



# Greenville County Board of Zoning Appeals

(864) 467-7425

www.greenvillecounty.org

## MEETING MINUTES

November 10, 2021

### Board Members:

1. Barber, Teresa
2. Barbera, Patricia
3. Farrar, Brittany
4. Godfrey, Laura
5. Hamilton, Paul
6. Hattendorf, Mark – Vice Chairman
7. Hollingshad, Nicholas – Chairman
8. Matesevac, Kenneth
9. Shuman, Michelle

### Staff Present:

1. Joshua Henderson – Zoning Administrator
2. Meagan Staton – Deputy Zoning Administrator/Principal Planner
3. Austin Lovelace – Principal Planner
4. Brook Denny – Planner
5. Terry Abrahams – Board Secretary

The Greenville County Board of Zoning Appeals held its monthly meeting on Wednesday, November 10, 2021, 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, Ms. Brittany Farrar participated electronically via Zoom.

1. **Call to Order:** Chairman Nicholas Hollingshad called the meeting to order at 3:00 p.m. Chairman Hollingshad acknowledged and extended welcome to the newly appointed member to the board, Ms. Patricia Barbera. Chairman Hollingshad acknowledged the citizens present and informed them of the only case on the agenda, that no public input pertaining to any other case could be accepted.
2. **Invocation/Pledge:** Conducted by Ms. Michelle Shuman.
3. **Roll Call:** Attendance was taken by the Secretary.
4. **Hearing Procedures/Regulations:** Chairman Hollingshad stated the purpose and provided an overview of the procedures for Board of Zoning Appeals hearings for the benefit of the applicants and visitors present. Ms. Meagan Staton introduced the PowerPoint into the minutes 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, including Section 3:4.1 and Section 11:1 and Section 11:7.

5. **Approval of Minutes and Adoption of Final Decisions and Orders of October 13, 2021:** The minutes were reviewed by the board. The secretary reviewed corrections to the minutes. For the benefit of the citizens and media present at the meeting, Vice Chairman Hattendorf called attention to the minutes of case CB-21-65 and read the contents into the record. Vice Chairman Hattendorf made a motion to approve the minutes as amended. Ms. Shuman and Mr. Matesevac seconded the motion. There was no objection. The motion carried, resulting in a vote 9-0 in favor.

## 6. New Business

i. **CB-21-72 – Woodlawn Memorial Park** - This case was withheld by Staff

ii. **CB-21-73 – Vietnamese Love Baptist Church**

### **BACKGROUND**

The property is located on Donnan Road off Wade Hampton Boulevard near W. Lee Road.

The applicant is requesting a Use by Special Exception to expand the existing church.

Prior applications before the BZA were **CB-11-14**, for a Variance to reduce right and left side setbacks, and a variance from the required lot size. **CB-12-21** granted a Use by Special Exception to construct a new building.

### **FINDINGS of FACT**

On Tuesday October 26, 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 5:5 and TABLE 6.1** (Uses Permitted, Uses by Special Exception and Conditional Uses) of the Greenville County Zoning Ordinance list "Church/Related Activities" as a use by special exception in the R-20 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 .918 acre. The site previous received a variance on the setbacks and minimum lot size, bringing the structure and site into compliance.

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

**Section 11.3.3 - Off-Street Parking:** parking shall be provided in accordance with Section 12.2 and Table 12.1. The site plan reflects compliance.

**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.

**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.

*Will be reviewed for compliance during the Plan Review process.*

**11:3.6 Church-Related Activities:** The County shall not prohibit church-related activities in a single-family residence. Church-related activities are specifically defined to exclude regularly scheduled worship services.

*The applicant is requesting a Use by Special Exception to allow an expansion of the existing church.*

**Section 11:1 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

The representatives present for this application were Pastor Quang Nguyen, Mr. Hai Giang and Mr. Charles Lachanos, architect.

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

Ms. Brook Denny presented the facts as they pertained to the Greenville County Zoning Ordinance; particularly Section 11:1. Ms. Denny informed the board of the prior cases and decisions issued by the BZA, particularly pertaining to setbacks and lot area.

Mr. Lachanos presented the application to the Board. He mentioned prior applications before the BZA, called attention to previously approved and most recent site plans, subsequent changes to the site and necessity for the current request. Mr. Lachanos stated the proposed changes will reflect overall improvement of the site.

In response to questions from the board, Mr. Lachanos provided clarification of the current site plan submitted, particularly the adjustments to address water run off and relocation of the parking lot. With reference to a question related to compliance with parking spaces and membership, Pastor Nguyen stated there were currently 42 members. Mr. Lachanos stated parking will be compliant. In response to a question from the Board, Staff informed the Board of the building plan review process following the BZA review.

**CONCLUSIONS of LAW**

The application was reviewed by the Board. Vice Chairman Hattendorf made a motion to grant the use as requested based on the following conditions; particularly,

- A. The use meets all required conditions; *based on testimony from Staff and the applicant*
- B. The use is not detrimental to the public health or general welfare; *expansion of current use with a revised building layout*
- C. The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar services; *existing use continues*
- D. The use will not violate neighborhood character nor adversely affect surrounding land uses; *per testimony from the applicant the changes will give the building a facelift which should be well received by the community*

Mr. Paul Hamilton and Mr. Kenneth Matesevac seconded the motion. There was no objection and no discussion. The motion carried, resulting in a vote of 9-0 in favor.

- 7. **Announcements/Requests:** Vice Chairman Hattendorf mentioned the media broadcast related to case CB-21-65, following the October 13 meeting. Ms. Barber expressed appreciation to Staff for the enlargements/improvement in the power point.
- 8. **Adjournment:** There being no further business to discuss, the meeting adjourned with unanimous approval at approximately 3:53 p.m.

  
\_\_\_\_\_  
Nicholas Hollingshad, Chairman  
Greenville County Board of Zoning Appeals

12/8/21  
Date

Respectfully prepared and submitted by:

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

# Greenville County Board of Zoning Appeals

**November 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.

## CB-21-72 - HELD

- **Applicant:** Woodlawn Memorial Park
- **Project type:** Variance, Use by Special Exception
- **Address:** 25 Pine Knoll Dr., Greenville SC 29609
- **Zoning:** R-12; Single-Family Residential District
- **Posting:** Confirmed 10/26/21

# CB-21-73

- Applicant: Vietnamese Love Baptist Church
- Project type: Use by Special Exception
- Address: 12 Donnan Rd, Taylors SC 29687
- Zoning: R-20, Single-Family Residential
- Posting: Confirmed 10/26/21



## CB-21-73

- Donnan Road off Wade Hampton Blvd.
- Near W. Lee Road

### Current Request

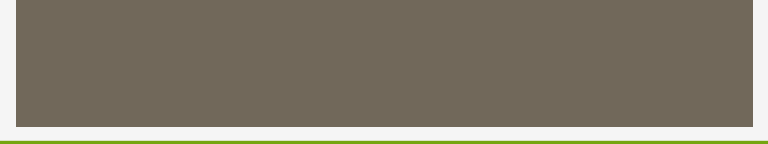
Use by Special Exception to expand the existing building on site.

### Prior Requests

**CB-11-14:** Variances granted to reduce right and left side setbacks, and from the required lot size.

**CB-12-21:** Use by Special Exception granted to construct an addition to the existing building on site.

**Building was constructed without permits**



**Section 5:5 and Table 6.1** (Uses Permitted, Uses by Special Exception and Conditional Uses) of the Greenville County Zoning Ordinance lists "Church/Related Activities" as a Use by Special Exception in the R-20, Single-Family Residential District.

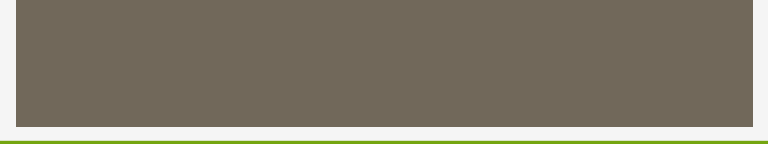
**Section 11:3** – Churches, states: "A church may be permitted in all residential districts subject to the requirements of the district and the following requirements":

**Section 11.3.1**- Lot Area - the minimum lot area shall be 40,000 square feet or .918 acre.

*In compliance with variance previously granted*

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

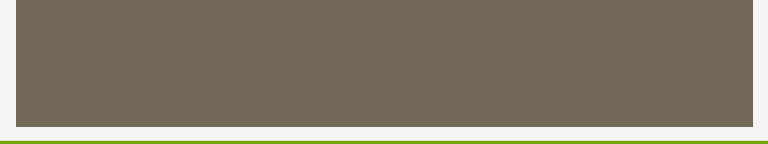
*In compliance with variances previously granted*



**Section 11.3.3** - Off-Street Parking: parking shall be provided in accordance with Section 12.2 and Table 12.1.

**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.

**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.



**11:3.6 Church-Related Activities:** The County shall not prohibit church-related activities in a single-family residence. Church-related activities are specifically defined to exclude regularly scheduled worship services.

*The site will be reviewed for compliance during the Plan Review process prior to issuance of a Certificate of Occupancy.*

# 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-21-73 Site Plan

LOT 13 & A PORTION OF LOT 12  
 SUBDIVISION OF JAMES EDWARDS  
 SITUATED @  
 12 DONNAN ROAD  
 TAYLORS, SC 29687  
 GREENVILLE COUNTY

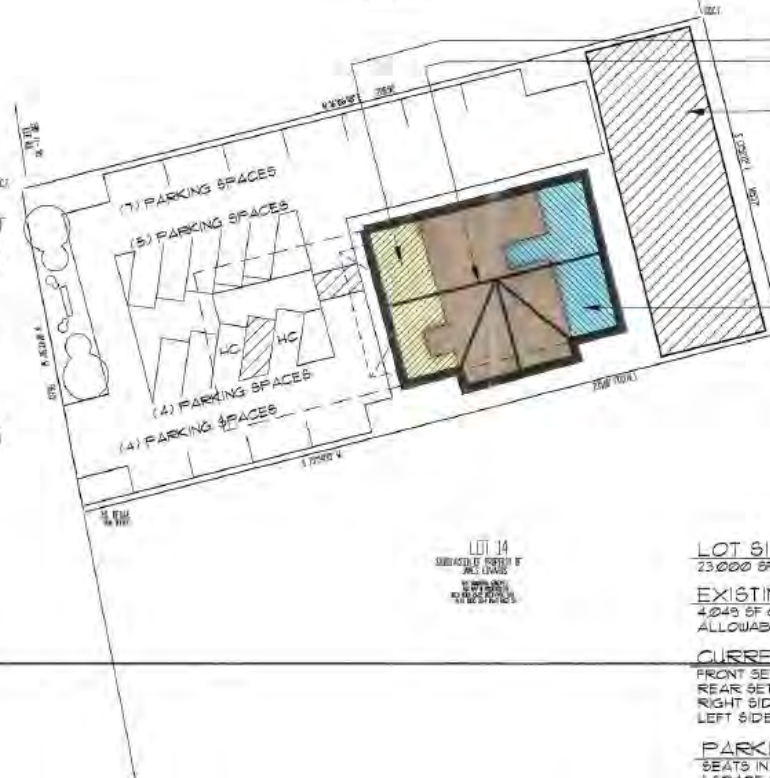
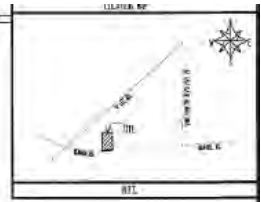
THE MAJOR  
 A PORTION OF  
 LOT 12  
 SUBDIVISION OF PROPERTY OF  
 JAMES EDWARDS  
 GREENVILLE COUNTY

LOT 13 &  
 A PORTION OF  
 LOT 12  
 0.56 ACRES  
 (248.50 FEET)

DONNAN ROAD

LOT 14  
 SUBDIVISION OF PROPERTY OF  
 JAMES EDWARDS  
 GREENVILLE COUNTY

1" = 40' NORTH  
 1" = 80' WEST



PROPOSED ADDITION - 269 SF  
 AT THE FRONT  
 EXISTING HOUSE - 2,193 SF  
 PROPOSED REWORK ROOF AND EXTERIOR WALL  
 STORM WATER RETENTION - 3,358 SF  
 AREA IN THE REAR, 0.02 ACRES

PROPOSED ADDITION - 921 SF  
 IN THE REAR

LOT SIZE:  
 23,000 SF, SECTION 11.3, VARIANCE GRANTED 01/13/2011

EXISTING AND NEW BUILDING SF TOTAL:  
 4,049 SF OF ASSEMBLY SPACE, TYPE V CONSTRUCTION  
 ALLOWABLE SF - 6,000 SF

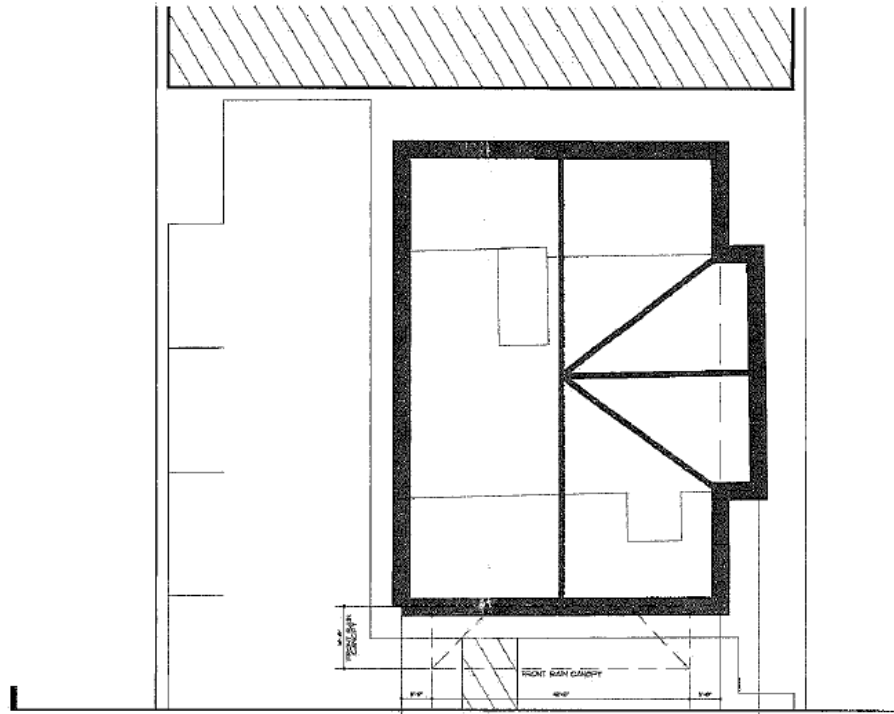
CURRENT ZONING - R20

FRONT SETBACK - 50 FEET, CHURCH SETBACKS IN A R-DISTRICT  
 REAR SETBACK - 50 FEET, CHURCH SETBACKS IN A R-DISTRICT  
 RIGHT SIDE SETBACK - 14 FEET, SECTION 11.3.2, VARIANCE, 01/13/2011  
 LEFT SIDE SETBACK - 40 FEET, SECTION 11.3.2, VARIANCE, 01/13/2011

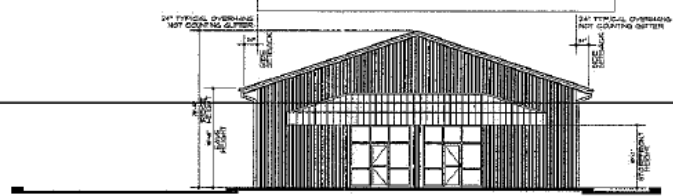
PARKING SPACES REQUIRED:

SEATS IN THE SANCTUARY 60  
 1 SPACE PER 3 SEATS = 20/3 = 20 PARKING SPACES  
 18 REGULAR SPACES AND 2 ADA VAN ACCESSIBLE SPACES

21 SITE PLAN  
 SCALE: 1/8" = 1'-0"



SITE SECTION - FRONT ELEVATION



SITE SECTION - FRONT ELEVATION

FRONT ELEVATION  
SCALE: 1/8" = 1'-0"

LOT 13 & A PORTION OF LOT 12  
 SUBDIVISION OF JAMES EDWARDS  
 SITUATED @  
 12 DONNAN ROAD  
 TAYLORS, SC 29687  
 GREENVILLE COUNTY

THE MAJOR  
 A PORTION OF  
 LOT 12

SUBDIVISION OF PROPERTY OF  
 JAMES EDWARDS

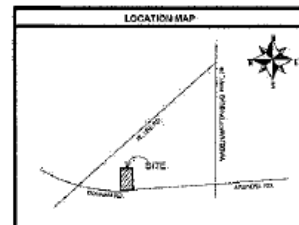
ALL QUANTITIES SUBJECT TO  
 THE SURVEYOR'S FIELD  
 CHECK BOOK SHOWING CALCULATIONS

LINE TABLE	
IN	DISTANCE
1	1.10821287 W 1.937'

DONNAN ROAD

LOT 13 &  
 A PORTION OF  
 LOT 12  
 0.56 ACRES  
 (24,696 SQ. FT.)

LOT 14  
 SUBDIVISION OF PROPERTY OF  
 JAMES EDWARDS



**NOTES**

1. THIS SURVEY IS FOR THE MAJOR A PORTION OF LOT 12 AND A PORTION OF LOT 13 OF THE SUBDIVISION OF JAMES EDWARDS. THE SURVEY IS BASED ON THE FIELD CHECK BOOK SHOWING CALCULATIONS. THE SURVEYOR HAS NOT CONDUCTED A FIELD CHECK OF THE PROPERTY. THE SURVEYOR HAS NOT CONDUCTED A FIELD CHECK OF THE PROPERTY. THE SURVEYOR HAS NOT CONDUCTED A FIELD CHECK OF THE PROPERTY.

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**REFERENCES**

NO.	DESCRIPTION
1	DEED BOOK 307 PAGE 142
2	DEED BOOK 307 PAGE 142
3	DEED BOOK 307 PAGE 142
4	DEED BOOK 307 PAGE 142
5	DEED BOOK 307 PAGE 142
6	DEED BOOK 307 PAGE 142
7	DEED BOOK 307 PAGE 142
8	DEED BOOK 307 PAGE 142
9	DEED BOOK 307 PAGE 142
10	DEED BOOK 307 PAGE 142

PROPERTY SURVEY FOR  
 VIETNAMESE LOVE BAPTIST CHURCH

SCALE: 1" = 20'

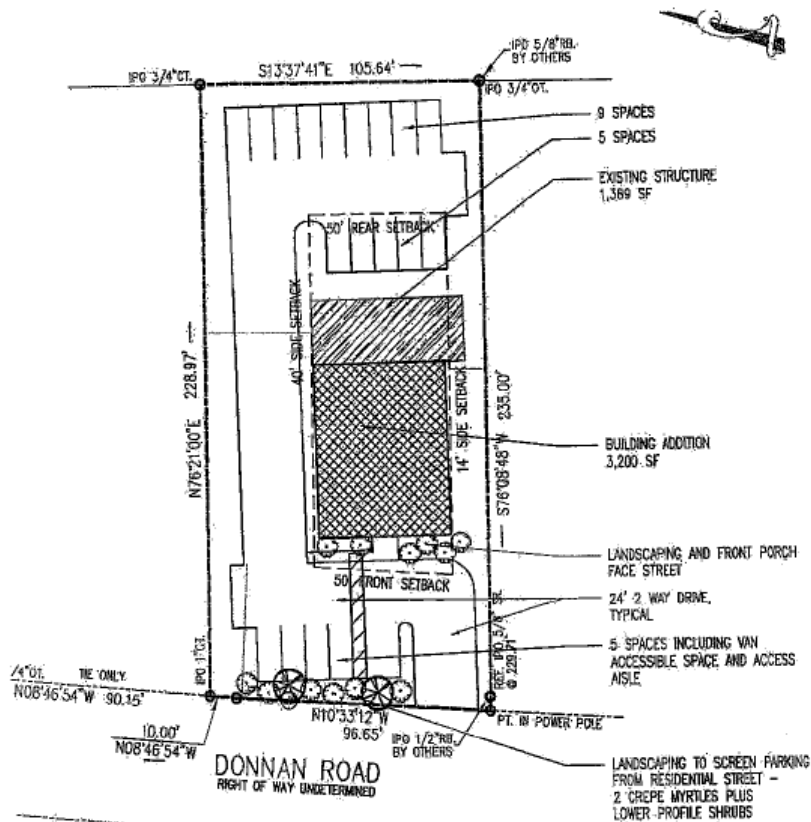
NO.	DESCRIPTION	DATE
1	DEED BOOK 307 PAGE 142	05-22-2021
2	DEED BOOK 307 PAGE 142	21276

I.A. ROMO, PLS  
 PO BOX 2527  
 GREENVILLE, SC 29604-2527  
 TEL OR TEXT: 864-906-9182  
 EMAIL: TONY@IAROMOPLS.COM





# 2012 Site Plan



## Site Information

TMS P015070101000	
EXISTING BUILDING AREA	1,369 SF
ADDITIONAL AREA	3,200 SF
TOTAL BUILDING AREA	4,569 SF
AVAILABLE PARKING SPACES	19
MAXIMUM NUMBER OF SEATS	76

## Variations Granted July, 2011

USE BY SPECIAL EXCEPTION  
 LOT SIZE REDUCED TO 23,000 SF  
 NORTH SIDE SETBACK REDUCED TO 40'  
 SOUTH SIDE SETBACK REDUCED TO 14'

SURVEY INFORMATION PROVIDED BY SITE DESIGN, INC. ON SURVEY DATED 5/24/2011

Vietnamese Love Baptist

12 Donnan Road

Scale: 1" = 40'  
 Date: 6/4/12  
 Drawn by: SRC  
 CAD File: 1222



# CB - 21 - 73- Location

Aerial



# CB - 21 - 73- Location

Aerial



# CB – 21 – 73- Location

## Zoning



# CB-21-73 - Postings

Subject Property  
with sign posting

Subject Property



# Project CB-21-73

Across Donnan Road



Left of Subject Property



# CB-21-73

Right of the subject  
property



# End of Dockets

- Announcements/Requests by BZA Members
- Adjournment