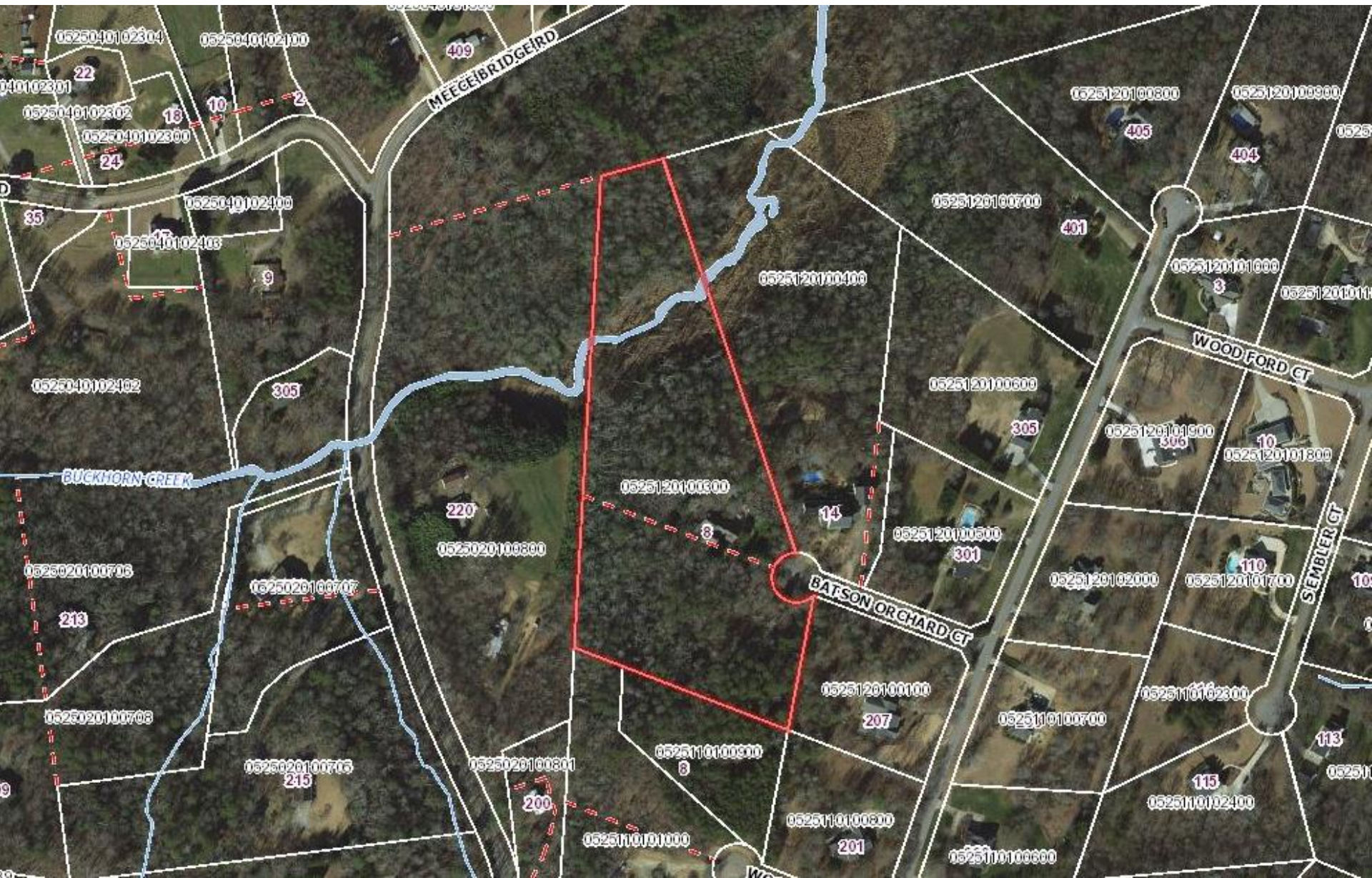
# CB-22-79 Site Plan



# CB-22-79: Zoning Map



# CB-22-79: Aerial Map



# CB-22-80

<b>Applicant:</b>	Brenton Victor Behoriam of Blue Point Properties, LLC for Blue Point Properties, LLC
<b>Project Type:</b>	Use by Special Exception
<b>Address:</b>	105 Cappy Way, Piedmont, SC 29673
<b>Zoning:</b>	S-1, Services District
<b>Posting:</b>	Confirmed 11/29/22

## CB-22-80 Request

The property is located off of Piedmont Highway, southeast of the intersection of Piedmont Highway and Shackelford Road.

The applicant is requesting a Use by Special Exception to replace a previously existing non-conforming manufactured home with new, larger manufactured home.

There are no prior applications before the BZA.

## CB-22-80: Use by Special Exception Requirements

### 9:3.2 Expansion of Nonconforming Uses

Nonconforming uses of land existing at the time of adoption of this Ordinance shall not hereafter be expanded in any way without the express review of the Board of Zoning Appeals.

### 9:3.3 Expansion of Nonconforming Structures

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.”

**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.”

## **CB-22-80: Use by Special Exception Considerations**

### **Section 11:1 of the Greenville County Zoning Ordinance**

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:**

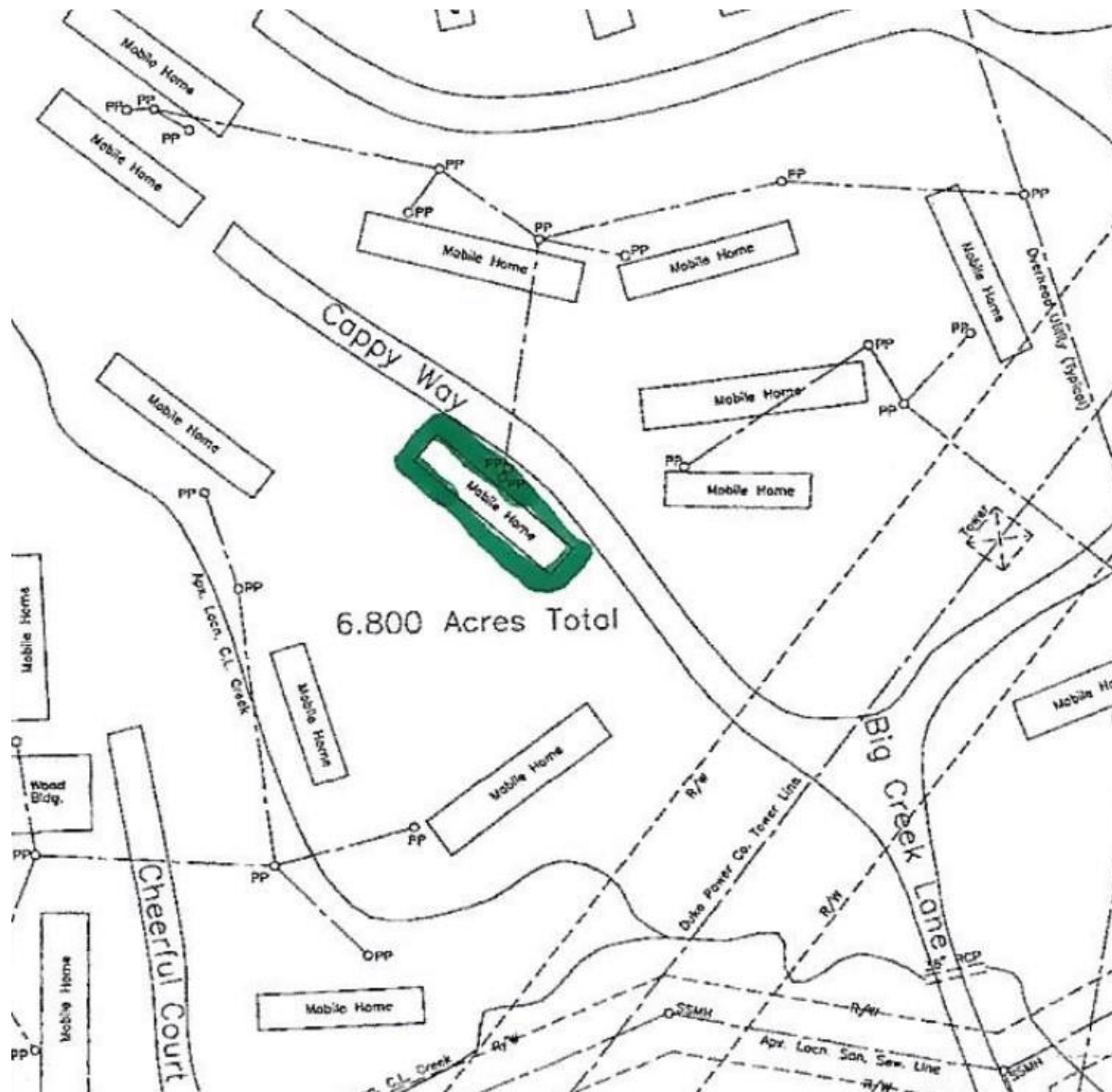
- A. The use meets all required conditions;
- B. The use is not detrimental to the public health or general welfare;
- C. The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar services;
- D. The use will not violate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

# CB-22-80: Use by Special Exception





# CB-22-80: Use by Special Exception



# CB-22-80: Zoning Map



# CB-22-80: Aerial Map



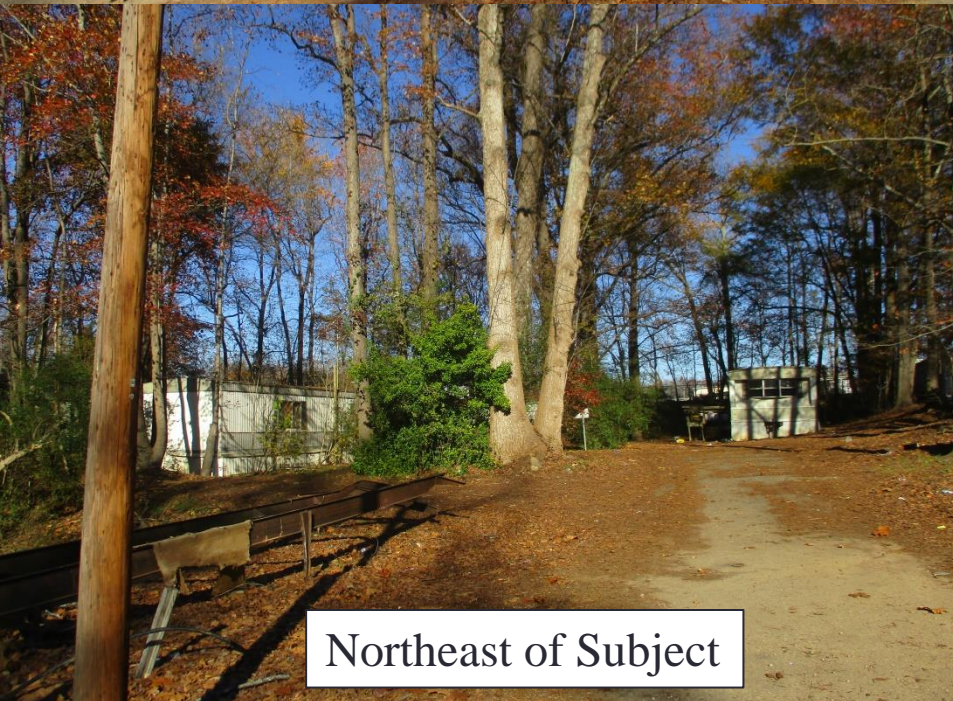
# CB-22-80 Photos



Subject



West of Subject



Northeast of Subject



Southeast of Subject

# CB-22-81

<b>Applicant:</b>	Brittney Banks of The Garden Greenville for Bridgeway Church
<b>Project Type:</b>	Use by Special Exception
<b>Address:</b>	725 Garlington Rd, Greenville, SC 29615
<b>Zoning:</b>	R-S, Residential Suburban District
<b>Posting:</b>	Confirmed 11/29/22

## CB-22-81 Request

The property is located on Garlington Road, northeast of the intersection of Garlington Road and Roper Mountain Road.

The applicant is requesting a Use by Special Exception to allow a secondary school on site. The applicant is also requesting a Use by Special Exception to place 4 shipping containers on site (one with a lean-to) to be used for storage.

On March 8, 2000, The Board of Zoning Appeals approved Docket CB-00-22 for a Use by Special Exception to allow the building of an education, fellowship, and office facility on site.

On July 13, 2016, The Board of Zoning Appeals approved Docket CB-16-23 for a Use by Special Exception to allow the construction of a prayer chapel on site.

On August 9, 2017, The Board of Zoning Appeals approved Docket CB-17-44 for a Use by Special Exception to allow the placement of two modular office buildings on site, and the addition of an elevator tower to the existing building.

## CB-22-81: Use by Special Exception Requirements

**Section 5:4 and Table 6.1** (Uses Permitted, Uses by Special Exception and Conditional Uses) of the Greenville County Zoning Ordinance lists both “Church” and “Schools – Secondary” as a Use by Special Exception in the R-S, Residential Suburban District.

**Section 11:3** – Churches, states: "A church may be permitted in all residential districts subject to the requirements of the district and the following requirements":

**Section 11.3.1-** Lot Area - the minimum lot area shall be 40,000 square feet or 0.918 acres. *The entire site consists of approximately 36.18 acres.*

**Section 11.3.2** - Setback Requirements - all buildings shall be setback from the front, side, and rear property lines a minimum of 50 feet. *The site plan submitted reflects compliance.*

**Section 11.3.3** - Off-Street Parking: parking shall be provided in accordance with Section 12.2 and Table 12.1. *Compliance will be confirmed during the permitting process.*

## CB-22-81: Use by Special Exception Requirements

**11:3.4 Lighting:** For lighting of horizontal tasks such as roadways, sidewalks, entrances and parking areas, fixtures shall meet IESNA “full-cutoff” (no light output above 90 degrees at any lateral angle around the fixture). Fixtures shall not be mounted in excess of 16 feet above finished grade. All other outdoor lighting such as floodlights and spotlights shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light skyward, onto a neighboring property or onto a public roadway. Flashing lights are prohibited. *Submitted plan shows no new lighting being added.*

**11:3.5 Screening and Buffering:** Screening shall be provided in accordance with the provisions set forth in Section 12:9, Screening and Buffering Requirements. *Compliance will be confirmed during the permitting process.*

- 
- **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.”



## **CB-22-81: Use by Special Exception Considerations**

### **Section 11:1 of the Greenville County Zoning Ordinance**

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.”

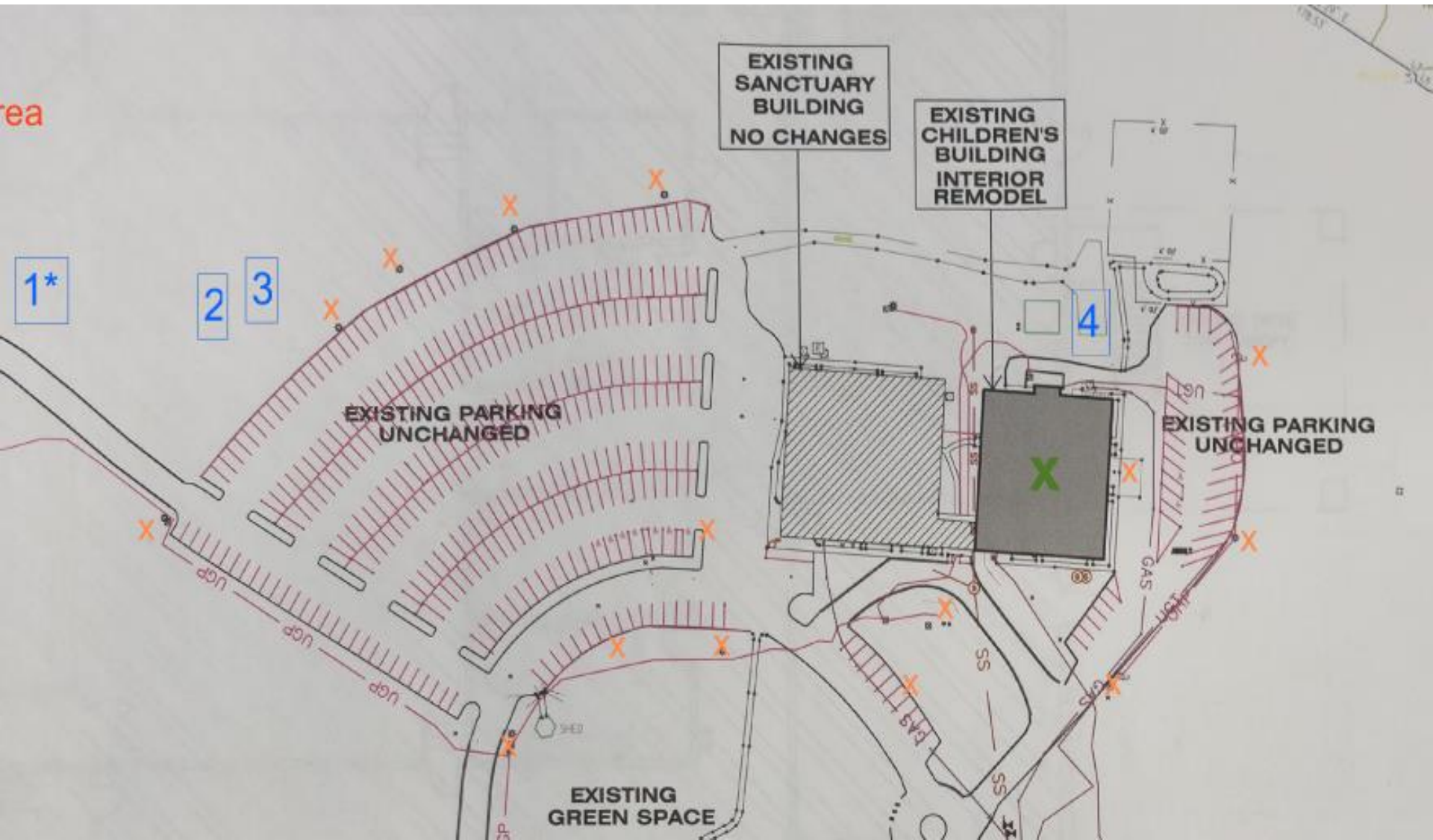
#### **The Board shall consider the following factors:**

- 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.

# CB-22-81: Use by Special Exception



# CB-22-81: Use by Special Exception



# CB-22-81: Zoning Map



# CB-22-81: Aerial Map



# End of Dockets

- Announcements/Requests by BZA Members
- Adjournment