

Agenda

Board of Zoning Appeals (BZA)

September 8, 2026 at 5:30 PM

Dr. TK Gregg Community Center

650 Howard St. Spartanburg, SC 29303

- I. **Roll Call**
- II. **Freedom of Information Act Compliance** – Public notification of the meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and requirements of the City of Spartanburg Zoning Ordinance.
- III. **Rules and Procedures for Meeting Conduct**
- IV. **Approval of Agenda**
- V. **Disposition of Minutes of August 11, 2026 meeting**
- VI. **Old Business:**
- VII. **New Business:**
 - a. **APP - 26-00200004.** The City of Spartanburg Board of Zoning Appeals has received an appeal regarding staff's denial of the property owner's request to convert an accessory building to an accessory dwelling unit for family use. The subject property is located at 105 Andrews Creek Ln (TMS # 7-17-02-040.02) and is currently zoned R-15, Single Family Residential District. **Property Owner: Chad and Lindsey Graham.**
- VIII. **Staff Announcements**
- IX. **Adjournment**

Meeting Minutes
Board Zoning and Appeals
August 11, 2026 at 5:30 PM
Dr. TK Gregg Community Center
650 Howard St. Spartanburg, SC 29303

Attendance

Board Members Present

- Brian Murdoch, Chair
- McKay Moore, Vice Chair
- John Moore
- Midas Hampton
- Axel Wagner

Staff Present

- Fredalyn Frasier, Planning Director
- Nan Zhou, Planner II
- Max T. Hyde, Jr.

Others Present

- Craig D. Justus, Agent for Grace Outdoor Advertising, LLC
- Jason Wilkerson, Counsel for Applicant
- Hal Stevenson, Grace Outdoor Advertising, LLC
- Jason Hubbs, 958 E. Main St. Property Owner
- Andrew Green, Whites Mill neighborhood
- Patrick Esposito, Whites Mill neighborhood
- Members of the public

Call to Order

Chair Brian Murdoch called the regular meeting of the Board of Zoning Appeals to order at 5:30 PM and conducted roll call. A quorum was established.

Chair Murdoch stated that public notice of the meeting had been published, posted, and mailed in compliance with the Freedom of Information Act and the requirements of the City of Spartanburg Zoning Ordinance.

He reviewed the rules and procedures for applicant presentations, public comment, rebuttal, and Board deliberation.

Approval of Agenda

Planning Department

On a motion by Ms. McKay Moore and seconded by Dr. Midas Hampton, the agenda was approved unanimously.

Approval of Meeting Minutes (July 14, 2026)

On a motion by Dr. Hampton and seconded by Ms. Moore, the minutes of the July 14, 2026 meeting were approved unanimously.

Old Business

None

New Business

APP-25-00200010 – 958 E. Main Street – Deferred Appeal

The Board considered a deferred appeal regarding the proposed erection of a new advertising sign (billboard) at 958 E. Main Street (TMS 7-13-01-026.07), zoned B-3 (General Business District). The property owner is 958 E. Main LLC; the applicant is Grace Outdoor Advertising, LLC; and the applicant's agent is Craig D. Justus.

Staff Presentation

Nan Zhou Planning Department staff presented the deferred case and reviewed the subject property, zoning classification, proposed sign location, and surrounding land uses. Staff explained that the property is zoned B-3 but had never contained a billboard listed on the City's 2010 billboard inventory.

Staff interpreted Section 503.44 of the Zoning Ordinance as permitting replacement of an existing inventoried advertising sign that is lost, removed, or destroyed, but not authorizing construction of a new billboard at a location that was never included in the inventory. Staff also discussed the ordinance standards applicable to billboard height and electronic variable-message signs and stated that electronic signs require a separate process involving permanent removal of existing inventoried signs.

Staff concluded that allowing the proposed sign could undermine the intent and consistent application of the sign regulations and could establish a precedent for similar requests. Staff therefore recommended that the Board uphold staff's interpretation and not authorize the proposed billboard at 958 E. Main Street.

Questions for Staff

- Dr. Hampton asked whether staff had allowed any new billboard locations since the 2010 inventory. Staff responded that none were recalled.

- Chair Murdoch asked staff to clarify whether the City's interpretation required a replacement sign to be constructed at the same location as the inventoried sign. Staff confirmed that its interpretation was a one-for-one replacement at the same location and noted that 958 E. Main Street had never contained an inventoried billboard.

- Mr. Wagner asked whether the proposal had originally included an electronic variable-message sign. Staff indicated that the original proposal was digital.

- Ms. Moore asked whether the City's temporary moratorium on advertising-sign applications applied to this case. Staff and legal counsel explained that the appeal predated the moratorium and remained pending, so the moratorium did not apply.

Applicant Presentation

Craig D. Justus appeared on behalf of Grace Outdoor Advertising, LLC. At his request, Chair Murdoch allowed additional presentation time because of the legal and factual issues involved in the appeal. Mr. Justus submitted an affidavit and supporting exhibits, including the applicable zoning ordinance, the City's 2010 billboard inventory, and information concerning another billboard installation.

Mr. Justus emphasized that the matter was an appeal of staff's interpretation of the ordinance rather than a request for a variance. He stated that the applicant was asking the Board to determine whether staff had correctly interpreted Section 503.44.

The applicant also clarified that the proposal had been revised in response to earlier staff comments. According to Mr. Justus, the revised application removed the digital component, reduced the proposed sign height from 35 feet to 30 feet, and reduced the sign area from 378 square feet to 300 square feet.

Mr. Justus argued that the ordinance establishes a citywide 'cap and replace' system rather than limiting replacement to the parcel where an inventoried billboard previously existed. He pointed to language permitting advertising signs in the B-3, B-4, I-1, and I-2 districts and to the provision stating that the total number of signs may not be increased. In his view, those provisions would have little purpose if every replacement were required to occur on the same parcel as the original sign.

He further argued that the ordinance does not expressly state that a replacement must occur on the same property and that the applicant's interpretation harmonizes the zoning-district restrictions, the inventory, the numerical cap, and the replacement provisions. He stated that existing nonconforming billboards could continue to be replaced at their existing locations, while a new location replacing capacity within the inventory would be limited to the four districts expressly identified by the ordinance.

Mr. Justus also discussed the history of the application, which was originally submitted in 2023, and asserted that the same-location interpretation was communicated only later in the review process. He argued that, at minimum, the ordinance was ambiguous and that the applicant had presented a reasonable interpretation of its language.

Board Discussion

- Mr. John Moore questioned how the proposal could qualify as a replacement when no billboard had previously existed at 958 E. Main Street. Mr. Justus responded that the replacement language applied to the City's inventory and overall cap, not necessarily to the same parcel.
- Board members discussed the meaning of the inventory, the significance of the numerical cap, and whether the ordinance expressly required a one-for-one replacement at the original location.

- The applicant reiterated that the revised proposal was non-digital and had been modified to meet the dimensional comments previously provided by staff.
- The Board also discussed the timing of the 2023 application and the later moratorium. The applicant maintained that the moratorium did not affect the pending appeal.

Public Comments:

On a motion by Ms. Moore and seconded by Mr. Wagner, the Board opened the public comment period unanimously.

In Favor

Hal Stevenson of Grace Outdoor Advertising spoke in favor of the appeal. He described the history of the application and stated that, based on his experience with cap-and-replace ordinances, he understood the City's ordinance to allow a billboard to replace available inventory capacity so long as the total cap and other applicable standards were satisfied. He stated that the applicant had worked with City staff over several years and had revised the proposal in response to comments regarding size, height, and digital technology.

Jason Hubbs, property owner, also spoke in favor. He explained that rental income from the billboard would assist with improvements to the property. He described plans for building upgrades, a mural, landscaping and improvements near the trail, and other efforts intended to improve the appearance and use of the site. He asked the Board to allow Grace Outdoor Advertising to install the billboard.

In Opposition

Andrew Green, a resident of the Whites Mill neighborhood, asked the Board to deny the appeal. He expressed concern about the effect of billboard lighting on the nearby neighborhood and about distracted driving on East Main Street. His comments were directed primarily to digital billboards, and he encouraged the City to address billboard regulation through the ordinance update. He also asked whether other new billboards had been approved since the 2010 inventory and whether the City had historically applied the same interpretation.

Patrick Esposito, a longtime Whites Mill resident, also spoke in opposition. He stated that digital billboards distract drivers, detract from the community, and create visual blight. He noted that an existing digital billboard can be seen from the neighborhood and the nearby trail and stated that he believed the City's interpretation was correct.

On a motion by Dr. Hampton and seconded by Mr. John Moore, the public comment period was closed unanimously.

Applicant Response

Mr. Justus clarified that the revised application before the Board was not for a digital billboard. He reiterated that the appeal turned on the wording of the ordinance and not on policy preferences regarding billboards. He again argued that the ordinance does not prohibit new billboard locations outright, that the first sentence of Section 503.44 permits advertising signs in specified districts, and that the inventory and numerical cap language support the applicant's interpretation. He asked the Board to reverse staff's interpretation and approve the appeal.

Planning Department

Board Action

The Board discussed whether the matter should be evaluated as an appeal of staff's interpretation rather than as a variance request. Ms. Moore noted that the Board's role on appeal was to determine whether Planning staff's interpretation was consistent with the written ordinance and whether the applicant had shown staff's reading to be clearly unreasonable.

Mr. John Moore stated that, in his reading, the ordinance clearly contemplated replacement of an existing sign and that the proposed billboard did not replace a sign previously located at 958 E. Main Street. He expressed concern that approving the appeal could result in similar requests from other commercial property owners.

Dr. Hampton described the ordinance as imprecisely written in comparison with the highly specific dimensional and spacing standards elsewhere in the same section. She focused on the absence of language expressly requiring a replacement to occur on the same parcel and distinguished between replacing an individual sign at a specific location and replacing a sign within the City's inventory. She also noted that the revised proposal was no longer digital and that the applicant had agreed to other dimensional changes requested during review.

Mr. Wagner agreed that portions of the ordinance appeared mismatched or unclear and indicated support for the appeal. The Board further discussed dictionary meanings of the word 'replace,' the significance of signs removed from the 2010 inventory, and whether the replacement language referred to the physical sign, its location, or a position within the City's overall inventory.

Chair Murdoch stated that the ordinance appeared to suggest same-location replacement in some respects, but he also questioned why the ordinance separately identified permitted zoning districts and a total-number limitation if replacement were always restricted to the original parcel. Board members acknowledged concerns raised about traffic safety, lighting, and future precedent, while also recognizing that their decision was required to be based on the ordinance language before them.

Dr. Hampton noted that the existing moratorium limited the immediate potential for additional applications while the City reviewed and revised the ordinance. Ms. Moore likewise noted that the purpose of the sign regulations is to promote health, safety, and welfare but concluded that the language at issue was poorly written.

Motion

Mr. John Moore initially moved to deny the appeal. The motion failed for lack of a second.

Ms. McKay Moore then moved to approve the appeal, finding that the applicant had demonstrated that staff's interpretation of the ordinance was unreasonable. Mr. Axel Wagner seconded the motion.

The motion to approve the appeal passed by a vote of 4-1.

Staff Announcements

Planning Department

Staff announced a new Board member orientation scheduled for August 19, 2026, from 9:00 AM to 4:00 PM at the Planning Department office, 440 South Church Street. Staff also advised that ACOG had identified a training video concerning appeals and a Greenville County court case that may be useful to Board members, and staff would provide additional information when available.

Adjournment

Following clarification that the applicant would receive written notice reflecting the Board's decision, Dr. Hampton moved to adjourn the meeting. The motion was seconded and approved unanimously. The meeting adjourned at approximately 7:07 PM.

Brian Murdoch, Chair

DATE

September 8, 2026

PROJECT/ADDRESS/ TAX ID

105 Andrews Creek Ln./ 7-17-02-040.02

APPEAL REQUEST NUMBER

APP – 26-00200004

OWNER

Chad and Lindsey Graham

APPLICANT/AGENT

N/A

TO

Board of Zoning Appeals Members

STAFF

Fredalyn M. Frasier, Planning Director

Nan Zhou, AICP, Planner II

COPIES TO

City Departments/Applicant

REQUEST

The Applicant appeals Staff's denial of the property owner's request to convert an existing detached accessory structure to an accessory dwelling unit (ADU) for family use. Under the current City of Spartanburg Zoning Ordinance, new ADUs are not permitted unless the accessory dwelling unit structure predates the adoption of the current Zoning Ordinance in 1999.

PROJECT DESCRIPTION AND HISTORY

The project site is approximately 4.45 acres with a zoning designation of R-15, Single Family Residential District. The project site abuts Andrews Creek Lane to the north boundary and rail trail to the west boundary. Properties to the east and north side of the project site have a zoning designation of R-15, Single Family District, properties to the south side of the project site have zoning designation of LOD, Limited Office District.

The current City of Spartanburg Zoning Ordinance, adopted in 1999, does not contain explicit provisions addressing the construction of accessory dwelling units (ADUs) or the conversion of existing accessory structures to ADUs. Accordingly, pursuant to Section 501.1, *Uses Not Permitted Are Prohibited and One Main Building on Lot*, the construction of a new ADU or the conversion of an existing detached accessory structure to an ADU is not permitted within districts designated with a residential zoning classification. This includes the R-15, Single-Family Residential District; R-12, General Residential District; R-8, General Residential District; and R-6, General Residential District.

501.1 Uses Not Permitted Are Prohibited

Permitted uses, conditional uses and special exceptions are listed for each zoning district. Unless the contrary is clear from the context of the lists or other regulations of this Ordinance, uses not specifically listed are prohibited.

501.2 One Main Building on Lot. (*)

Every building hereafter erected or moved shall be located on a lot, and in no case shall there be more than one (1) principal residential building and its accessory buildings on a lot except as provided in Section IV of this Ordinance. Two or more commercial buildings may be placed on a lot provided the buildings meet the yard requirements of the zoning district applicable as provided for in Section IV of this Ordinance, p. 36. In addition, Section V, 501.13. B.6, pp. 56-57 entitled "Spacing of Structures" shall apply to both commercial and residential buildings.

CONTEXT

The City is currently undertaking an update to the Zoning Ordinance that is anticipated to further address accessory dwelling units (ADUs), including potential provisions related to the conversion of existing accessory structures. While the outcome of the update may influence how ADUs are regulated in the future, the current Zoning Ordinance remains applicable to this request.

ANALYSIS*Zoning Ordinance Consistency*

The project site has a zone designation of **R-15, Single Family Residential District**. Currently, Section 302.1: R-15 Single Family Residential District of the City of Spartanburg Zoning Ordinance allows **Residential**, Single Family dwellings, and **Customary Accessory Buildings** and structures, including private garages provided that such structures must comply with subsection 501.4 of this Ordinance.

The Board is required to utilize Section 603.3(A)(2) of the Zoning Ordinance and determine if the proposal meets **all** the criteria for approval. **The Board is to hear and decide appeals for variance from the requirements of the Zoning Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship.** An appeal may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other properties in the vicinity;
3. Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;
4. The authorization of a Variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by the granting of the Variance.
5. In granting a Variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.

FINDINGS

1. *There are extraordinary and exceptional conditions pertaining to the particular piece of property.*

Staff do not recognize any extraordinary and exceptional conditions pertaining to this particular property. The detached garage was built in 2009, before the Applicant purchased the property and used as a lawful detached accessory structure. Staff are aware of the proposed use to accommodate the multigenerational family living circumstance.

2. *These conditions do not generally apply to other properties in the vicinity.*

Staff are unaware of any existing legal non-conforming accessory dwelling unit in this neighborhood, other than the fact that two properties in the immediate surroundings have detached accessory structures.

3. *Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.*

The subject property is currently zoned **R-15, Single Family Residential District**, which allows single family dwelling unit. The application of the City of Spartanburg Zoning Ordinance **does not prohibit or unreasonably restrict** the utilization of the property for residential purposes. However, the proposed request of converting an existing detached garage into an accessory dwelling unit is **not permitted** under the current City of Spartanburg Zoning Ordinance in regular residentially zoned areas per Section 501.1 Uses Not Permitted Are Prohibited, unless the accessory dwelling unit predates the adoption of the current zoning ordinance (1999).

4. *The authorization of a Variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by the granting of the Variance.*

Staff have evaluated the request under the standards for granting an Appeal as outlined in the City of Spartanburg Zoning Ordinance and South Carolina state law and found out that the proposal may not cause immediate harm to the public good, and the nature of the immediate surroundings remain the same.

However, allowing the conversion of a detached accessory structure to an accessory dwelling unit, a use that is not currently permitted under the zoning ordinance may compromise and undermine the integrity and intent of the zoning ordinance, and establish a precedent.

The application of the ordinance does **not** create an unnecessary hardship, as the property retains reasonable residential use under its existing zoning classification.

5. *In granting a Variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.*

In this case, Staff recommend **denial** of the requested variance. The request would permit a use that is not otherwise permitted under the current Zoning Ordinance.

The Board may choose to approve or amend them based on the outcome of this proposal. The Board of Zoning Appeals may, in conformity with the provisions of its assigned authority, reverse or affirm, wholly or in part, or may modify the order, requirements, decision, or determination, and to that end, has all the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit.

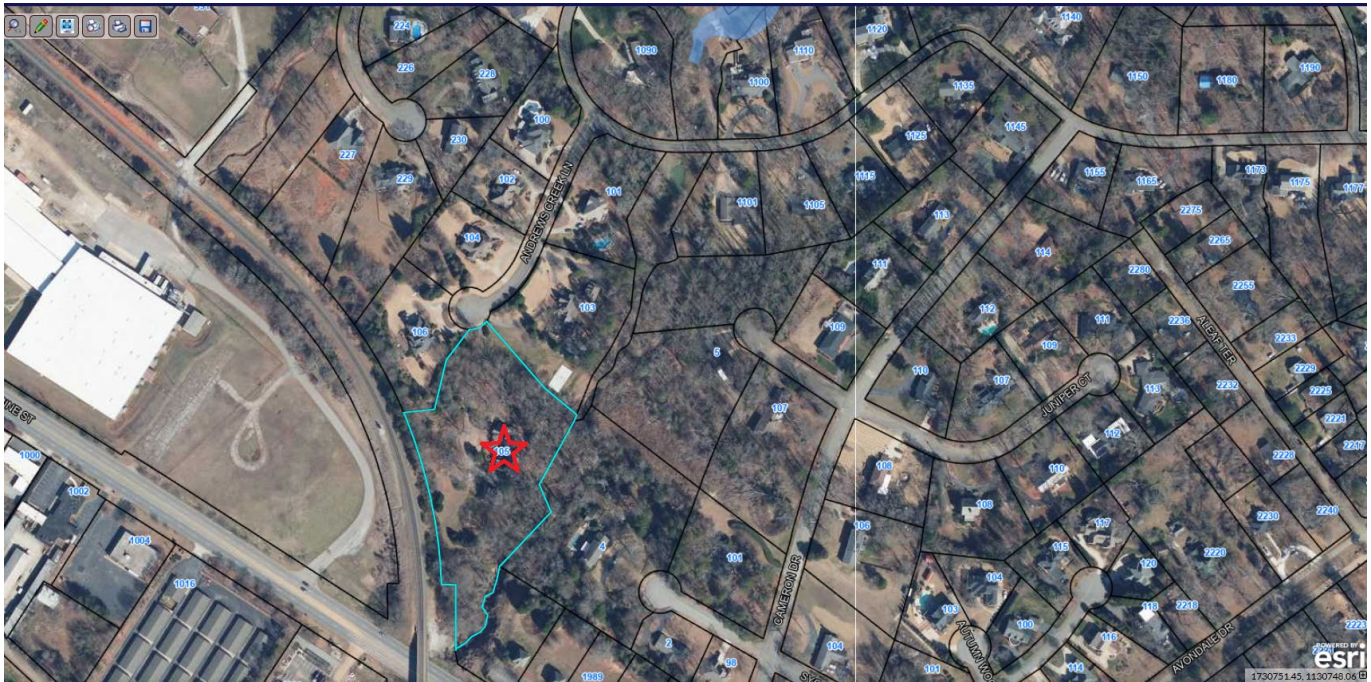
RECOMMENDATION

Staff recommend denial of the variance request. The proposed conversion of the existing detached accessory structure to an accessory dwelling unit is not a permitted use under the current Zoning Ordinance.

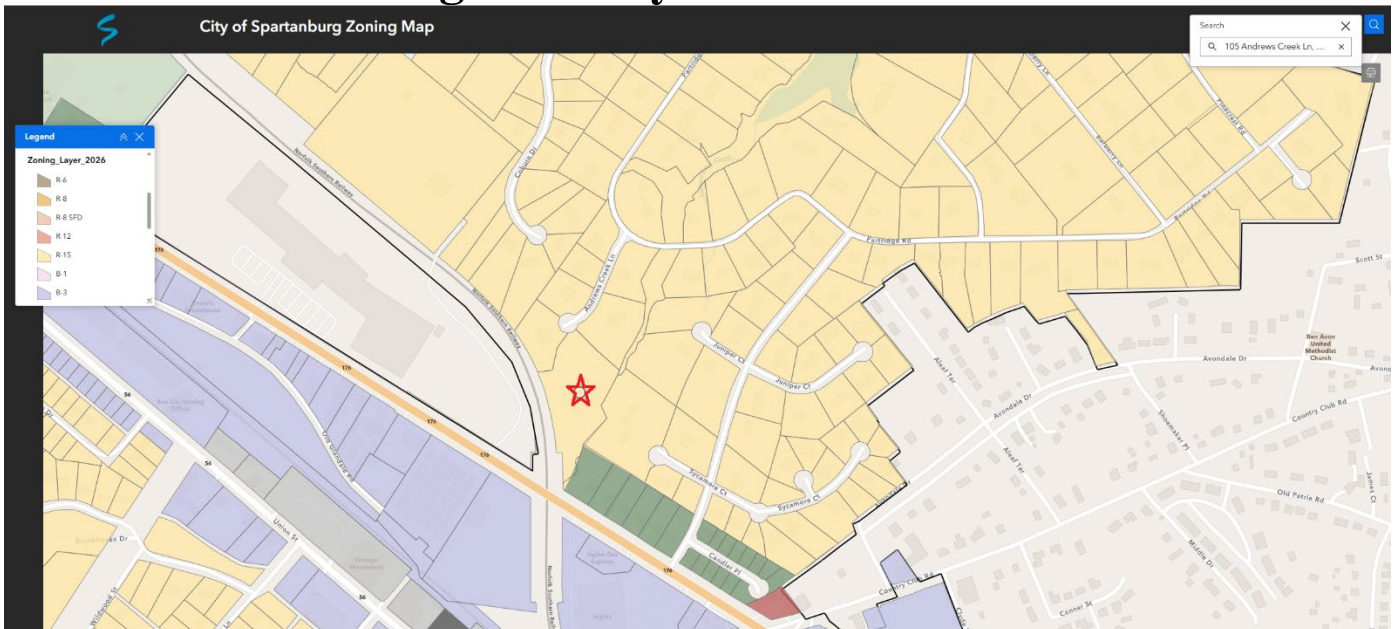
Staff Rationale:

Granting the appeal and allowing the conversion of the existing detached accessory structure to an accessory dwelling unit would be inconsistent with the current Zoning Ordinance and could undermine the intent and consistent application of the established regulations. Approval of the appeal could also establish a precedent for similar requests, resulting in inconsistent application of the ordinance. Staff finds no evidence of a unique condition associated with the property that would warrant a deviation from the applicable zoning regulations.

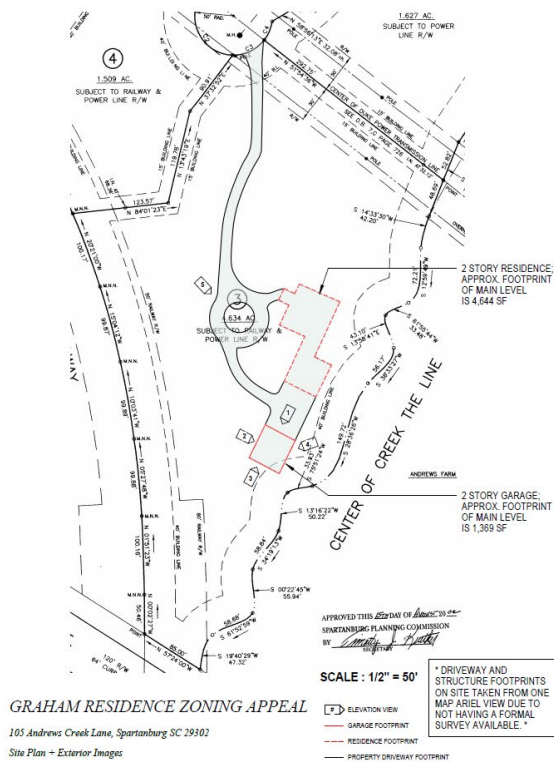
Aerial Photo – 105 Andrews Creek Ln.



Zoning Map – 105 Andrews Creek Ln. R-15 Single Family Residential District



Site Layout Survey– 105 Andrews Creek Ln.



1. NORTH SIDE GARAGE



2. WEST SIDE OF GARAGE



3. SOUTH SIDE OF GARAGE



4. EAST SIDE OF GARAGE



5. MAIN RESIDENCE ON PROPERTY

TEAGUE STUDIO
ARCHITECTURE + DESIGN

Site Photos – Front & Side (Premises)



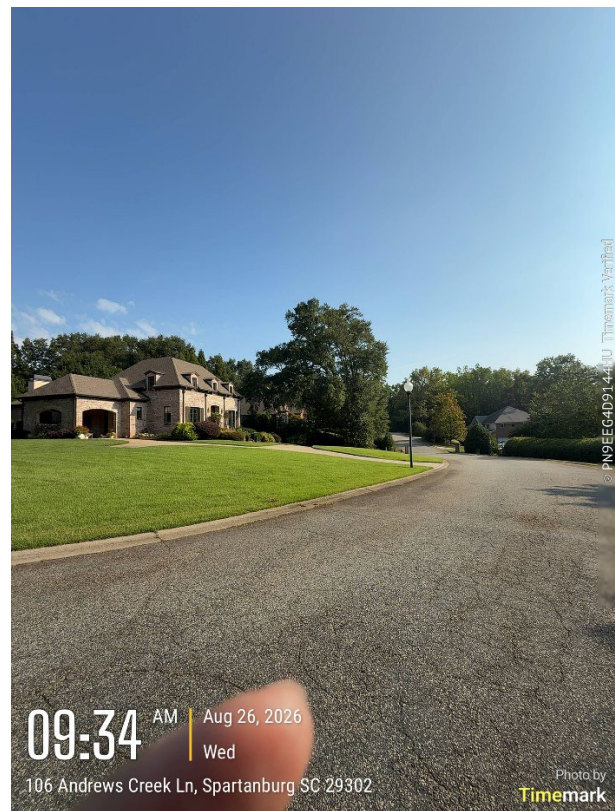
Site Photos – Garage and Premises



Site Photos – Existing Detached Garage



Site Photos – Properties in the Immediate Area



ZONING APPEAL NARRATIVE

City of Spartanburg Board of Zoning Appeals

Property: 105 Andrews Creek Lane, Spartanburg, SC 29302

Tax Map #: 7-17-02-040.02

Zoning District: R-15 Single Family Residential

Property Owners/Applicants: Chad and Lindsey Graham

Grounds for Appeal

Chad and Lindsey Graham respectfully appeal the City of Spartanburg Planning staff's determination that they may not finish the existing detached garage at 105 Andrews Creek Lane as an accessory dwelling unit for family use. The Grahams request that the Board of Zoning Appeals grant relief on the following grounds.

1. The Structure Was Already in Place at the Time of Purchase

The detached garage at issue was constructed in 2009, before the Grahams purchased the property. The Grahams acquired this home with the garage already existing on the lot as a lawfully permitted accessory structure. They had no role in its design or construction and purchased the property in good faith relying on the structure's continued lawful existence.

To deny them the ability to make reasonable use of a structure that was present when they took ownership — and that was built and permitted under the rules in effect at that time — would impose an inequitable burden on innocent purchasers for decisions they did not make. The existing garage is a customary accessory building permitted in the R-15 district by right under Section 302.1.A.4 of the Zoning Ordinance, and it already meets the accessory building placement requirements set out in Section 501.4. The Grahams are seeking only to finish its interior to accommodate a pressing family need.

2. Multigenerational Family Living Creates a Demonstrated Need

Lindsey's mother is recently widowed and requires a living situation that provides both independence and proximity to family support. Converting the existing garage into a finished accessory dwelling unit would allow her to reside on the same property as her daughter and son-in-law and their three children — maintaining her independence while remaining close to family during a difficult period of her life.

This is precisely the type of multigenerational family living arrangement that communities across the country increasingly recognize as both necessary and beneficial. The R-15 district exists to protect and support low-density residential life; accommodating a family member in an existing accessory structure is entirely consistent with that purpose.

The Grahams are not seeking to operate a rental unit or expand commercial uses in the district. The proposed use is exclusively for an immediate family member, and it would function as an

extension of the household rather than an independent residential unit in any commercial or rental sense.

3. The Proposed Use Does Not Disrupt the Neighborhood

The proposed conversion of the existing garage to a finished accessory dwelling is fully contained within a structure that is already present on the lot. There would be no additional traffic or noise impacts beyond those consistent with normal single-family residential use.

Numerous neighbors have reviewed the Grahams' request and intend to submit written letters in support. These letters reflect that the neighbors are aware of the proposal and have no objection to it — and in fact affirmatively support it. This community support demonstrates that the proposed use is compatible with the character of the neighborhood and causes no disruption to surrounding properties or the residential quality of the district.

The purpose of the R-15 Single Family Residential District, as stated in the Zoning Ordinance, is to protect areas developed for low-density single family dwellings and uses that "generally support and harmonize with these low-density residential districts." A family member living quietly in an accessory structure on the same lot as the primary family home does precisely that.

Relief Requested

For the foregoing reasons, Chad and Lindsey Graham respectfully request that the Board of Zoning Appeals grant approval for the conversion of the existing detached garage at 105 Andrews Creek Lane to an accessory dwelling unit for exclusive use by an immediate family member, consistent with the spirit and purpose of the City of Spartanburg Zoning Ordinance.

Ordinance Sections Referenced:

Section 302.1.A.4 — R-15 Uses Permitted by Right (customary accessory buildings including private garages)

Section 501.4 — Accessory Buildings in Residential Districts

Section 603.3 — Appeals

Section 603.4 — Variances

GRAHAM RESIDENCE ZONING APPEAL

105 Andrews Creek Lane, Spartanburg SC 29302

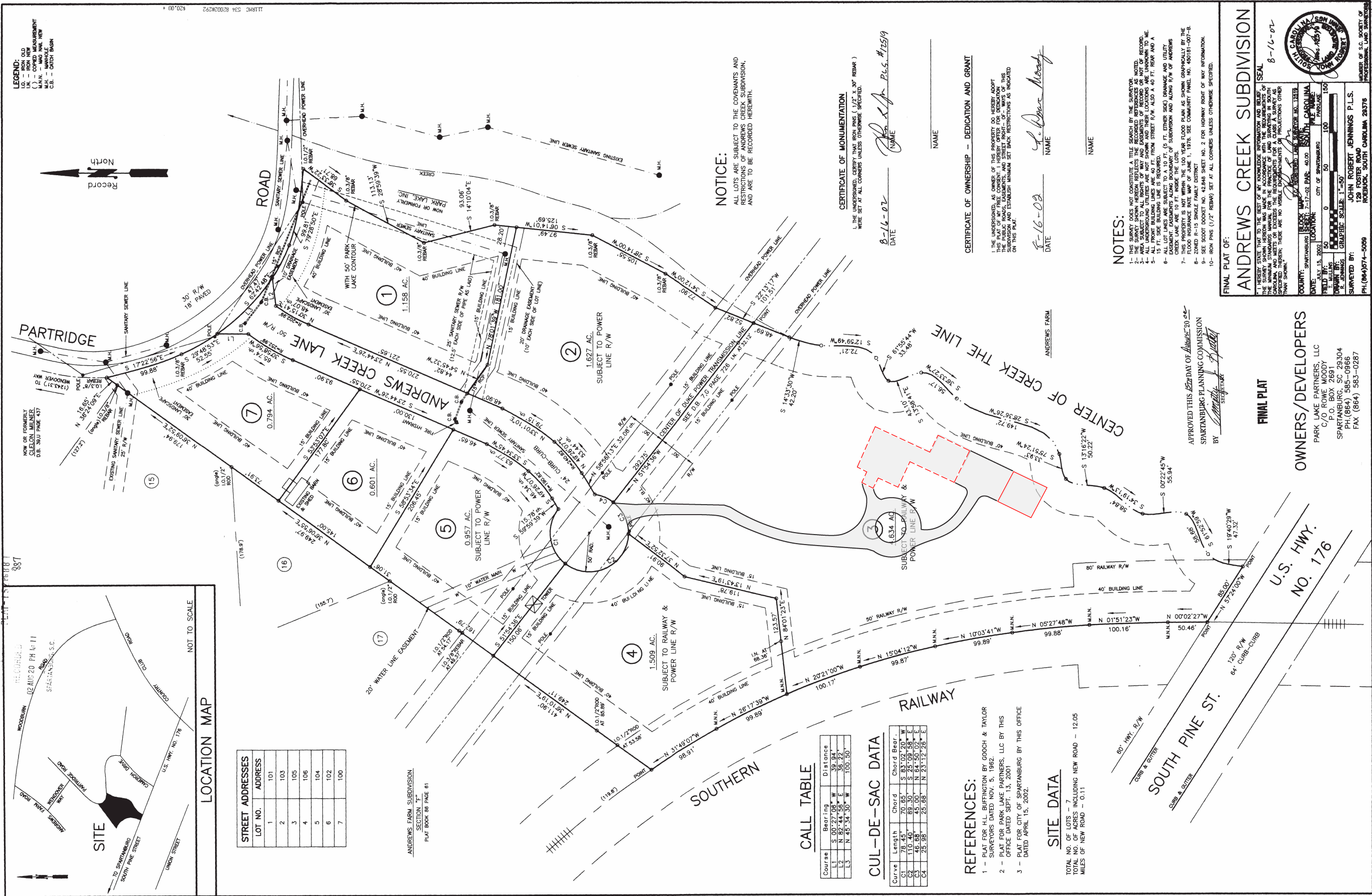
Property Plat

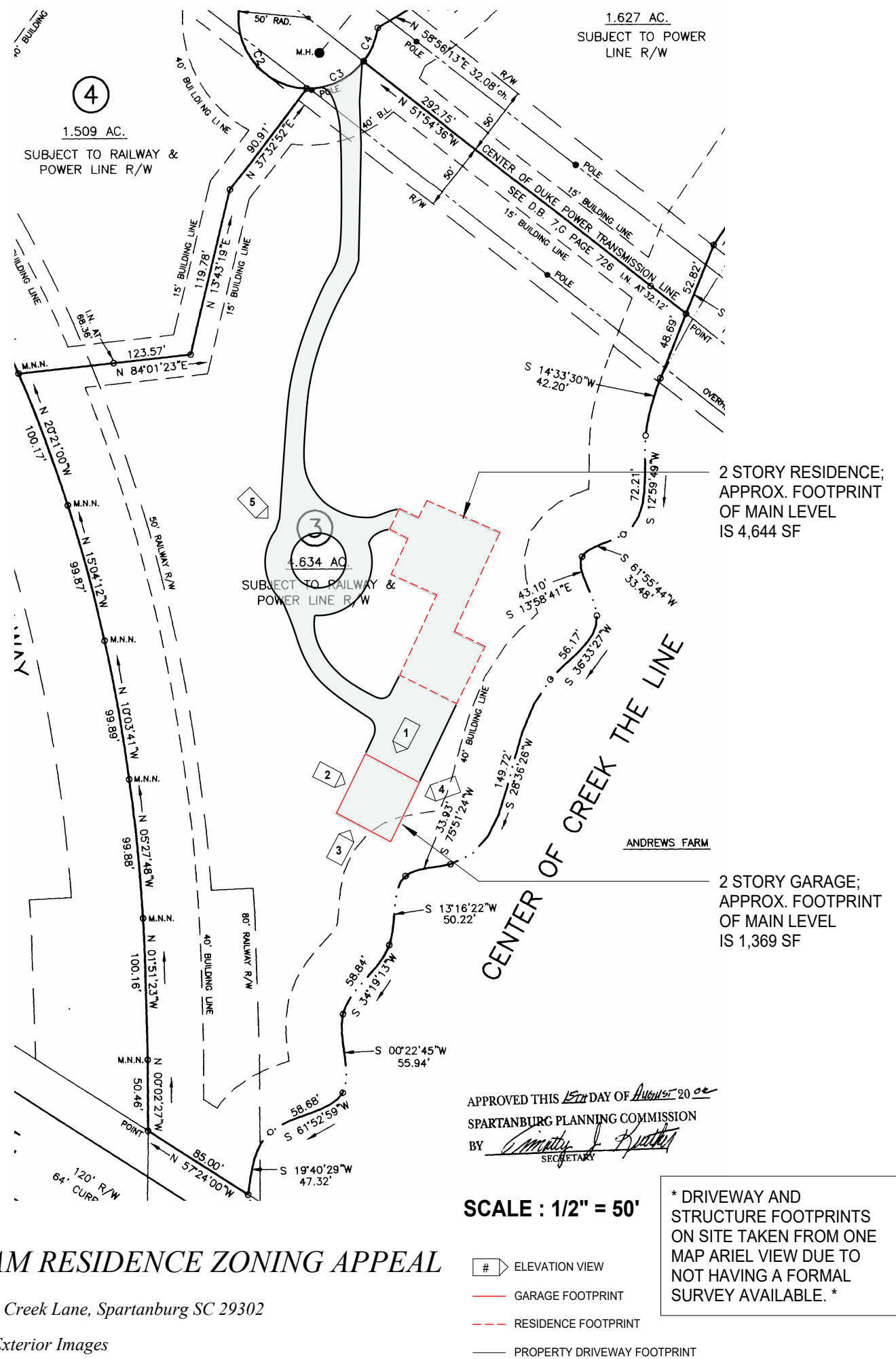
SCALE : 3/8" = 50'

- GARAGE FOOTPRINT
- RESIDENCE FOOTPRINT
- PROPERTY DRIVEWAY FOOTPRINT

* DRIVEWAY AND STRUCTURE FOOTPRINTS ON SITE TAKEN FROM ONE MAP ARIEL VIEW DUE TO NOT HAVING A FORMAL SURVEY AVAILABLE. *

TEAGUE STUDIO
ARCHITECTURE + DESIGN





1. NORTH SIDE GARAGE



2. WEST SIDE OF GARAGE



3. SOUTH SIDE OF GARAGE



4. EAST SIDE OF GARAGE



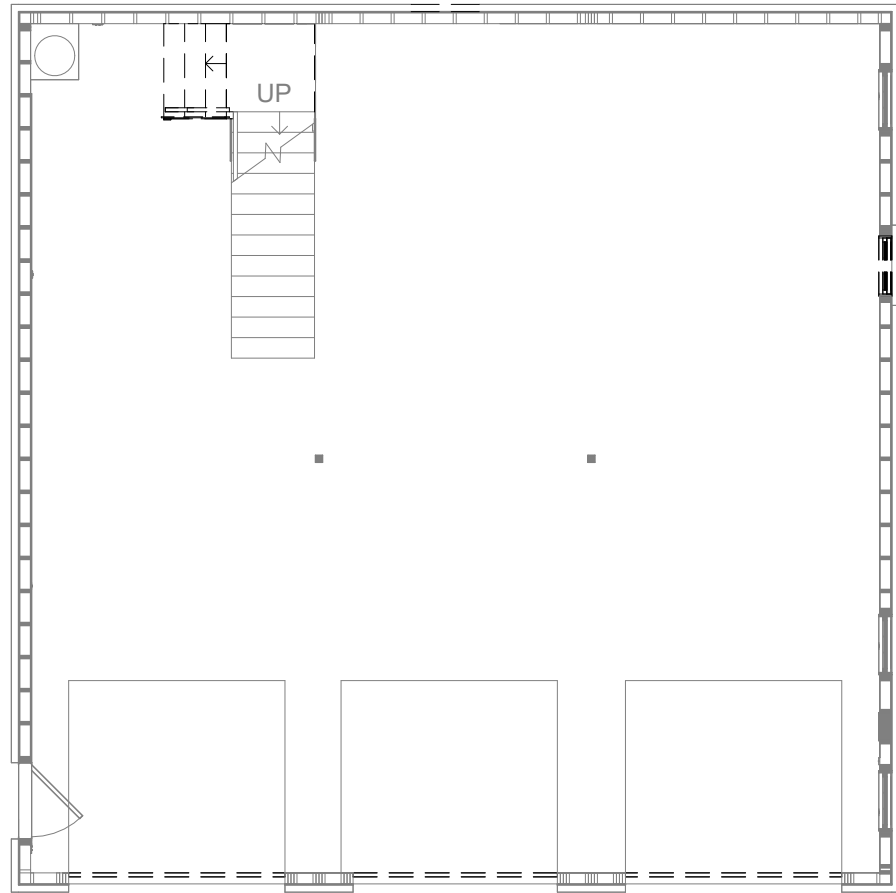
5. MAIN RESIDENCE ON PROPERTY

GRAHAM RESIDENCE ZONING APPEAL

105 Andrews Creek Lane, Spartanburg SC 29302

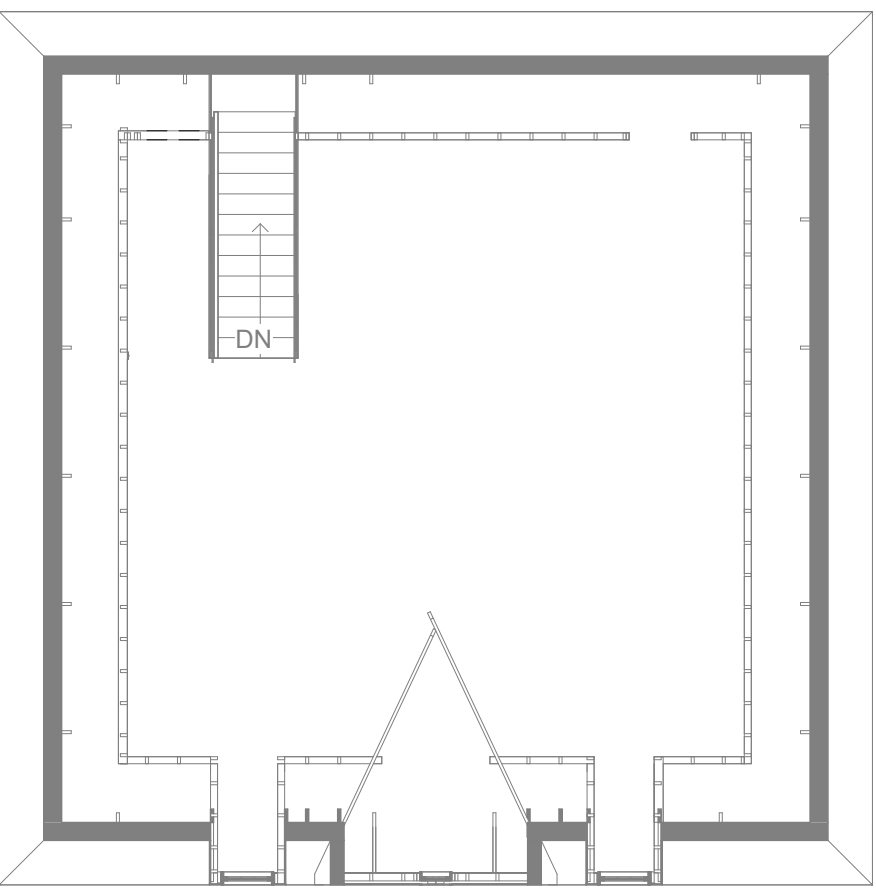
Site Plan + Exterior Images

TEAGUE STUDIO
ARCHITECTURE + DESIGN



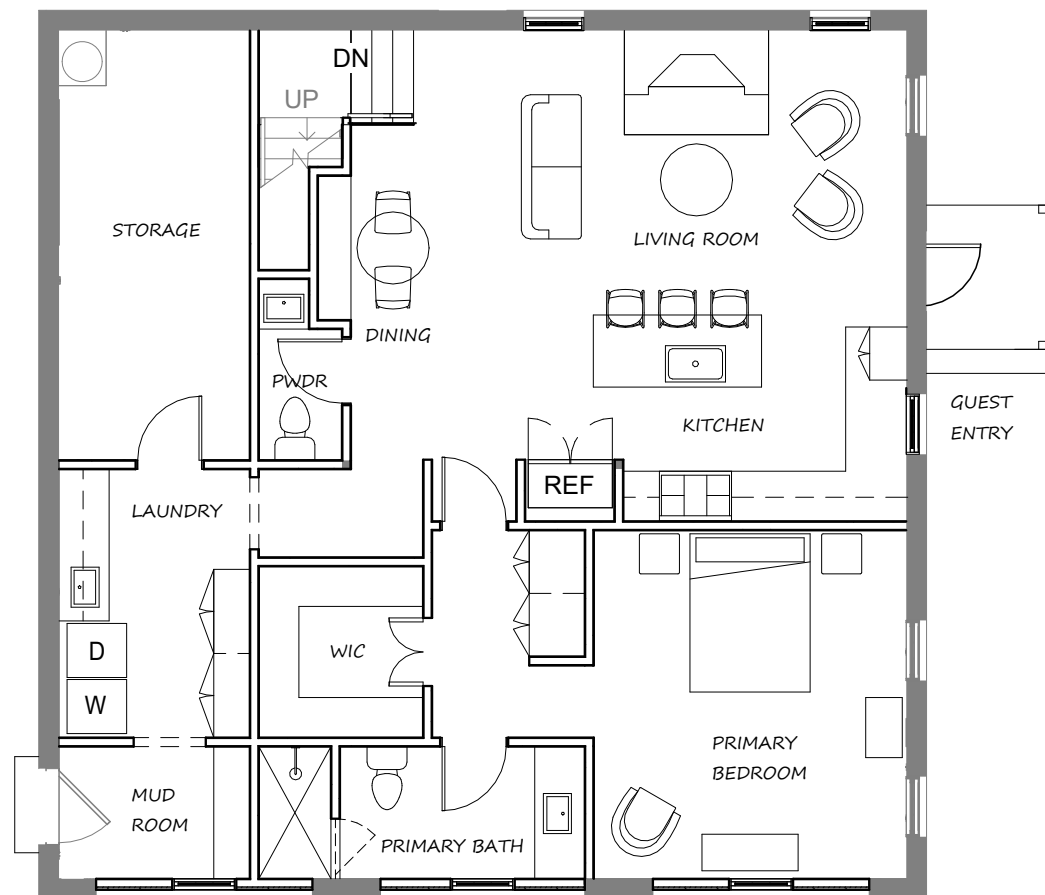
EXISTING FIRST FLOOR PLAN

1/8" = 1'-0"



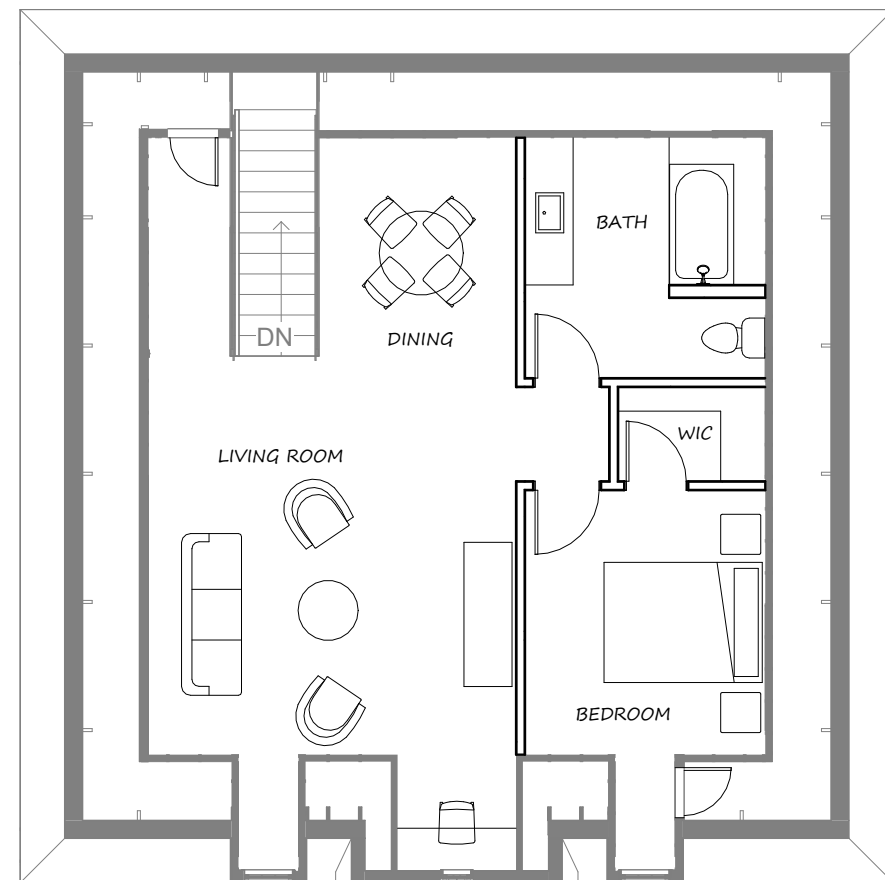
EXISTING SECOND FLOOR PLAN

1/8" = 1'-0"



FIRST FLOOR PLAN- PROPOSED

1/8" = 1'-0"



SECOND FLOOR PLAN - PROPOSED

1/8" = 1'-0"