



# Greenville County Board of Zoning Appeals

(864) 467-7425

www.greenvillecounty.org

## Meeting Minutes

June 14, 2023

### Board Members:

1. Barber, Teresa
2. Farrar, Brittney
3. Hattendorf, Mark – Chairman
4. Hollingshad, Nicholas
5. Michael Roth
6. Shuman, Michelle
7. Godfrey, Laura – Vice Chairwoman
8. Hamilton, Paul

### Staff Present:

- i. Dean Miller – Planner II
- ii. Todd Baxley – Planner II
- iii. Kelsey Mulherin – Planner
- iv. EJ Sherer – Planner
- v. Anna Wilson – Planner

1. **Call to Order:** Chairman Hattendorf called the meeting to order at approximately 3:00. Ms. Farrar arrived at 3:07.
2. **Invocation/Pledge:** Conducted by Mr. Hamilton.
3. **Roll Call:** Attendance was taken by Mr. Sherer.
4. **Election of New Officers:** Mr. Hattendorf was nominated by Ms. Barber to continue his role as Chairman. Ms. Barber made a motion to elect Mr. Hattendorf by acclamation for Chairman. Dr. Hollingshad made a motion to close. Seconded by Ms. Godfrey. The motion passed 8 – 0. Ms. Barber made a motion to nominate Ms. Godfrey to continue her role as Vice-Chairwoman. Ms. Shuman seconded the motion. Dr. Hollingshad closed the nominations. The motion passed 8 – 0. Chairman Hattendorf nominated EJ Sherer as board secretary. Ms. Barber seconded. The appointment passed 8 – 0.
5. **Approval of Minutes and Adoption of Final Decisions and Orders of May 10, 2023:** Ms. Godfrey made a motion to approve the minutes from the May 10th, 2023 meeting. Mr. Hamilton seconded. The motion carried with an 8 – 0 vote.

Ms. Barber made a motion to adopt the Final Decisions and Orders from the May 10th, 2023 meeting. Ms. Godfrey seconded. The motion carried with an 8 – 0 vote.

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

**7. New Business**

**i. CB-23-37, Brian Fowler of BFK Builders for Suzanne Townes**

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

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

On November 9, 2022 The Board of Zoning Appeals approved Docket CB-22-63 for a variance from the requirements for placement of a swimming pool as outlined in Condition 18-B of the Greenville County Zoning Ordinance.

The representative present for this application was Brian Fowler.

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

Staff presented and discussion ensued.

The applicant stated his client would like to construct a pool house in the front yard that will be open on three sides and will house pool equipment. The applicant stated they have letters in support from neighbors as well as HOA approval for the structure. The applicant stated there are topography issues present on the site that prevents the location of the structure from being in the side or rear yard.

Chairman Hattendorf made a motion to deny the Variance from the requirements for the location of an accessory structure. Dr. Hollingshad seconded the motion. The applicant withdrew his case before the vote was taken. Chairman Hattendorf withdrew his motion for denial.

**ii. CB-23-38, Brenton Victor Behoriam of Blue Point Properties, LLC for Blue Point Properties, LLC**

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

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

On December 14, 2022 The Board of Zoning Appeals approved Docket CB-22-80 for a Use by Special Exception to replace a previously existing non-conforming manufactured home with a new, larger manufactured home

The representative present for this application was Brenton Behoriam.

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

Staff presented and discussion ensued.

The applicant explained the style of mobile home previously there is not readily available and the lot can handle any modern style of singlewide. The applicant stated the original mobile home was a 1972 singlewide sized 12' x 61' and the new mobile home he would like to install is 2023 sized 14' x 66'. The applicant stated the neighbors are in support and this will improve the neighborhood.

Mr. Hamilton made a motion to grant the Use by Special Exception to replace a previously existing non-conforming manufactured home with a new, larger manufactured home and amended his motion to include a restriction to a 2023 home sized 14' x 66'. Mr. Roth seconded the motion. The motion carried with an 8 – 0 vote.

**iii. CB-23-40, Patrick Lewis with Latour Homes, LLC for Latour Homes, LLC**

The property is located north of Anderson Road and east of Valentine Street, near the City of Greenville.

The applicant is requesting a variance to encroach 4.5' into the required 20' front setback.

There are no prior applications before the BZA.

The representative present for this application was Patrick Lewis.

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

Staff presented and discussion ensued.

The applicant stated the home was placed based off of an old survey and incorrectly placed property stakes. The setbacks were measured from this location. After completion of construction, an "as-built" survey was completed and the house was found to be encroaching into the front setback.

Ms. Barber made a motion to approve a Variance to encroach 4.5' into the required 20' front setback. Ms. Godfrey seconded the motion. The motion carried with an 8 – 0 vote.

**iv. CB-23-41, Blayne Jerrett Henderson of OHK, LLC for OHK, LLC**

The property is located on the southeast corner of Antioch Church Road and South Harris Road in Greenville.

The applicant is requesting a Variance to encroach 50' into the required 50' right side setback along South Harris Road for the placement of two canopy structures. These structures were placed on the site without permits and are part of an active code case.

There are no prior applications before the BZA.

The representative present for this application was Blayne Henderson.

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

Staff presented and discussion ensued.

The applicant stated the two canopy structures were being used for storage of plastic components for his existing business. The applicant stated that at the time of purchasing the structures the sellers told him permits were not necessary. The error was caught when he applied for a non-related electrical permit and it was observed the buildings had been constructed in the setbacks. The applicant stated the structures were placed in this location because other locations are high traffic areas and/or contain wetland issues with minimal topography concerns.

Chairman Hattendorf made a motion to approve the Variance to encroach 50' into the required 50' right side setback along South Harris Road for the placement of two canopy structures. Mr. Hamilton seconded the motion. The motion failed with a 4 – 4 vote. Mr. Roth, Ms. Godfrey, Dr. Hollingshad, and Ms. Barber dissented.

Ms. Godfrey made a motion to deny the Variance to encroach 50' into the required 50' right side setback along South Harris Road for the placement of two canopy structures. Dr. Hollingshad seconded the motion. The motion carried with a 6 – 2 vote. Ms. Shuman and Mr. Hamilton dissented.

**v. CB-23-42, Meagan Yuriko Nakatsu of Seamon Whiteside for Brice Kenneth Smith with Pinckney Street Partners, LLC**

The property is located on Pinckney Street, southwest of the intersection of Pinckney Street and Buncombe Road in Greenville.

The applicant is requesting a Variance to encroach 50' into the required 50' front setback and 25' into the required 25' rear setback to bring an existing building into compliance.

There are no prior applications before the BZA.

The representative present for this application were Chip Buchanan and Michael Cain.

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

Staff presented and discussion ensued.

The applicant explained the building has been present prior to the construction of Pete Hollis Boulevard and Pinckney Street becoming a dead-end road. The applicant stated he proposed to develop the left half of the building as a music venue and office space which requires rezoning; therefore this requires the building to be brought into compliance through the Board of Zoning Appeals process.

Chairman Hattendorf made a motion to approve the Variance to encroach 50' into the required 50' front setback and 25' into the required 25' rear setback to bring an existing building into compliance. Ms. Barber seconded the motion. The motion carried with an 8 – 0 vote.

**vi. CB-23-43, Richard H. Kapp of Professional Engineering Associates, Inc. for Pastor Duane Alan Rodewald with Abiding Peace Evangelical Lutheran Church**

This property is located on the northwest corner of Batesville Road and Roper Mountain Road in Simpsonville.

The applicant is requesting a Use by Special Exception to allow for the construction of an addition onto an existing school building, a new sport court, new parking lot, and the associated site work.

On August 12, 1998 The Board of Zoning Appeals approved Docket CB-98-110 for a Use by Special Exception to construct a new church on the property.

On February 13, 2008 The Board of Zoning Appeals approved Docket CB-08-09 (aka CB-07-64) for a Use by Special Exception to allow the expansion of a fellowship hall.

On December 11, 2013 The Board of Zoning Appeals approved Docket CB-13-72 for a Use by Special Exception to allow the construction of an education building on site.

The representative present for this application was Richard Kapp.

There was one submitted email of opposition to this application from Jonelle Phillips with concerns regarding the impact on traffic on Batesville Rd and Roper Mountain Rd.

Staff presented and discussion ensued.

The applicant stated that the church is expanding the existing school building and doubling the number of classrooms as well as adding parking and a small sport court. The applicant stated they are adding approximately 30 new students. The applicant stated there is no new lighting proposed but they do plan to include a stacking lane for school traffic.

Ms. Barber made a motion to grant the Use by Special Exception to allow for the construction of an addition onto an existing school building, a new sport court, new parking lot, and the associated site work, with an amendment that it must align with the site plan as presented. Ms. Shuman seconded the motion. The motion carried with an 8 – 0 vote.

**vii. CB-23-44, Andrew Coln of Coln Construction for David Mark**

The property is located on Greenedge Lane in the Ridges at Paris Mountain Subdivision, at the northwest corner of the intersection of Windfaire Pass Court and Altamont Road in Greenville.

The applicant is requesting a Variance to encroach 20' into the required 30' front setback along Greenedge Lane and 25' into the required 30' left side setback along the Greenedge Lane stub out in order to construct a new home.

There are no prior applications before the BZA.

The representative present for this application was Andrew Coln.

Frank and Heather Klepitsch were present with questions and concerns regarding the parking of construction vehicles and materials on neighbors' parcels and common areas.

Staff presented and discussion ensued.

The applicant stated they were not aware the lot as purchased was not a buildable lot under the setbacks required by the Zoning Ordinance. The applicant explained the house plans as presented are of a pre-designed house matching the other houses in the neighborhood. The applicant stated they have support from neighbors as well as an agreement to restrict all construction materials to the site itself.

Mr. Roth made a motion to approve the Variance to encroach 20' into the required 30' front setback along Greenedge Lane and 25' into the required 30' left side setback along the Greenedge Lane stub out in order to construct a new home. Mr. Hamilton seconded the motion. The motion carried with an 8 – 0 vote.

## **7. Announcements/Requests**

Chairman Hattendorf asked for any announcements or requests.

Dr. Hollingshad thanked staff for inclusion of pictures in the packets for the board's review. He also suggested a change to the voting sheets to include if the motion was for approval or denial.

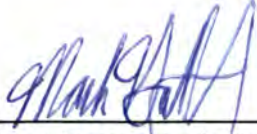
Ms. Shuman asked staff if the requirements for the Board to approve a Variance or Use by Special Exception are set by the State or the County. Mr. Miller replied that the requirements for a Variance are set by the State and the requirements for a Use by Special Exception are set by the Zoning Ordinance. Dr. Hollingshad added the language used for the conditions under which they may grant a Variance is identical to the requirements by the State.

Chairman Hattendorf reminded the Board of the policies on attendance and encouraged everyone to be at every possible meeting. Mr. Sherer reminded the Board of the necessity of at least 3 hours of continuing education every three years.

Staff provided an update on the Swimming pool amendment.

## **8. Adjournment**

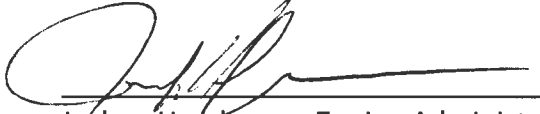
Ms. Godfrey made a motion to adjourn the meeting. Ms. Shuman seconded the motion. The motion carried unanimously.



\_\_\_\_\_  
Mark Hattendorf, Chairman  
Board of Zoning Appeals

7-12-23

\_\_\_\_\_  
DATE



\_\_\_\_\_  
Joshua Henderson, Zoning Administrator

# GREENVILLE COUNTY BOARD OF ZONING APPEALS

**June 14, 2023**  
**PUBLIC HEARING**

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



# Use by Special Exception Considerations

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

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

# Variance Considerations

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

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

# CB-23-37

<b>Applicant:</b>	Brian Fowler of BKF Builders for Suzanne Townes
<b>Project Type:</b>	Variance
<b>Address:</b>	6 Sun Flare Ct., Greer, SC 29650
<b>Zoning:</b>	PD, Planned Development District
<b>Posting:</b>	Confirmed 05/30/23

# CB-23-37 Request

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

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

On November 9, 2022 The Board of Zoning Appeals approved Docket CB-22-63 for a variance from the requirements for placement of a swimming pool as outlined in Condition 18-B of the Greenville County Zoning Ordinance.

# CB-23-37: Variance Considerations

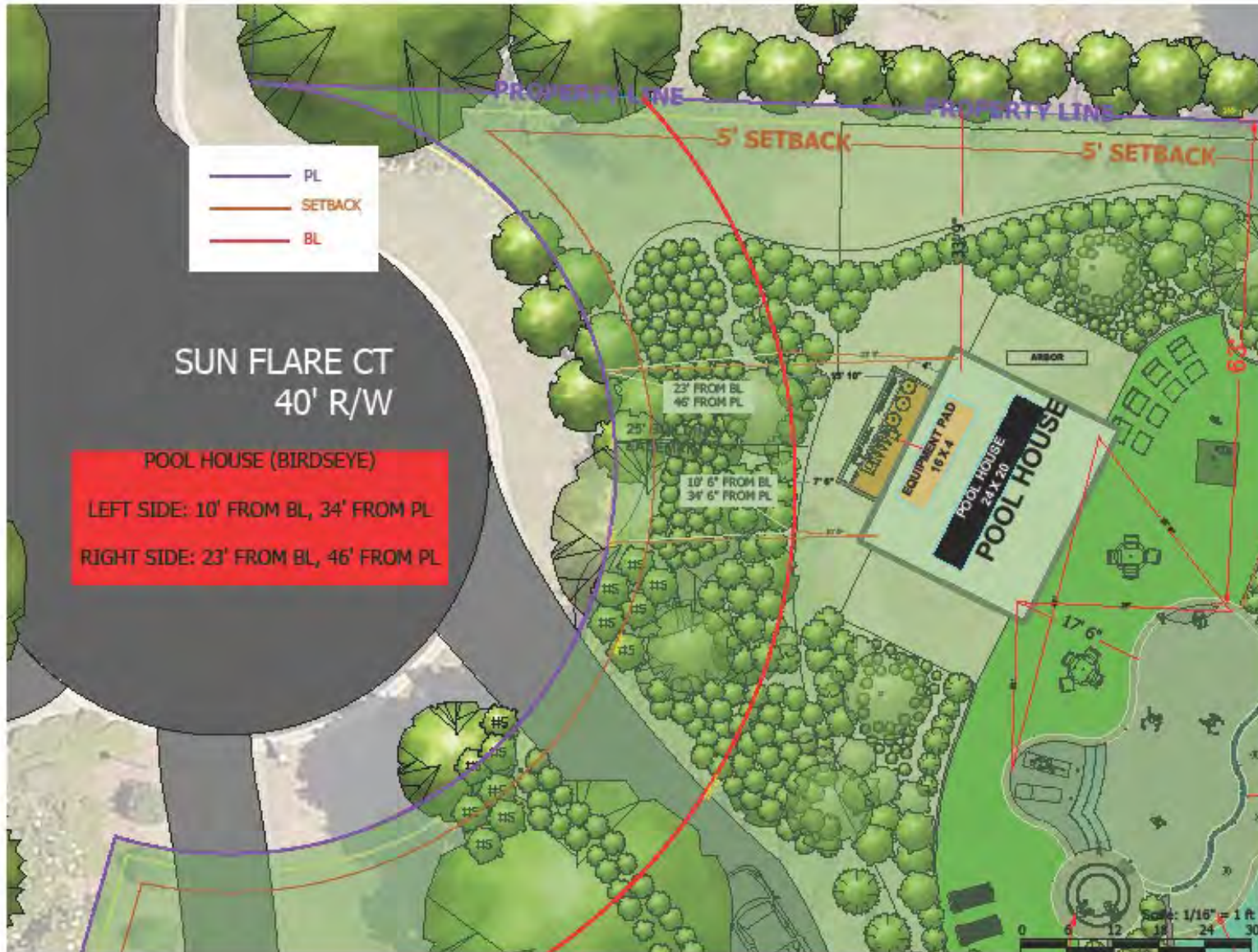
**Section 3:4.1 of the Greenville County Zoning Ordinance** states that a variance may be granted if the Board makes and explains the following findings:

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

# CB-23-37 Site Plan



# CB-23-37 Site Plan



# CB-23-37: Zoning Map

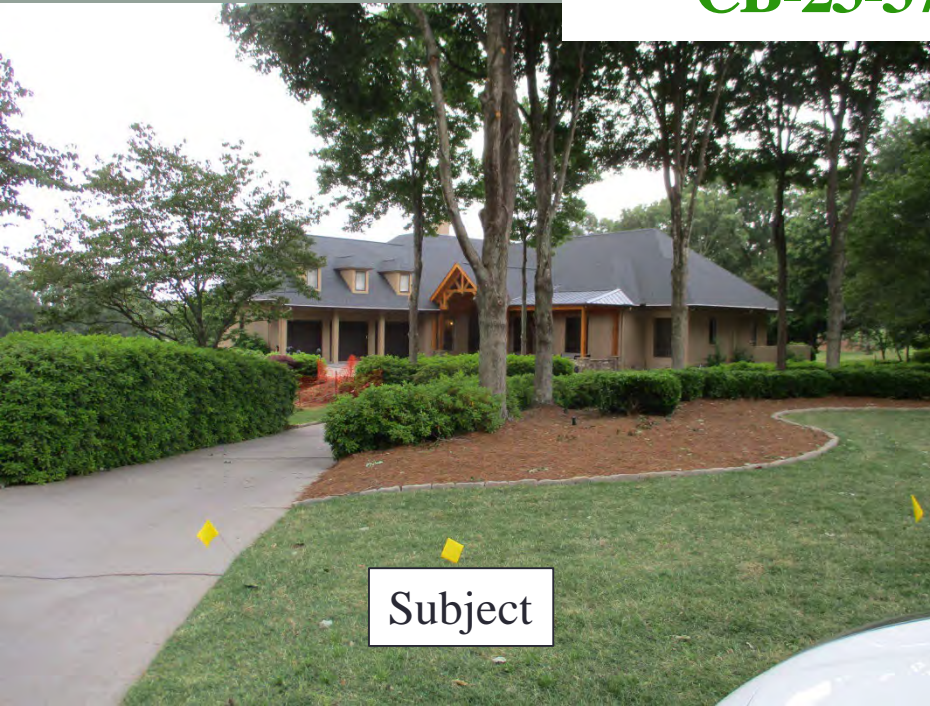




# CB-23-37: Aerial Map



# CB-23-37 Photos



Subject



Subject



West of Subject



North of Subject

# CB-23-38

- Applicant:** Brenton Victor Behoriam of Blue Point Properties, LLC for Blue Point Properties, LLC
- Project Type:** Use by Special Exception
- Address:** 219 Big Creek Lane, Piedmont, SC 29673
- Zoning:** S-1, Services District
- Posting:** Confirmed 05/30/23

# CB-23-38 Request

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

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

On December 14, 2022 The Board of Zoning Appeals approved Docket CB-22-80 for a Use by Special Exception to replace a previously existing non-conforming manufactured home with a new, larger manufactured home.

# CB-23-38: Use by Special Exception

## 9:3.2 Expansion of Nonconforming Uses

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

## 9:3.3 Expansion of Nonconforming Structures

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

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

# CB-23-38: Use By Special Exception Considerations

## **Section 11:1 - General Provisions for Uses Permitted by Special Exception states:**

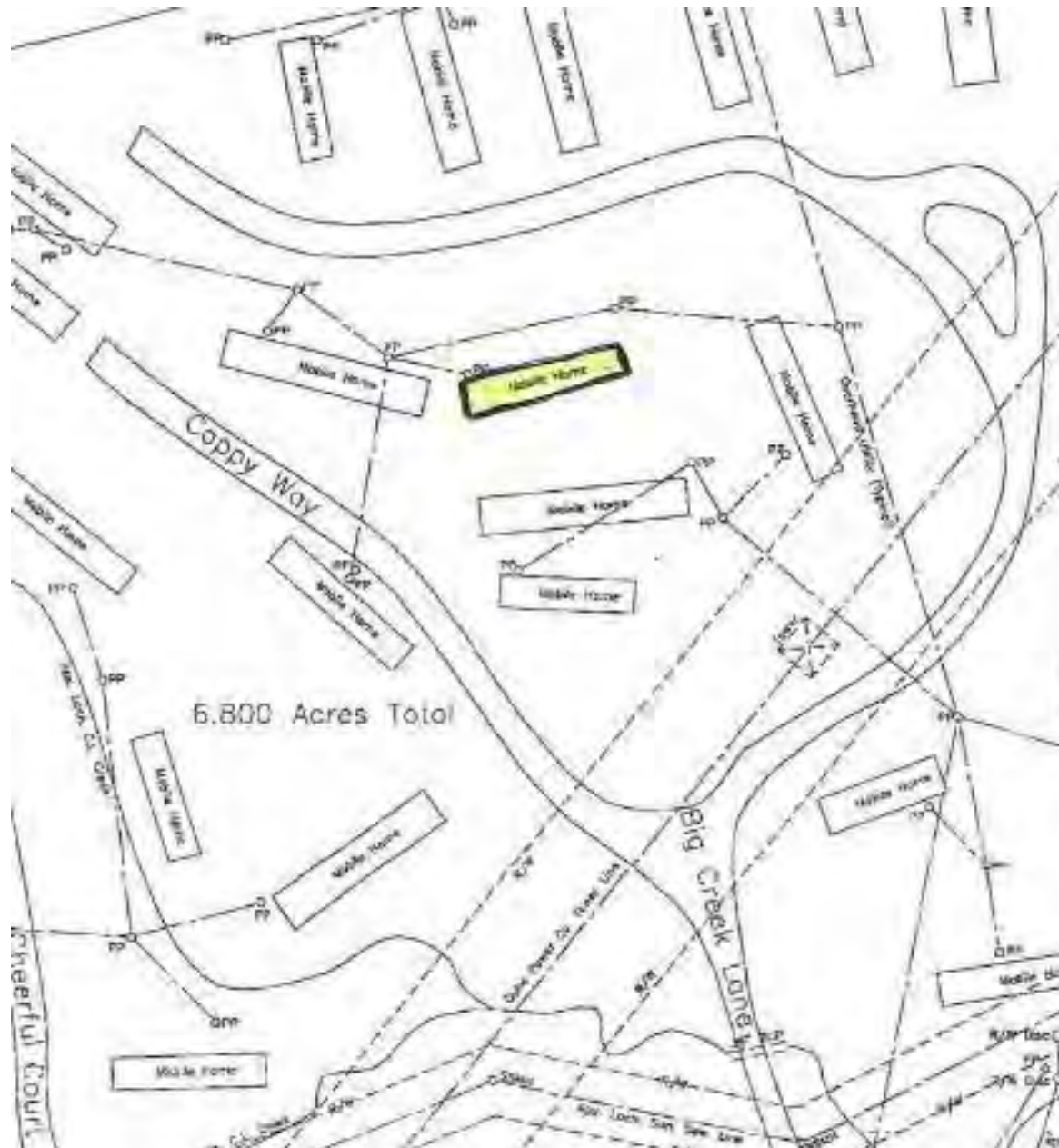
“The Board of Zoning Appeals may grant permission for those uses permitted by special exception which are in accordance with the provisions of this Ordinance and the specific conditions set forth in this section.” The Board shall consider the following factors:

- 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.

# CB-23-38 Site Plan



# CB-23-38 Site Plan





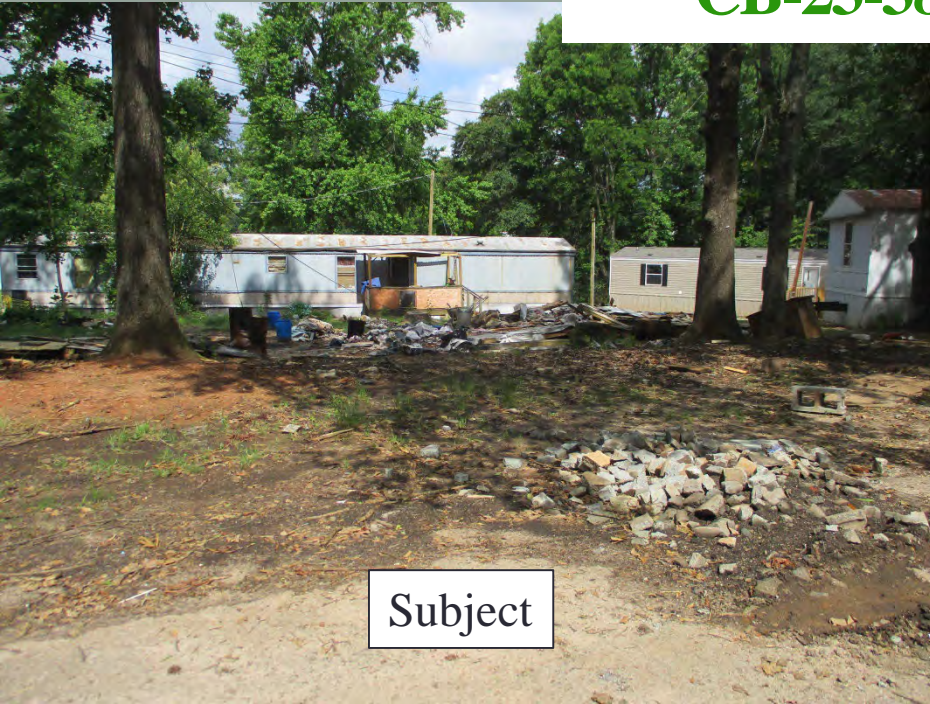
# CB-23-38: Zoning Map



# CB-23-38: Aerial Map



# CB-23-38 Photos



Subject



North of Subject



West of Subject



East of Subject

# CB-23-40

<b>Applicant:</b>	Partick Lewis with Latour Homes, LLC
<b>Project Type:</b>	Variance
<b>Address:</b>	301 Averill Street, Greenville, SC 29601
<b>Zoning:</b>	R-M20, Multifamily Residential District
<b>Posting:</b>	Confirmed 05/30/23

# CB-23-40 Request

The property is located north of Anderson Road and east of Valentine Street, near the City of Greenville.

The applicant is requesting a variance to encroach 4.5' into the required 20' front setback.

There are no prior applications before the BZA.

# CB-23-40: Variance

## 7:3.9 Single-Family Residential Dwellings in Multifamily Districts;

Single-family residential dwellings located in multifamily districts shall have a minimum lot width of 30 feet and a side and rear setback of 5 feet. Front setbacks are measured from the street right of way and are as follows; 20 feet on a residential street, 30 feet on a collector street, and 50 feet on an arterial street.

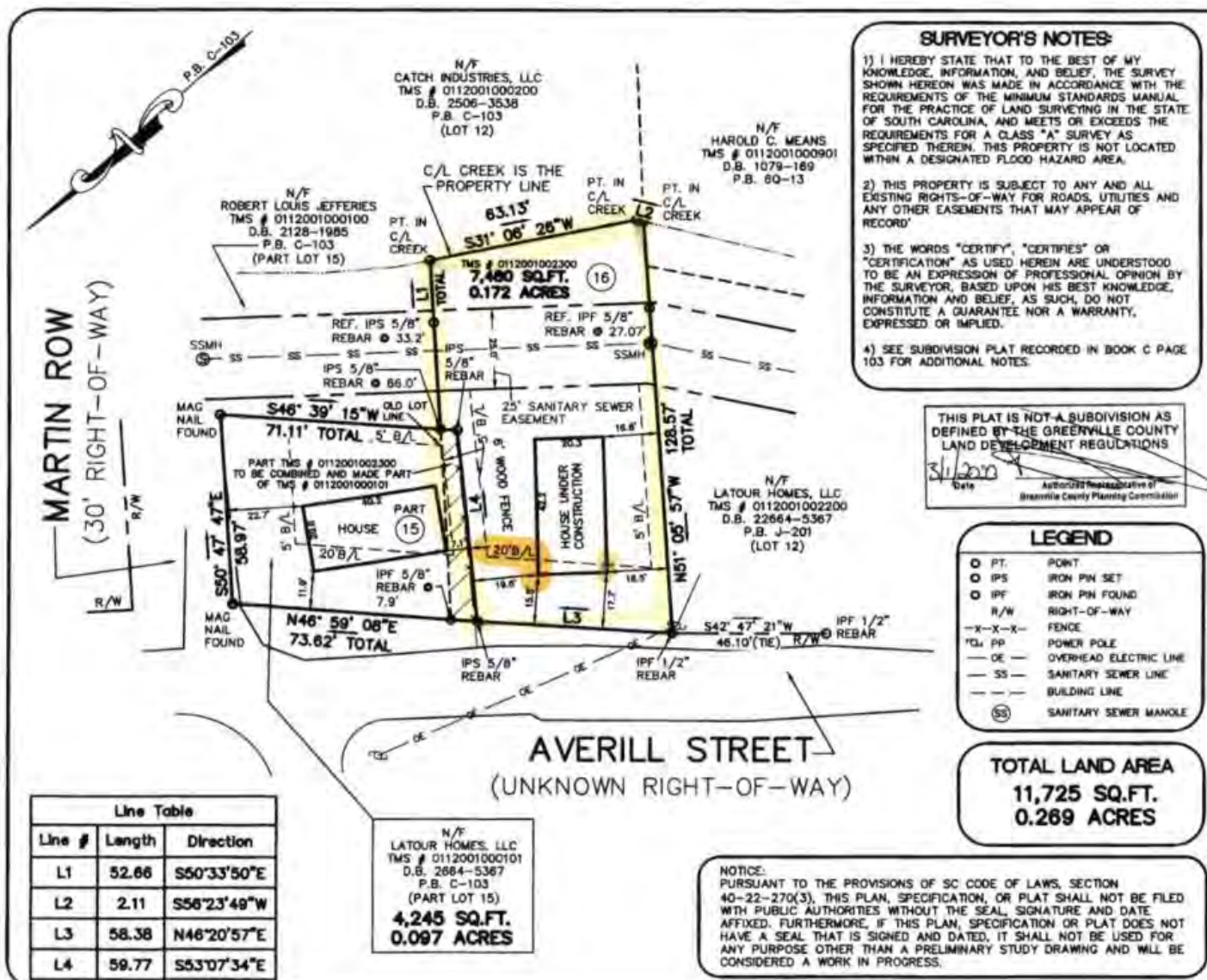
FRONT	=	20' from edge of road R.O.W.
RIGHT SIDE	=	5' from property line
LEFT SIDE	=	5' from property line
REAR	=	5' from property line

# CB-23-40: Variance Considerations

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

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

# CB-23-40 Site Plan



MARTIN ROW  
(30' RIGHT-OF-WAY)

AVERILL STREET  
(UNKNOWN RIGHT-OF-WAY)

Line Table		
Line #	Length	Direction
L1	52.66	S50°33'50"E
L2	2.11	S56°23'49"W
L3	58.38	N46°20'57"E
L4	59.77	S53°07'34"E

N/F  
LATOUR HOMES, LLC  
TMS # 0112001000101  
D.B. 2664-5367  
P.B. C-103  
(PART LOT 15)  
**4,245 SQ.FT.  
0.097 ACRES**

NOTICE:  
PURSUANT TO THE PROVISIONS OF SC CODE OF LAWS, SECTION 40-22-270(3), THIS PLAN, SPECIFICATION, OR PLAT SHALL NOT BE FILED WITH PUBLIC AUTHORITIES WITHOUT THE SEAL, SIGNATURE AND DATE AFFIXED. FURTHERMORE, IF THIS PLAN, SPECIFICATION OR PLAT DOES NOT HAVE A SEAL THAT IS SIGNED AND DATED, IT SHALL NOT BE USED FOR ANY PURPOSE OTHER THAN A PRELIMINARY STUDY DRAWING AND WILL BE CONSIDERED A WORK IN PROGRESS.

**SURVEYOR'S NOTES:**

- 1) I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN. THIS PROPERTY IS NOT LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA.
- 2) THIS PROPERTY IS SUBJECT TO ANY AND ALL EXISTING RIGHTS-OF-WAY FOR ROADS, UTILITIES AND ANY OTHER EASEMENTS THAT MAY APPEAR OF RECORD.
- 3) THE WORDS "CERTIFY", "CERTIFIES" OR "CERTIFICATION" AS USED HEREIN ARE UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL OPINION BY THE SURVEYOR, BASED UPON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF, AS SUCH, DO NOT CONSTITUTE A GUARANTEE NOR A WARRANTY, EXPRESSED OR IMPLIED.
- 4) SEE SUBDIVISION PLAT RECORDED IN BOOK C PAGE 103 FOR ADDITIONAL NOTES.

THIS PLAT IS NOT A SUBDIVISION AS DEFINED BY THE GREENVILLE COUNTY LAND DEVELOPMENT REGULATIONS

*3/1/2023*  
Date

Author/2023 Representative of  
Greenville County Planning Commission

**LEGEND**

- PT. POINT
- IPS IRON PIN SET
- IPF IRON PIN FOUND
- R/W RIGHT-OF-WAY
- X-X-X- FENCE
- PP POWER POLE
- OE OVERHEAD ELECTRIC LINE
- SS SANITARY SEWER LINE
- - - BUILDING LINE
- SS SANITARY SEWER MANHOLE

**TOTAL LAND AREA  
11,725 SQ.FT.  
0.269 ACRES**



FREELAND & ASSOCIATES, INC.  
323 WEST STONE AVE  
GREENVILLE S.C. 29609  
TEL: (864) 271-4924 FAX: (864) 233-0315  
EMAIL: Info@freeland-associates.com

DRAWN: CF	PARTY CHIEF: RM	CHECKED: MVA
REF. PLAT BOOK: C-103		
REF. DEED BOOK: 2671-5580		
TAX MAP: 0112001002300		
DATE OF SURVEY: 2-14-2023		
DATE DRAWN: 2-16-2023		
DRAWING NO: 78600 recomb		
DATE OF LAST REVISION:		

0' 30' 60' 90'

SCALE: 1" = 30'



STATE OF SOUTH CAROLINA  
GREENVILLE COUNTY

J.R. MARTIN  
LOT 16  
RECOMBINATION PLAT FOR  
LATOUR HOMES, LLC

SITE ADDRESS:  
301 AVERILL STREET  
GREENVILLE, SC 29601

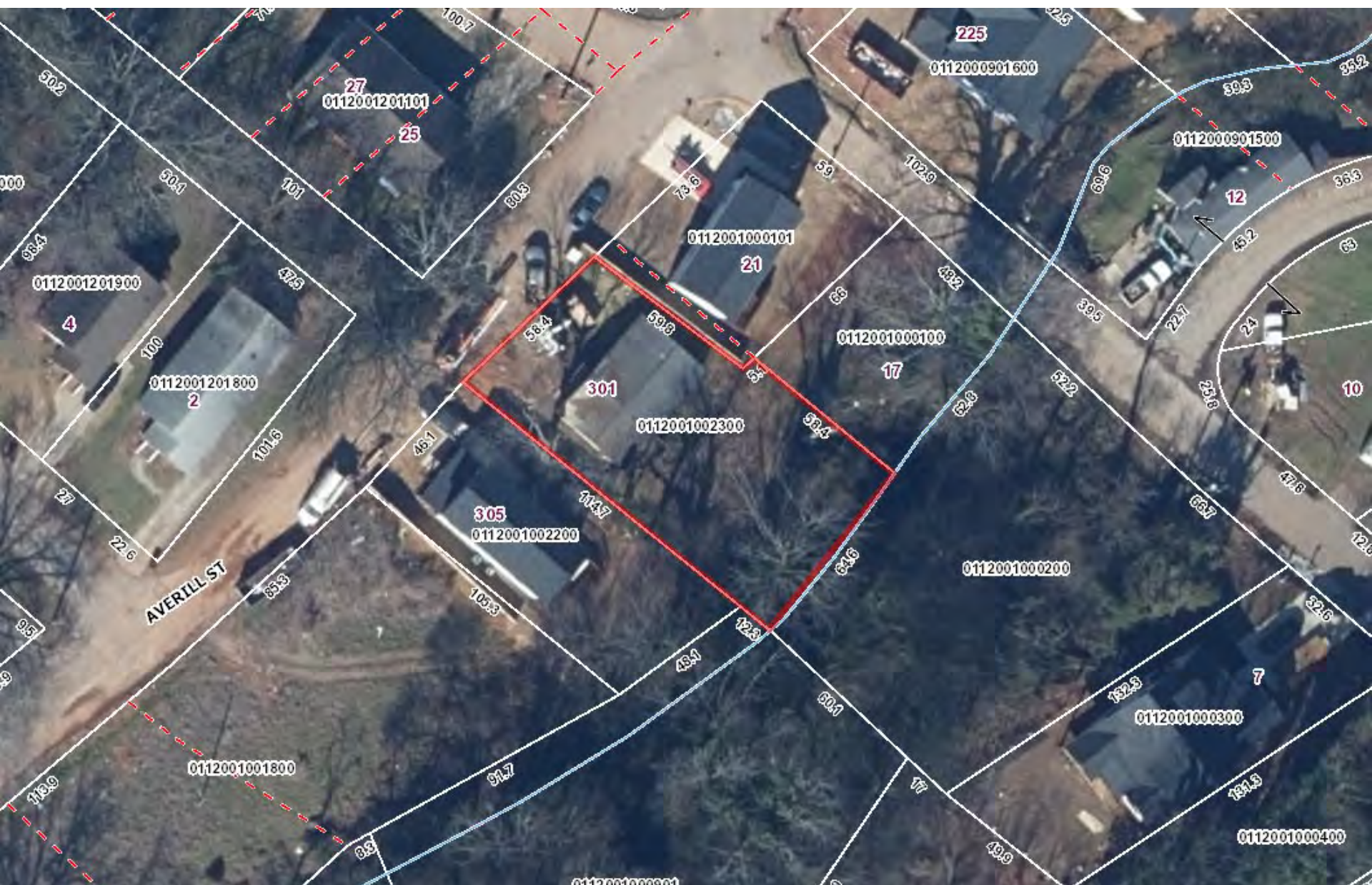




# CB-23-40: Zoning Map



# CB-23-40: Aerial Map



# CB-23-40 Photos



Subject



North of Subject



West of Subject



South of Subject

# CB-23-41

<b>Applicant:</b>	Blayne Jerrett Henderson of OHK, LLC for OHK, LLC
<b>Project Type:</b>	Variance
<b>Address:</b>	1523 Antioch Church Rd., Greenville, SC 29605
<b>Zoning:</b>	I-1, Industrial District
<b>Posting:</b>	Confirmed 05/30/23

# CB-23-41 Request

The property is located on the southeast corner of Antioch Church Road and South Harris Road in Greenville.

The applicant is requesting a Variance to encroach 50' into the required 50' right side setback along South Harris Road for the placement of two canopy structures. These structures were placed on the site without permits and are part of an active code case.

There are no prior applications before the BZA.

# CB-23-41: Variance

**Section 7:3.1, Table 7.3 – Setback/Height Requirements for the I-1, Industrial District &**

**Section 7:3.10 – Setbacks for I-1;**

FRONT	=	50' from edge of road R.O.W.
RIGHT SIDE	=	25' from property line, 50' from R.O.W.
LEFT SIDE	=	25' from property line, 50' from R.O.W.
REAR	=	25' from property line, 50' from R.O.W.

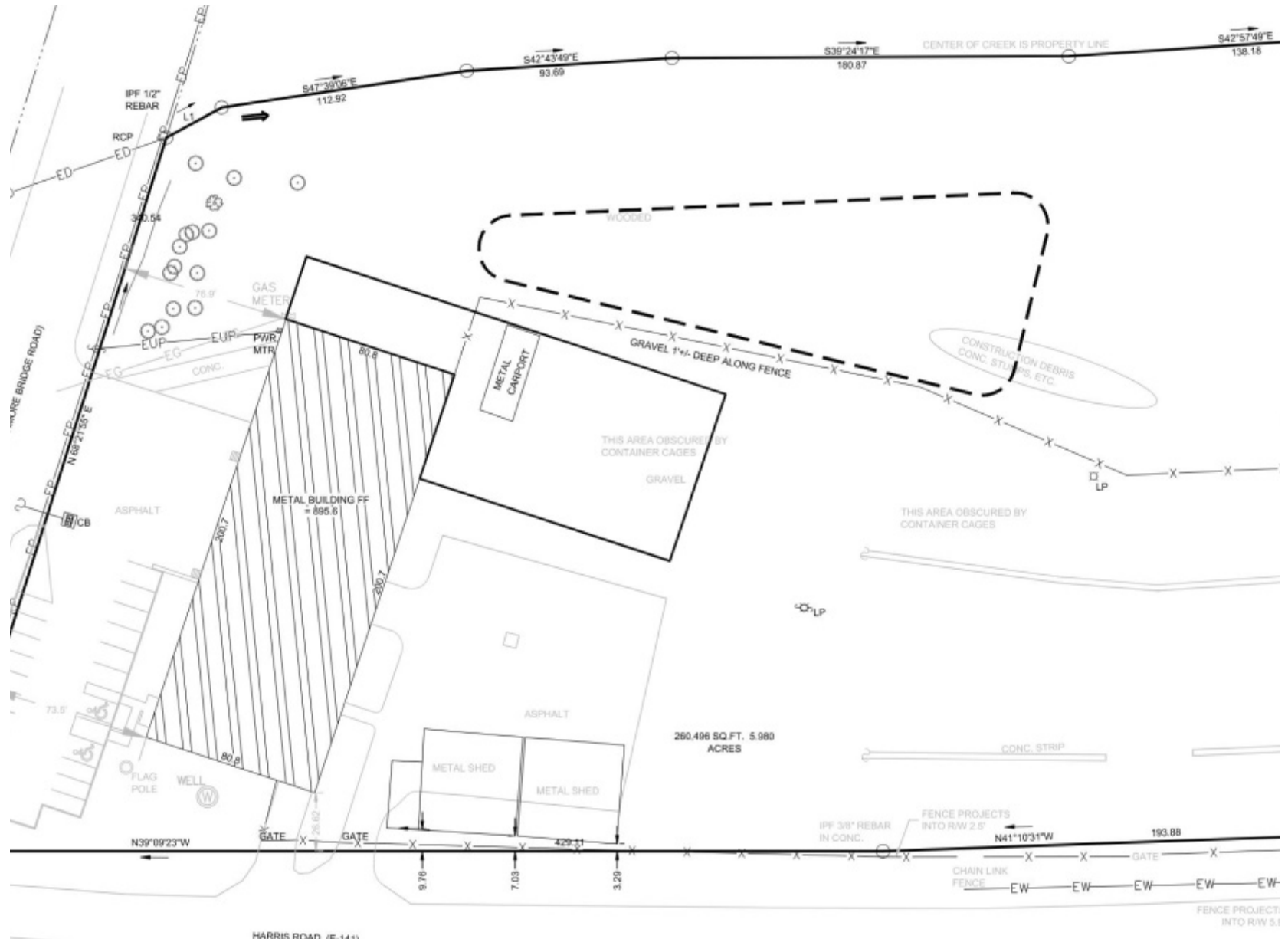
# CB-23-41: Variance Considerations

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

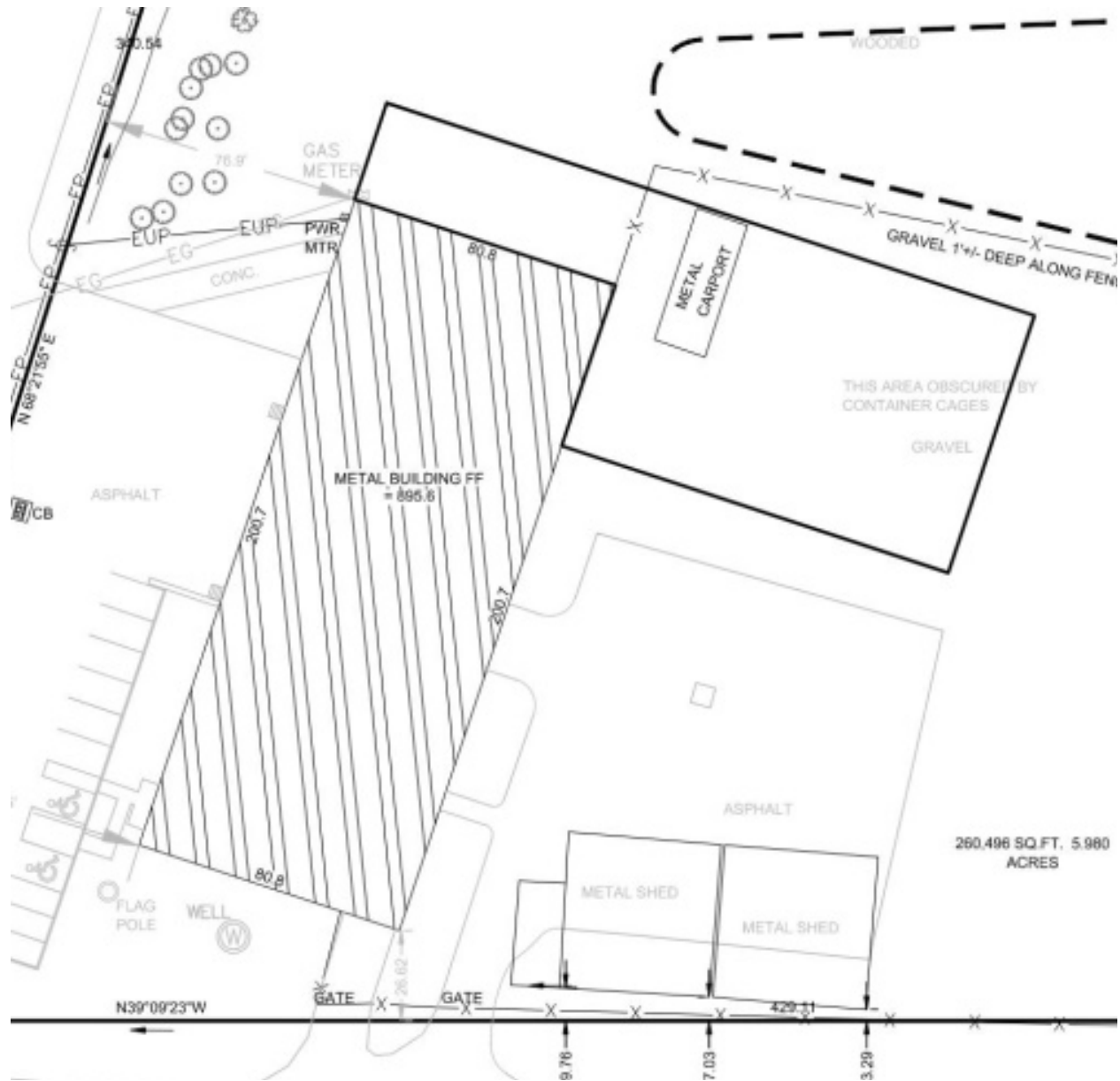
- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- B. These conditions do not generally apply to other property in the vicinity;
- C. Because of the conditions, the application of the ordinance to the particular piece of property would effectively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



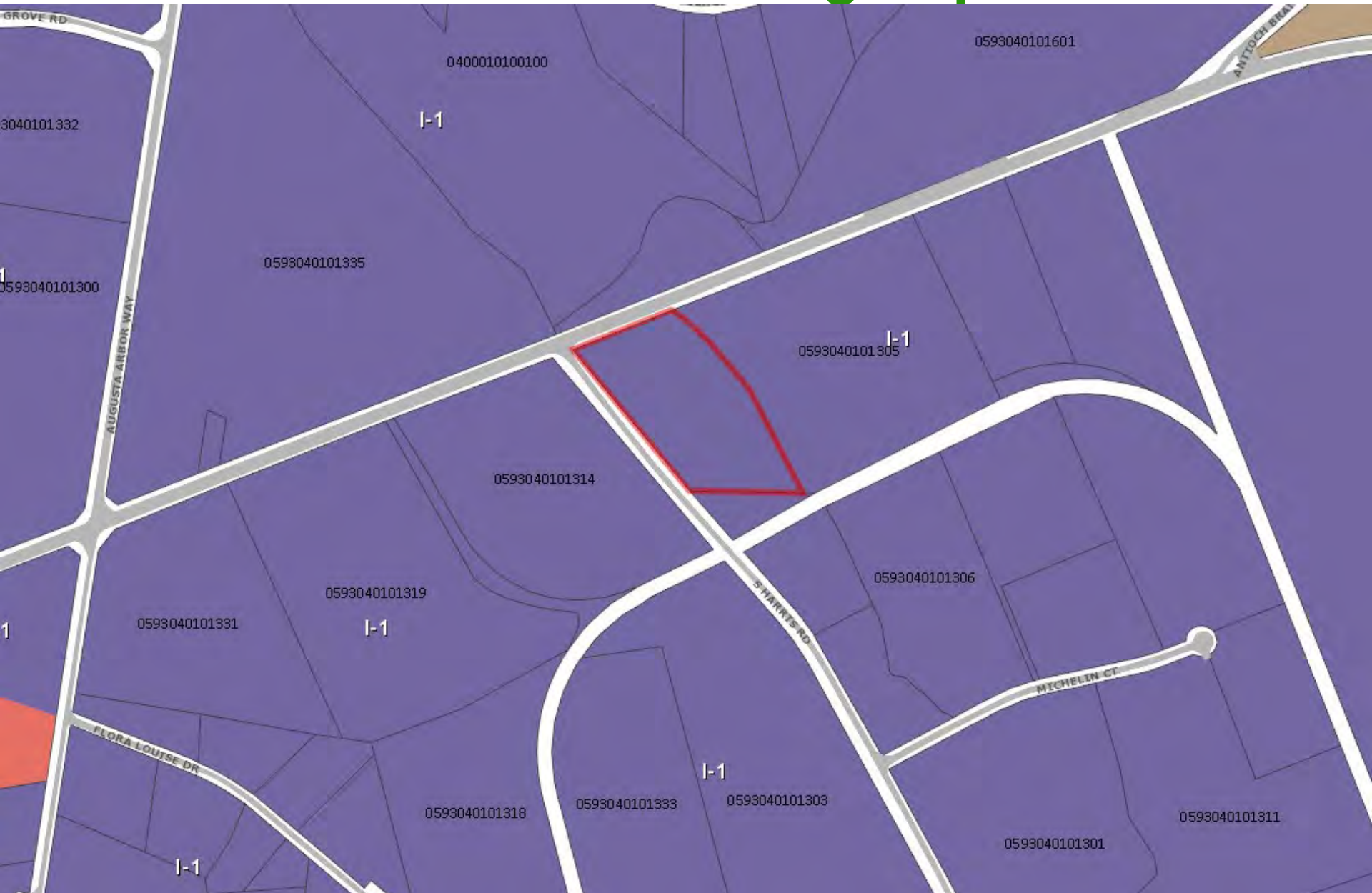
# CB-23-41 Site Plan



# CB-23-41 Site Plan



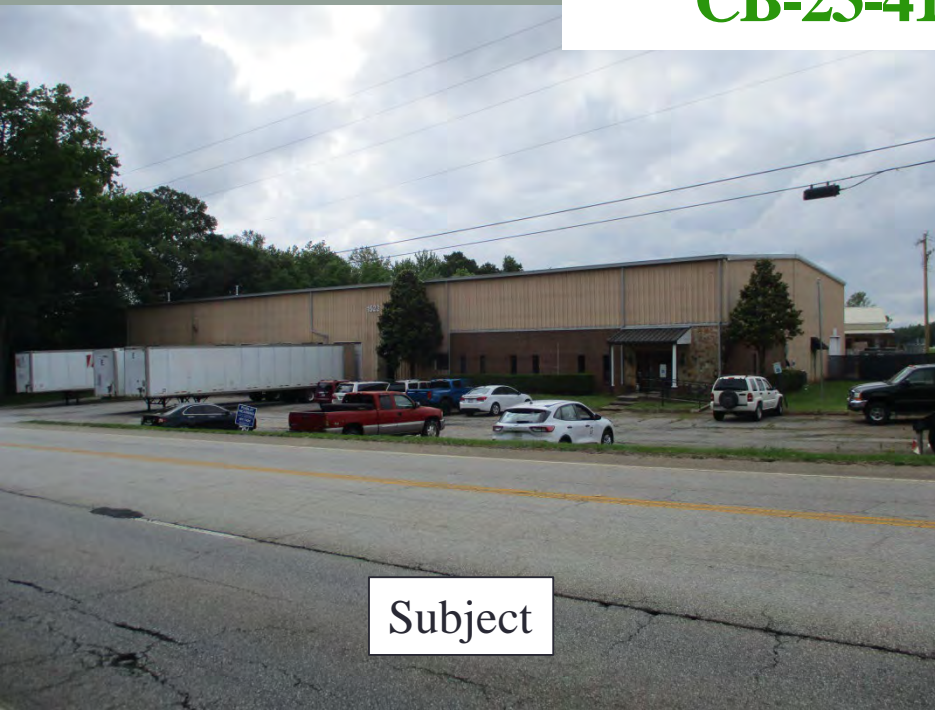
# CB-23-41: Zoning Map



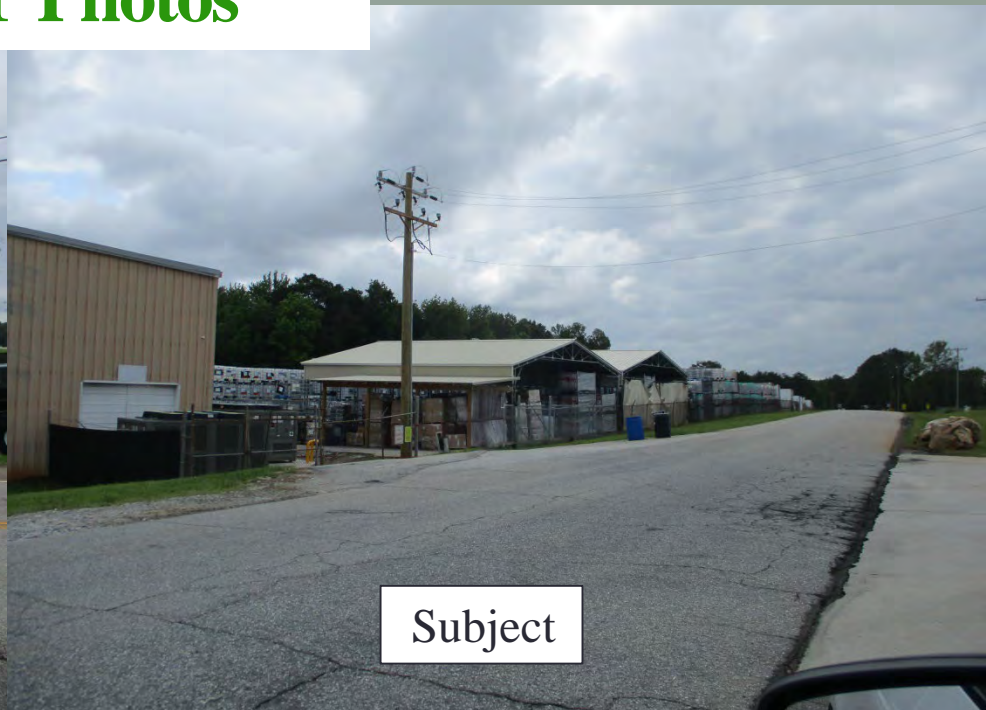
# CB-23-41: Aerial Map



# CB-23-41 Photos



Subject



Subject



West of Subject



East of Subject

# CB-23-42

<b>Applicant:</b>	Meagan Yuriko Nakatsu of Seamon Whiteside for Brice Kenneth Smith with Pinckney Street Partners, LLC
<b>Project Type:</b>	Variance
<b>Address:</b>	910 Pinckney St., Greenville, SC 29609
<b>Zoning:</b>	I-1, Industrial District
<b>Posting:</b>	Confirmed 05/30/23

# CB-23-42 Request

The property is located on Pinckney Street, southwest of the intersection of Pinckney Street and Buncombe Road in Greenville.

The applicant is requesting a Variance to encroach 50' into the required 50' front setback and 25' into the required 25' rear setback to bring an existing building into compliance.

There are no prior applications before the BZA.

# CB-23-42: Variance

**Section 7:3.1, Table 7.3 – Setback/Height Requirements for the I-1, Industrial District &**

**Section 7:3.10 – Setbacks for I-1;**

FRONT	=	50' from edge of road R.O.W.
RIGHT SIDE	=	25' from property line, 50' from R.O.W.
LEFT SIDE	=	25' from property line, 50' from R.O.W.
REAR	=	25' from property line, 50' from R.O.W.



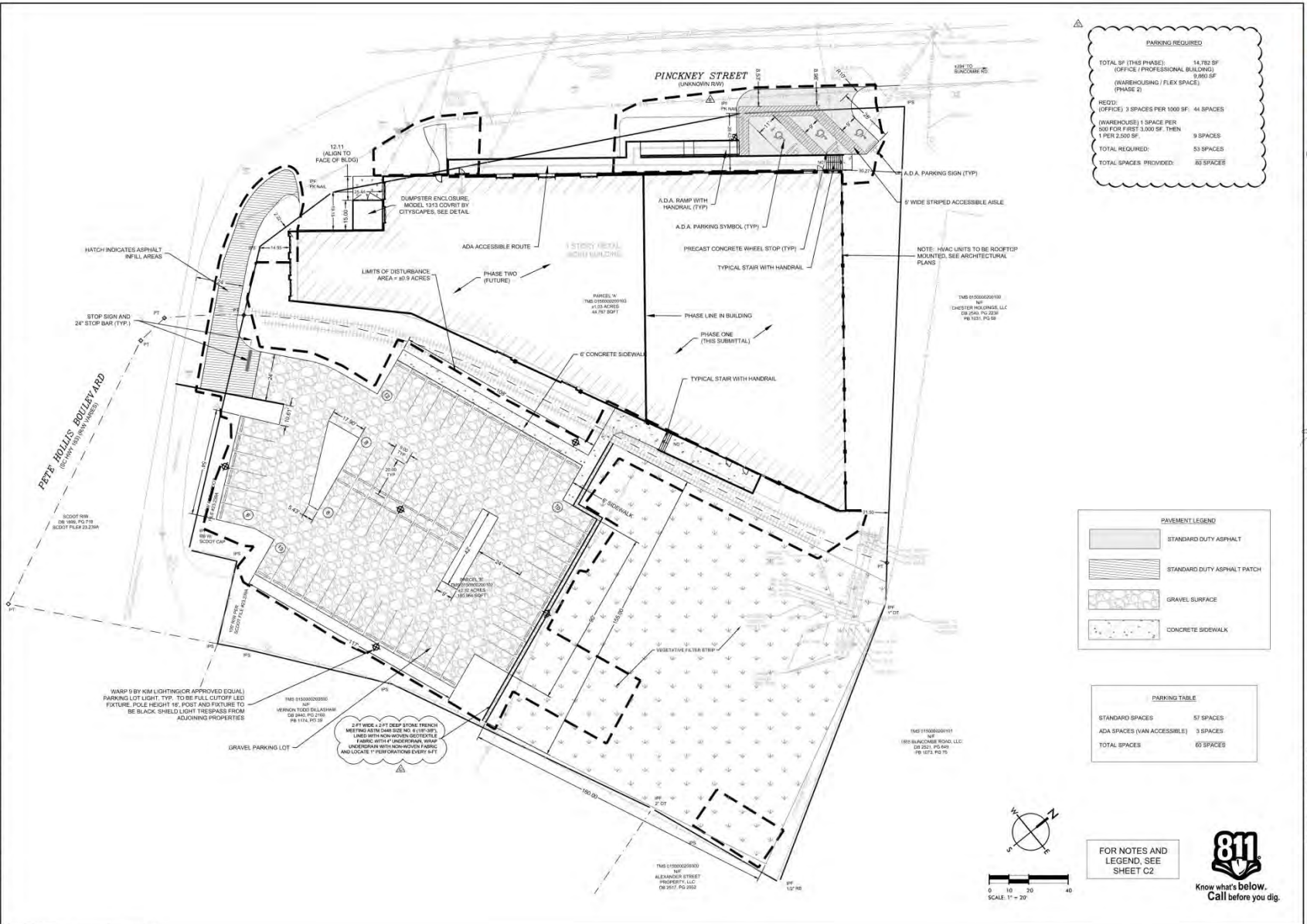
# CB-23-42: Variance Considerations

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

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

# CB-23-42 Site Plan

THIS DRAWING SHALL NOT BE REPRODUCED IN ANY MANNER OR USED FOR ANY PURPOSE WITHOUT WRITTEN PERMISSION.  
 COPYRIGHT © SEAMON, WITTEBSE & ASSOCIATES, INC. 501 WINDY PARK BOULEVARD, SUITE 200 (MOUNT PLEASANT, SC 29564 | 509 BARNETT STREET, SUITE 101 (GREENVILLE, SC 29601)



**PARKING REQUIRED**

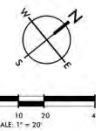
TOTAL SF (THIS PHASE):	14,782 SF
(OFFICE / PROFESSIONAL BUILDING):	0.990 SF
(WAREHOUSING / FLEX SPACE):	
(PHASE 2)	
REQD:	
(OFFICE) 3 SPACES PER 1000 SF:	44 SPACES
(WAREHOUSE) 1 SPACE PER 500 FOR FIRST 3,000 SF, THEN 1 PER 2,000 SF:	9 SPACES
TOTAL REQUIRED:	53 SPACES
TOTAL SPACES PROVIDED:	80 SPACES

**PAVEMENT LEGEND**

	STANDARD DUTY ASPHALT
	STANDARD DUTY ASPHALT PATCH
	GRAVEL SURFACE
	CONCRETE SIDEWALK

**PARKING TABLE**

STANDARD SPACES:	57 SPACES
ADA SPACES (VAN ACCESSIBLE):	3 SPACES
TOTAL SPACES:	60 SPACES



FOR NOTES AND LEGEND, SEE SHEET C2



MOUNT PLEASANT, SC 29564-1667  
 GREENVILLE, SC 29626-0234  
 SUMMERVILLE, SC 29584-1667  
 SPARTANBURG, SC 29584-285-0534  
 CHARLOTTE, NC 28212-2400  
 WWW.SEAMONWHITE.COM

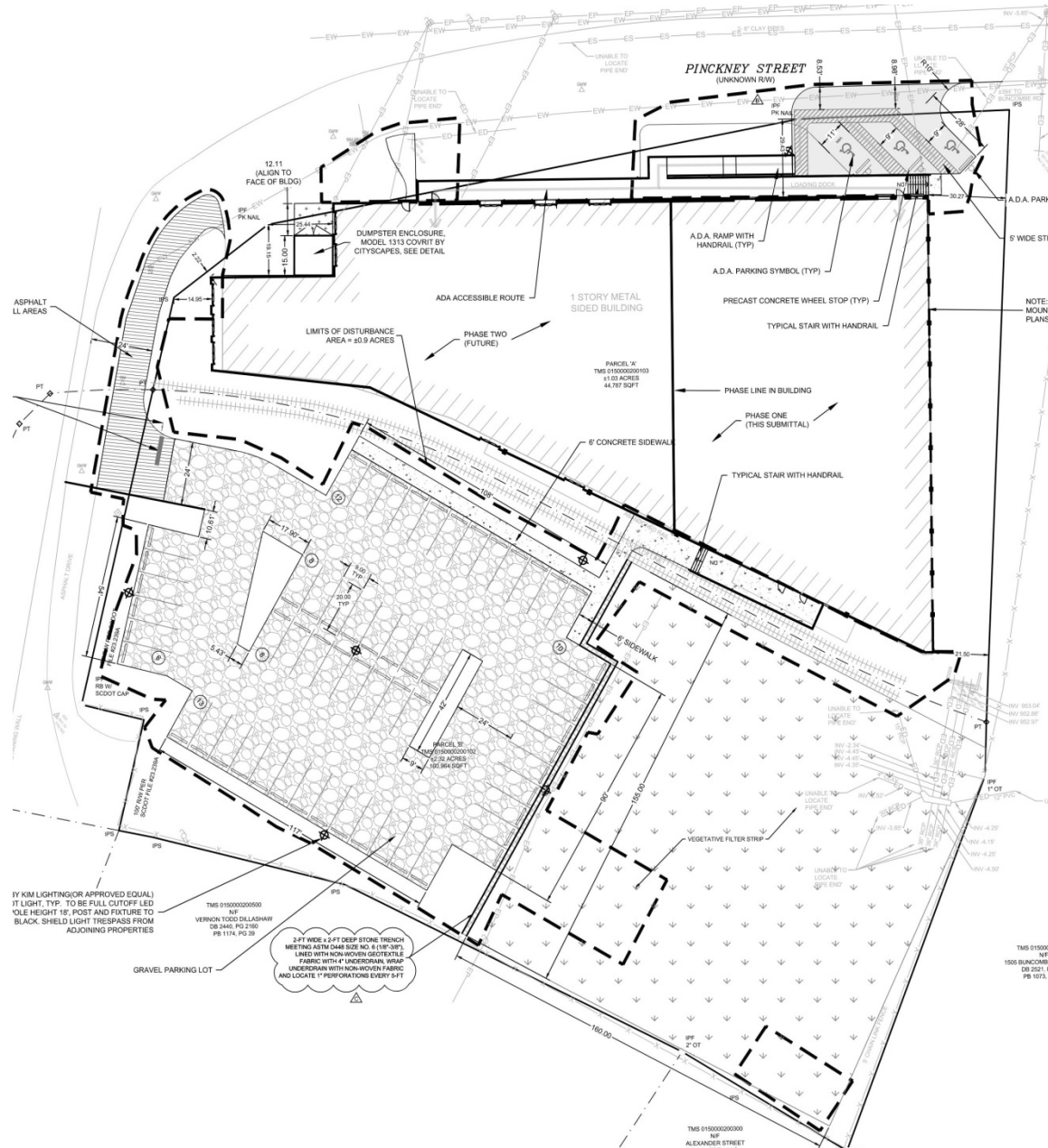


**PINCKNEY STREET PARTNERS**  
 GREENVILLE COUNTY, SOUTH CAROLINA

SW# PROJECT: 030501  
 DATE: 01/16/2019  
 DRAWN BY: MCMARSH  
 CHECKED BY: JS  
**REVISION HISTORY**  
 A. 02/15/19  
 B. 04/17/19  
 C. 05/01/19

SITE PLAN

# CB-23-42 Site Plan



# CB-23-42: Zoning Map



# CB-23-42: Aerial Map



# CB-23-42 Photos



Subject Front



Subject Rear



West of Subject



North of Subject

# CB-23-43

- Applicant:** Richard H. Kapp of Professional Engineering Associates, Inc. for Pastor Duane Alan Rodewald with Abiding Peace Evangelical Lutheran Church
- Project Type:** Use by Special Exception
- Address:** 401 Batesville Rd., Simpsonville, SC 29681
- Zoning:** R-S, Residential Suburban District
- Posting:** Confirmed 05/30/23

# CB-23-43 Request

The property is located on the northwest corner of Batesville Road and Roper Mountain Road in Simpsonville.

The applicant is requesting a Use by Special Exception to allow for the construction of an addition onto an existing school building, a new sport court, new parking lot, and the associated site work.

## **Previous Dockets before the Board of Zoning Appeals were:**

On August 12, 1998 The Board of Zoning Appeals approved Docket CB-98-110 for a Use by Special Exception to construct a new church on the property.

On February 13, 2008 The Board of Zoning Appeals approved Docket CB-08-09 (aka CB-07-64) for a Use by Special Exception to allow the expansion of a fellowship hall.

On December 11, 2013 The Board of Zoning Appeals approved Docket CB-13-72 for a Use by Special Exception to allow the construction of an education building on site.



# CB-23-43: Use By Special Exception

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

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

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

**Section 11.3.1**- Lot Area - the minimum lot area shall be 40,000 square feet or 0.918 acres. The entire site consists of approximately 8.45 acres.

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

**Section 11.3.3** - Off-Street Parking: parking shall be provided in accordance with Section 12.2 and Table 12.1. The submitted site plan includes parking calculations which appear to show compliance. This will be confirmed during the permitting process.

# CB-23-43: Use by Special Exception Requirements

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

**11:3.5 Screening and Buffering:** Screening shall be provided in accordance with the provisions set forth in Section 12:9, Screening and Buffering Requirements. The site plan submitted does not show buffering along property lines. Compliance will be confirmed during the permitting process.

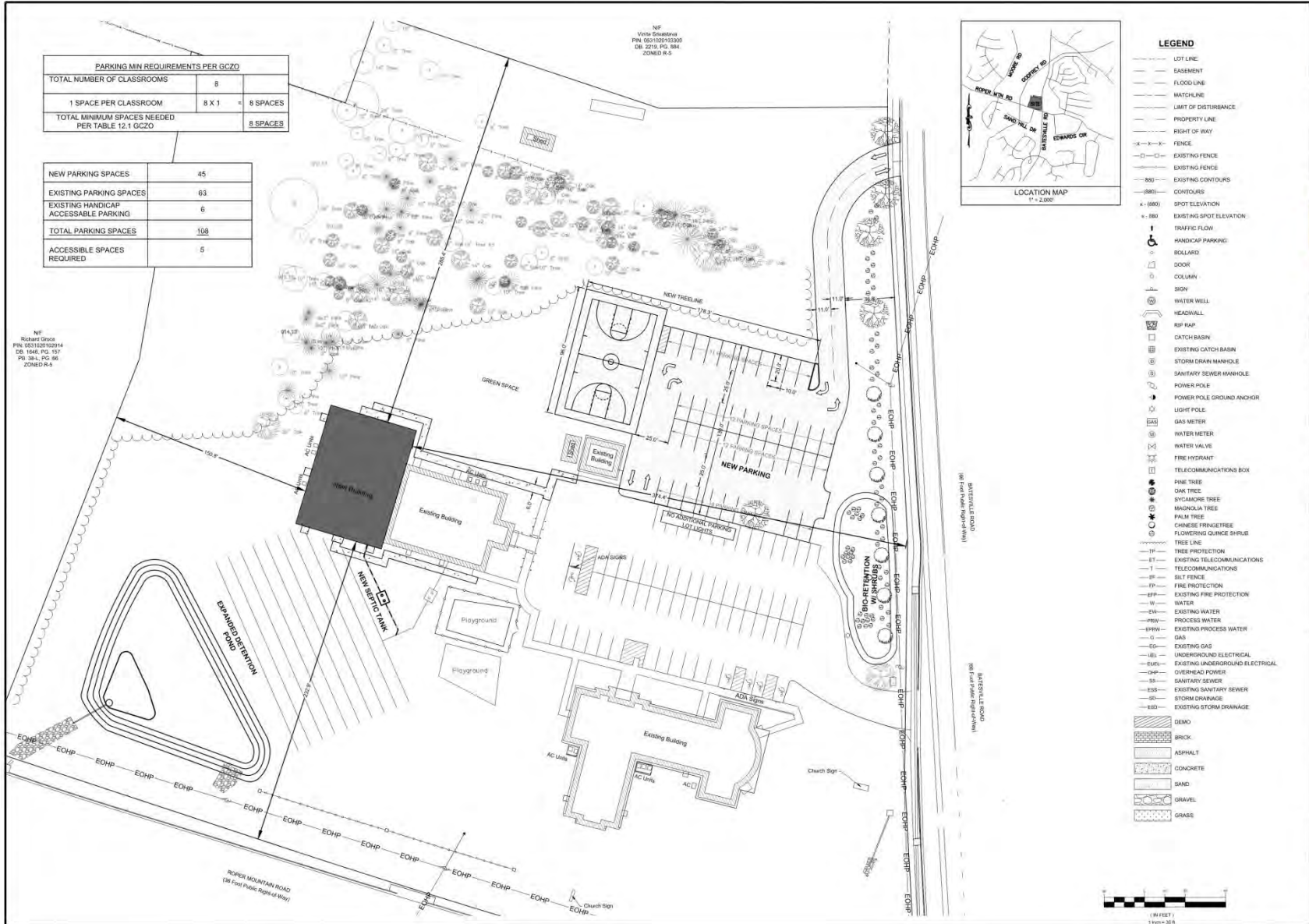
# CB-23-43: Use By Special Exception Considerations

## **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.

# CB-23-43 Site Plan



**ABIDING PEACE LUTHERAN CHURCH**  
 401 BATESVILLE ROAD, SIMPSONVILLE, SC 29681  
 PIN# 0531020102906 & 0531020103302  
 8,450 ACRES

**CLASSROOM ADDITION**

NO.	DATE	BY	DESCRIPTION	REVISIONS

PROJECT # 23-118  
 DRAWER: BLP  
 ENGINEER: RMC  
 REVIEWER: SMC  
 INT. SHEET DATE: 11/20/2023

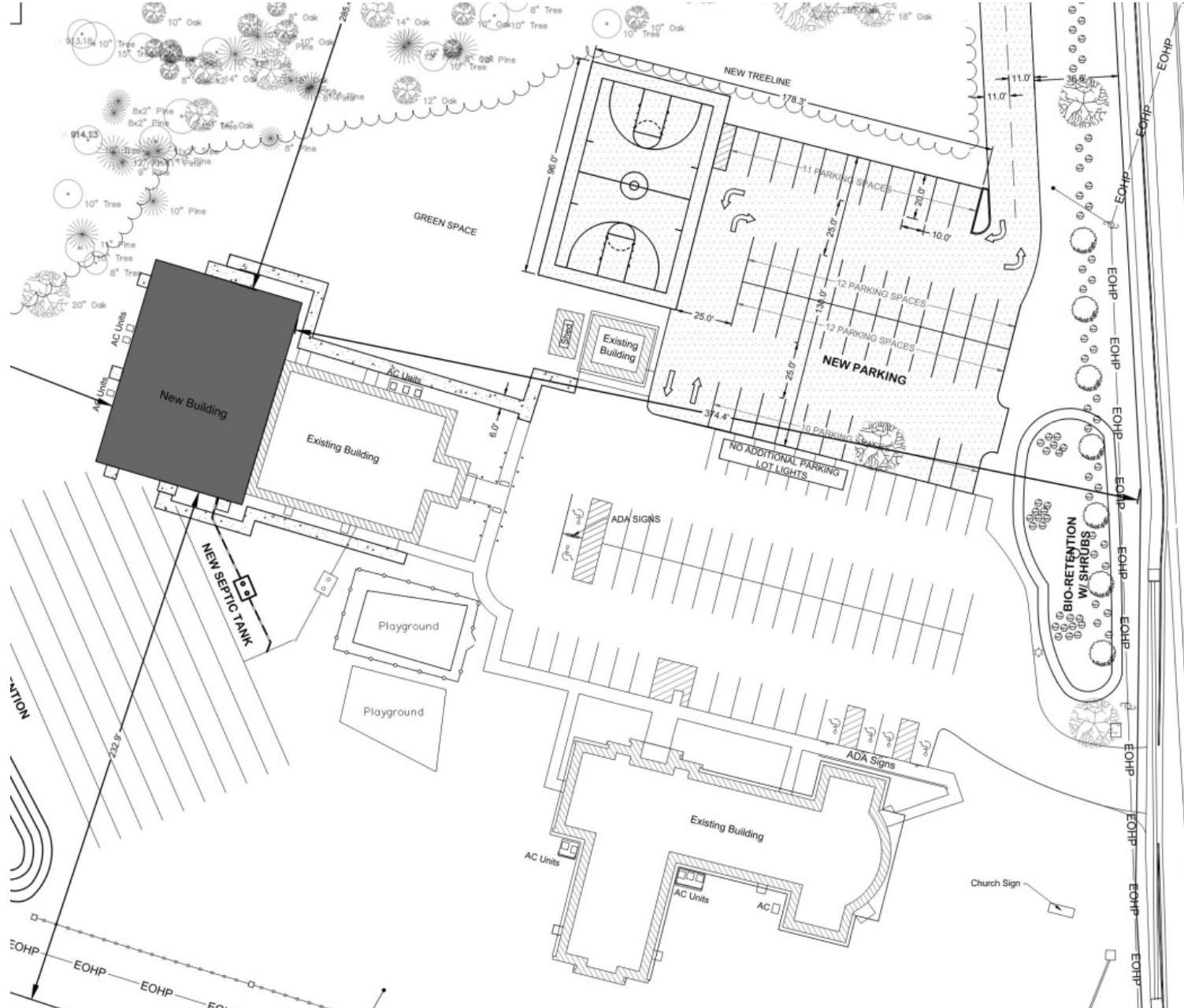
SITE PLAN

**CZ-200**

SHEET NO.

NOT FOR CONSTRUCTION

# CB-23-43 Site Plan



# CB-23-43: Zoning Map



# CB-23-43: Aerial Map



# CB-23-43 Photos



Subject



Subject



South of Subject



East of Subject



# CB-23-44

<b>Applicant:</b>	Andrew Coln of Coln Construction for David Mark
<b>Project Type:</b>	Variance
<b>Address:</b>	102 Greenedge Ln., Greenville, SC 29609
<b>Zoning:</b>	ESD-PM, Environmentally Sensitive District – Paris Mountain
<b>Posting:</b>	Confirmed 05/30/23

# CB-23-44 Request

The property is located on Greenedge Lane in The Ridges at Paris Mountain Subdivision, at the northwest corner of the intersection of Windfaire Pass Court and Altamont Road in Greenville.

The applicant is requesting a Variance to encroach 20' into the required 30' front setback along Greenedge Lane and 25' into the required 30' left side setback along the Greenedge Lane stub out, in order to construct a new home.

There are no prior applications before the BZA.

# CB-23-44: Variance

## Section 7:3.1, Table 7.3 – Setback/Height Requirements for the ESD-PM, Environmentally Sensitive District – Paris Mountain

FRONT	=	30' from edge of road R.O.W.
RIGHT SIDE	=	15' from other structure, 30' from R.O.W.
LEFT SIDE	=	15' from other structure, 30' from R.O.W.
REAR	=	15' from other structure, 30' from R.O.W.

# CB-23-44: Variance Considerations

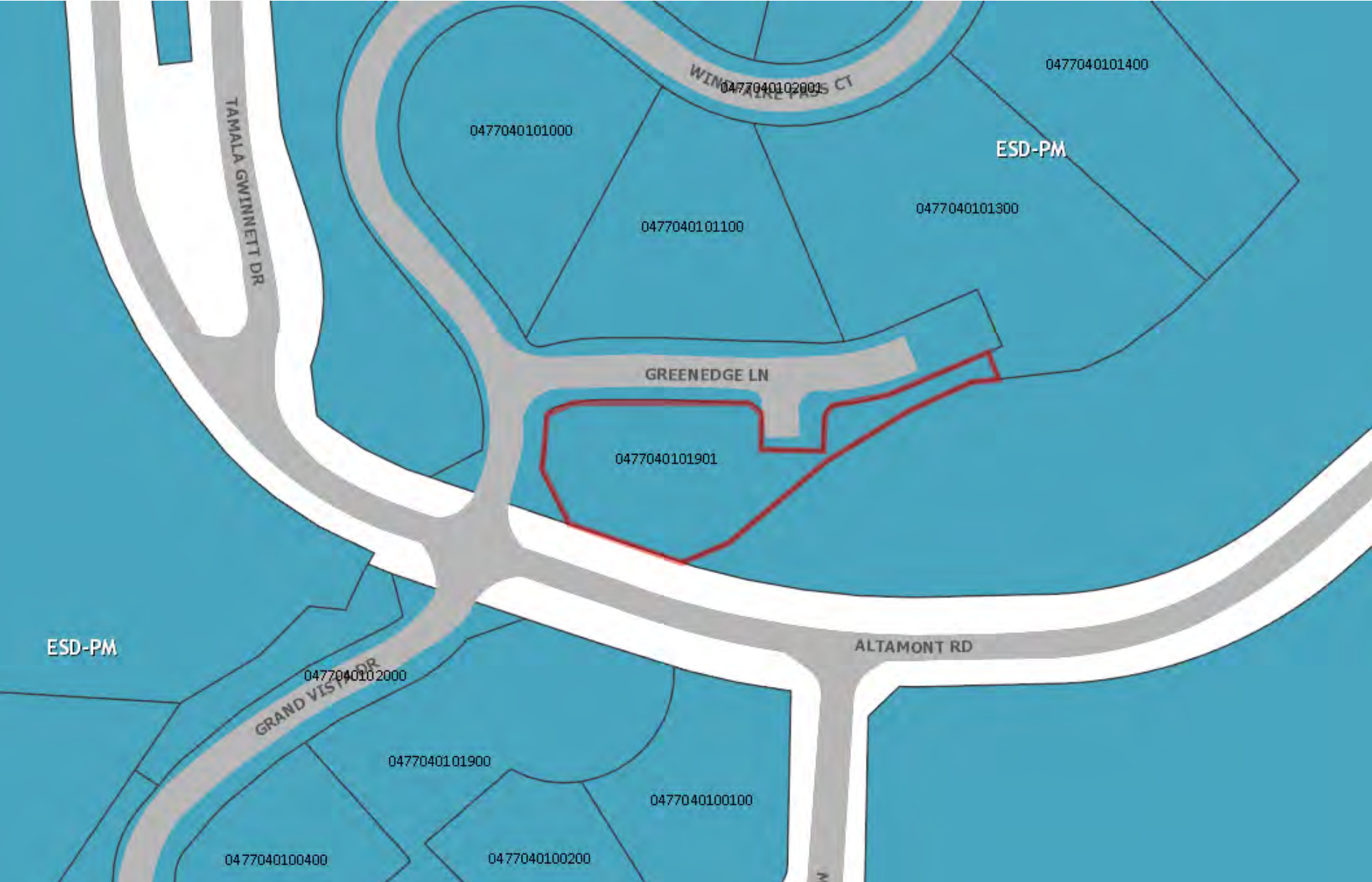
**Section 3:4.1 of the Greenville County Zoning Ordinance** states that a variance may be granted if the Board makes and explains the following findings:

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# CB-23- 44: Zoning Map



# CB-23- 44: Aerial Map





# CB-23-44 Photos



# End of Dockets

- Announcements/Requests by BZA Members
- Adjournment