



Greenville County Board of Zoning Appeals

(864) 467-7425

www.greenvillecounty.org

MEETING MINUTES

December 8, 2021

Board Members:

1. Barber, Teresa
2. Barbera, Patricia
3. Farrar, Brittany
4. Godfrey, Laura
5. Hamilton, Paul (Absent)
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. Dean Miller – Planner
5. Terry Abrahams – Board Secretary

The Greenville County Board of Zoning Appeals held its monthly meeting on Wednesday, December 8, 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 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. Brittany Farrar
3. **Roll Call:** Attendance was taken by the Secretary.
4. **Hearing Procedures/Regulations:** *This was completed after Item 5 "Approval of Minutes and Adoption of Final Decisions and Orders of November 10, 2021.* 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. Mr. Joshua Henderson 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 November 10, 2021:** The minutes were reviewed by the board. Ms. Barber made a motion to approve the minutes. Ms. Godfrey seconded the motion. There was no objection. The motion carried, resulting in a vote 7-0 in favor.

6. **New Business**

- i. **CB-21-72 – Woodlawn Memorial Park**

BACKGROUND:

This property is located on Wade Hampton and Pine Knoll Dr. near the intersection of N. Pleasantburg Dr. and Wade Hampton Blvd., near the Wade Hampton High School.

The applicant is requesting a Variance of 4.2 feet from the height requirements and 59.8 sq. ft. from the allowable size and a Use by Special Exception to allow for an electronic reader board on a residentially zoned parcel.

There has been one other application to the BZA in the past, CB-03-50.

FINDINGS OF FACT:

On Tuesday, November 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.

Sign Ordinance, Section 8.5. Use Area Regulations: Any sign permitted in this subsection shall be placed in accordance with the provisions of Section 19.5.1. unless otherwise provided for in this subsection.

8.5. B. Multifamily Residential. Multifamily or Multi-Dwelling residential development signs shall be regulated as follows:

Type: Freestanding

Number: 1 two-sided sign per entrance or two separate sign faces may be used in conjunction with a wall, fence or other architectural entrance feature

Size: 50 square feet (sign face) **Height:** 8' maximum

C. Non-Residential uses in residentially zoned areas shall comply with the multifamily Residential Use Area Standards herein. In addition to the permitted freestanding sign, Non-Residential uses in residentially zoned areas may have one wall sign not to exceed twenty (20) percent of the useable wall area or 50 square feet (whichever is greater).

1. Message Centers shall be allowed for non-residential uses in Residential use area except for Home Occupations per the provisions of Section 19:8.3 Message Centers

The applicant is requesting a Variance of **4.2 feet** to allow for a **12 foot 2 inch** tall sign, as well as

a Variance of **59.8 sq. ft.** from the allowable size. Additionally, the applicant is requesting a Use by Special Exception for the addition of an electronic reader board on site.

FINDINGS OF FACT cont.

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

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

The representatives present for this application were Andrew Cone and Carroll Roe.

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

Mr. Joshua Henderson presented the facts as they pertained to the Greenville County Zoning Ordinance; particularly Section 11:1. Mr. Henderson informed the board of the Sign Ordinance regulations; particularly Section 8.5 B.

Ms. Godfrey asked staff for clarification regarding the intent Sign Ordinance and the applicant's request. Mr. Henderson stated that Tim Cole, Sign Inspector for Greenville County, was present. Mr. Cole clarified that the request meets the architectural entrance feature intent of Section 8.5 of the Greenville County Sign Ordinance.

Mr. Roe presented the application to the Board. He mentioned that the residentially zoned parcel of Woodlawn is the cemetery, while the commercially zoned parcel is the mortuary. He stated that the purpose of the new sign is to help people find the mortuary. He stated that Mr. Andy Cone was present to answer questions about traffic.

In response to questions from the board, Mr. Cone pointed out the existing split-rail fence on

site that he stated caused concern for visibility of the sign at the required height. He stated that a sign company was hired to ensure that traffic was not impeded by the location of the sign.

With reference to a question related to whether the site's zoning district made a difference regarding the variance request, staff noted that the sign was proposed for the residential parcel of the site, and that if it were on the commercially zoned parcel, the sign would not need a variance. With regards to a question about determining sign height, staff clarified that the height of the sign is based on the adjacent road.

In response to a question about how the site's conditions effectively prohibit or unreasonably restrict the use of the property, the applicant stated that there was difficulty seeing and locating the mortuary on site. Staff also clarified that there was also a square footage variance for up to 59.8 feet and that the brick base is part of the overall sign square footage. Staff also clarified that cemeteries are required to get a Use by Special Exception in both residential and commercial zoning districts.

CONCLUSIONS of LAW

The application was reviewed by the Board. Ms. Barber made a motion to grant the variance as requested based on the following conditions; particularly,

- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property; *based on the two separate zoning districts pertaining to the site.*
- B. These conditions do not generally apply to other property in the vicinity; *cemeteries with mortuaries on site are not very common uses.*
- 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; *the area cannot be used for burial plots and per testimony from the applicant is the best place for the sign.*
- D. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good; *per testimony from the applicant, it will help the public with locating the mortuary.*

Vice Chairman Hattendorf seconded the motion. Ms. Godfrey noted a concern that the Board would not be unreasonably restricting the use of the property by not granting the variance. Chairman Hollingshad also stated that he would be voting against the motion, citing concern that the applicant had not demonstrated meeting the conditions as outlined in the Zoning Ordinance. The motion failed, resulting in a tie vote of 4-4.

While staff confirmed with County legal staff what to do in the case of a tie vote regarding the variance, the Board considered whether they would be able to make a motion on the Use by Special Exception request without first addressing the variance. Staff then confirmed that, since the motion was tied and failed, that the variance was denied. Staff also clarified that conditions could be placed on a Use by Special Exception request.

Vice Chairman Hattendorf made a motion to grant the Use by Special Exception as requested; particularly,

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- A. The use meets all required conditions; *based on testimony from Staff and the applicant the sign would be required to meet the Sign Ordinance.*
 - B. The use is not detrimental to the public health or general welfare; *based on testimony from the applicant, proper signage will encourage safety for vehicular traffic.*
 - 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; *the site is located in a commercial area with many signs surrounding already.*

Ms. Theresa Barber seconded the motion. Ms. Godfrey discussed with the applicants that approval of the Use by Special Exception would require working with their sign designers to come up with a new, compliant sign design. Ms. Shuman clarified the dimensions of the fence on site and whether the applicant had considered other options to remedy their issue. The motion carried, resulting in a vote of 8-0 in favor.

ii. **CB-21-74 – Martha Gene Grattan**

BACKGROUND

The property is located on Knob Creek Court off of S. Bennetts Bridge Rd near the Spartanburg County Line.

The applicant is requesting a Use by Special Exception to allow a Pottery Teacher as a Home Occupation.

FINDINGS of FACT

On Tuesday November 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). Teaching Pottery is not on the list of approved Home Occupations.

Condition (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'x2') 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.**

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.

The representative present for this application was Martha Gene Grattan.

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

Mr. Joshua Henderson presented the facts as they pertained to the Greenville County Zoning Ordinance; particularly Section 11:1 and Condition 13 (Home Occupations).

In response to a question about conducting a home occupation in the garage of a home, staff clarified that if a garage is attached to the home, it is considered a part of the principal structure.

Ms. Grattan presented the application to the Board. She explained how her proposed Use would meet the requirements of the ordinance. She stated that her proposed use would be to offer pottery class to four students at a time.

In response to questions from the board, Ms. Grattan clarified the hours and total number of students per week for the pottery classes. With reference to questions about an HOA or any concerns by the neighborhood, Ms. Grattan stated that there were none. Regarding questions about safety and operation of the kiln on site, Ms. Grattan discussed the safety features and experience that she had ensuring that there were no safety concerns. Ms. Grattan also stated that she could meet each of the conditions of Condition 13 of the Greenville County Zoning Ordinance.

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 the applicant*
- B. The use is not detrimental to the public health or general welfare; *teaching of the arts is not detrimental to the public.*
- C. The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar services; *no testimony to imply that this is not the case.*
- D. The use will not violate neighborhood character nor adversely affect surrounding land uses; *per testimony, traffic counts will be low, and there is at least one neighbor present in support of the use.*

Ms. Shuman and Ms. Barbera seconded the motion. There was no objection and no discussion. The motion carried, resulting in a vote of 8-0 in favor.

- iii. **CB-21-75 – William D. Sutherland, State of South Carolina, House of Raeford Farms, Inc.**

BACKGROUND

The property is the site of the Greenville Farmers Market located on Rutherford Road, adjacent to the House of Raeford chicken processing plant east of N. Pleasantburg Drive/Hwy 291 N. in Greenville.

The applicant is requesting a variance from the rear setback requirement for a storage building. The setback violation was discovered during the Plan Review process for a permit.

FINDINGS of FACT

On Tuesday, November 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 7:3, Table 7.3 – Setback/Height Requirements for the S-1 District;

FRONT	=	45' from edge of road R.O.W.
SIDES	=	25' from property lines
REAR	=	20' from property line

The applicant is requesting a Variance of 10 feet from the rear setback requirement for a storage building that has already been installed.

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.

The representatives present for this application were Leah Sanders with the Greenville State Farmer's Market and Christian Crear of Arbor Land Design.

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

Mr. Joshua Henderson presented the facts as they pertained to the Greenville County Zoning Ordinance; particularly Table 7.3 and Section 3:4.1.

In response to a question about which properties were involved in the request, staff clarified that parcel P011000201200, 1354 Rutherford Rd. Staff also responded to questions about the location of the proposed structure by providing clarity on the exact location requested. Regarding a question about how this request came about, Staff also clarified that the building was existing and in violation, which was discovered when the applicant attempted to pull an

electrical permit.

Mr. Crear presented the application to the Board. He explained that a portion of the subject property was sold off to the House of Raeford property, which is adjacent, and additional renovations to the site that have been underway. Mr. Crear provided testimony that the location was chosen because it was the only area flat enough to place the shed. He also brought attention to a letter of support from a neighboring property owner.

In response to questions from the board, Mr. Crear clarified that there was no known concern from affected adjacent property owners. In regards to concerns about new parking areas that could have been used for the shed, the applicant clarified that an agreement for shared parking with House of Raeford made them prioritize parking in its current location. With regard to a question asked by Mr. Hattendorf about the building being pre-fab and whether it could be moved, the applicant stated that the building was pre-fab, but that it was on a concrete slab and could be moved.

CONCLUSIONS of LAW

The application was reviewed by the Board. Mr. Kenneth Matesevac made a motion to grant the variance as requested based on the following conditions; particularly,

- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property; *this is an unusual situation.*
- B. These conditions do not generally apply to other property in the vicinity; *per applicant and staff testimony.*
- 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; *per applicant testimony, this area was the best place to put it since the site is not entirely flat*
- D. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good; *this is correct, and there is testimony from at least one neighbor that they are favorable to the request.*

Ms. Farrar and Ms. Shuman seconded the motion. Ms. Barbara voiced a concern that it does not meet requirement "A," that it could not have been put somewhere else, due to the issue being discovered after the building was already placed, and that requirement "D" may also not be met, as the neighbor who submitted testimony in favor is not the closest neighbor to the structure. Ms. Shuman discussed that the location was appropriate due to the types of events that the State's Farmer's Market holds. Ms. Barber clarified with staff about the proper avenue for getting a permit for a building on this site. The motion carried, resulting in a vote of 6-2 in favor.

iv. CB-21-76 – Rhr Properties, LLC.

This property is located on Oakvale Road off S. Old Piedmont Hwy, west of the Hwy 85/Hwy 25 Interchange in Greenville. The property is adjacent to Southern Freight Lines, Inc., and close to the Greenville Recreation Lakeside Park on Piedmont Hwy.

The applicant is requesting a variance from the setback requirements to allow sub-division of the property into two parcels.

FINDINGS OF FACT

On Tuesday, November 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 7:3, Table 7.3 – Setback/Height Requirements for the I-1 District;

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

The applicant is requesting the following variances per the survey submitted:

Tract A: FRONT – 7 feet; RIGHT SIDE – 25 feet
Tract B: FRONT – 1 foot; LEFT SIDE – 2.1 feet

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.

The representative present for this application was Andy Sherard with Site Consultants and Bob Andrew on behalf of the owners.

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

Mr. Joshua Henderson presented the facts as they pertained to the Greenville County Zoning Ordinance; particularly Table 7.3 and Section 3:4.1.

In response to a question about setback compliance, staff noted that though the buildings are existing nonconforming, it cannot be confirmed whether buildings were nonconforming when they were built. Staff also confirmed that, in this case, they would be referred to as "legal nonconforming."

Mr. Sherard presented the application to the Board. He stated that the goal was to be able to subdivide the properties and that it is unknown when the existing buildings were built, but they are likely at least 30 years old. The purpose of this application is to ensure that the buildings are formally in compliance.

In response to questions from the board, staff clarified what the setback requirements along

Oakvale Road were and what the exact variance request was. With regards to a question regarding whether the properties could be subdivided in a way that made one property compliant, the applicant clarified that there was no way to do this without tearing an existing shed on the property down.

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 following conditions; particularly,

- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property; *likely indication that it was constructed prior to zoning regulations.*
- B. These conditions do not generally apply to other property in the vicinity; there has been no indication from testimony or from staff that other buildings in the vicinity have this issue
- 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; *the owner would be unable to subdivide the two distinct buildings that are on one large parcel.*
- D. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good; *these are existing structures that are just being brought into conformance.*

Ms. Barber seconded the motion. Ms. Godfrey offered concerns that there were no extraordinary or exceptional conditions pertaining to the property and that the property was useable as it is. Ms. Shuman got clarification from the applicant that the purpose for the need to subdivide was to sell off one of the parcels, and that the current zoning was not applicable when the buildings on site were built. Chairman Hollingshad discussed that he was in favor of the motion due to the fact that the use restrictions are not changing for the subject site. Ms. Shuman stated that not granting the variance would effectively keep the owner from being able to sell the property. The motion carried, resulting in a vote of 7-1 in favor.

v. CB-21-77 – Greenville Transit Authority

BACKGROUND

This property is located on Arcadia Drive adjacent to the Washington Heights sub-division, off N. Pleasantburg Drive/Hwy291 N and Rutherford Road in Greenville.

The applicant is requesting a variance from the height of the fixtures outlined in the Lighting Standards requirements. Prior application before the BZA was CB-21-40 for use of the site for a Government Facility and Operations; specifically, the new location for the Greenlink operations facility.

FINDINGS OF FACT

On Tuesday, November 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 12:1.1 Lighting Standards;

For lighting of horizontal tasks such as roadways, sidewalks, entrances and parking areas, fixtures shall meet IESNA (Illuminating Engineering Society of North America) "full cut-off" (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 applicant is requesting a variance to allow 40-foot tall fixtures.

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.

The representatives present for this application were Ron Reekes and James Keel.

Charity Ojones stated that she was not specifically in opposition at this point. There was no written opposition.

Mr. Austin Lovelace presented the facts as they pertained to the Greenville County Zoning Ordinance; particularly Section 12:1.1. Mr. Lovelace informed the board about the request, particularly pertaining to the required height of light fixtures.

Mr. Henderson clarified that the request for a variance from the required height, to allow for light poles of up to forty feet tall. In response to a question about the orientation and location of the site, Ms. Ojones clarified where her residence was located. The applicant also provided clarification on the grade and location of the site. With regards to a question about 40 foot tall lights, staff stated that lighting height is addressed in the Greenville County Land Development Regulations, where it is based on lumens.

Mr. Keel presented the application to the Board, and noted prior approval from the Board for the bus station on site. He stated that the current proposal for taller site lighting is necessary to ensure safety and security on the site. Mr. Reekes stated how the taller light would benefit the site as opposed to sixteen foot poles.

In response to a question from Ms. Barbera about the grade of the area that the buses were parked, Mr. Keel clarified that the buses would be parked in an area lower than the rest of the site, making the poles appear shorter from the top of the property. With regards to a question about how many additional poles would be needed if the light poles were to stay at sixteen feet, Mr. Keel stated that it would be three to four times as many light poles. He also stated that the

footcandles of light needed would stay the same regardless of the height requirement to ensure that the bus drivers would be able to see during operation hours, which are often in the morning and evening when it is dark. In response to questions from the board, Mr. Reekes also stated that the area would be fenced and gated.

Vice Chairman Hattendorf raised the question of why this particular application was before the board if the Land Development Regulations give height requirements based on lumens. In response, staff stated that the application was taken in under the belief that Section 12:1.1 of the Greenville County Zoning Ordinance applied to this site. At this point, staff clarified that because they were not a review district, they were not held to the sixteen foot requirement. Instead, the site was only held to the requirements of Table 10.2 of the Greenville County Land Development Regulations.

It was determined by staff that no action was needed by the Board of Zoning Appeals on this application. The Board and the applicants were advised by staff that if Section 10 of the Greenville County Land Development Regulations could not be met, then a request for a variance would need to be filed with the Planning Commission.

Ms. Barber brought to staff's attention the Use by Special Exception that had to be granted to allow for the bus terminal on the site. Staff clarified that Section 12:1.1 only applied to the zoning districts listed and that legal staff would need to be consulted to further clarify this issue.

CONCLUSIONS of LAW

No action was taken by the Board. Chairman Hollingshad let the applicants know they could go forward, and that staff would need to speak further with legal staff.

- vi. **CB-21-78 – SC Companies, LLC – held until January Board of Zoning Appeals meeting.**
- vii. **CB-21-79 – Deborah C. Hagan**

BACKGROUND

The property is located on Exmoor Court and off Reedy Fork Road in the Saddlehorn Planned Development.

The applicant is requesting a Use by Special Exception to allow Cabinetry as a Home Occupation.

FINDINGS OF FACT

On Tuesday November 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). Cabinetry is not on the list of approved Home Occupations.

Condition (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'x2') 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.

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.

The representative present for this application was Myles Hagan and Jeff Hagan

Brad Aleshire and James Rivera appeared in opposition. There were also 12 letters of opposition submitted and one petition with 25 signatures.

Mr. Austin Lovelace presented the facts as they pertained to the Greenville County Zoning Ordinance; particularly Section 11:1. Mr. Lovelace noted Condition 13 (Home Occupations).

Mr. Hagan presented the application to the Board. He explained the nature of the home occupation, particularly regarding the specific type of business being conducted on site. He also detailed information regarding a violation that was received which caused him to apply for a home occupation for the business.

Mr. Rivera spoke in opposition to the case. He stated that peace and quiet were important to him where he lives. He also presented HOA requirements that he stated the operation of a home occupation on site would be in conflict with. He stated that the HOA requirements are that no business be conducted on any of the properties within the development.

Mr. Aleshire also spoke in opposition to the case. He stated that the development was created as an equestrian and nature preserve, intending peace and quiet. He stated that he did not want a precedent set for additional businesses to show up in the neighborhood. Mr. Rivera submitted photos pertaining to the case to the board.

Chairman Hollingshad clarified that the Board could not consider the requirements of HOA covenants. Ms. Barbera stated that the HOA covenants should prevail over County Ordinances. Chairman Hollingshad further clarified that if the HOA covenants were more stringent than County Ordinances, then they would prevail. Mr. Henderson also noted that the two could not conflict.

In response to questions from the board, Mr. Rivera further clarified how the proposed home occupation interferes with the neighborhood's peace and quiet, and discussed the difference between reasonable noise and nuisance.

In response to questions about whether the proposed home occupation was a hobby or a business, Mr. Hagan stated that it had fluctuated between the two. Mr. Henderson clarified that, from a zoning standpoint, it is a business if there is a transaction of money for goods.

Vice Chairman Hattendorf noted the list of requirements that home occupations must meet in order to be conformance with the Greenville County Zoning Ordinance and clarified with staff

that not meeting these requirements would be a code violation. Ms. Barbera noted that testimony from neighbors have shown that not all of the conditions can be met, and also addressed the applicants in regards to the HOA covenants. Vice Chairman Hattendorf presented the list of requirements that home occupations must meet, and received testimony from the applicant about whether the requirements could be met.

CONCLUSIONS of LAW

The application was reviewed by the Board. Vice Chairman Hattendorf made a motion to grant the use as requested with the condition that the business only be in operation from 10 am to 6 pm each day based on the following conditions; particularly,

- A. The use meets all required conditions; *based on testimony from the applicant that the conditions will be followed.*
- B. The use is not detrimental to the public health or general welfare; *if the regulations are followed, then the use should not be detrimental.*
- C. The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar services; *no testimony to imply that this is not the case.*
- D. The use will not violate neighborhood character nor adversely affect surrounding land uses; *with the time restriction included in the motion, this use should not violate neighborhood character nor adversely affect surrounding land uses.*

Mr. Matesevac seconded the motion. Ms. Barbera noted her opposition to the motion based on concerns that past actions of the applicant show that they have not been able to meet the Zoning Ordinance requirements. Ms. Barber also noted her opposition to the motion, stating concerns that the use will violate neighborhood character. Ms. Shuman discussed concerns about property rights of a homeowner versus neighbors' rights to peace. Ms. Farrar noted her agreement with Ms. Shuman's concerns. Chairman Hollingshad noted that the applicant has agreed under oath to comply with the requirements and that he supported the motion due to believing that strictly complying with the requirements would keep the use from being a nuisance. Mr. Matesevac also noted his support of the motion. The motion carried, resulting in a vote of 5-3 in favor.

viii. CB-21-80 – June Bridwell & Donna Whatley

BACKGROUND

The property is located on Reid School Road near the intersection of Stallings Road and Reid School Road.

The applicant is requesting a Use by Special Exception to allow for a Sewage Lift Station on the property.

FINDINGS OF FACT

On Tuesday, November 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 "Public Utility" as a Use by Special

Exception in the R-M20, Multifamily Residential District.

Section 11:7, Public Utility Buildings and Uses states:

Public Utility buildings and uses such as sewage lift stations, pump stations, electrical substations, and telephone equipment buildings which are not detrimental to other uses permitted in the district may be permitted in any district. Such uses shall be enclosed within a building or by a suitable fence providing protection and screening against light, noise, fumes, or unsightliness. Open area on the premises shall be landscaped.

The site plan submitted reflects compliance.

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.

The representative present for this application was David Miller on behalf of the owner and David Graffius with Gray Engineering.

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

Mr. Austin Lovelace presented the facts as they pertained to the Greenville County Zoning Ordinance; particularly Section 11:1. Mr. Lovelace informed the board of the request for a Use by Special Exception for a sewage liftstation.

Mr. Graffus presented the application to the Board. He noted that the property was zoned R-M20, which allows for apartments. The plan is to have apartments on the site which would be served by the lift station. He clarified the location of the lift station away from existing residential and at the lowest portion of the property. He also addressed screening and buffering for the station.

In response to questions from the board, the applicant stated that they would work with Taylors Fire to ensure access and that they would be open to putting a tie-rope to keep unwanted traffic out.

CONCLUSIONS of LAW

The application was reviewed by the Board. Ms. Godfrey 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 the applicant*

- B. The use is not detrimental to the public health or general welfare; *in cases like this, proper engineering of this type of use is necessary to ensure public health.*
- C. The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar services; *there is access for required maintenance.*
- D. The use will not violate neighborhood character nor adversely affect surrounding land uses; *the use is necessary for the neighborhood to exist, and there are plans to make this an attractive addition to the community.*

Ms. Shuman seconded the motion. Ms. Barbera noted that a condition may need to be added. Mr. Barbera added an amendment that a gate be added to the access road and that noise attenuation will be provided on the back-up generator. It was also clarified that the gate was intended to restrict unauthorized vehicular access, but still allow pedestrian access. Ms. Farrar confirmed with the applicants that the requirements of the amendment could be met. Ms. Barber confirmed that the fire department would have access regardless of the gate. The motion as amended carried, resulting in a vote of 8-0 in favor.

7. Announcements/Requests: Chairman Hollingshad announced that Ms. Abrahams would be retiring and that this would be her last meeting. He expressed his appreciation for her long service and advice, guidance and help that Ms. Abrahams had given during his time on the board. Chariman Hollingshad also wished Ms. Abrahams a long and happy retirement. Ms. Farrar also thanked Ms. Abrahams for the care and compassion and empathy that Ms. Abrahams had shown the board. Other board members echoed wishes of congratulations.

Mr. Henderson also informed the board that Ms. Brook Denny was no longer with the Zoning Administration but had taken a Principal Planner position with the Greenville County Long Range Planning department. He also introduced Dean Miller, the newer planner in Zoning Administration to the Board. He stated that Dean was from Tempe, Arizona, where he had worked with Sign Code Enforcement for many years.

Mr. Henderson also called attention to a new interpretation regarding cemeteries. For cemeteries on church properties, setbacks found in section 11:2 must still be met, since Section 11:3 does not address cemeteries on site. This is to provide protection to adjacent properties and residential uses.

Chairman Hollingshad wished staff and the other Board members a Merry Christmas, and Staff wished the board a safe and happy holiday season as well.

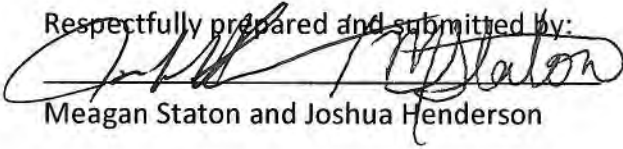
8. Adjournment: There being no further business to discuss, the meeting adjourned with unanimous approval at approximately 6:48 p.m.



Nicholas Hollingshad, Chairman
Greenville County Board of Zoning Appeals

1/20/22
Date

Respectfully prepared and submitted by:



Meagan Staton and Joshua Henderson

Greenville County Board of Zoning Appeals

**DECEMBER 8, 2021
PUBLIC HEARING**

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.

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.

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-21-72

- **Applicant:** Woodlawn Memorial Park
 - **Project type:** Variance/Use by Special Exception
 - **Address:** 1/3/25 Pine Knoll Dr, Greenville SC 29609
 - **Zoning:** R-12/C-2; Residential/Commercial District
- Posting:** Confirmed 11/23/21

CB-21-72

- Pine Knoll Drive/Wade Hampton Blvd.
- N. Pleasantburg Drive/Red Lobster restaurant

Request

Variance from height & size requirements along with a Use by Special Exception to allow a reader board on the proposed new sign

Section 8.5 of the Greenville County Sign Ordinance

- 8.5. B. Multifamily Residential. Multifamily or Multi-Dwelling residential development signs shall be regulated as follows:
 - Type: Freestanding
 - Number: 1 two-sided sign per entrance or two separate sign faces may be used in conjunction with a wall, fence or other architectural entrance feature
 - Size: 50 square feet (sign face)
Height: 8' maximum

*The applicant is requesting a **Variance of 4.2 feet** to allow for a **height of 12 ft. 2-inches tall***

Section 8.5 of the Greenville County Sign Ordinance

- 8.5. C. Non-Residential uses in residentially zoned areas shall comply with the multifamily Residential Use Area Standards herein. In addition to the permitted freestanding sign, Non-Residential uses in residentially zoned areas may have one wall sign not to exceed twenty (20) percent of the useable wall area or 50 square feet (whichever is greater).
 1. Message Centers shall be allowed for non-residential uses in Residential use area except for Home Occupations per the provisions of Section 19:8.3 Message Centers

*The applicant is requesting the addition of **a reader board for the proposed new sign.***

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:

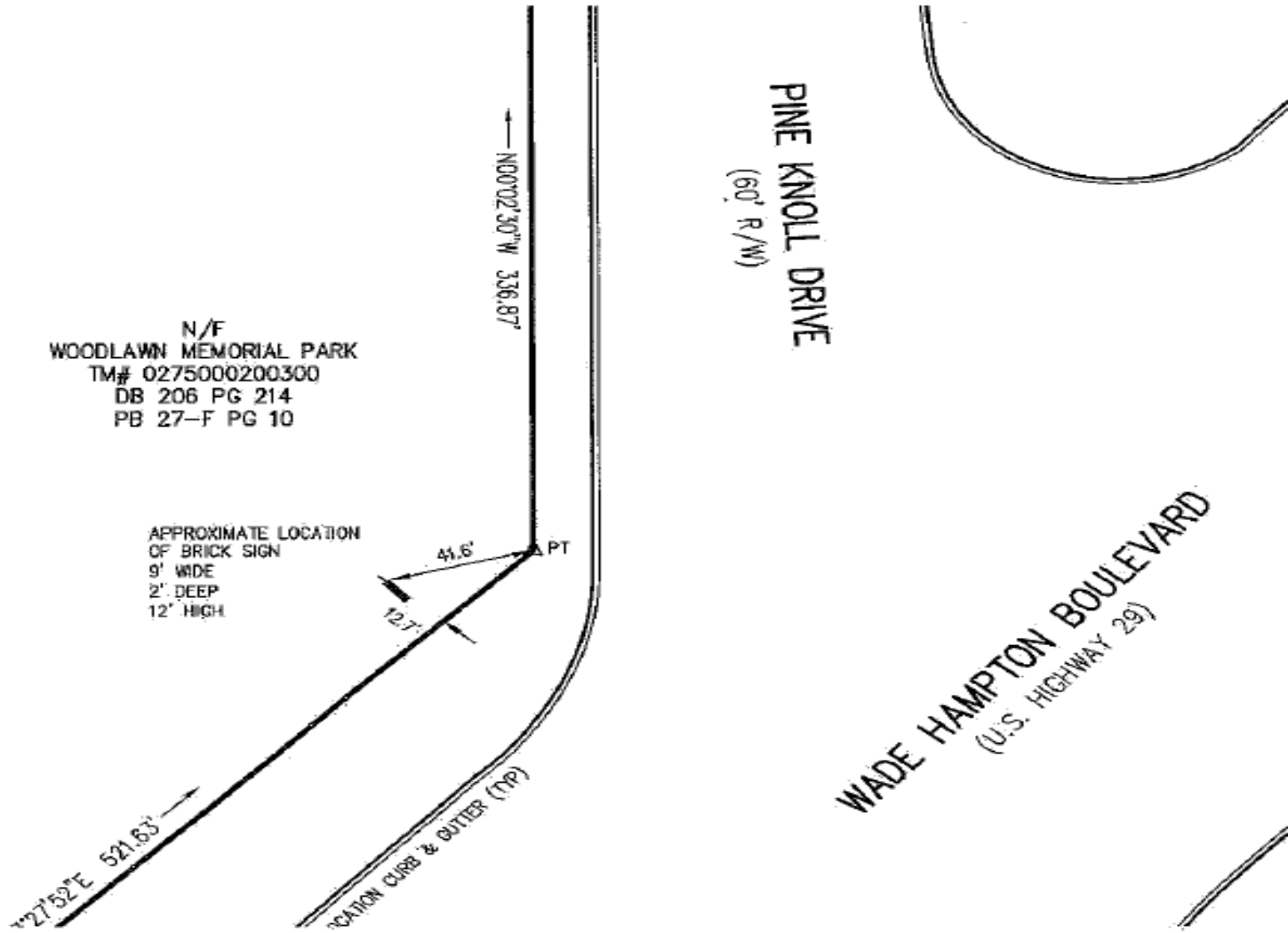
- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- B. These conditions do not generally apply to other property in the vicinity;
- C. Because of the conditions, the application of the ordinance to the particular piece of property would effectively 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-21-72 Site Plan

APPROXIMATE LOCATION GRAPHICALLY PLOTTED FROM THE REFERENCED FEMA MAP UNLESS OTHERWISE NOTED. — THIS SURVEY DOES NOT CONSTITUTE A DELINEATION OR ENVIRONMENTAL INSPECTION BY SURVEYOR.

N/F
WOODLAWN MEMORIAL PARK
TM# 0275000200300
DB 206 PG 214
PB 27-F PG 10

APPROXIMATE LOCATION
OF BRICK SIGN
9' WIDE
2' DEEP
12" HIGH



CB-21-72 Site Plan

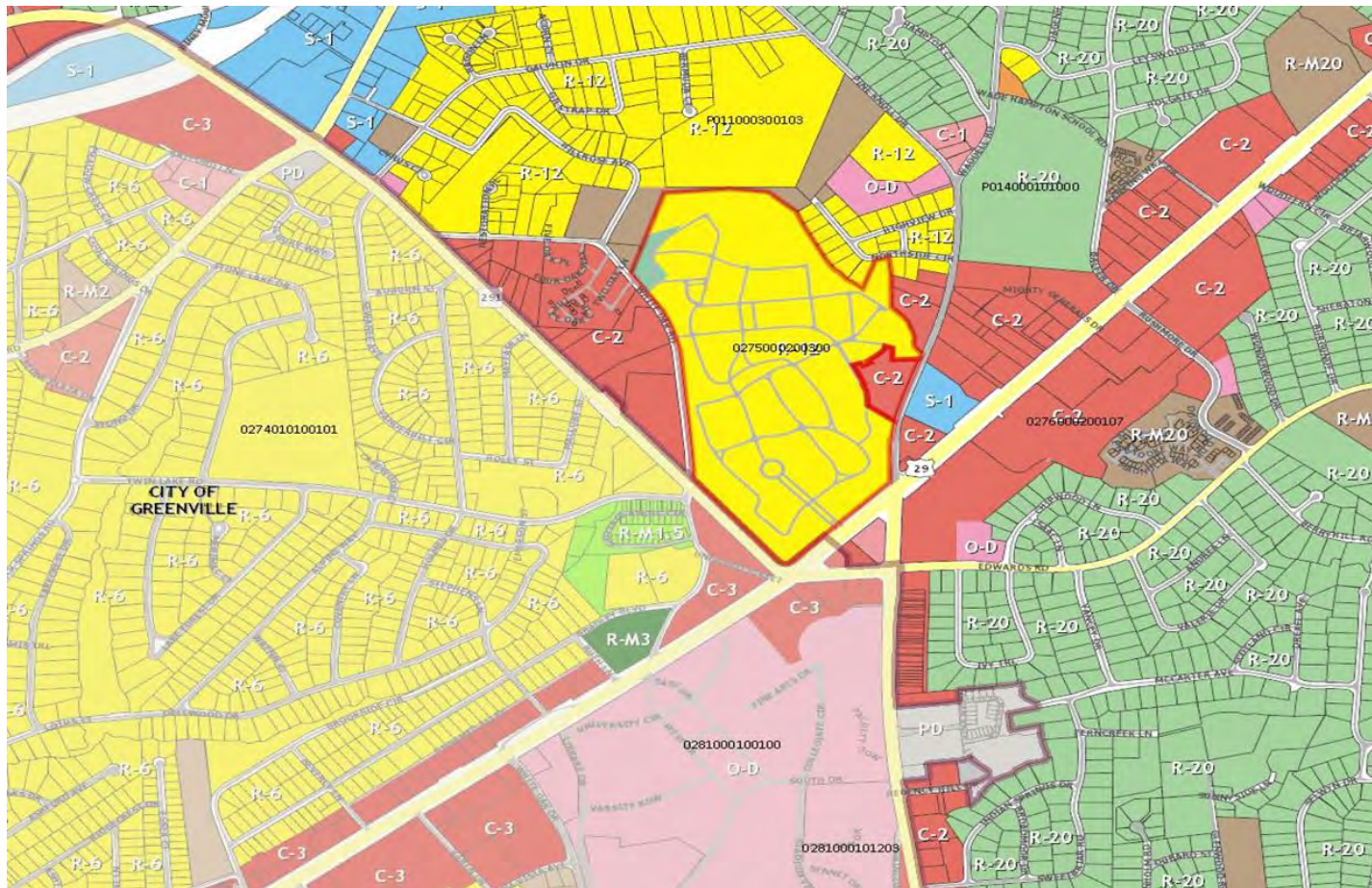


CB-21-72 Proposed Sign



Project CB-21-72 - Location

Zoning



Project CB-21-72 - Aerial



CB-21-72

Subject Property



Posting



CB - 21 - 72 Photos

Funeral Home



Across Pine Knoll Dr



CB-21-72

Across White Oak Rd



Across Hwy 29



CB-21-74

- Applicant: MARTYHA GENE GRATTAN
- Project type: Use by Special Exception
- Address: 20 Knob Creek Ct, Greer SC 29651
- Zoning: R-S, Residential Suburban District
- Posting: Confirmed 11/23/21

CB-21-74

- Knob Creek Ct off S. Bennetts Bridge Road
- Knob Hill Plantation Subdivision/Spartanburg County

Request

Use by Special Exception to allow a Pottery Teacher 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.

Teaching Pottery is not 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

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

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 – 74- Zoning



CB - 21 - 74- Aerial View



CB-21-74 - Postings



Project CB-21-74

Right of Subject
Property



Left of Subject
Property



I am interested in teaching pottery lessons in my garage.

Classes will be held Monday through Saturday between the hours of 1:00 – 4:00 p.m.

All sessions will be limited to four students.

The classroom will require 200 square feet of my attached garage. My home is approximately 2,700 SF.

These classes will be limited to the production of small ceramic objects for the personal use of students.

Production pottery making will not be permitted.

The driveway outside of the garage has room for eight vehicles, so street parking will not be required.

I live on the end of a cul-de-sac, and my home is surrounded on three sides by empty lots. There is one home directly behind my house. The lot is separated by a privacy fence.

The studio will require the use of the following equipment:

1- Skutt brand electric kiln

2 - Pottery wheels

1 - manually operated slab roller

Students will use primarily hand tools to create their projects.

None of the equipment listed above produces noise louder than conversational speech.

I am an experienced pottery instructor and have taught students at two public institutions

Cape Coral Art Center, 4533 Coronado Pkwy., Cape Coral, FL 33904

Julie Gerhardt, Studio Director: (239) 574-0802

Big Arts, 900 Dunlap Rd. Sanibel Island, FL 33957

Lee Ellen Harder, Director: (239) 395-0900

I also studied ceramics at Florida Gulf Coast University, with a focus on sustainable studio practice.

Sustainable studio practice ensures water quality, by diverting common chemicals from the water supply and rendering them inert by firing.

See the next page for equipment pictures.



Sample objects that students will make





CB-21-75

- **Applicant:** SC Department of Agriculture
GVL State Farmers Market
- **Project type:** Variance
- **Address:** 1354 Rutherford Road, Greenville SC
- **Zoning:** S-1; Services District
- Posting:** Confirmed 11/23/21

CB-21-75

- Rutherford Road/N Pleasantburg Dr
- House of Raeford Processing Plant

Request

Variance from setback for placement of a Storage Shed

Variances – Considerations

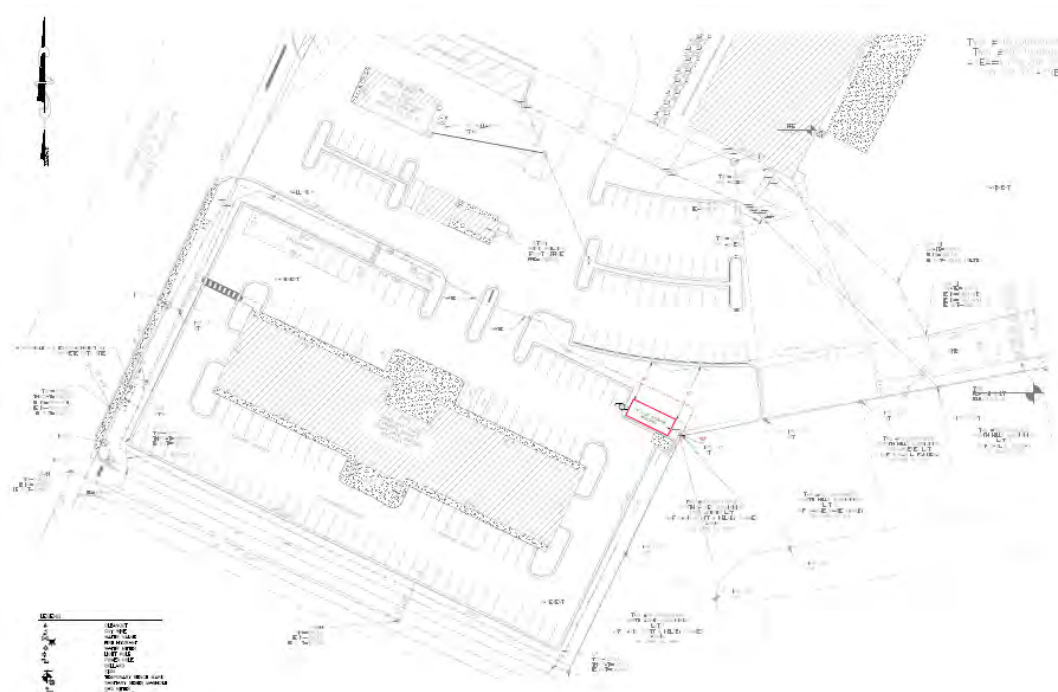
Section 3:4.1 of the Greenville County Zoning Ordinance states that a variance may be granted if the Board makes and explains the following findings:

- 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.

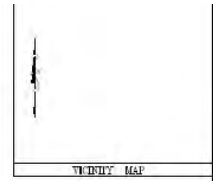
Section 7:3, Table 7.3 – Setback/Height Requirements for the S-1 District;

FRONT	= 45' from edge of road R.O.W.
SIDES	= 25' from property lines
REAR	= 20' from property line

The applicant is requesting a Variance of 10 feet from the rear setback requirement for a storage building that has already been installed.



The site boundaries are
 - East: 100 FT
 - North: 100 FT



- 1. LOT 1
- 2. LOT 2
- 3. LOT 3
- 4. LOT 4
- 5. LOT 5
- 6. LOT 6
- 7. LOT 7
- 8. LOT 8
- 9. LOT 9
- 10. LOT 10
- 11. LOT 11
- 12. LOT 12
- 13. LOT 13
- 14. LOT 14
- 15. LOT 15
- 16. LOT 16
- 17. LOT 17
- 18. LOT 18
- 19. LOT 19
- 20. LOT 20
- 21. LOT 21
- 22. LOT 22
- 23. LOT 23
- 24. LOT 24
- 25. LOT 25
- 26. LOT 26
- 27. LOT 27
- 28. LOT 28
- 29. LOT 29
- 30. LOT 30
- 31. LOT 31
- 32. LOT 32
- 33. LOT 33
- 34. LOT 34
- 35. LOT 35
- 36. LOT 36
- 37. LOT 37
- 38. LOT 38
- 39. LOT 39
- 40. LOT 40
- 41. LOT 41
- 42. LOT 42
- 43. LOT 43
- 44. LOT 44
- 45. LOT 45
- 46. LOT 46
- 47. LOT 47
- 48. LOT 48
- 49. LOT 49
- 50. LOT 50



PROJECT CALL CENTER



PROPERTY TAX MAPS (APPLICABLE TO THIS PROJECT)			
IN KENNESAW			
LOT	APPLICABLE	NO	YES
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FRE ENGINEERS ARCHITECTS

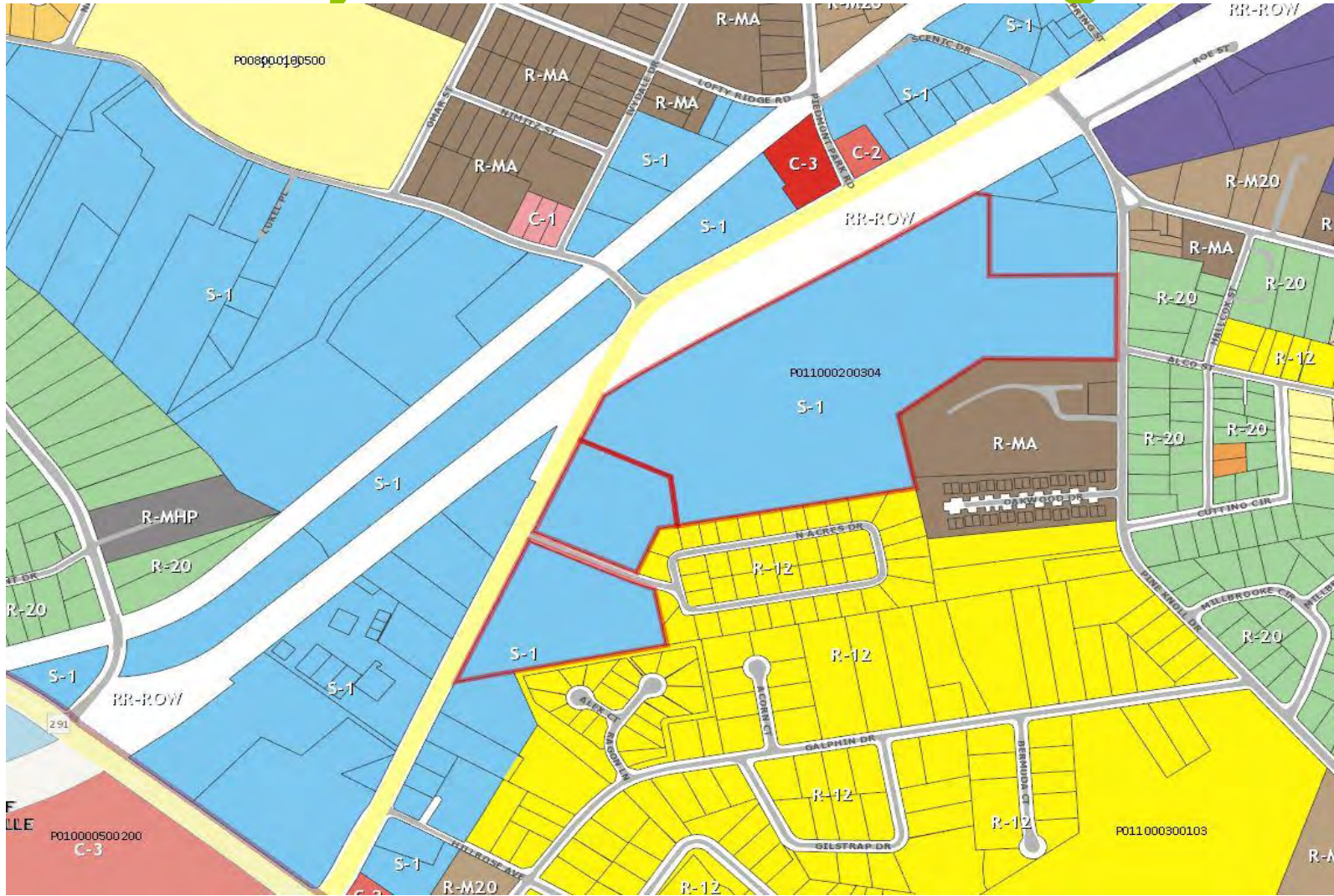
1000 1/2 AVENUE SOUTH
 SUITE 100
 KENNESAW, GA 30144
 (770) 424-1111
 WWW.FRE-ENGINEERS.COM

CB-21-75 Zoom

CB-21-75



Project CB-21-75 - Zoning



Project CB-21-75 - Aerial



CB-21-75 - Postings

Sign posted



Across the Road



CB - 21- 75 Posting

Residence in the Rear



Subject property



CB-21-76

- Applicant: Rhr Properties, LLC
- Project type: Variance
- Address: 14 Oakvale Road, Greenville SC 29605
- Zoning: I-1, Industrial District
- Posting: Confirmed 11/23/21

CB-21-76

- Oakvale Road/S. Old Piedmont Hwy
- Hwy 25/I-85 interchange

Request

Variance from setbacks to allow subdivision of the parcel

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

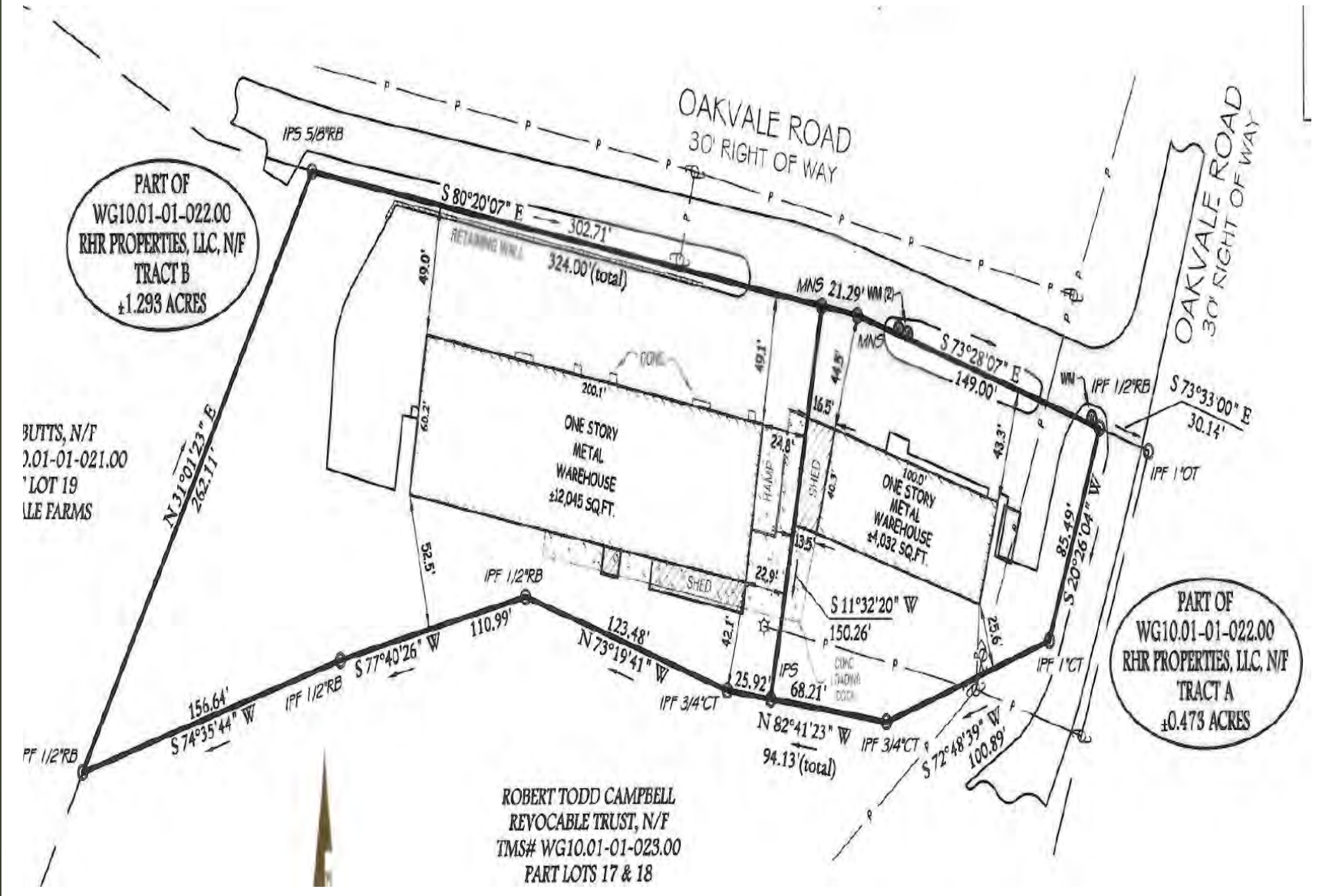
FRONT	= 50' from edge of road R.O.W.
SIDES	= 25' from property lines
REAR	= 25' from property line

The applicant is requesting the following Variances:

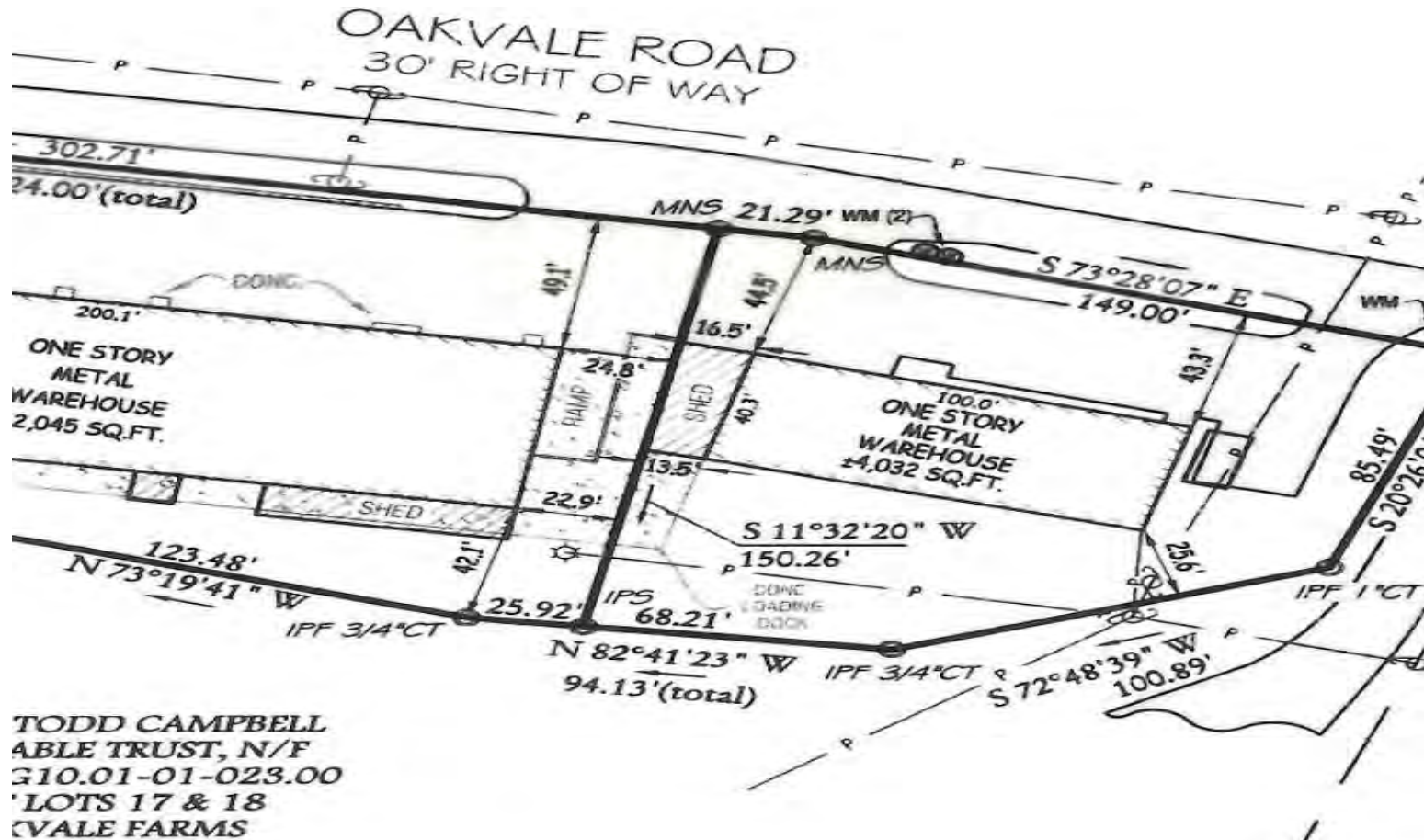
Tract A: Front – 7 feet; Right Side – 25 feet

Tract B: Front – 1 foot; Left Side – 2.1 feet

Survey



Close up survey



I HEREBY STATE TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; ALSO THERE ARE NO UNDISCOVERED ENCUMBRANCES, EASEMENTS, OR OTHER INTERESTS AFFECTING THE PROPERTY DESCRIBED HEREIN.

Project CB-21-76 - Location

Zoning



Project CB-21-76 - Aerial



CB-21-76

Sign Posted



Subject Property



CB-21-76

Left of Property



Right of Property



CB-21-76

Across Oakvale Rd



CB-21-77

- Applicant: Greenville Transit Authority
- Project type: Variance
- Address: 205 Arcadia Drive, Greenville SC 29609
- Zoning: R-7.5, Single-Family Residential District
- Posting: Confirmed 11/23/21

CB-21-77

- Arcadia Drive/Hwy 291 N
- Rutherford Road outside City Of Greenville

Request

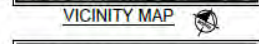
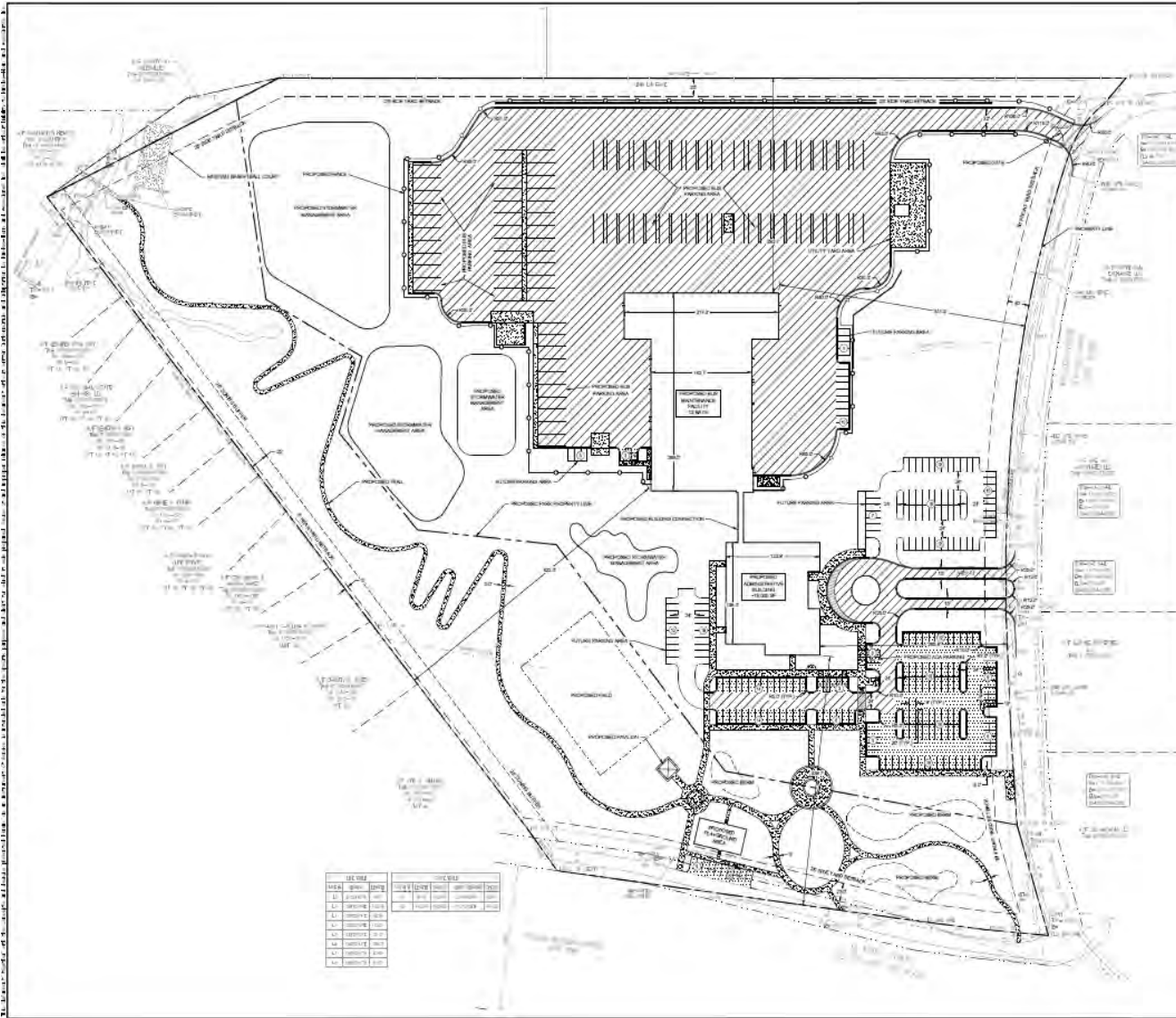
Variance from height of Light Fixture requirement

Required Height: 16 feet

Height Requested: 40 feet

- **Section 12:1.1 Lighting Standards;**
- **For lighting of horizontal tasks such as roadways, sidewalks, entrances and parking areas, fixtures shall meet IESNA (Illuminating Engineering Society of North America) “full cut-off”**
- **(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.**

CB-21-77 Site Plan



DEVELOPMENT SUMMARY:

SITE SUMMARY:

ZONING: D-7.5 WITH SPECIAL EXCEPTION
 SITE AREA: 36.78 ACRES
 BUILDING SETBACK:
 FRONT (MAGADA DR.): 50 FT
 SIDE (NORTH): 25 FT
 SIDE (O. JONES ST): 25 FT
 REAR (WEST): 5 FT
 RESIDENTIAL ZONING BUFFER:
 WESTERN PROPERTY LINE: 25 FT

PARKING SUMMARY:
 SECURED PARKING:
 ONE (1) BAY (10 SPACES) - 10 SPACES (TOTAL)
 AUTOMOBILE MAINTENANCE FACILITY (2 BAYS) - 2 SPACES (TOTAL) WITH
 FURNITURE
 PARKING PROVIDED:
 SECURED: 20 SPACES (TOTAL)
 UNSECURED: 2 SPACES

ASSESSING COMPLIANT WITH SECTION 125

LIGHTING: A VARIANCE IS BEING SOUGHT TO EXCEED THE
 MAXIMUM ALLOWABLE POLE HEIGHT WITHIN THE BUS
 PARKING MAINTENANCE AREA OF THE SITE. PROPOSED
 MAXIMUM POLE HEIGHT IS 35'

- SITE NOTES:**
- EXISTING CONDITIONS SHOWN HEREON ARE FROM A SURVEY FILE PROVIDED BY SITE DESIGN, INC. DATED 03/20/21.
 - REFERENCE PHOTO-METRIC PLAN FOR SITE LIGHTING INFORMATION.

SITE PLAN LEGEND:

--- PROPERTY LINE
 - - - YARD SETBACK LINE
 - - - 25' RESIDENTIAL ZONING BUFFER LINE
 - - - ROAD ROW LINE
 (P) PARKING COURT

NO.	DESCRIPTION	DATE	BY	CHKD.
1	PRELIMINARY	03/20/21	J. HORN	J. HORN
2	REVISED	03/20/21	J. HORN	J. HORN
3	REVISED	03/20/21	J. HORN	J. HORN
4	REVISED	03/20/21	J. HORN	J. HORN
5	REVISED	03/20/21	J. HORN	J. HORN
6	REVISED	03/20/21	J. HORN	J. HORN
7	REVISED	03/20/21	J. HORN	J. HORN
8	REVISED	03/20/21	J. HORN	J. HORN
9	REVISED	03/20/21	J. HORN	J. HORN
10	REVISED	03/20/21	J. HORN	J. HORN

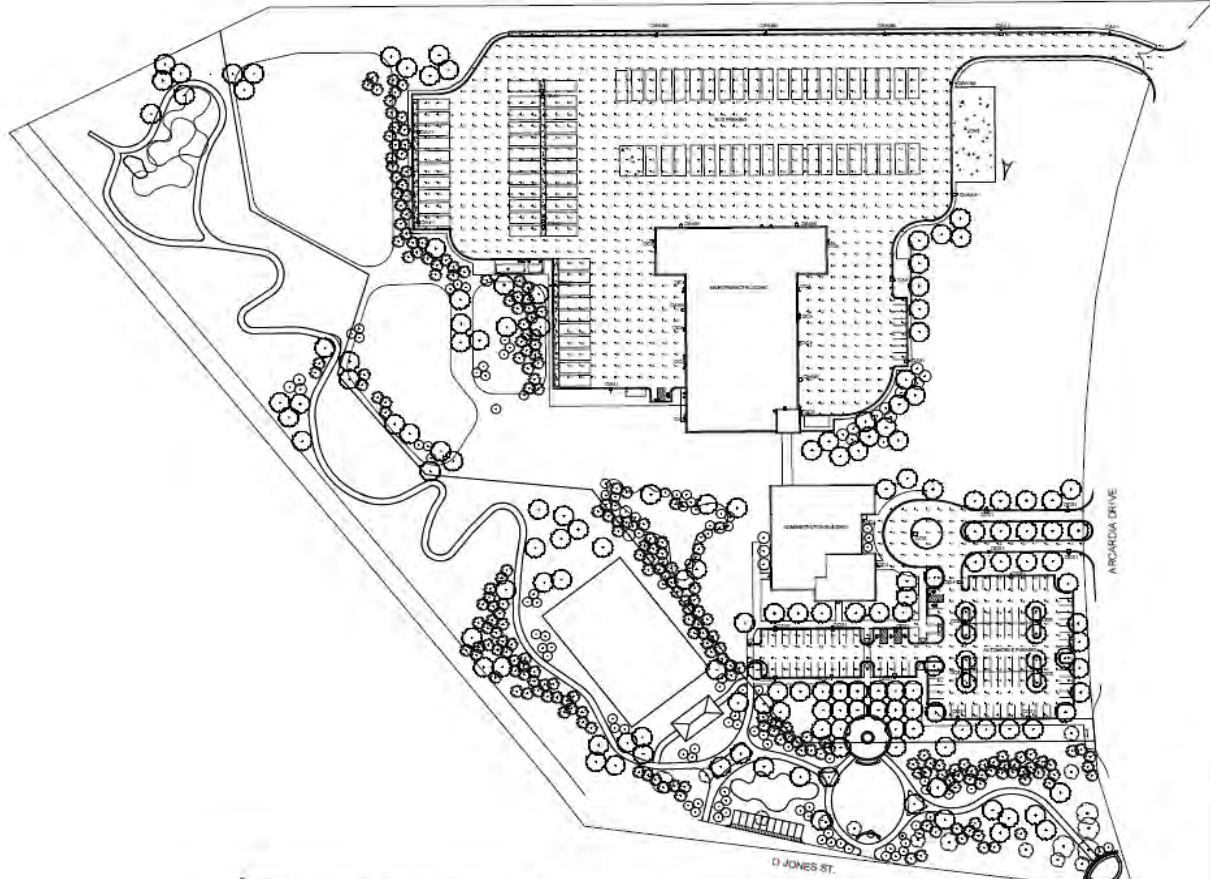
<p>1101 W. WINDYBROOK DRIVE CHARLESTON, SOUTH CAROLINA 29405 WWW.KIMLEY-HORN.COM</p>	DATE: 03/20/21	SCALE: AS SHOWN
	PREPARED BY: J. HORN CHECKED BY: J. HORN PROJECT NO.: 100000201 SHEET NUMBER: 1 OF 1	PROJECT: STA BUS MAINTENANCE FACILITY GREENVILLE TRANSIT AUTHORITY BOARD OF ZONING APPEALS VARIANCE SITE PLAN



CB-21-77 Photometric

NO.	DESCRIPTION	QUANTITY	WATTAGE	TOTAL WATTS	FOOT COUNDS
1	150W PAR 38	100	150	15000	100
2	150W PAR 38	100	150	15000	100
3	150W PAR 38	100	150	15000	100
4	150W PAR 38	100	150	15000	100
5	150W PAR 38	100	150	15000	100
6	150W PAR 38	100	150	15000	100
7	150W PAR 38	100	150	15000	100
8	150W PAR 38	100	150	15000	100
9	150W PAR 38	100	150	15000	100
10	150W PAR 38	100	150	15000	100

TYPE	WATTAGE	FOOT COUNDS	WATTAGE	FOOT COUNDS
1	150	100	150	100
2	150	100	150	100
3	150	100	150	100
4	150	100	150	100
5	150	100	150	100
6	150	100	150	100
7	150	100	150	100
8	150	100	150	100
9	150	100	150	100
10	150	100	150	100



1 ELECTRICAL SITE LIGHTING PHOTOMETRIC PLAN
SCALE: 1/8" = 1'-0"

ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE SPECIFIED. DIMENSIONS TO FACE UNLESS OTHERWISE NOTED. DIMENSIONS TO CENTER UNLESS OTHERWISE NOTED.



GREENVILLE TRANSIT AUTHORITY
 OPERATIONS & MAINTENANCE FACILITY
 DESIGN DEVELOPMENT



PROGRESS PRINT
 NOT FOR CONSTRUCTION

NO.	DESCRIPTION	DATE	BY	CHKD.

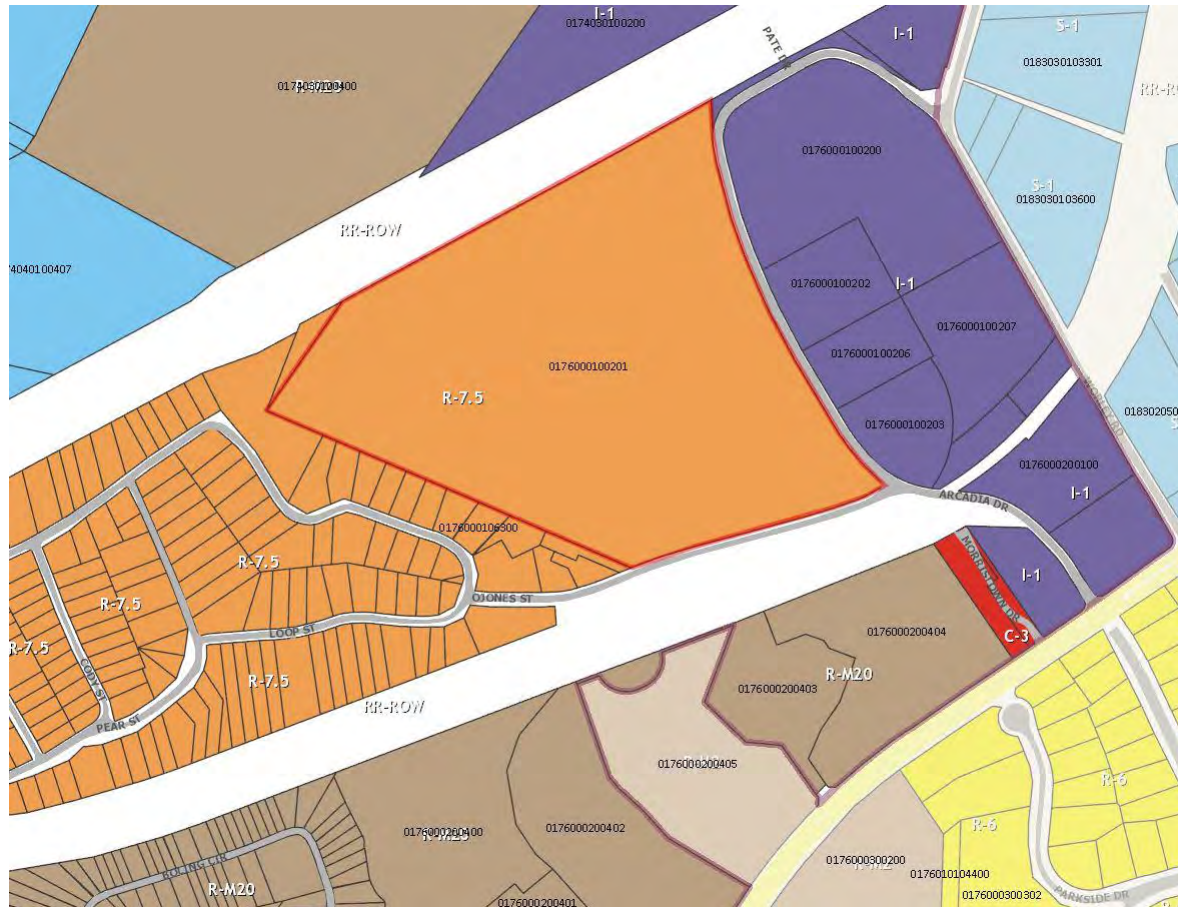
ELECTRICAL SITE LIGHTING PHOTOMETRIC PLAN

PROJECT NO.	
DATE	
SCALE	
BY	
CHKD.	

E003

CB – 21 – 77- Location

Zoning



CB - 21 - 77- Location

Aerial



CB-21-77 - Postings

Sign on Arcadia Dr



Sign on O Jones St



Project CB-21-77

Across Arcadia Dr



Across O Jones St



Project CB-21-77

Left of Site



CB-21-78

- Applicant: SC Companies, LLC
- Project type: Variance
- Address: 601 Easley Bridge Road, Greenville SC
- Zoning: R-6, Single-Family Residential District
- Posting: Confirmed 11/23/21

CB-21-78

- Easley Bridge Road/Hwy 123
- Intersection of 4th Street in Judson Mill

Request

Variance from setbacks to move forward with application
for rezoning to Office District

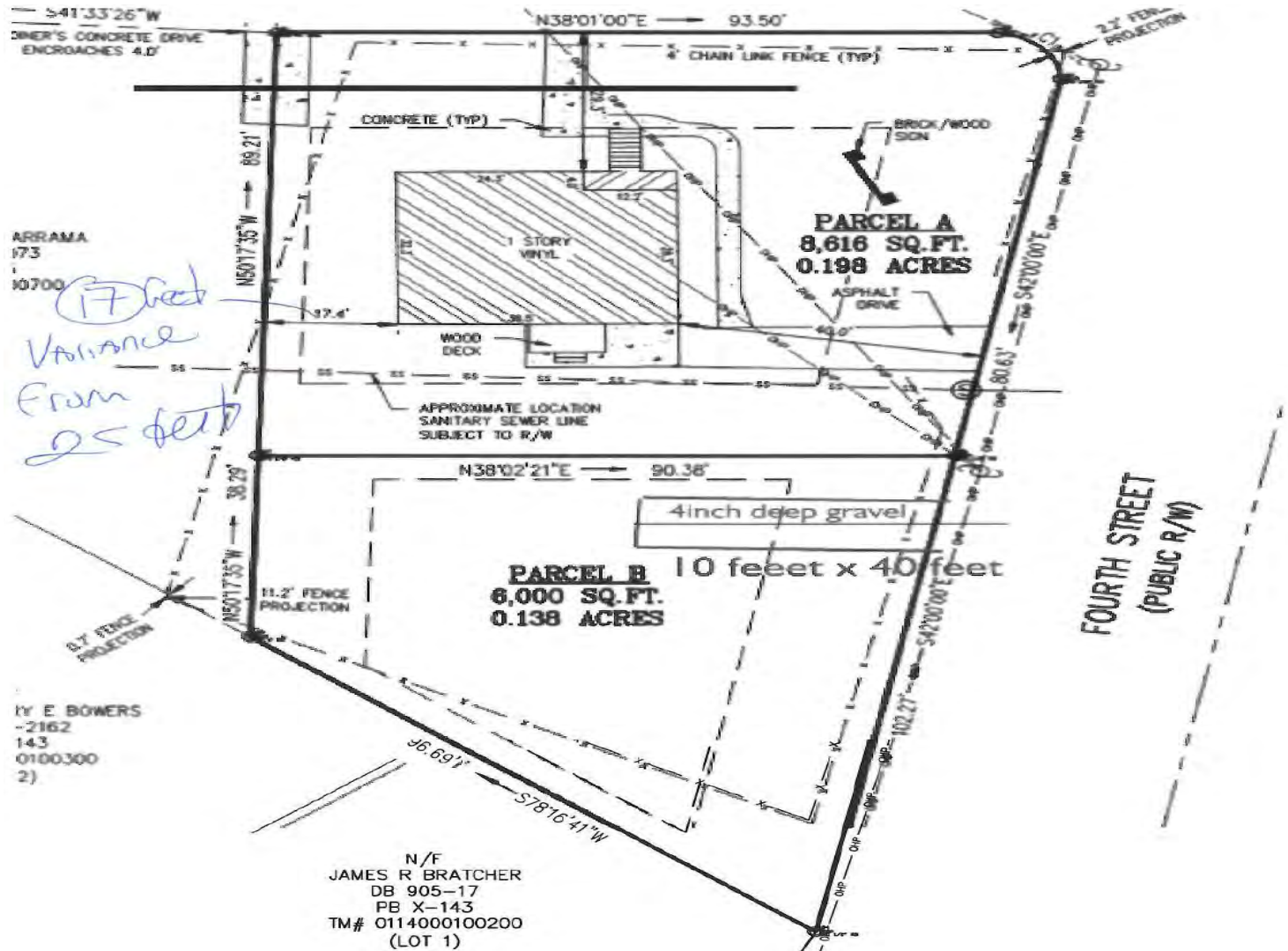
Section 7:3, Table 7.3 – Setback/Height Requirements for the OD District;

FRONT	= 25' from edge of road R.O.W.
SIDES	= 25' from property lines
REAR	= 25' from property line

The applicant is requesting the following Variance:

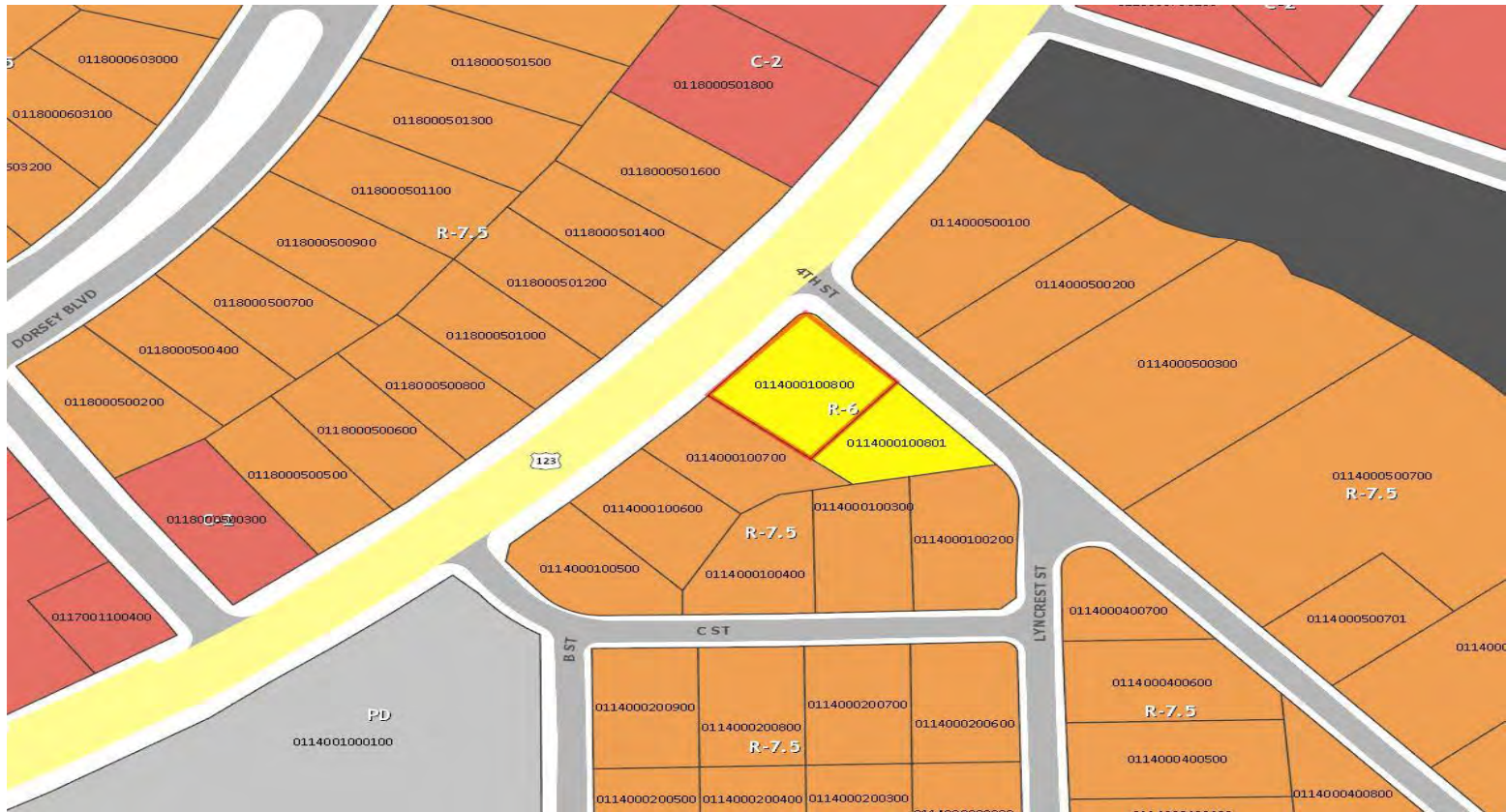
8 feet from the Left Side setback

Survey



Project CB-21-78 - Location

Zoning

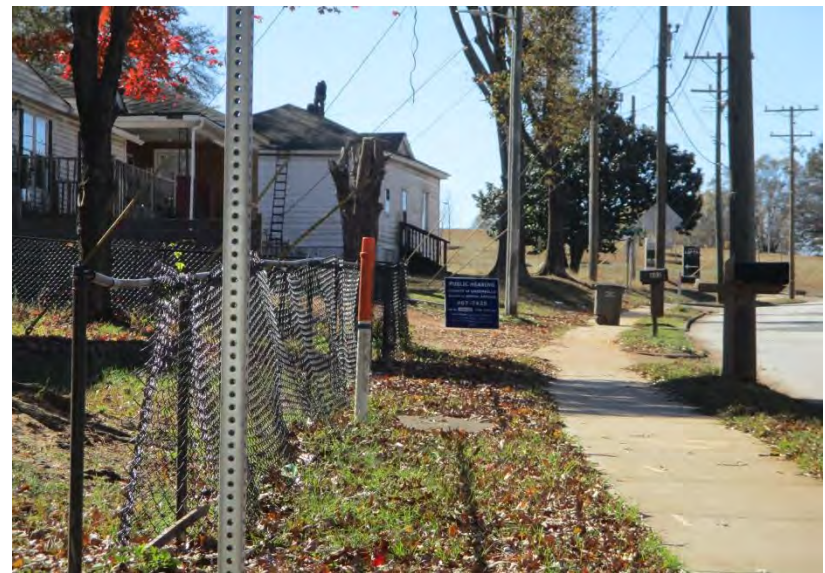


CB-21-78

Posting on 4th St



Posting on Hwy 123



CB-21-78

Subject Property



Across Hwy 123



CB-21-78

Left of the Subject
Property



Across 4th Street



CB-21-79

- Applicant: Deborah C. Hagan
- Project type: Use by Special Exception
- Address: 15 Exmoor Ct, Pelzer SC 29669
- Zoning: PD, Planned Development
- Posting: Confirmed 11/23/21

CB-21-79

- Exmoor Court in Saddlehorn Subdivision
- Off Reedy Fork Road

Request

Use by Special Exception to allow Cabinetry 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.

Cabinetry is not 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

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

Uses by Special Exception Considerations

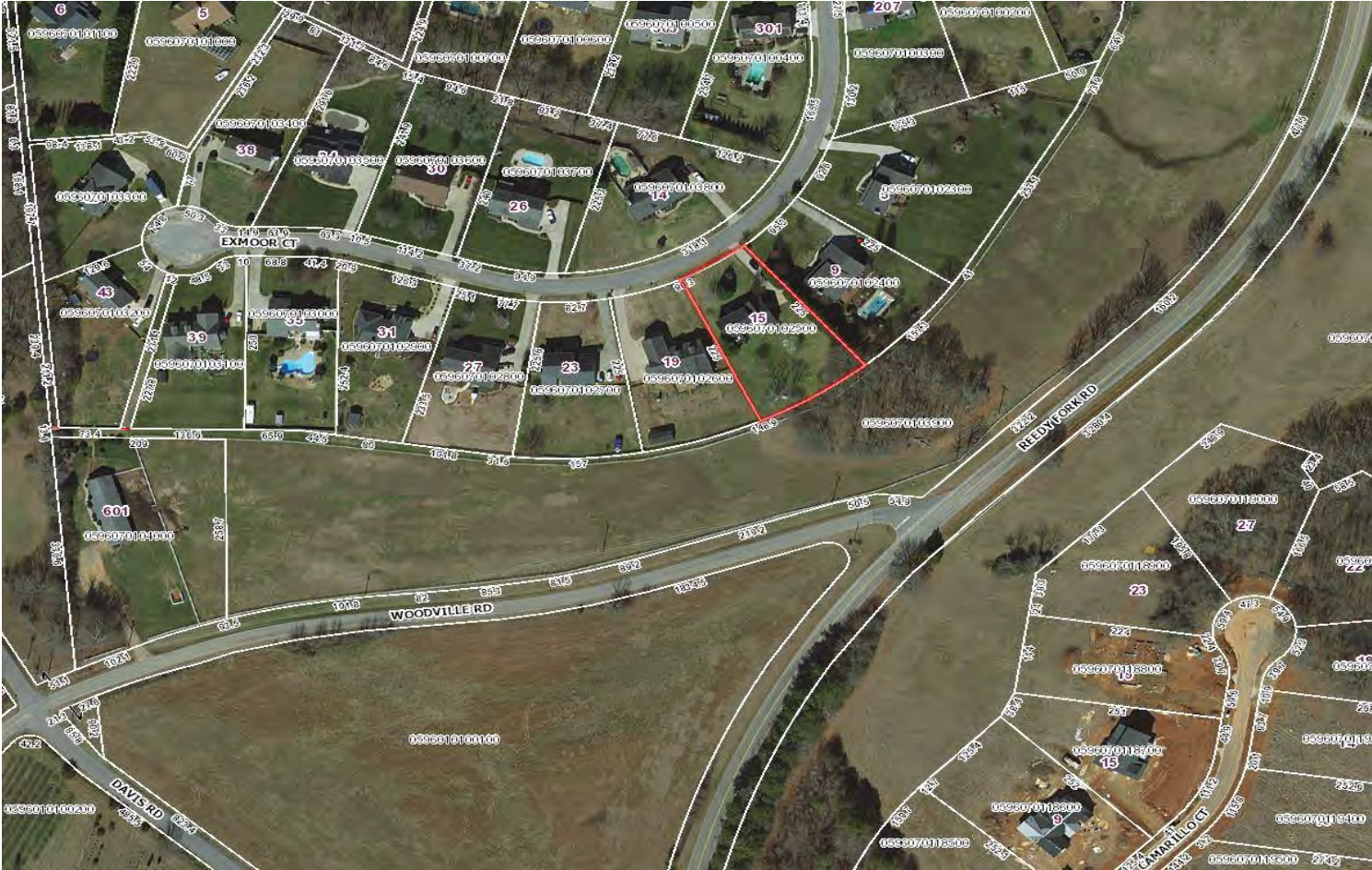
Section 11:1 of the Greenville County Zoning Ordinance states the Board may grant permission for those uses which are in accordance with the following conditions:

- 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 – 79- Zoning



CB - 21 - 79- Aerial View



CB-21-79 - Postings

Subject Property



Across the Street



Project CB-21-79

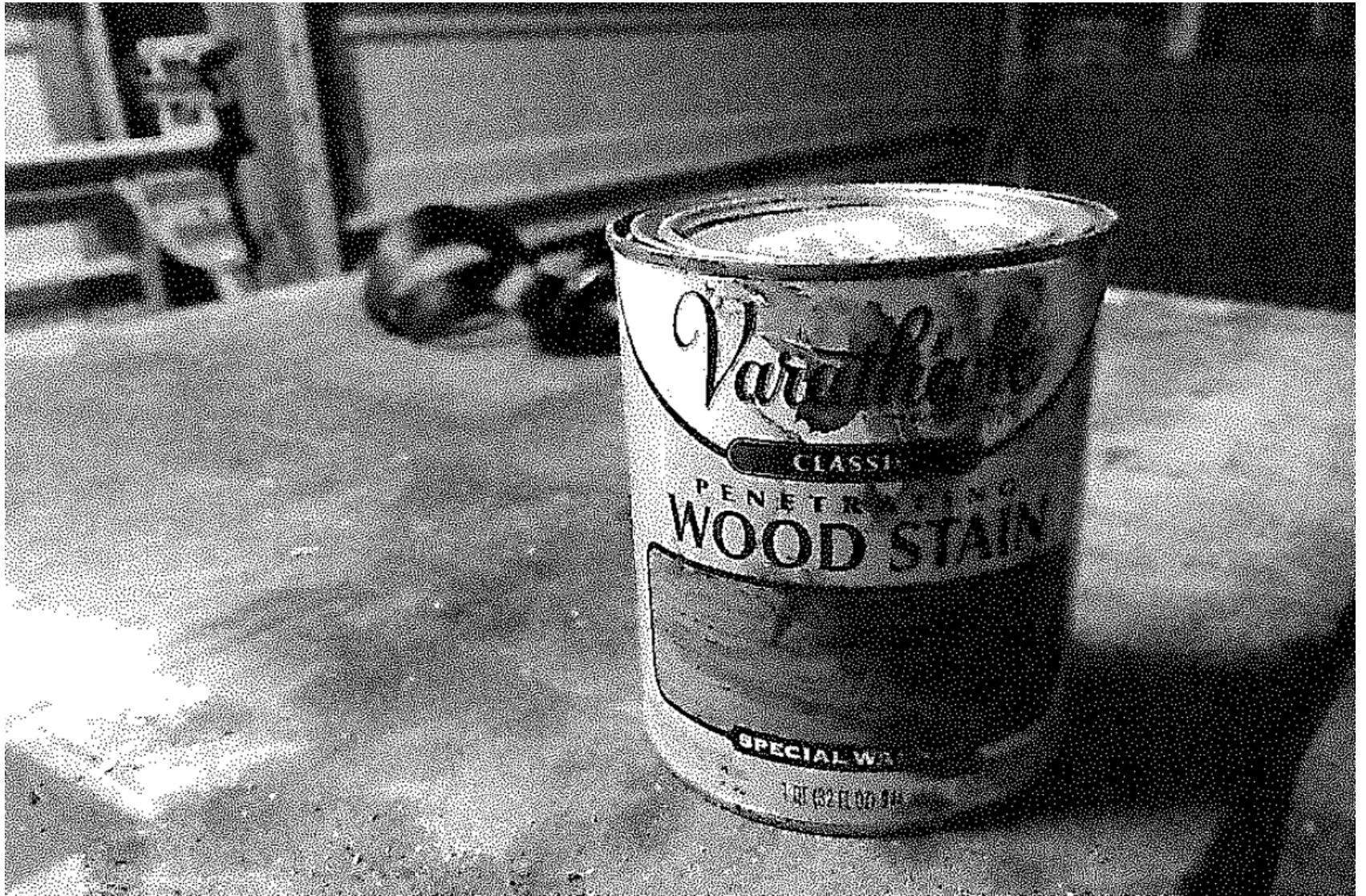
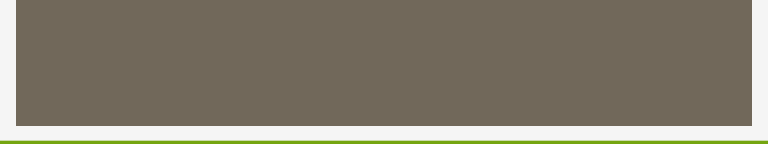
Right of Subject
Property

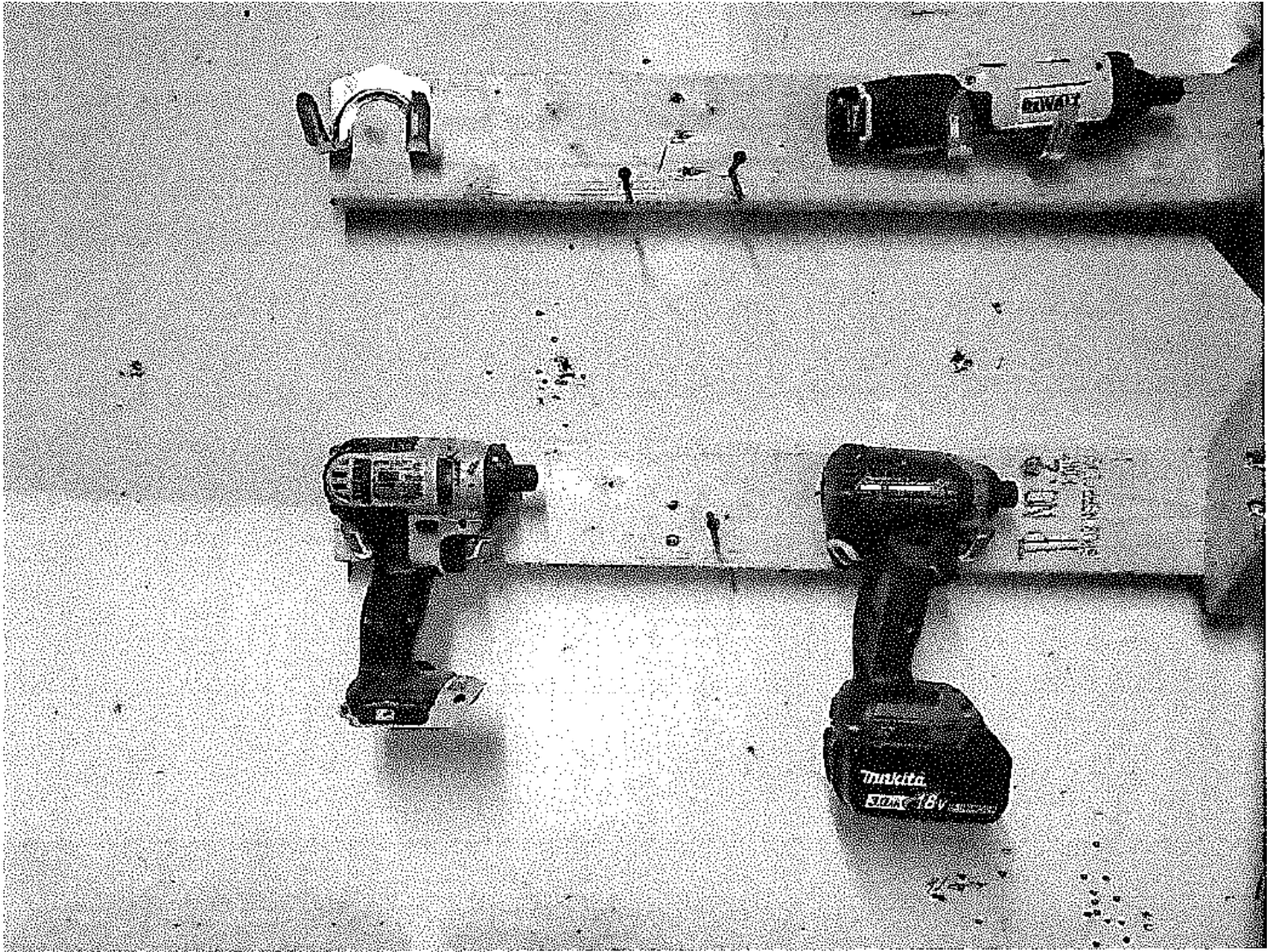


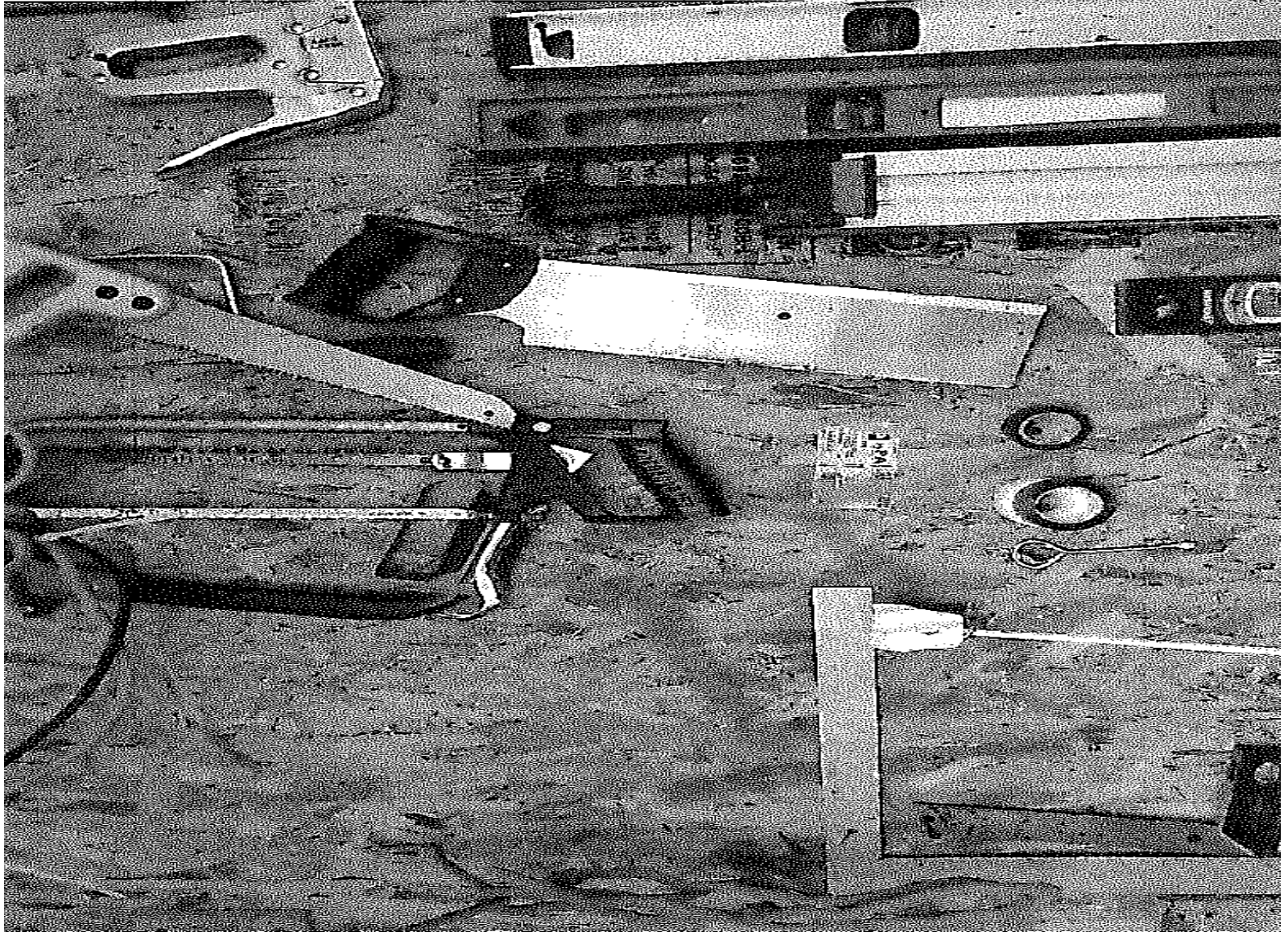
Left of Subject
Property

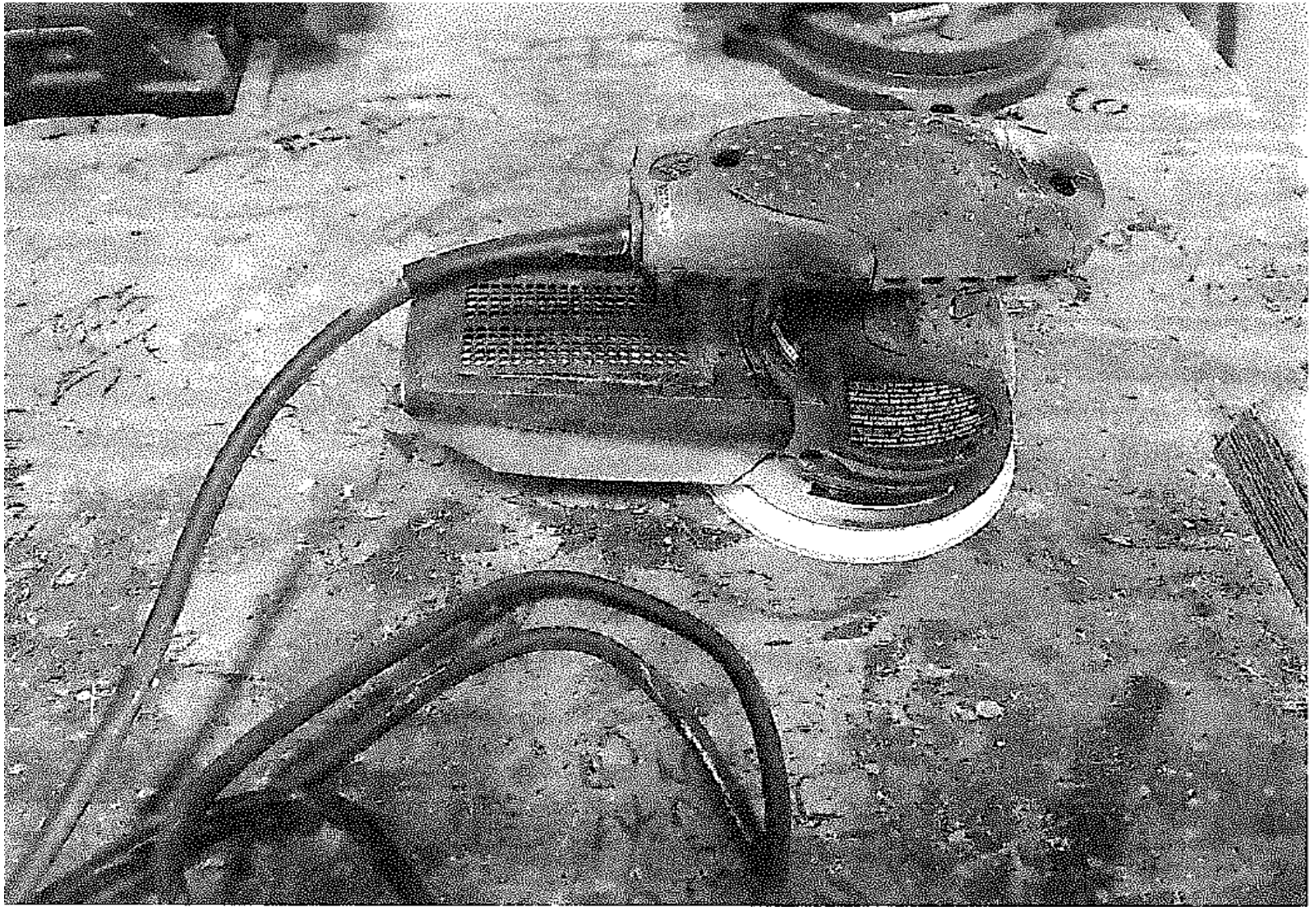




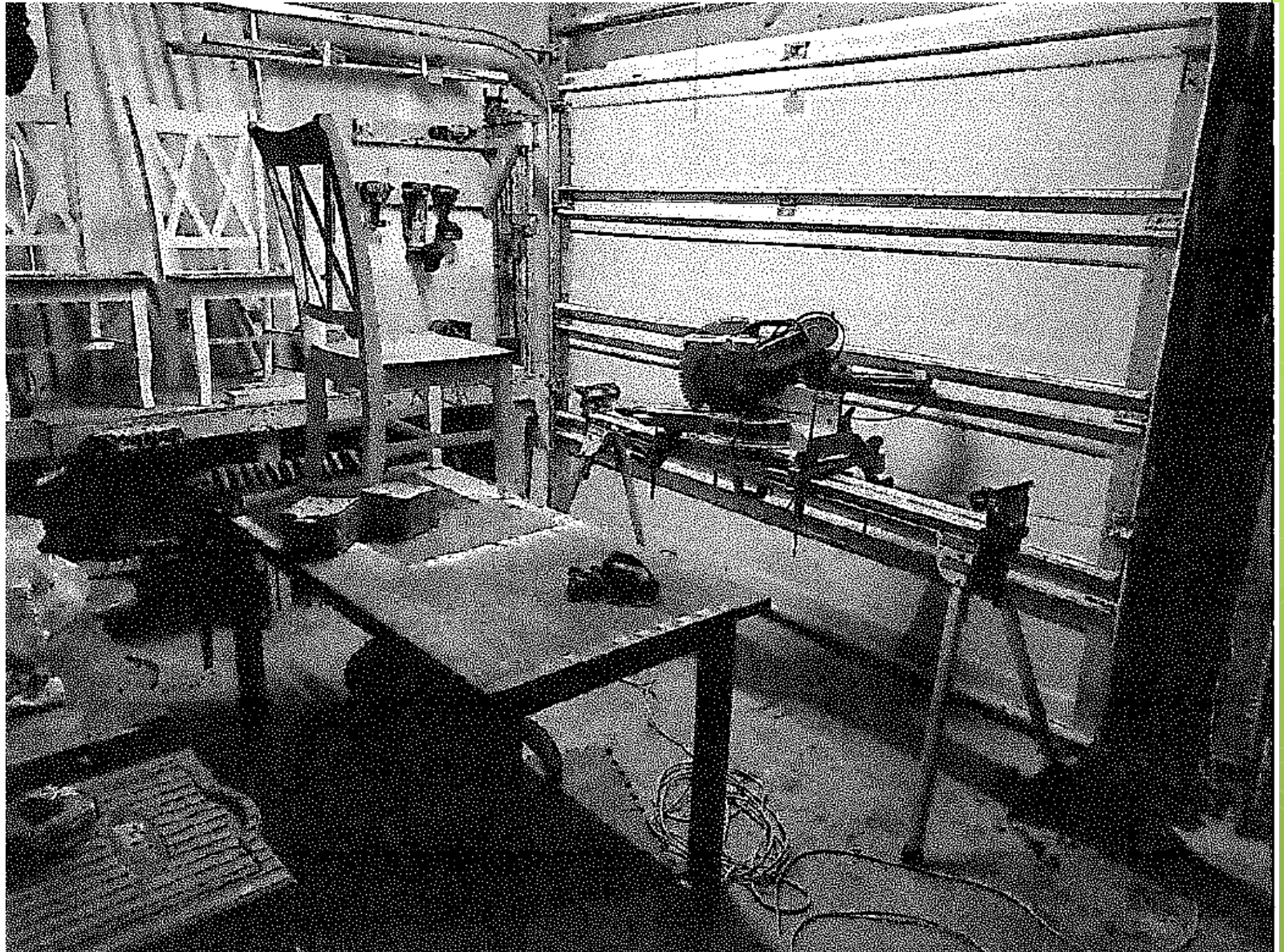














CB-21-80

- Applicant: June Bridwell & Donna Whatley
- Project type: Use by Special Exception
- Address: Reid School Road, Taylors SC 29687
- Zoning: R-M20, Multi-Family Residential District
- Posting: Confirmed 11/23/21

CB-21-80

- Reid School Road/near Stallings Road

Request

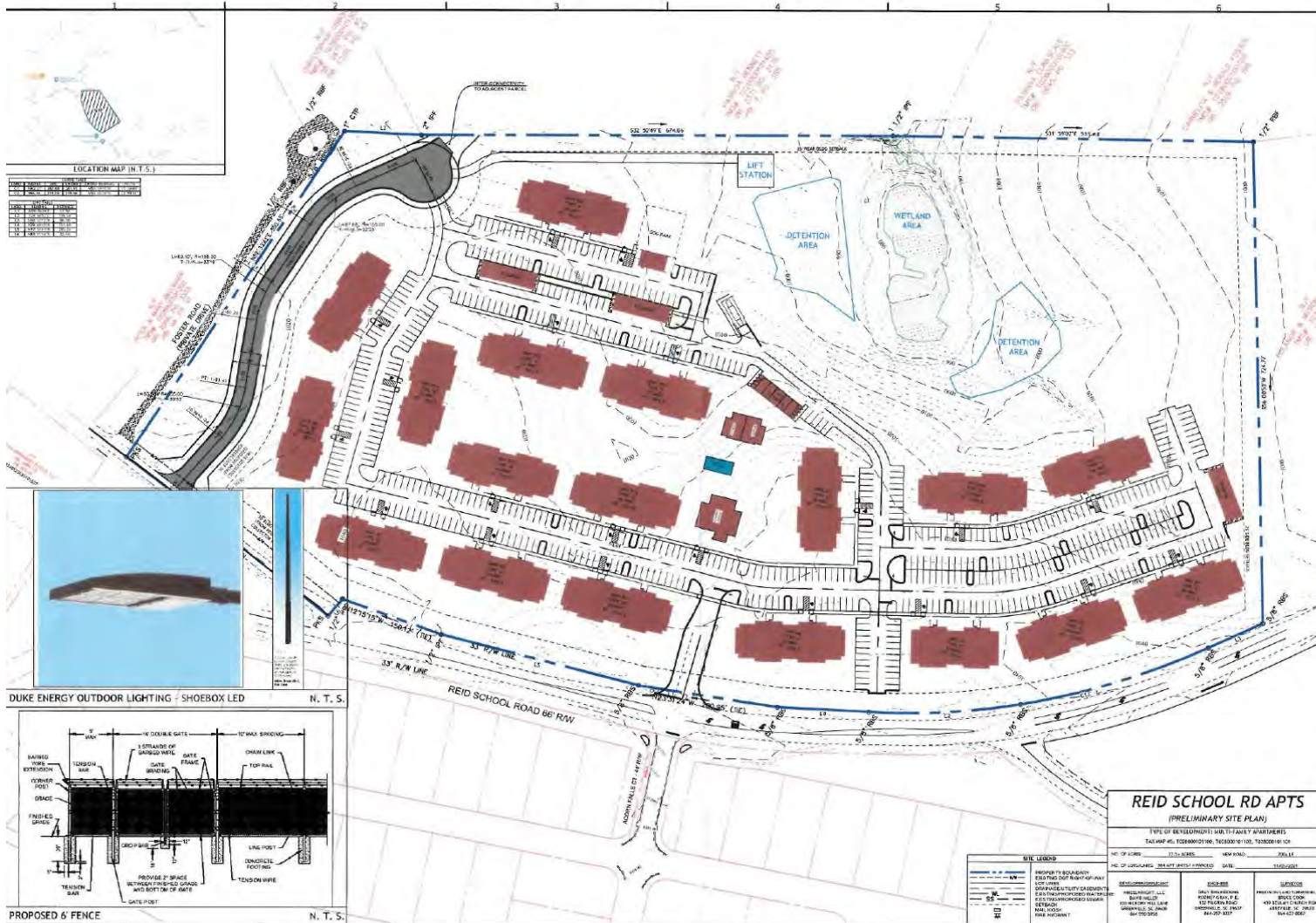
Use by Special Exception to allow a Sewage Lift Station on site

Section 5:5 and Table 6.1 (Uses Permitted, Uses by Special Exception and Conditional Uses) of the Greenville County Zoning Ordinance lists “Public Utility” as a Use by Special Exception in the R-M20, Multi-Family Residential District.

Section 11:7, Public Utility Buildings and Uses states:

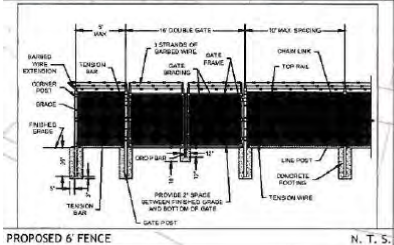
Public Utility buildings and uses such as sewage lift stations, pump stations, electrical substations, and telephone equipment buildings which are not detrimental to other uses permitted in the district may be permitted in any district. Such uses shall be enclosed within a building or by a suitable fence providing protection and screening against light, noise, fumes, or unsightliness. Open area on the premises shall be landscaped.

Site Plan



LOCATION MAP (N.T.S.)

PROJECT LOCATION	PROJECT NUMBER
DATE	SCALE
DESIGNED BY	DRAWN BY
CHECKED BY	DATE



REID SCHOOL RD APTS
(PRELIMINARY SITE PLAN)

TYPE OF DEVELOPMENT: MULTI-FAMILY APARTMENTS
TAX MAP NO.: T22000021100, T2200021100, T2200001100

NO. OF LOTS	33.52 ACRES	NEW ROAD	NONE
NO. OF LOTS/ACRES FOR APT UNITS	100/100	DATE	11/02/2021

DESIGNER/ENGINEER	OWNER	APPROVER
GRAY ENGINEERING 142 HARRIS BLVD., SUITE 200 GREENVILLE, SC 29615 864-633-8200	REID SCHOOL RD APTS 100 HARRIS BLVD., SUITE 200 GREENVILLE, SC 29615 864-633-8200	PROJECT MANAGER: J. DUGAN DATE: 11/02/21 JOB NO.: 2021083 PLANT DATE: 11/02/21

Gray Engineering

142 HARRIS BLVD., SUITE 200
GREENVILLE, SC 29615
864-633-8200

REID SCHOOL ROAD APTS

100 HARRIS BLVD., SUITE 200
GREENVILLE, SC 29615
864-633-8200

LS-EX B

Site Plan



DATE	DESCRIPTION

Gray Engineering
 1110 W. 100TH AVENUE, SUITE 200
 GREENVILLE, SC 29615

EXISTING CONDITIONS
REID SCHOOL ROAD APTS
 REID SCHOOL ROAD GREENVILLE, GREENVILLE COUNTY, SC

REID SCHOOL RD APTS (PRELIMINARY SITE PLAN)

NO. OF SHEETS	NO. OF SHEETS	NO. OF SHEETS	NO. OF SHEETS
1	2	3	4

LEGEND

PROPERTY BOUNDARY	EXISTING AND PROPOSED SEWER	PROPOSED LIFT STATION
EXISTING AND PROPOSED WATER	EXISTING AND PROPOSED SANITARY	
EXISTING AND PROPOSED POWER	EXISTING AND PROPOSED GAS	
EXISTING AND PROPOSED TELEPHONE	EXISTING AND PROPOSED FIBER OPTIC	
EXISTING AND PROPOSED CABLE	EXISTING AND PROPOSED T-1	
EXISTING AND PROPOSED T-2	EXISTING AND PROPOSED T-3	
EXISTING AND PROPOSED T-4	EXISTING AND PROPOSED T-5	

COMMENTS:
 THIS PLAN IS FOR INFORMATION ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION OR AS A BASIS FOR OBTAINING PERMITS WITHOUT THE APPROVAL OF THE ENGINEER OF RECORD.

DATE: 11/20/23
PROJECT: REID SCHOOL RD APTS
SCALE: 1" = 40'

PROJECT MANAGER: BWS
DESIGNED BY: GJR
PROJECT DATE: 9/14/23
JOB NO.: 2021093
PLAT DATE: 11/20/23

LS-EX A

CB - 21 - 80- Location

Aerial



CB – 21 – 80- Location

Zoning



CB-21-80

Subject property



Left of Subject Property



CB-21-80

Right of Subject Property



CB-21-80

Across Reid Sch Rd



End of Dockets

- Announcements/Requests by BZA Members
- Adjournment