



The City of Spartanburg Board of Zoning Appeals

AGENDA

May 14, 2024, at 5:15 P.M.

**Spartanburg County Council Chambers
366 N. Church Street – Spartanburg, SC 29303**

(Please Note: Items as they appear on the Docket may or may not be considered in the order as they are presented. The Chairman will announce any changes after the roll call)

- I. Call To Order.**
- II. Roll Call.**
- III. Freedom Of Information Act Compliance –** Public notification of the Board of Zoning Appeals meeting has been published, posted and mailed in compliance with the Freedom of Information Act and the Requirements of the City of Spartanburg Zoning Ordinance.
- IV. Approval of Agenda.**
- V. Disposition of Meeting Minutes from the April 9, 2024, Meeting.**
- VI. Old Business: None.**
- VII. New Business:**
 - 1. VAR-24-002-00007: The City of Spartanburg’s Board of Zoning Appeals has received a request for a variance to the lot size for properties located at 1374 and 1376 Drayton Road (TMS: 7-09-13-113.00); with a zoning designation of R-12 (General Residential District). Owner/Applicant: Fernando Geiss and Henry Partowidjojo.
 - 2. APP-24-002-00008: The City of Spartanburg’s Board of Zoning Appeals has received a request for an appeal to the permitted use table regarding a dog grooming business, Tails in the City, located at 222 E. Blackstock Road (TMS: 6-20-12-089.00); with a zoning designation of B-1 (Neighborhood Shopping District). Applicant: Rebekah DeHart, Tails in the City.
 - 3. VAR-24-002-00009: The City of Spartanburg’s Board of Zoning Appeals has received a request for a variance to the lot frontage for property located at 558 Hugh Street (TMS: 7-11-08-121.00); with a zoning designation of R-8 (General Residential District). Applicant: Hall Dillard, H. Dillard Company, Inc.
 - 4. VAR-24-002-00010: The City of Spartanburg’s Board of Zoning Appeals has received a request for a variance to the front and rear setbacks and building coverage for property located at 128 League Street (TMS: 7-16-10-124.00); with a zoning designation of R-8 (General Residential District). Owner/Applicant: Angela Cardona.
 - 5. VAR-24-002-00011: The City of Spartanburg’s Board of Zoning Appeals has received a request for a variance to the front and interior side lot setback for property located at 187 Carlisle Street (TMS: 7-12-14-286.00); with a zoning designation of R-8 SFD (General Residential – Single-family District). Owner: Thomas Wooten / Applicant: Gabriel Weissner; Taylored Homes.



The City of Spartanburg Board of Zoning Appeals

VIII. Staff Announcements:

IX. Adjournment.

For more information, please contact Fredalyn M. Frasier, Planning Director, at (864) 580-5012 or by email at planning@cityofspartanburg.org.

**Meeting Minutes of the Board of Zoning Appeals
Tuesday, April 9th, 2024, at 5:15 PM
City Hall Council Chambers**

The Board of Zoning Appeals met in City Hall Council Chambers on Tuesday, April 9th, 2024, at 5:15PM with the following members in attendance **Dominique Dawkins, Brian Cohen, McKay Moore, Don Bramblett and Darren Matz**. Representing the Planning Department is **Martin Livingston, Community Services Director, Nan Zhou, Planner II, and Oksana Holbrooks, Administrative Assistant**.

Roll Call:

Mr. Bramblett: Don Bramblett
Mr. Matz: Darren Matz
Ms. Moore: McKay Moore
Mr. Cohen: Brian Cohen
Ms. Dawkins: Dominique Dawkins

Mr. Matz: The Freedom of Information Act Compliance says this. Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the requirements of the City of Spartanburg Zoning Ordinance.

Approval of Agenda:

A motion was made by Mr. Bramblett, seconded Ms. Dawkins to approve the agenda. The motion was approved with a vote of 5-0.

Mr. Bramblett: I move we approve the agenda.
Ms. Dawkins: Second
Mr. Matz: All in favor?
Attendees: Aye.

Mr. Matz: Next item is the disposition of meeting minutes from previous meeting March 12th, 2024. Anybody comments?

Approval with edits to Meeting Minutes from March 12th, 2024.

A motion was made by Ms. Moore seconded Ms. Dawkins the motion was approved with a vote of 5-0.

Ms. Moore: I move we approve the minutes.
Ms. Dawkins: Second.
Mr. Matz: All in favor?
Attendees: Aye.

Old Business: None

New Business:

The City of Spartanburg's Board of Zoning Appeals has received a request for a Special Exception to open a school in the existing wing of the Eastside Baptist Church located at 1850 Fernwood Glendale Road (TMS # 7-14-02-001.01) with a zoning designation of R-15, Single Family Residential district. Owner / Applicant: Eastside Baptist Church

Project Description and History

The project site is an approximately 326,264.4 square foot (7.49 acres) lot located in the R-15 (Single Family Residential District) zoning designation. The project site abuts Fernwood Glendale Road to the south boundary and Sloans Grove Road to the north boundary. The project site is surrounded by R-15, Single Family Residential District, neighborhood to the west, and R-6 PDD, General Residential Plan Development District, neighborhood to the east.

Eastside Baptist Church currently has a kid's ministry and student's ministry that provide engaging learning experiences to kids and students, equipping each student through meaningful discipleship relationship that will ensure their growth. The kid's ministry is operated on Sundays (Sunday School at 9:30 am and Children's Church at 10:30 am)

The applicant, East Baptist Church, is proposing to open a school for kids with special needs within the existing children's wing of the church (in the front section of the building) that will house approximately 15 to 30 children during normal school hours, Monday through Friday from 7:am to 3:30 pm.

Analysis

Zoning Ordinance Consistency

The project site has a zone designation of R-15, Single Family District. **Section 302.1 R-15 Single Family Residential District Uses Permitted by Special Exception Section 302.1 B** of the City of Spartanburg Zoning Ordinance, R-15, Single Family District, does allow uses for churches, synagogues, and other places of worship and public schools and private and parochial schools having a curriculum approximately the same as ordinarily given in public school.

A Special Exception may be granted by the Board of Zoning Appeals to the usage listed in the zoning ordinance Section 302.1 B Uses Permitted by Special Exception. Special Exceptions may only be granted under use regulations for residential districts as uses permitted by special exception.

The Board must utilize **Section 603.53 Guidelines** and determine whether a special exception should be granted, in addition to specific criteria in district regulations:

- a. Traffic impact;
- b. Vehicle and pedestrian safety;
- c. Potential impact of noise, lights, fumes, or obstruction of air flow on adjoining property;
- d. Adverse impact of proposed use on the surrounding area including the aesthetic character of the area; and
- e. Orientation and spacing of improvements or structures.
- f. Compliance with the Comprehensive Plan

The Board may prescribe appropriate conditions and safeguards to relieve or reduce adverse impact of a special exception and to protect the character of the area. No variance may be granted by the Board in connection with the granting of a special exception.

Findings

1. ***Traffic impact –***

Currently, the Eastside Baptist Church has a big parking lot with a 24 ft driveway in the front and two entrances allowing for vehicle queuing for drop off and pick up of students. The applicant indicates that the proposed school will only have 15 to 30 students with an average of 15 to 20 cars per hour Monday through Friday from 7-8 am and 3:30 pm to 4 pm.

2. ***Vehicle and pedestrian safety –***

Unfortunately, staff has not received a vehicle traffic flow plan yet. However, the applicant indicates that due to the sufficient length of the parking lot driveway, there will not be any road congestion generated along the parking lot driveway and pedestrian safety will be maintained by proposed measures that would require vehicles to be stopped and engines to be turned off when dropping off or picking up children.

3. ***Potential impact of noise, lights, fumes, or obstruction of air flow on adjoining property –***

Currently, the Church has kids' ministry and student's ministry services on Sundays and Wednesday. The proposed school will be in the existing children's wing section of the church that is closer to the front of the parking lot, noises generated will not impact the neighborhoods on the west and east side of the Church. Staff does not anticipate fumes or obstruction of air flow on adjacent properties.

4. ***Adverse impact of proposed use on the surrounding area including the aesthetic character of the area; and –***

Staff does not anticipate any adverse impact of the proposed school on surrounding area in terms of the aesthetic character of the area. The proposed school will be open inside the existing structure. No additional portion(s) will be added onto the existing structure. The nature and character of the area will still remain the same.

5. ***Orientation and spacing of improvements or structures –***

The proposed school is located inside the existing church building, therefore, the orientation and spacing of the church structure will not be impacted by the proposed use.

6. ***Compliance with the Comprehensive Plan –***

2024 City of Spartanburg Comprehensive Plan lists the area as G-2 Neighborhood Controlled Growth Sector. In the Land Use and Community Character Element, it says that ".....Neighborhood Controlled Growth Sectors are areas that are developed with low- to medium-density neighborhoods that should remain 'as is'. These neighborhoods are defined by conventional suburban development patterns of primarily detached single-family houses, with a limited number of multi-family, commercial, and civic uses. There may be some limited opportunities for infill in this Sector, which should be at a scale and character compatible with surrounding development. The proposed use of a school for kids with special needs is a civic use, and based on the number of students proposed on a daily basis, the activity is less intense.

Applicant:

Eastside Baptist Church
Daniel Wood, 224 Thorncrest Dr.

Public Comment:

Susan Holland, 293 Lake Forest Dr.

Discussion:

The proposed project is well presented. A school is well needed for special needs. As long it meets all requirements pf SCDOT and criteria's presented it should do well.

A motion was made by Mr. Bramblett, seconded Mr. Cohen to approve the Special Exception with conditions the school meets SCDOT school zone requirements with traffic study with a vote by 5-0.

The City of Spartanburg's Board of Zoning Appeals has received a variance request to the lot size requirements to develop the Theodosia triplex (three-unit multifamily apartment) located at 108 Theodosia Drive (TMS: 7-15-04-058.00); with a zoning designation of R-12 (General Residential District). Owner/Applicant: Levi Kennedy.

Project Description and History

The project site is an approximately 21,000 Square foot lot located at 108 Theodosia Drive (TMS: 7-15-04-058.00); with a zoning designation of R-12 (General Residential District). The site is located in a traditional single-family neighborhood with one existing non-conforming lot with two duplexes. The applicant is seeking a variance to the requirements in the zoning ordinance related to Table 401(A) Table of Area and Dimensional Requirements by District which requires 10,000 square feet of area for each unit developed. The current size of the property is approximately 21,000 and would only support the development of a duplex.

Appeals to the Board may be taken by any person aggrieved or by any officer, department, board, or bureau of the municipality or county. Such an appeal shall be submitted no later than ten (10) days after the start of construction or within thirty (30) days after a decision by a board, commission, or bureau, or a decision of the Zoning Administrator, whichever is lesser. Such notice of an appeal, special exception, or variance shall be accompanied by a check **in the amount of \$150 payable** to the City of Spartanburg to partially defray the cost of giving public notice of such hearing, none of which shall be refundable. The officer from whom the appeal is taken shall forthwith transmit to the Board all papers constituting the record upon which action appealed was taken from.

An appeal stays all legal proceedings in furtherance of the action appeal from, unless the officer from whom the appeal is taken certifies to the Board, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by this Board or by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown. To hear and decide appeals where it is alleged there is error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning ordinance. forthwith transmit to the Board all papers constituting the record upon which action appealed was taken from.

An appeal stays all legal proceedings in furtherance of the action appeal from, unless the officer from whom the appeal is taken certifies to the Board, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by this Board or by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown. To hear and decide appeals where it is alleged there is error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning ordinance.

Analysis

Zoning Ordinance Consistency

The project site is an approximately 21,000 Square foot lot located at 108 Theodosia Drive (TMS: 7-15-04-058.00); with a zoning designation of R-12 (General Residential District). The site is located in a traditional single-family neighborhood with one existing non-conforming lot with two duplexes. The applicant is seeking a variance to the requirements in the zoning ordinance related to Table 401(A) Table of Area and Dimensional Requirements by District which requires 10,000 square feet of area for each unit developed. The current size of the property is approximately 21,000 square feet and would only support the development of a duplex.

Based on Section 603.4(3) Variances, the Board has the authority to permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but in no event shall the respective area and width of the lot or lots be less than eighty percent (80%) of the required area and width;

The Board must utilize Section 603.3(A)(2) and determine if the proposal meets all the criterion for approval. To hear and decide appeals for a **Variance** from the requirements of the Zoning Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship. 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 properties in the vicinity;
- c. 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; and
- d. 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.
- e. 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 –

No. There are no extraordinary and exceptional conditions pertaining to this particular piece of property that would allow it to be developed as a tri-plex. The current size of the property would allow it to be developed as a duplex. The site is located in a traditional single-family neighborhood with one existing non-conforming lot with two duplexes. The applicant is seeking a variance to the requirements in the zoning ordinance related to Table 401(A) Table of Area and Dimensional Requirements by District which requires 10,000 square feet of area for each unit developed. The current size of the property is approximately 21,000 square feet and would only support the development of a duplex. A significant amount of the property is in a flood plain and cannot be developed – like other properties in the vicinity.

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

No. The conditions at this property are similar to the conditions of other properties in the vicinity. The current size of the property is approximately 21,000 square feet and would only support the development of a duplex. A significant amount of the property is in a flood plain and cannot be developed – like 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; and –***

No. The application of the ordinance does not restrict the use of the property. The property can be used as single-family or duplex housing. The property size is not large enough to be converted to a tri-plex apartment. The development of a tri-plex apartment would not be consistent with the character of the surrounding neighborhood.

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–***

Yes. The authorization of a Variance will create an existing non-conforming use in a traditionally single-family neighborhood. There is already an existing non-conforming use with two duplexes on one lot in the neighborhood. The property size is not large enough to be converted to a tri-plex apartment. The development of a tri-plex apartment would not be consistent with the character of the surrounding neighborhood.

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–***

No. Approval of this variance would create a non-conforming use. The current size of the property would allow it to be developed as a duplex. The site is located in a traditional single-family neighborhood with one existing non-conforming lot with two duplexes. The applicant is seeking a variance to the requirements in the zoning ordinance related to Table 401(A) Table of Area and Dimensional Requirements by District which requires 10,000 square feet of lot area for each unit developed. The current size of the property is approximately 21,000 square feet and would only support the development at maximum a duplex. A significant amount of the property is in a flood plain and cannot be developed – like other properties in the vicinity.

Summary and Recommendation

The proposed request does not meet all the required Findings for approval of the Variance. Staff recommends denial of the request based on the Findings listed above.

In exercising its powers, the Board of Zoning Appeals may, in conformity with the provisions of Section 603, 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. The board, in the execution of the duties specified in this chapter, may subpoena witnesses and in case of contempt may certify this fact to the circuit court having jurisdiction.

All final decisions and orders of the board must be in writing and be permanently filed in the office of the board as a public record. All findings of fact and conclusions of the law must be separately stated in final decisions or orders of the board which must be delivered to parties of interest.

Applicant:

Levi Kennedy.

Public Comment:

McDonald Pearson, 141 Chester St.

Discussion:

The proposed project does not meet all requirements for approval.

A motion was made by Ms. Moore, seconded Mr. Bramblett the Variance was denied with a vote of 2-3.

Staff announcements.

A new Planning Director will be joining Planning Department team Fredalyn M. Frasier April 22, 2024. Board members need to do renewals to be able to serve another term on the board

The meeting was adjourned at 6:39 PM.

Darren Matz, Chairman

TO: The Board of Zoning Appeals

RE: VAR-24-002-00007: The City of Spartanburg's Board of Zoning Appeals has received a request for a variance to the lot size for properties located at 1374 and 1376 Drayton Road (TMS: 7-09-13-113.00); with a zoning designation of R-12 (General Residential District). Owner/Applicant: Fernando Geiss and Henry Partowidjojo.

Date: May 14, 2024

Project Description and History

The project site is an approximately 23,000 foot lot located at 1374 and 1376 Drayton Road (TMS: 7-09-13-113.00); with a zoning designation of R-12 (General Residential District). The site is located in a traditional single-family neighborhood and surrounded by other single-family lots. The applicant is requesting a variance to the lot size requirements which is less than 12,000 square feet for each of the property. The applicant submitted a survey for approval, but staff noted that the survey did not meet the lot size requirement. Staff also requested a survey of the second lot to determine if any other variances would be required. The applicant provided a survey that indicated that the lot frontage and the lot size also did not meet the zoning ordinance.

Variances from the regulations of this Ordinance shall be granted by the Board of Zoning Appeals only in accordance with the standards established in section 603, and may be granted only in the following instances and in no others:

- 1. To permit any yard less than the requirements of this Ordinance;**
- 2. To permit the reduction of any required setback being in compliance with all applicable Building and Fire Codes and subject to review by the Building Official; (*)**
- 3. To permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but in no event shall the respective area and width of the lot or lots be less than eighty percent (80%) of the required area and width;**
4. To permit the same off-street parking facility to qualify as required facilities for two or more units, provided that substantial use of such facility by each use does not take place at approximately the same hours of the same days of the week;
5. To reduce the applicable off-street parking or loading facilities required by not more than one (1) parking space or loading space, or twenty-five percent (25%) of the required facilities, whichever number is greater;
6. To allow for the deferment of required parking facilities for a reasonable period of time, such period of time to be specified in the variance;
7. To increase by not more than forty percent (40%) the maximum distance that required parking spaces are permitted to be located from the use served;
8. To permit the height of a fence in the required rear, side and corner side yard to exceed the maximum height allowed by this Ordinance up to eight (8) feet when property is exposed to exceptional nuisances of traffic, dust, noise, glare, and vandalism; and (*)
9. To reduce the setback requirement for portable signs provided that no variance shall be granted to permit such signs within the triangular area formed by the right-of-way lines of intersecting streets (or a street and a driveway), and a line joining points on the right-of-way lines twenty-five (25) feet from the point of their intersection. If the property in question has no defined driveway to its parking area

the Board shall satisfy itself that the proposed location of the portable sign will not interfere with traffic by blocking reasonable sight lines for streets, sidewalks and driveways before any variance is granted. The application for such variance shall be accompanied by a scaled drawing showing all information relevant to the variance request. (**)

Analysis

Zoning Ordinance Consistency

The project site is an approximately 23,000 foot lot located at 1374 and 1376 Drayton Road (TMS: 7-09-13-113.00); with a zoning designation of R-12 (General Residential District). The site is located in a traditional single-family neighborhood and surrounded by other single-family lots. The applicant is requesting a variance to the lot size requirements which is less than 12,000 square feet for each of the property. The applicant submitted a survey for approval, but staff noted that the survey did not meet the lot size requirement. Staff also requested a survey of the second lot to determine if any other variances would be required. The applicant provided a survey that indicated that the lot frontage and the lot size also did not meet the zoning ordinance.

Based on Section 603.4(1-3) Variances, the Board has the authority to permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but in no event shall the respective area and width of the lot or lots be less than eighty percent (80%) of the required area and width;

The Board must utilize Section 603.4(1-3) and determine if the proposal meets all the criterion for approval. To hear and decide appeals for a **Variance** from the requirements of the Zoning Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship. 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 properties in the vicinity;
- c. 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; and
- d. 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.
- e. 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*** – No. There are no extraordinary and exceptional conditions pertaining to the particular piece of property. The project site is an approximately 23,000 foot lot located at 1374 and 1376 Drayton Road (TMS: 7-09-13-113.00); with a zoning designation of R-12 (General Residential District). The site is located in a traditional single-family neighborhood and surrounded by other single-family lots. The applicant is requesting a variance to the lot size requirements which is less than 12,000 square feet for

each of the properties. The site is located in a traditional single-family neighborhood and surrounded by other single-family lots. The applicant is requesting a variance to the lot size requirements which is less than 12,000 square feet. All documentation provided by the applicant indicates that the lots were originally separate lots and combined by a survey. Currently, the lot in its present condition is considered existing non-conforming to the zoning ordinance. If the variance is approved, the lots would meet the zoning ordinance requirements. A majority of the lots in the area have 80 feet frontage, but may not meet the lot size requirements or have lot frontage less than 80 feet.

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

Yes. There are several lots in the area that have similar conditions. The three lots on Drayton Road which are less than 12,000 feet in size. The applicant provided a survey for both lots which indicate lot sizes less than 12,000 feet and one lot frontage less than 80 feet.

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; and –***

No. The application of the ordinance would not unreasonably restrict the utilization of the property. The property can still be used in its current condition but would be nonconforming to the zoning ordinance.

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–***

Yes. The authorization of a variance will not be of substantial detriment to the adjacent property or to the public good, and authorization of the district will not be harmed by the granting of the variance. Several lots in the area do not meet the lot size requirement and frontage measurements. Approval of the variance to reduce the lot size and the frontage would also meet the 80% rule required in Section 603.4(3) of the Zoning Ordinance.

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–***

Yes. Staff recommends, if approved, that a survey indicating all setbacks be required to be submitted for review and approval for both lots. Approval of this variance would eliminate the non-conforming condition. The application of the variance would create two single-family lots. The variance from the regulations of the zoning can be granted by the Board of Zoning Appeals only in accordance with the standards established in section 603, and can be granted in the following instances:

1. To permit any yard less than the requirements of this Ordinance;
2. To permit the reduction of any required setback being in compliance with all applicable Building and Fire Codes and subject to review by the Building Official; (*)
3. To permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but in no event shall the respective area and width of the lot or lots be less than eighty percent (80%) of the required area and width;

Summary and Recommendation

The proposed request meets all the required Findings for approval of the Variance, Staff recommends approval of the variance to the lot size and lot frontage requirements to create two single-family lots.

In exercising its powers, the Board of Zoning Appeals may, in conformity with the provisions of Section 603, 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. The board, in the execution of the duties specified in this chapter, may subpoena witnesses and in case of contempt may certify this fact to the circuit court having jurisdiction.

All final decisions and orders of the board must be in writing and be permanently filed in the office of the board as a public record. All findings of fact and conclusions of the law must be separately stated in final decisions or orders of the board which must be delivered to parties of interest.

Submitted by:



Martin L. Livingston, Jr., AICP, CPM
Community Development Director

Attachments:

Conditions of Approval

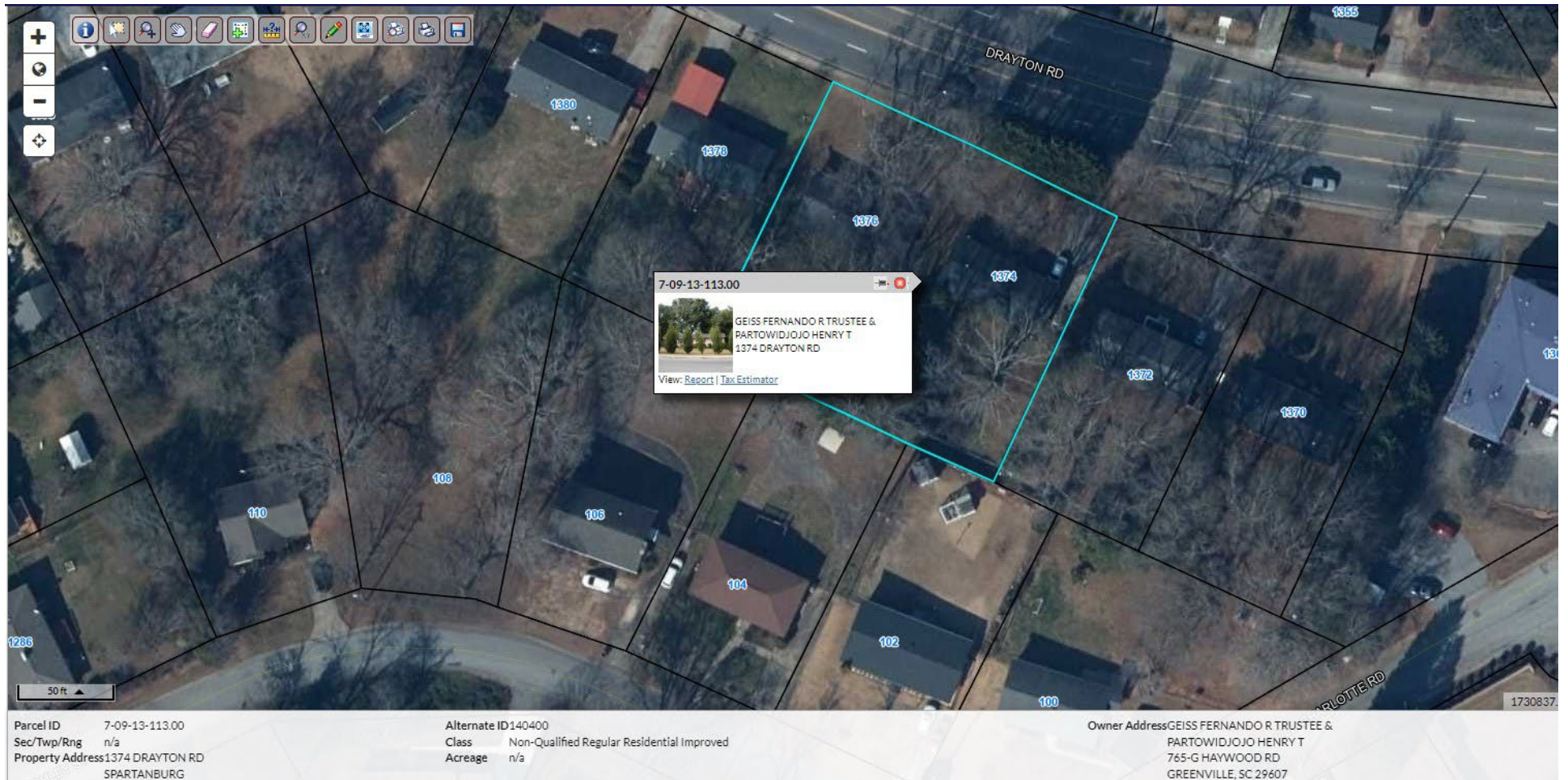
Application

Photos

**CONDITIONS OF APPROVAL FOR THE PROJECT ON PROPERTY LOCATED AT:
1374 and 1376 Drayton Road (TMS: 7-09-13-113.00)**

1. If one or more of the following conditions is not met with respect to all its terms, then this approval may be revoked.
2. All setbacks excluding the interior side yard setback shall meet the setback requirements in the City of Spartanburg Zoning Ordinance, where the maximum building coverage is not applicable, front yard setback is 30 feet, rear setback is 30 feet, the interior side setback is 8 feet, and the street side setback is 15 feet.
3. The use shall meet the standards and shall be developed within the limits established by Chapter 501.10 of the Spartanburg Municipal code as to the emission of noise, odor, smoke, dust, vibration, waste, fumes or any public nuisance arising or occurring incidental to its establishment or operation.
4. The applicant shall be responsible for the completeness and accuracy of all forms and supporting material submitted in connection with any application. Any errors or discrepancies found therein may result in the revocation if any approval or permits issues in connection therewith.
5. The development of the site shall be in substantial accordance with the approved plans submitted and on file in the Spartanburg City Planning Department. All aspects of construction must be completed prior to use. Major modifications to plans or exceptions to completion may be granted only by the City authority which approved the project.
6. All requirements of the Building, Fire, Water and Streets and Stormwater Departments shall be completed prior to building occupancy permit issuance and continuously maintained thereafter.
7. Site Pre-construction meeting with the City of Spartanburg Storm Water Manager, Jay Squires, is required prior to site disturbance. Building pre-construction meeting with City of Spartanburg Building Official, Buddy Bush, required prior to vertical construction.
8. A survey is required for both lots to determine setbacks and to determine compliance with the zoning ordinance.

SITE MAP



ZONING MAP

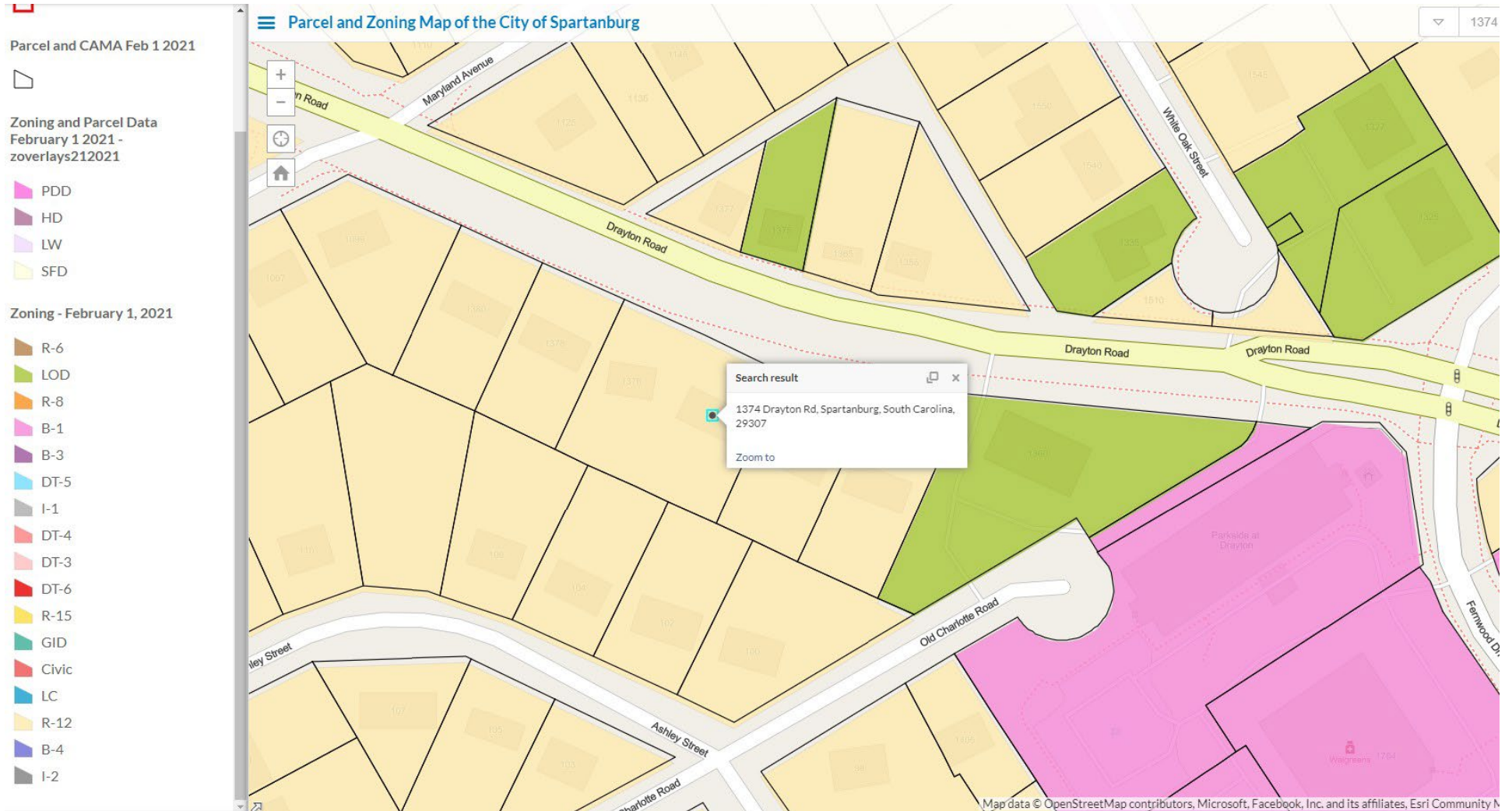


Table 401 – (A) Table of Area Dimensional Requirements

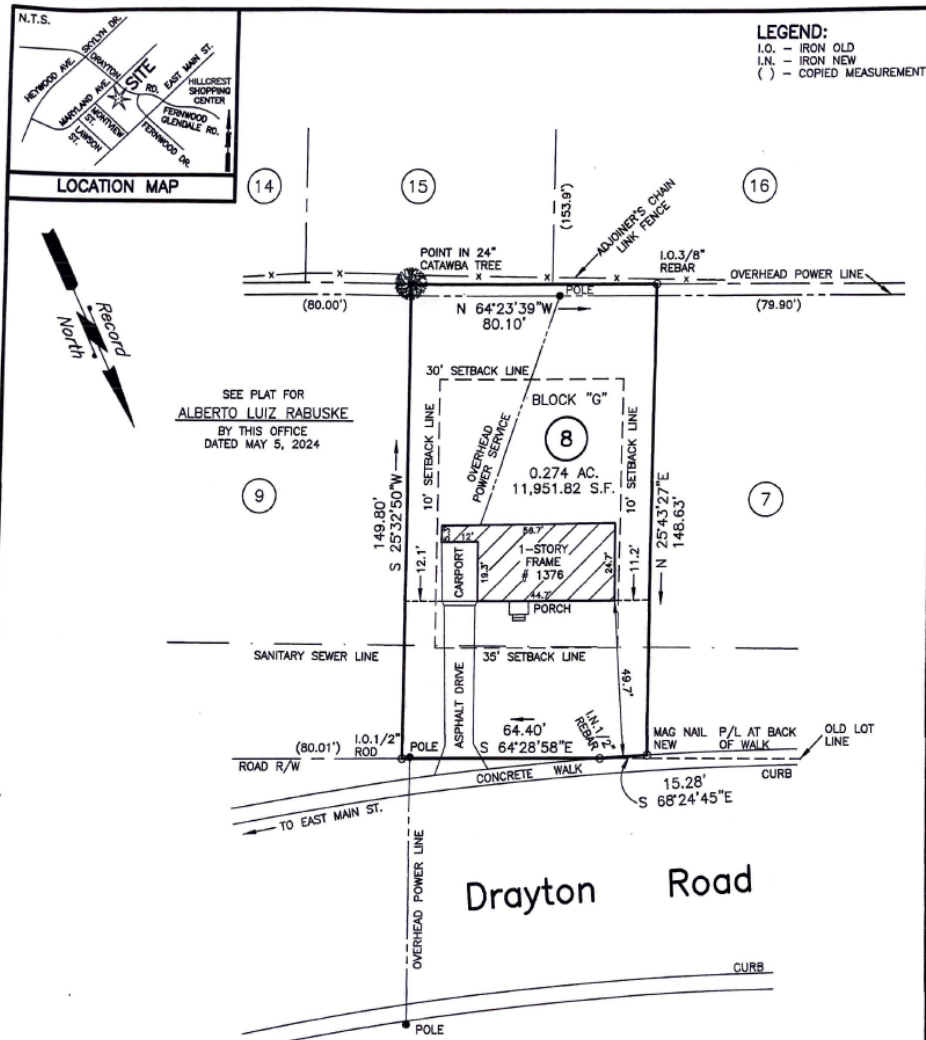
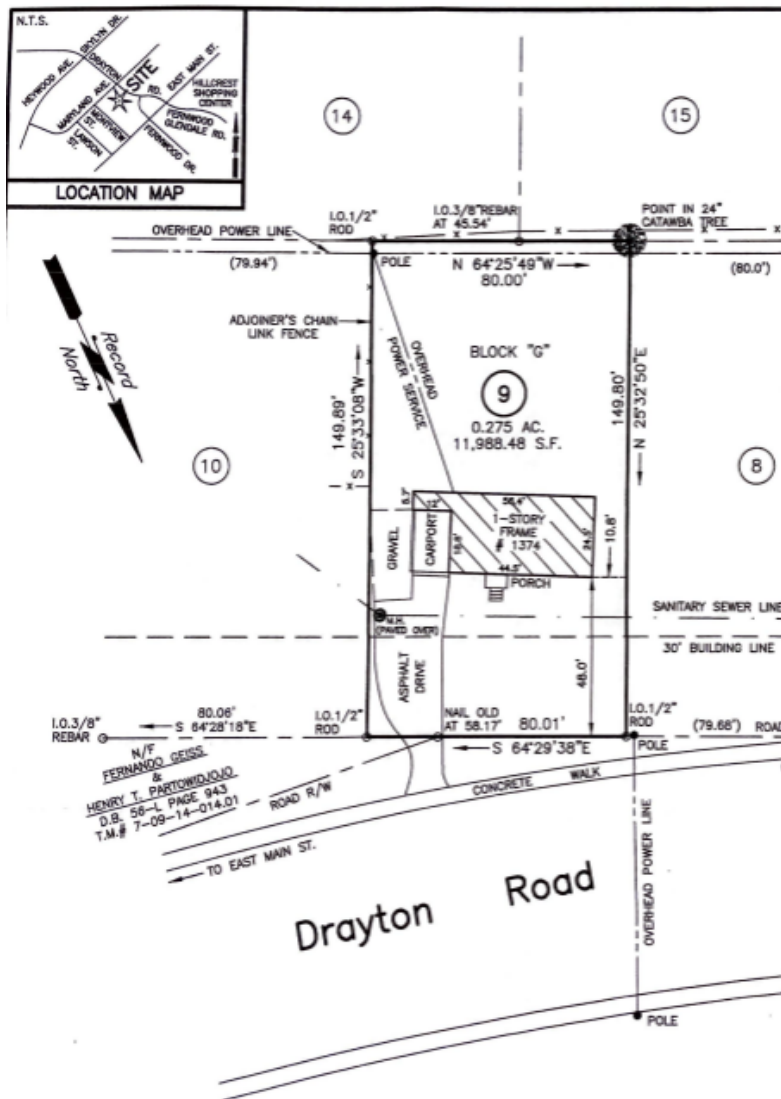
Section IV: District Area and Dimensional Requirements

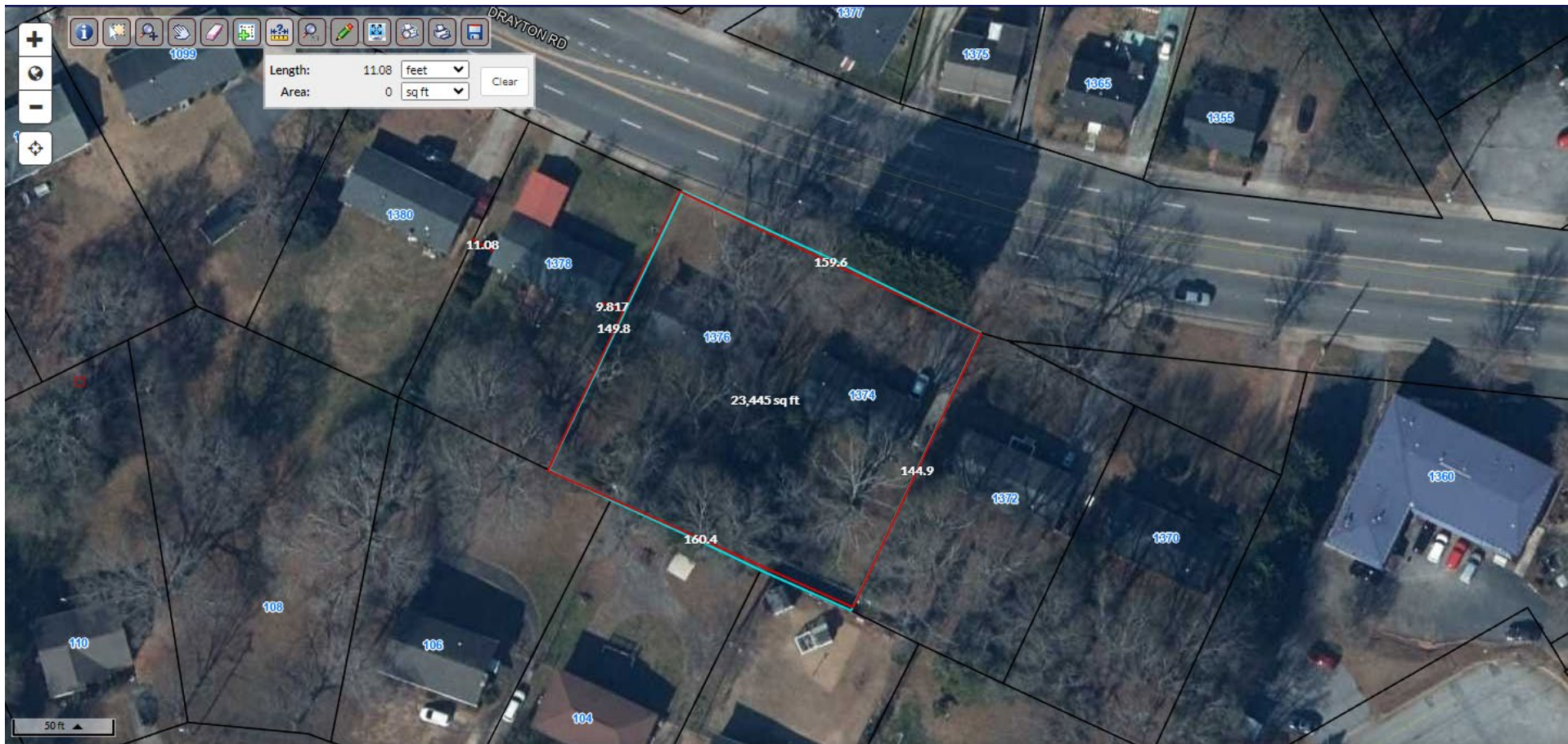
§ 401 - (A) Table of Area and Dimensional Requirements By District

These Standards Apply Only to One Residential Structure on a Zoning Lot (*8)

MINIMUM YARD REQUIREMENTS

Zoning District	Max. Bldg. Height (Feet)	Min. Lot Area (Square Ft.)	Min. Lot Per Dwelling Unit (Square Ft.)	Min. Lot Width At Lot Line For Lots Not On The Radius Of A Cul-De-Sac (Ft.) (*9)	Min. Lot Width At Front Bldg. Line On The Radius Of A Cul-De-Sac (Ft.) (*9)	Max. Bldg. Coverage (As a %)	FRONT	REAR	INTERIOR SIDE (*1)	STREET SIDE (*2)	Max. Gross Floor Area
R-15	35/A	15,000	15,000	90	80	25 (*16)	40/B	40	15/M (*11)	15/C	
R-12	D	12,000	10,000	80	80	35 (*16)	35/B	30	10	15/C	
R-8 SFD (*10)	D	8,000		60	50	40 (*16)	30/B	30	8	15/C	
R-8	D	8,000	6,000	60	50	40 (*16)	30/B	30	8	15/C	
R-6 (*14)	D	4,000	2,000/F	50	50	50	15/B	20	5	15/C	
GID/LOD (*13)	E	4,000/N (*5)(*14)	2,000 (*5)	50 40	50 40	50/G 50/G (*6)	25/H 15	15/L 15/L (*5)	10/L 5 (*5)	15/C 15/C (*4)	
LC (*12)	35/A	21,780 Or ½ Acre				•	35	30	10	10/C	
B-1	35/A		1,800		50		25	10	5/I	15/J	K
B-3			800		50		15			10/J	K
B-4			800		50		25			10/J	K
I-1							25	15	15	25	K
I-2							25	15	15	25	K
D-T4 D-T5 D-T6	For Area and Dimensional Requirements in Downtown Urban Districts, see §§515.3.3 – 3.6										





Parcel ID 7-09-13-113.00
Sec/Twp/Rng n/a
Property Address 1374 DRAYTON RD
SPARTANBURG

Alternate ID 140400
Class Non-Qualified Regular Residential Improved
Acreage n/a

Owner Address GEISS FERNANDO R TRUSTEE &
PARTOWIDJOJO HENRY T
765-G HAYWOOD RD
GREENVILLE, SC 29607



Site Photos



Site Photos



May 5, 2024 at 5:3



May 5, 2024 at 5:40 PM



Planning Department

PO Box 1749 • Spartanburg, SC 29304 • phone: (864) 596-2068 • email: planning@cityofspartanburg.org
website: www.cityofspartanburg.org

General Application

Name of Development: DRAYTON RD.
Street Address: 1374 & 1376 DRAYTON RD., SPARTANBURG, SC
Zoning District: R-12 Overlay: _____ Tax Map Number: 7-09-13-113.00

Owner: FERNANDO GEISS / HENRY PARTOWIDJAJA Phone: _____
Address: 765-G HAYWOOD RD. Email: F.GEISS@ATT.NET
City: GREENVILLE State: SC Zip: 29607

Applicant: FERNANDO GEISS Phone: (864) 325-6527
Address: 765-G HAYWOOD RD. Email: F.GEISS@ATT.NET
City: GREENVILLE State: SC Zip: 29607

Agent: _____ Phone: _____
Address: _____ Email: _____
City: _____ State: _____ Zip: _____

Please select the activity requested / also, please attach the required Supplemental Form:

- | | |
|---|--|
| ☐ Annexations | ☐ Planned Development Districts (PDD) |
| ☐ Special Exceptions | ☐ Zoning - Conditional Use |
| ☐ Zoning - Appeals | ☒ Zoning - Variance |
| ☐ Zoning - Map Amendment | |

Fees and Payments can be made using the Permit Number and the [City of Spartanburg Payment Portal](#).

To the best of my knowledge, the information on this application and all additional documentation is true, factual and complete. I hereby agree to abide by all conditions of any approvals granted by the City of Spartanburg. I understand that such conditions shall apply to the subject property only and are a right or obligation transferable by sale. I hereby authorize the staff of the Planning Department to inspect the premises of the above-described property.

Applicant / Owner Signature: [Signature] Date: 4-16-24

Staff Use Only / Received by: _____

Date Received: _____ Time: _____ Permit Number: _____



Planning Department

PO Box 1749 • Spartanburg, SC 29304 • phone: (864) 596-2068 • email: planning@cityofspartanburg.org
website: www.cityofspartanburg.org

ZONING VARIANCE SUPPLEMENTAL APPLICATION FORM

Name of Development: DRAYTON RD.

Location of Development: LOTS 8 & 9 DRAYTON RD. SPARTANBURG, SC

Section Number(s) of the Ordinance from which a Variance(s) is requested:

603.4

Describe completely and specifically the requested Variance:

BEFORE THE LATE 1980'S, LOT 8 & 9 WERE JOINED INTO 1 PARCEL

Explain briefly why the Variance is requested:

THERE ARE 2 HOUSES ON THE PARCEL AND WE HAVE SEPARATE BUYERS FOR EACH HOUSE. WE WISH TO SPLIT THE PARCEL BACK TO HOW IT WAS ORIGINALLY.

ALL OF THE FOLLOWING ITEMS MUST BE ATTACHED for this application to be complete.

- ☐ A typed narrative that explains How and Why the requested Variance meets All of the criteria of the Zoning Ordinance Section 603.3 (A) (2), (see attached copy). Criteria for Approval of Variances; and
- ☐ Notarized written certification, signed by the owner(s) of record of the property, that the owner(s) consent to the request for a Variance. Certification is not necessary if the owner is the applicant; and
- ☐ A sealed site plan to scale that clearly illustrates the requested Variance in relation to the affected site and to the surrounding parcels and uses. A reproducible copy of this plan, no larger than 11" x 17", must be submitted. In addition, please include or email the site plan in PDF format; and
- ☒ Filing Fee: \$150.00 CHECK WILL BE MAILED ON 4-22-24

Staff Use Only / Received by: _____

Date Received: _____

Time: _____

Permit Number: _____



What are the extraordinary and/or exceptional conditions that apply to your parcel?

BOTH HOUSES PURCHASED IN THE LATE 1980'S IN THE
SAME PARCEL.

How do these conditions differentiate your parcel from those in the immediate vicinity?

TWO HOUSES ON ONE LOT MAP NUMBER. (# 7-09-14-014.00)



How would these conditions and the application of the Ordinance to your particular lot effectively prohibit or unreasonably restrict the utilization of your property

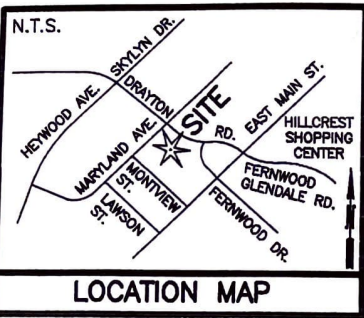
INABILITY TO SELL THE HOUSES SEPARATELY.

MY PARTNER AND I HAVE 2 SEPARATE BUYERS FOR THE 2 HOUSES BUT SINCE THEY ARE BOTH ON ONE LARGE LOT, THE LOT NEEDS TO BE SPLIT FOR US TO SELL THE HOUSES.

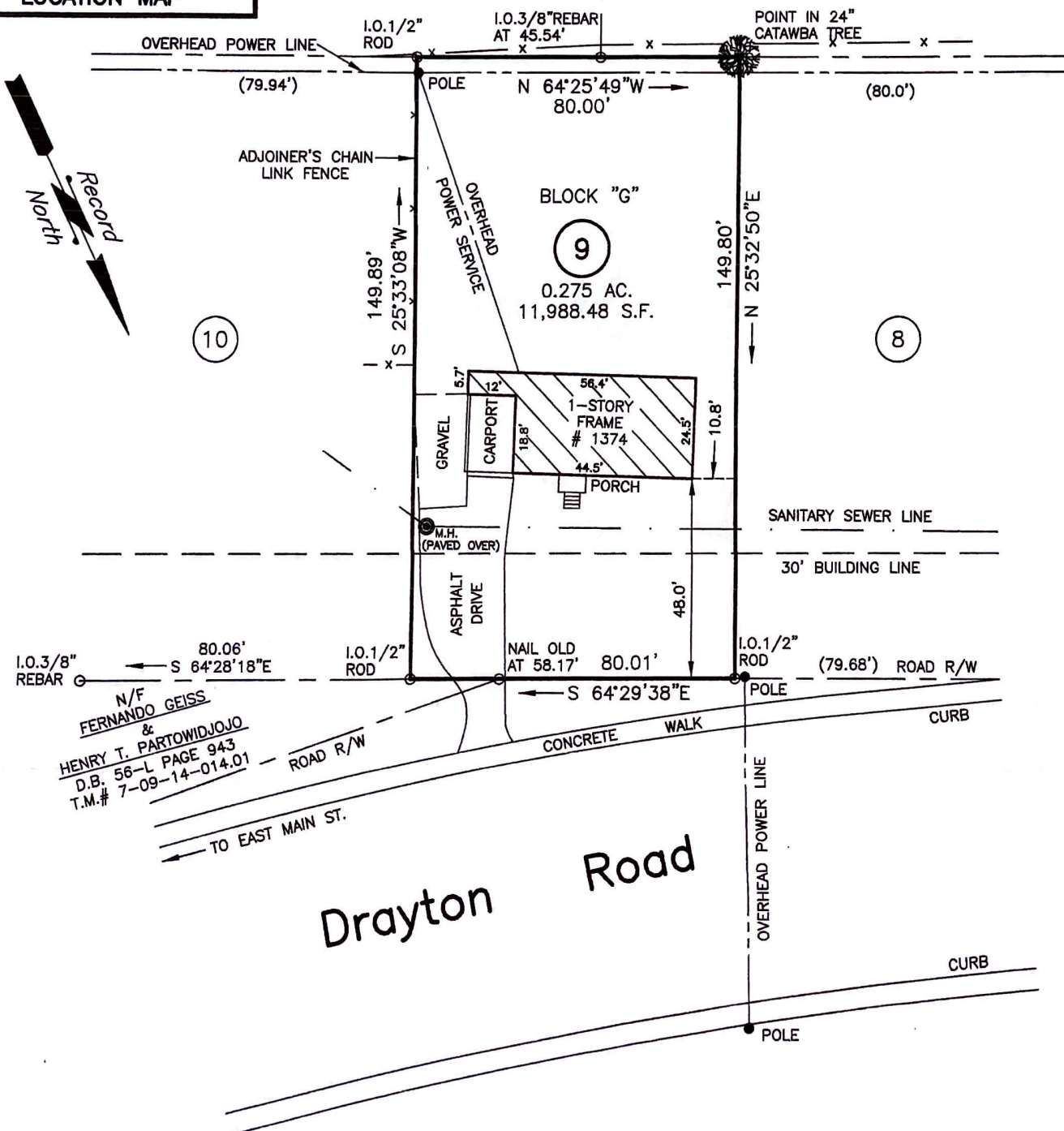
Will the authorization of a variance be of substantial detriment to adjacent property or to the public good? Will the character of the district be harmed by the granting of the variance?

NO

ALL 6 LOTS THAT ARE NEXT TO EACH OTHER FROM THE ORIGINAL DEVELOPMENT ARE VERY CLOSE IN SIZE (SEE MAP).



LEGEND:
 I.O. - IRON OLD
 I.N. - IRON NEW
 () - COPIED MEASUREMENT



- NOTES:**
- 1- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR.
 - 2- THE SURVEY SHOWN HEREON REFLECTS THE RECORDED REFERENCES AS NOTED.
 - 3- AREA SUBJECT TO ALL RIGHTS OF WAY AND EASEMENTS OF RECORD OR NOT OF RECORD.
 - 4- ALL UNDERGROUND UTILITIES ARE NOT SHOWN AND THEIR LOCATIONS ARE UNKNOWN TO ME.

SURVEY FOR: **Alberto Luie Rabuske**

BEING LOT NO. 9, BLOCK "G" OF HILLVIEW SUBDIVISION, PLAT RECORDED IN PLAT BOOK 42 AT PAGES 103-105. ALSO SEE PLAT BOOK 109 AT PAGE 816 & DEED BOOK 122-T AT PAGE 358.

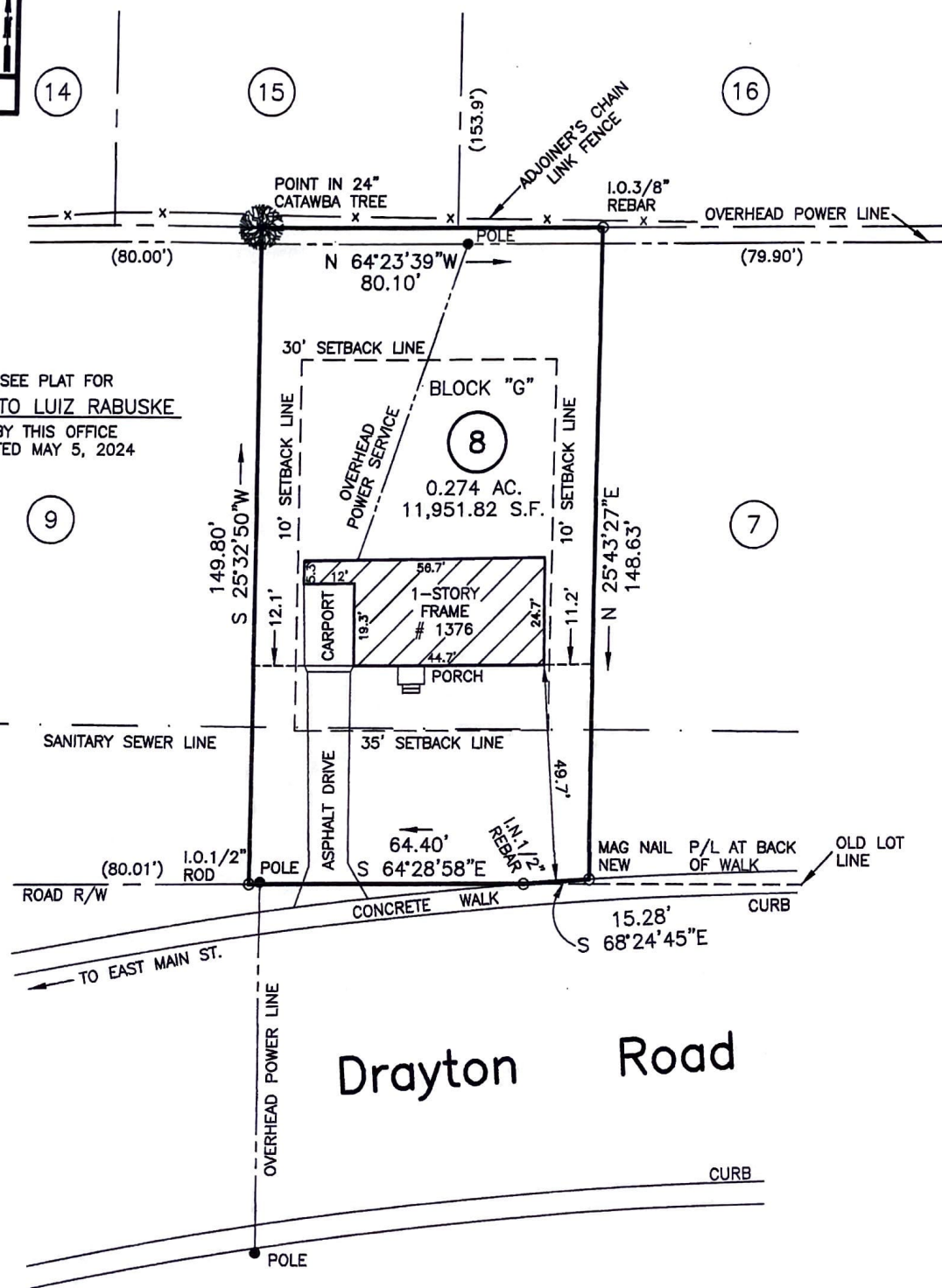
SEAL

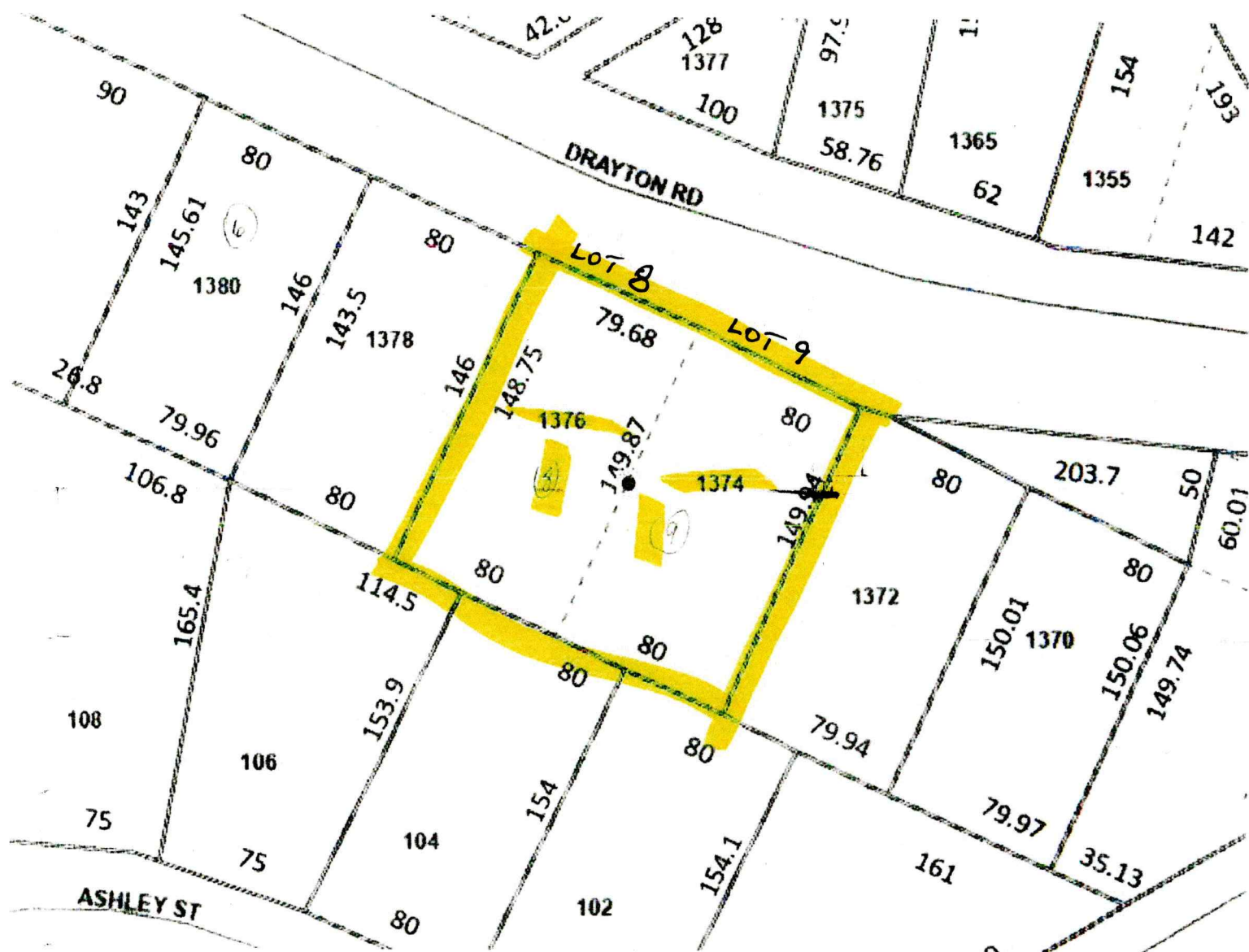
LOCATION MAP

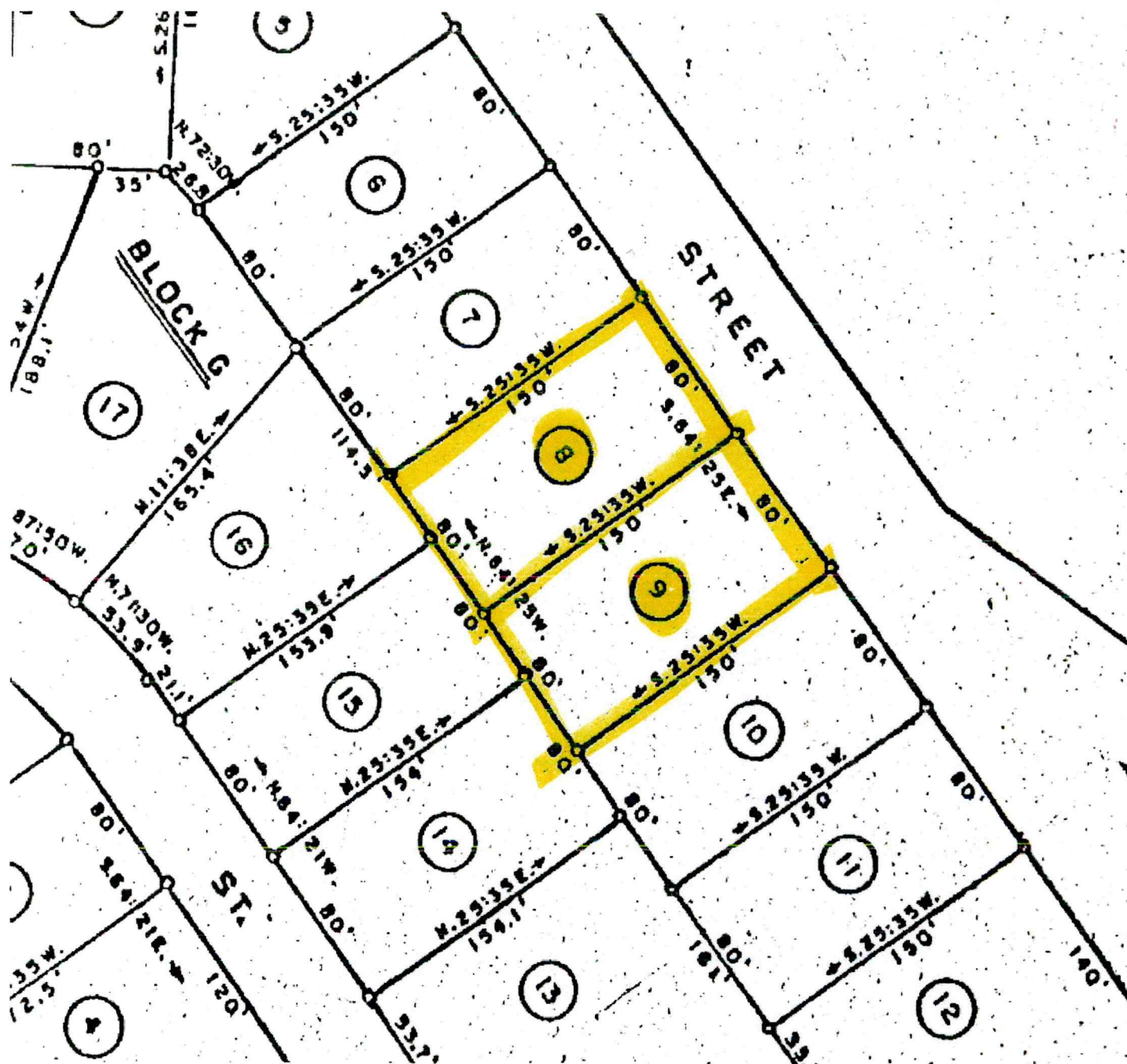
I.O. - IRON OLD
I.N. - IRON NEW
() - COPIED MEASUREMENT

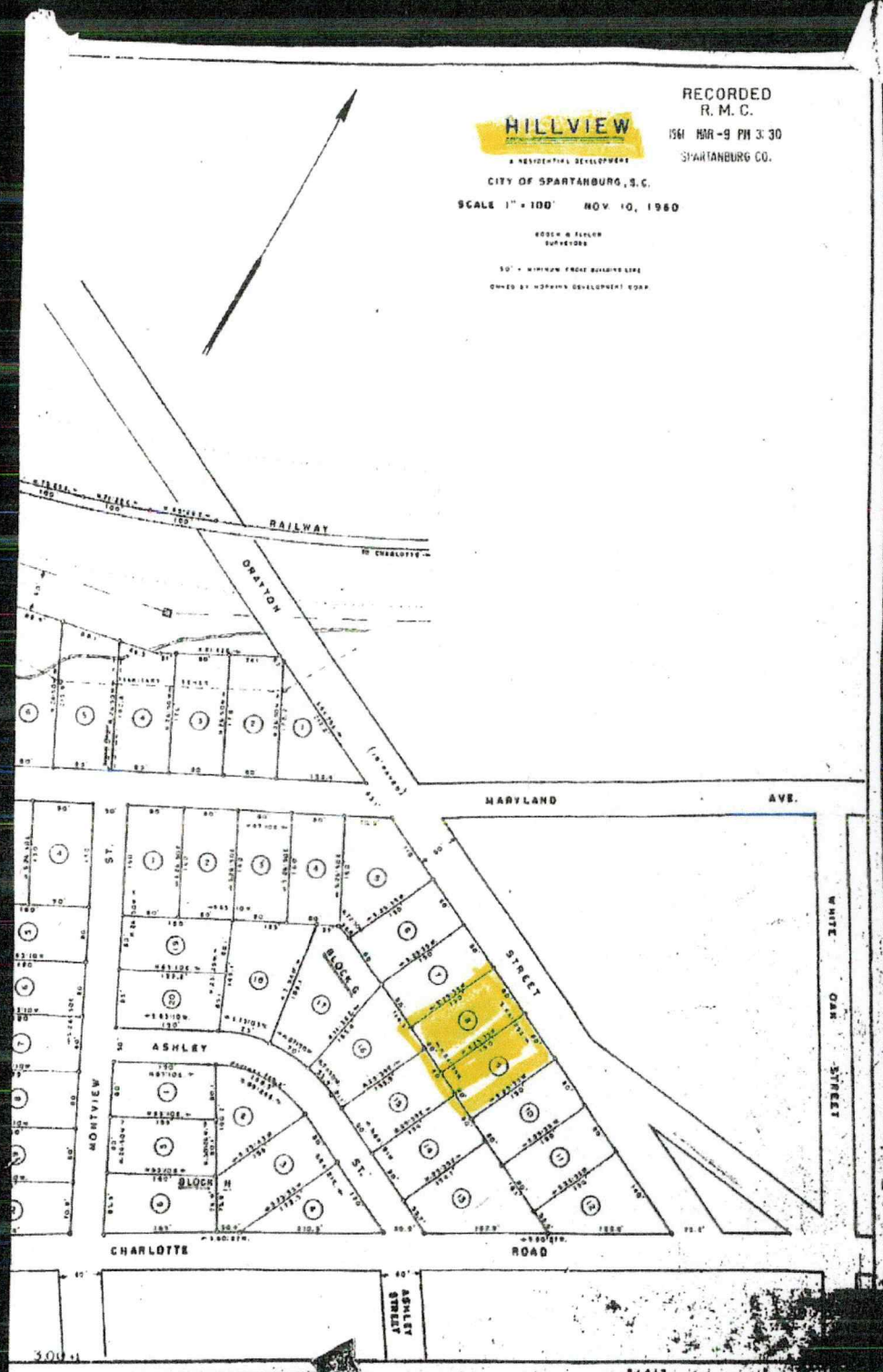
I.O. - IRON OLD
I.N. - IRON NEW
() - COPIED MEASUREMENT

SEE PLAT FOR
ALBERTO LUIZ RABUSKE
BY THIS OFFICE
DATED MAY 5, 2024









TO: The Board Zoning Appeals

RE: APP-24-00200008 The City of Spartanburg's Board of Zoning Appeals has received an Appeal to the permitted use table regarding a dog grooming business, Tails in the City, located at 222 E. Blackstock Rd. (TMS # 6-20-12-089.00) to be allowed in the **B-1, Neighborhood Shopping District**. **Applicant: Rebekah Dehart, Tails in the City.**

Date: May 6th, 2024

Project Description and History

In earlier 2024, a building inspector found out that a dog grooming business was open without a Certificate of Occupancy and did not have an exhaust system installed inside the business. Later, when the business owner applied for the Certificate of Occupancy, planning staff became aware that the business use, pet grooming, is not allowed per the current City of Spartanburg Zoning Ordinance. Upon review of the City's Zoning Ordinance, staff noticed that pet grooming services are not stand alone uses but are recognized under Animal Kennel & Veterinary Clinic.

A. COMMERCIAL USES	GID	LOD	LC	B-1	B-3	B-4	I-1	I-2
5. Animal Kennel - a fully enclosed building with soundproofed exterior walls in accordance with the Building Code for the temporary lodging and boarding of domestic house pets. Outdoor kennels and cages are permitted. Medical treatment, clipping, and <u>grooming are permitted</u> , as is retail sale of pet products and accessories (see Veterinary Clinic and Veterinary Hospital in Table B, 40 and 41 below)					P	P	P	P

B. OFFICE, INSTITUTIONAL/PUBLIC AND QUASI-PUBLIC USES	GID	LOD	LC	B-1	B-3	B-4	I-1	I-2
41. Veterinary Clinic - (a fully enclosed building) used for the medical treatment of domestic house pets and allowing for their overnight treatment and/or observation until the veterinary doctor releases the same. <u>Outdoor kennels and cages are not permitted</u> . The overnight lodging of pets, if not medically necessary, <u>is prohibited</u> , as are <u>clipping (except where medically necessary), grooming, and retail sale of pet products and accessories</u> (See Animal Kennels under Section 303.5. Commercial Uses)		P		P	P	P	P	P

The proposed business is located at a strip mall shopping center that has a zoning designation of B-1, Neighborhood Shopping District. Based on the City of Spartanburg Zoning Ordinance Section 301 to 303: District Use Regulations and **Section 303.6 Table of Permitted Uses**, grooming is a service that will be allowed under Animal Kennel. However, Animal Kennel is **not** permitted use for properties under B-1, Neighborhood Shopping District zoning. Veterinary Clinic is allowed for businesses with B-1 zoning designation, but **prohibiting** clipping, grooming, and retail sales of pet products and accessories.

The applicant is seeking an appeal to allow her business of a dog grooming business to stay open at 222 E. Blackstock Rd. Ste E. An appeal stays all legal proceedings in furtherance of the action appeal from, unless the officer from whom the appeal is taken certified to the Board, after the notice of appeal shall have been filed with him, that by reason of facts states in the certificate a stay would, in his opinion, cause imminent peril to life and property.

Analysis

Zoning Ordinance Consistency

The Board must utilize **Section 603.3(A)(2)** and determine if the proposal meets all the criterion for approval. 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:

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- b. These conditions do not generally apply to other properties in the vicinity;
- c. 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; and
- d. 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.
- e. 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 does not recognize any extraordinary and exceptional conditions pertaining to this particular piece of property. This dog grooming business sits in a small strip mall center surrounded by offices and retail stores. Given the proposed use, staff confirmed with the Building Official that an exhaust ventilation system will be required to install upon approval of the request.
2. ***These conditions do not generally apply to other properties in the vicinity –***
There are no other pet grooming businesses in the immediate vicinity, other than a PetSmart located a few blocks away on E. Blackstock Rd. Both PetSmart and Petco, on E. Main St. are currently sitting on lands with a zoning designation of B-1, Neighborhood Shopping District. Both PetSmart and Petco are mainly retail stores selling pet products, with dog grooming services provided by request or appointment only. Neither of them is specializing in pet grooming services only.
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; and –***
Per the current City of Spartanburg Zoning Ordinance, animal kennel, which allows for a pet grooming business, is NOT allowed under B-1, Neighborhood Shopping District. While veterinary clinic, which

DOES NOT allow pet grooming business, is allowed under B-1, Neighborhood Shopping District. Therefore, a pet grooming business is not allowed either because of the current zoning designation restrictions or because of the service.

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 do not believe the authorization of a dog grooming business at this strip mall center will cause substantial detriment or harm to the general public good or adjacent property. The character of this strip mall shopping center will still remain as retail stores, health care center/offices, and insurance company. Staff do not see issues about keeping the pet grooming business at the strip shopping center since it does not pose adverse impact to the surrounding businesses.

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 the event that the Board finds that the findings can be met, and the project approved, conditions of approval are attached to this report. In exercising the power, the Board of Appeals may, in conformity with the provisions of this chapter, 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.

Submitted by:



Nan Zhou, AICP
City Planner II
City of Spartanburg Planning Department

Attachments:

Conditions of Approval

Application

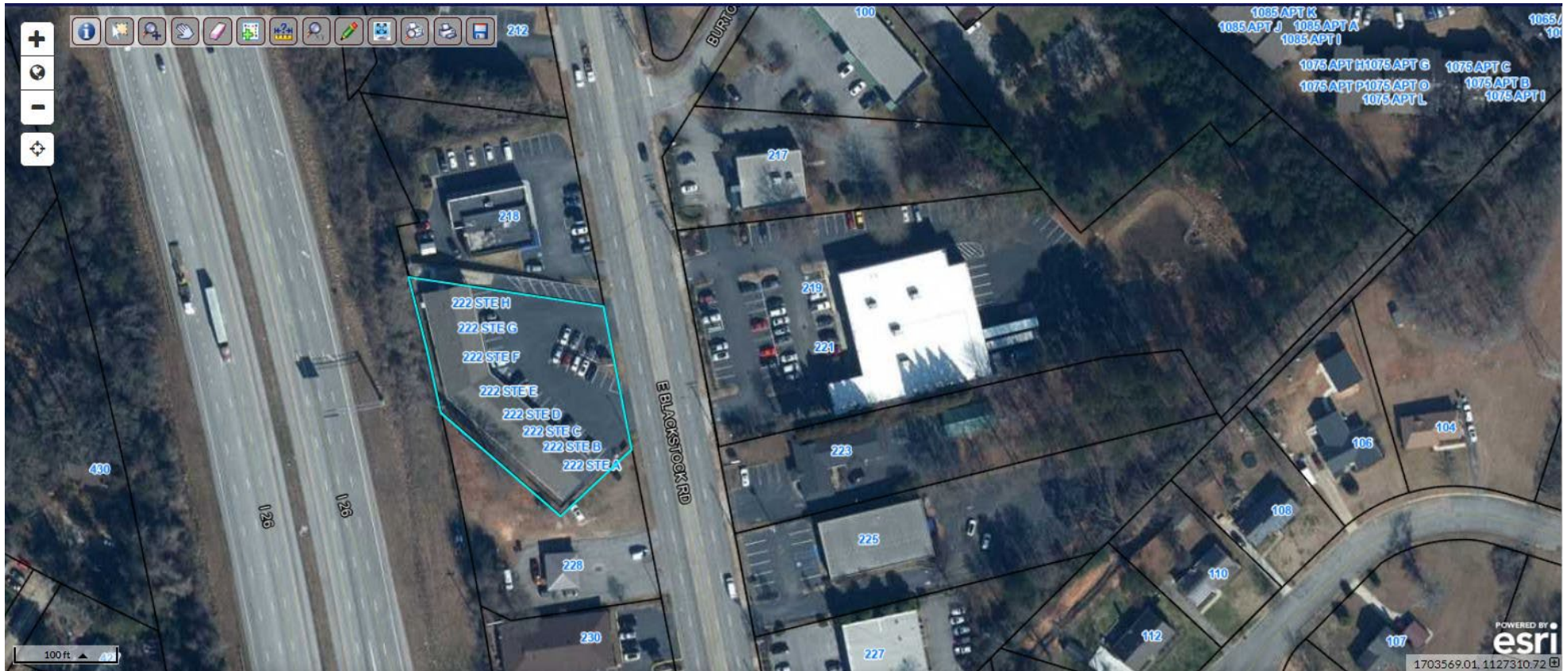
Photos

CONDITIONS OF APPROVAL FOR THE PROJECT ON PROPERTY LOCATED AT:

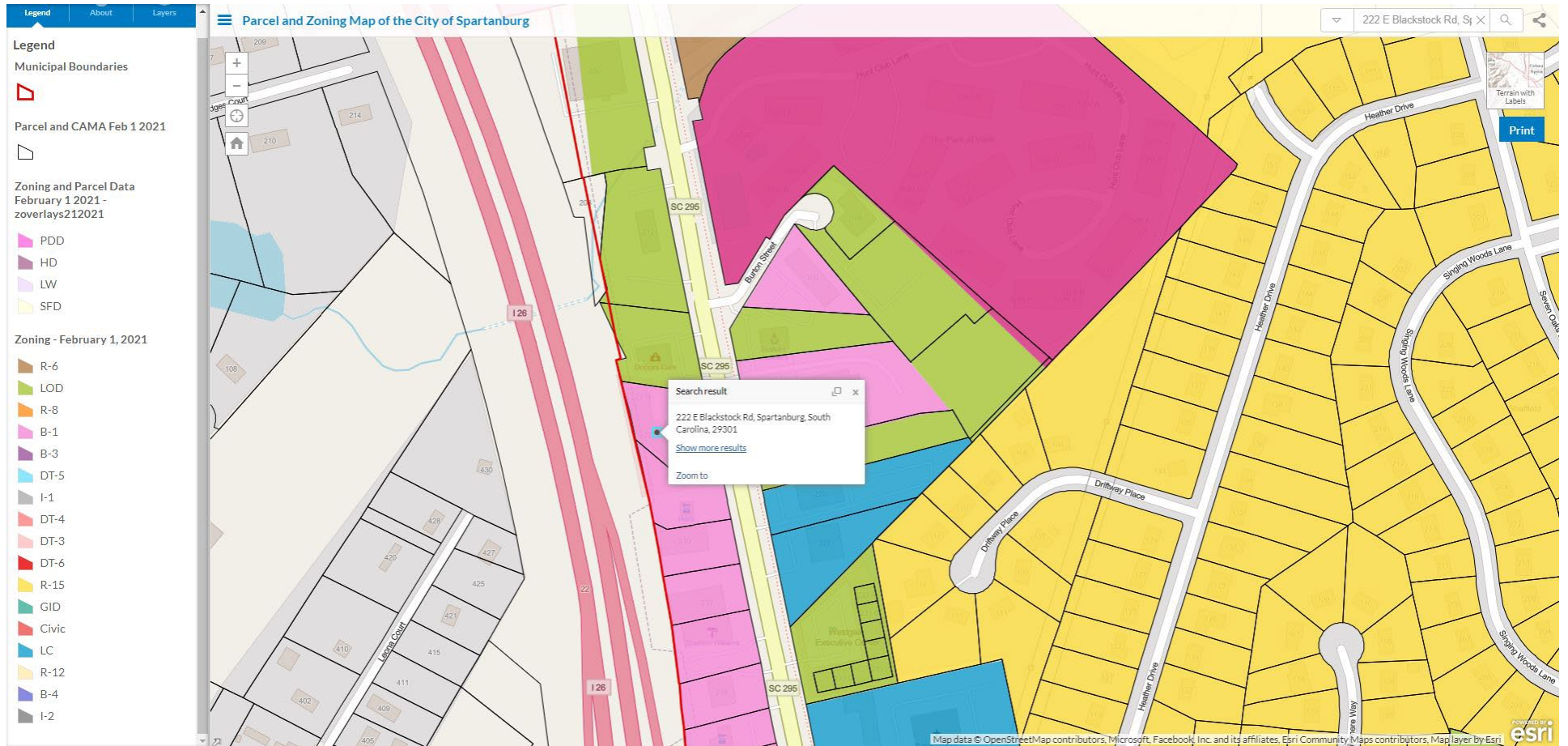
222 Blackstock Road (TMS # 6-20-12-089.00)

1. If one or more of the following conditions is not met with respect to all its terms, then this approval may be revoked.
2. The use shall meet the standards and shall be developed within the limits established by Chapter 501.10 of the Spartanburg Municipal code as to the emission of noise, odor, smoke, dust, vibration, waste, fumes or any public nuisance arising or occurring incidental to its establishment or operation.
3. The applicant shall be responsible for the completeness and accuracy of all forms and supporting material submitted in connection with any application. Any errors or discrepancies found therein may result in the revocation if any approval or permits issues in connection therewith.
4. The development of the site shall be in substantial accordance with the approved plans submitted and on file in the Spartanburg City Planning Department. All aspects of construction must be completed prior to use. Major modifications to plans or exceptions to completion may be granted only by the City authority which approved the project.
5. All requirements of the Building, Fire, Water and Streets and Stormwater Departments shall be completed prior to building occupancy permit issuance and continuously maintained thereafter.
6. An exhaust ventilation system shall be at place upon approval and a valid City Business License shall be renewed for the proposed use.

SITE MAP – 222 E. Blackstock Road



ZONING MAP – 128 League Street



Site Photos – Store Front



Site Photos – Strip Mall Center



Site Photos – Property to the Left Side of the Project Site



Site Photos – Property to the Right Side of the Project



05/06/2024

Site Photos – Property Across from the Project Site



Site Photos – Property Across from the Project Site



Site Photos – Properties Across from the Project Site



APR 22 2024



Planning Department

PO Box 1749 • Spartanburg, SC 29304 • phone: (864) 596-2068 • email: planning@cityofspartanburg.org
website: www.cityofspartanburg.org

General Application

Name of Development: Tails In The City
Street Address: 222 East Blackstock Rd Spartanburg
Zoning District: B-1 Overlay: No Tax Map Number: 6-20-12-089.00

Owner: Rebekah DeHart Phone: 864-884-0538
Address: 108 Drummond Rd Email: redneckbecky@rocketmail.com
City: Woodruff State: SC Zip: 29388

Applicant: Same Phone: _____
Address: _____ Email: _____
City: _____ State: _____ Zip: _____

Agent: N/A Phone: _____
Address: _____ Email: _____
City: _____ State: _____ Zip: _____

Please select the activity requested / also, please attach the required Supplemental Form:

- | | |
|--|--|
| ☐ Annexations | ☐ Planned Development Districts (PDD) |
| ☐ Special Exceptions | ☐ Zoning - Conditional Use |
| ☒ Zoning - Appeals | ☐ Zoning - Variance |
| ☐ Zoning - Map Amendment | |

Fees and Payments can be made using the Permit Number and the [City of Spartanburg Payment Portal](#).

To the best of my knowledge, the information on this application and all additional documentation is true, factual and complete. I hereby agree to abide by all conditions of any approvals granted by the City of Spartanburg. I understand that such conditions shall apply to the subject property only and are a right or obligation transferable by sale. I hereby authorize the staff of the Planning Department to inspect the premises of the above-described property.

Applicant / Owner Signature: Rebekah DeHart Date: 4/22/24

Staff Use Only / Received by: _____

Date Received: _____ Time: _____ Permit Number: _____

**ZONING APPEALS
SUPPLEMENTAL APPLICATION FORM**

Name of Development: Tails In The City

Location of Development: 222 East Blackstock Rd Spartanburg

City Official or Body that made the Decision: planning staff

Date of the Decision you are Appealing: 4/22/24

Please summarize the Decision you are Appealing:

For my dog grooming shop to be allowed where it isn't
Zoned for!

Please explain the Basis for your right to Appeal:

See attachment

The Nature of the Appeal:

to allow my shop to stay at my current location.

ALL OF THE FOLLOWING ITEMS MUST BE ATTACHED for this application to be complete.

☒ A detailed narrative outlining grounds of the Appeal and citing any Zoning Ordinance section number(s) relied upon; and a statement of the specific decision requested of the Board of Zoning Appeals.

☐ When an Appeal is filed by an Agent for another party, that party must submit written certification consenting to the Appeal.

☒ Filing Fee - \$150.00

Staff Use Only / Received by: _____

Date Received: 4/22/24

Time: _____

Permit Number: _____

My name is Rebekah DeHart. I own Tails In The City a dog grooming shop. I have been grooming dogs for about 10 years, between going to college to now working full time in the grooming industry. I didn't realize at the time that 222 East Blackstock Rd unit H was not properly zoned for my line of work nor did my landlord. I do take full responsibility for not checking nor completing all proper paperwork before moving into the unit. I have moved 3 times in 8½ years and I am hoping this one is the last one. I love the location I am at now so does my clients. It is easier for them to get in and out at, as well as all the other shops watch out for each other here. It is closer to home for me as well as getting my kids to and from school/daycare or activities they do. I do everything on this side of town. So I saw it as a God Send when this location opened up. I love my line of work. Some days are harder than others at the shop. I run the whole operation by myself and have for years now. I love I can bring my kids to work with me if I have to. I also love how I can manage my own time what days I work am off etc.

I love my job! Because its not just a job to me its my passion! They say if you love what you do you will never work a day in your life. I have found that to be true! This isn't just a way of life for me, it is my life and one I love doing. I have poured every ounce of myself in this passion^{over} the last 10 years. I have got to meet some incredible people and dogs who I love dearly over the last 8½ years. I have clients who will stand around talking for 20 minutes with me about their dog or what's going on in their own lives. I have dogs I do that are aggressive or have been abused no one else will touch except me! These clients and their dogs trust me, they love me and their dogs are taken well care of while with me! If I have to close my doors it is a injustice to them and our community, as alot of groomers aren't accepting new clients or those dogs are on a 2 hour window drop off and pick up. It's not fair for my clients to be turned away from those shops because they can't meet those requirements. If I have to close my doors thats what my clients are facing for their dogs! Everything I do is for my family, my clients and those dogs

who walk through my doors each and every day, 75% of my clients have been with me for 8 years. I don't take that lightly or what I do lightly. The amount of trust the clients and their dogs have built with me I don't take lightly. The dogs when their owners tell them were going to see Becky start going crazy at home, the drive over there all over the place and when they get ^{here} jump out and yank their owners to the doors. That's how much these dogs love coming here. So you see it's not all about the money for me, it truly is a passion for me. I love what I do and if I have to shut my doors you do a disservice to my own clients but our continued growing community as well. Thank you for your time! Rebelch@DeHart

TO: The Board of Zoning Appeals

RE: VAR-24-002-00009: The City of Spartanburg's Board of Zoning Appeals has received a request for a variance to the lot frontage for property located at 558 Hugh Street (TMS: 7-11-08-121.00); with a zoning designation of R-8 (General Residential District). Applicant: Hall Dillard, H. Dillard Company, Inc.

Date: May 14, 2024

Project Description and History

The project site is an approximately 18,000 Square foot lot located at 558 Hugh Street (TMS: 7-11-08-121.00); with a zoning designation of R-8 (General Residential District). The site is located in a traditional single-family neighborhood with a vacant lot that was sold at the Forfeited Land Commission which is the current applicant – a contract for sale is included in the application. The applicant is seeking a variance to the requirements in the zoning ordinance related to Table 401(A) Table of Area and Dimensional Requirements by District which requires 8,000 square feet of lot area for a single-family property. The current size of the property is approximately 18,000 square feet would allow two lots to be developed for single-family housing. The zoning ordinance also requires a 60 feet minimum lot frontage. The lot frontage is 106 feet and would not allow for two 60 feet lot frontage. The applicant is proposing to split the lots with 8,773 square feet and 8,597 square feet each and 52.96 feet of frontage for each lot.

Variances from the regulations of this Ordinance shall be granted by the Board of Zoning Appeals only in accordance with the standards established in section 603, and may be granted only in the following instances and in no others:

- 1. To permit any yard less than the requirements of this Ordinance;**
- 2. To permit the reduction of any required setback being in compliance with all applicable Building and Fire Codes and subject to review by the Building Official; (*)**
- 3. To permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but in no event shall the respective area and width of the lot or lots be less than eighty percent (80%) of the required area and width;**
4. To permit the same off-street parking facility to qualify as required facilities for two or more units, provided that substantial use of such facility by each use does not take place at approximately the same hours of the same days of the week;
5. To reduce the applicable off-street parking or loading facilities required by not more than one (1) parking space or loading space, or twenty-five percent (25%) of the required facilities, whichever number is greater;
6. To allow for the deferment of required parking facilities for a reasonable period of time, such period of time to be specified in the variance;
7. To increase by not more than forty percent (40%) the maximum distance that required parking spaces are permitted to be located from the use served;
8. To permit the height of a fence in the required rear, side and corner side yard to exceed the maximum height allowed by this Ordinance up to eight (8) feet when property is exposed to exceptional nuisances of traffic, dust, noise, glare, and vandalism; and (*)
9. To reduce the setback requirement for portable signs provided that no variance shall be granted to permit such signs within the triangular area formed by the right-of-way lines of intersecting streets (or

a street and a driveway), and a line joining points on the right-of-way lines twenty-five (25) feet from the point of their intersection. If the property in question has no defined driveway to its parking area the Board shall satisfy itself that the proposed location of the portable sign will not interfere with traffic by blocking reasonable sight lines for streets, sidewalks and driveways before any variance is granted. The application for such variance shall be accompanied by a scaled drawing showing all information relevant to the variance request. (**)

Analysis

Zoning Ordinance Consistency

The project site is an approximately 18,000 Square foot lot located at 558 Hugh Street (TMS: 7-11-08-121.00); with a zoning designation of R-8 (General Residential District). The site is located in a traditional single-family neighborhood with a vacant lot that was sold at the Forfeited Land Commission which is the current applicant – a contract for sale is included in the application. The applicant is seeking a variance to the requirements in the zoning ordinance related to Table 401(A) Table of Area and Dimensional Requirements by District which requires 8,000 square feet of lot area for a single-family property. The current size of the property is approximately 18,000 square feet would allow two lots to be developed for single-family housing. The zoning ordinance also requires a 60 feet minimum lot frontage. The lot frontage is 106 feet and would not allow for two 60 feet lot frontage. The applicant is proposing to split the lots with 8,773 square feet and 8,597 square feet each and 52.96 feet of frontage for each lot.

Based on Section 603.4(1-3) Variances, the Board has the authority to permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but in no event shall the respective area and width of the lot or lots be less than eighty percent (80%) of the required area and width;

The Board must utilize Section 603.4(1-3) and determine if the proposal meets all the criterion for approval. To hear and decide appeals for a **Variance** from the requirements of the Zoning Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship. 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 properties in the vicinity;
- c. 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; and
- d. 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.
- e. 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 –***
No. There are extraordinary and exceptional conditions pertaining to the particular piece of property. The adjacent lot at 566 Hugh Street has a lot frontage of only 52.8 feet. Many of other lots in the area meet or exceed the lot frontage requirements.
2. ***These conditions do not generally apply to other properties in the vicinity –***
Yes. There are several lots in the area have similar conditions. The most adjacent lot is less than 60 feet wide. Several of the lots in the area are vacant and may be considered lots of record prior to the establishment of the zoning ordinance. Lots on adjacent streets meet the zoning ordinance requirements.
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; and –***
No. The application of the ordinance would not unreasonably restrict the utilization of the property. The property can be developed for duplexes or one single-family structure. The applicant is proposing to split the lot and build two single-family structures for sale. The lot frontage would meet Section 603.4(1-3) requirements and meet the 80% requirements and would be consistent with the ordinance.
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–***
Yes. The authorization of a variance will not be of substantial detriment to the adjacent property or to the public good, and authorization of the district will not be harmed by the granting of the variance. Several lots in the area do not meet the frontage requirements but meet the lot size requirements. Approval of the reduced lot frontage would also meet the 80% rule required in Section 603.4(3) of the Zoning Ordinance.
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–***
No. No additional conditions of approval would be required. Approval of this variance would not create a non-conforming use. The application of the variance would create two single-family lots that can be developed for housing. The variance from the regulations of the zoning can be granted by the Board of Zoning Appeals only in accordance with the standards established in section 603, and can be granted in the following instances:
 1. To permit any yard less than the requirements of this Ordinance;
 2. To permit the reduction of any required setback being in compliance with all applicable Building and Fire Codes and subject to review by the Building Official; (*)
 3. To permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but in no event shall the respective area and width of the lot or lots be less than eighty percent (80%) of the required area and width;

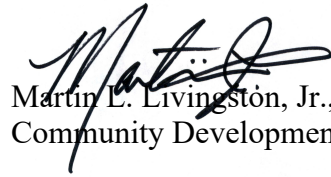
Summary and Recommendation

The proposed request meets all the required Findings for approval of the Variance. Staff recommends approval of the request based on the Findings listed above.

In exercising its powers, the Board of Zoning Appeals may, in conformity with the provisions of Section 603, 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. The board, in the execution of the duties specified in this chapter, may subpoena witnesses and in case of contempt may certify this fact to the circuit court having jurisdiction.

All final decisions and orders of the board must be in writing and be permanently filed in the office of the board as a public record. All findings of fact and conclusions of the law must be separately stated in final decisions or orders of the board which must be delivered to parties of interest.

Submitted by:

A handwritten signature in black ink, appearing to read "Martin E. Livingston, Jr.", is written over the printed name and title.

Martin E. Livingston, Jr., AICP, CPM
Community Development Director

Attachments:

Conditions of Approval

Application

Photos

**CONDITIONS OF APPROVAL FOR THE PROJECT ON PROPERTY LOCATED AT:
558 Hugh Street (TMS: 7-11-08-121.00)**

1. If one or more of the following conditions is not met with respect to all its terms, then this approval may be revoked.
2. All setbacks excluding the interior side yard setback shall meet the setback requirements in the City of Spartanburg Zoning Ordinance, where the maximum building coverage is not applicable, front yard setback is 30 feet, rear setback is 30 feet, the interior side setback is 8 feet, and the street side setback is 15 feet.
3. The use shall meet the standards and shall be developed within the limits established by Chapter 501.10 of the Spartanburg Municipal code as to the emission of noise, odor, smoke, dust, vibration, waste, fumes or any public nuisance arising or occurring incidental to its establishment or operation.
4. The applicant shall be responsible for the completeness and accuracy of all forms and supporting material submitted in connection with any application. Any errors or discrepancies found therein may result in the revocation if any approval or permits issues in connection therewith.
5. The development of the site shall be in substantial accordance with the approved plans submitted and on file in the Spartanburg City Planning Department. All aspects of construction must be completed prior to use. Major modifications to plans or exceptions to completion may be granted only by the City authority which approved the project.
6. All requirements of the Building, Fire, Water and Streets and Stormwater Departments shall be completed prior to building occupancy permit issuance and continuously maintained thereafter.
7. Site Pre-construction meeting with the City of Spartanburg Storm Water Manager, Jay Squires, is required prior to site disturbance. Building pre-construction meeting with City of Spartanburg Building Official, Buddy Bush, required prior to vertical construction.

SITE MAP



ZONING MAP

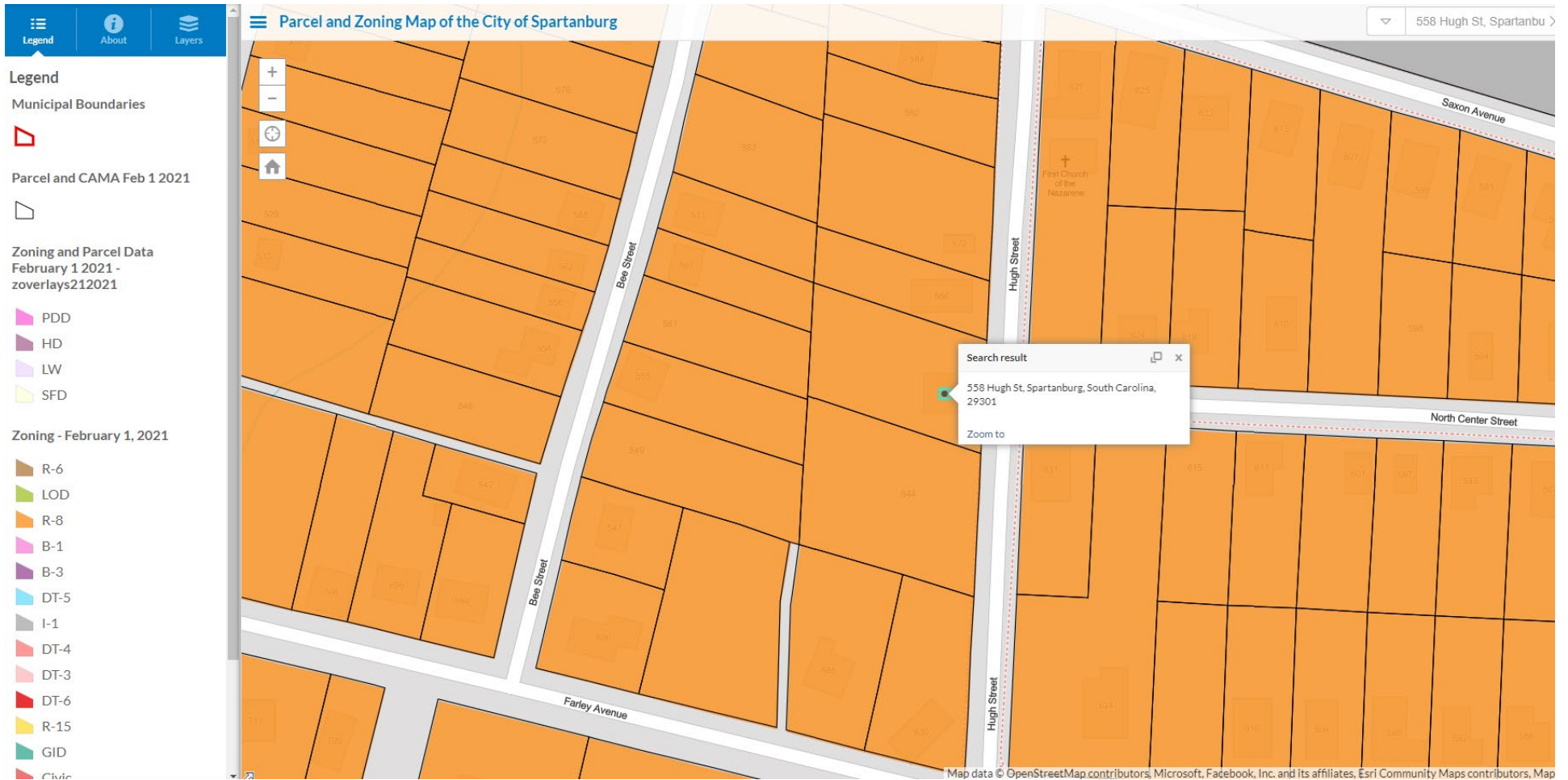


Table 401 – (A) Table of Area Dimensional Requirements

Section IV: District Area and Dimensional Requirements

§ 401 - (A) Table of Area and Dimensional Requirements By District

These Standards Apply Only to One Residential Structure on a Zoning Lot (*8)

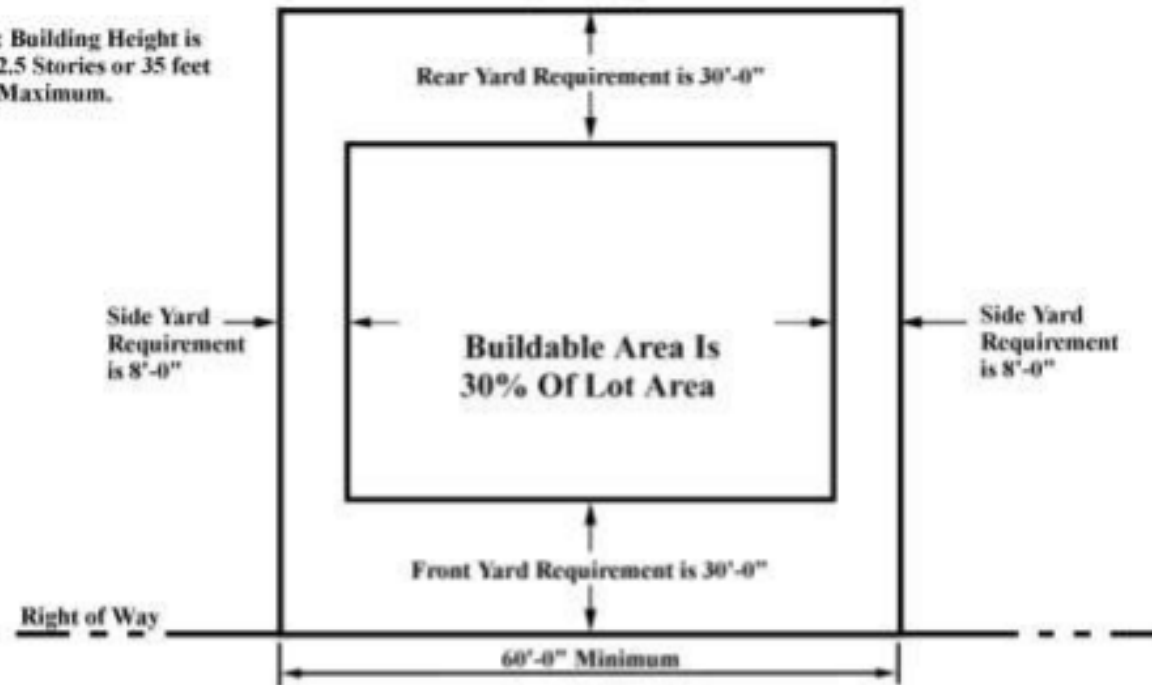
MINIMUM YARD REQUIREMENTS

Zoning District	Max. Bldg. Height (Feet)	Min. Lot Area (Square Ft.)	Min. Lot Per Dwelling Unit (Square Ft.)	Min. Lot Width At Lot Line For Lots Not On The Radius Of A Cul-De-Sac (Ft.) (*9)	Min. Lot Width At Front Bldg. Line On The Radius Of A Cul-De-Sac (Ft.) (*9)	Max. Bldg. Coverage (As a %)	FRONT	REAR	INTERIOR SIDE (*1)	STREET SIDE (*2)	Max. Gross Floor Area
R-15	35/A	15,000	15,000	90	80	25 (*16)	40/B	40	15/M (*11)	15/C	
R-12	D	12,000	10,000	80	80	35 (*16)	35/B	30	10	15/C	
R-8 SFD (*10)	D	8,000		60	50	40 (*16)	30/B	30	8	15/C	
R-8	D	8,000	6,000	60	50	40 (*16)	30/B	30	8	15/C	
R-6 (*14)	D	4,000	2,000/F	50	50	50	15/B	20	5	15/C	
GID/ LOD (*13)	E	4,000/N (*5)(*14)	2,000 (*5)	50 40	50 40	50/G 50/G (*6)	25/H 15	15/L 15/L (*5)	10/L 5 (*5)	15/C 15/C (*4)	
LC (*12)	35/A	21,780 Or ½ Acre				•	35	30	10	10/C	
B-1	35/A		1,800		50		25	10	5/I	15/J	K
B-3			800		50		15			10/J	K
B-4			800		50		25			10/J	K
I-1							25	15	15	25	K
I-2							25	15	15	25	K
D-T4 D-T5 D-T6	For Area and Dimensional Requirements in Downtown Urban Districts, see §§515.3.3 – 3.6										

R-8 SINGLE FAMILY

Lot Area Is 8,000 SQ.FT. Minimum

**NOTE: Building Height is
2.5 Stories or 35 feet
Maximum.**



NOTE: EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: RIGHTS-OF-WAY, EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND USE REGULATIONS AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. - ANY FLOOD PLAIN DATA SHOWN HEREON IS AN APPROXIMATE LOCATION GRAPHICALLY PLOTTED FROM THE REFERENCED FEMA MAP UNLESS OTHERWISE NOTED. - THIS SURVEY DOES NOT CONSTITUTE A TITLE RESEARCH, FLOOD STUDY, WETLAND DELINEATION OR ENVIRONMENTAL INSPECTION BY SURVEYOR.

SITE DATA:

TOTAL SITE = 0.389 AC (17,371 SQ.FT.)

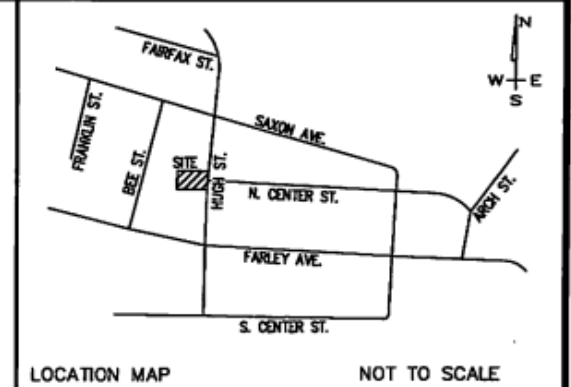
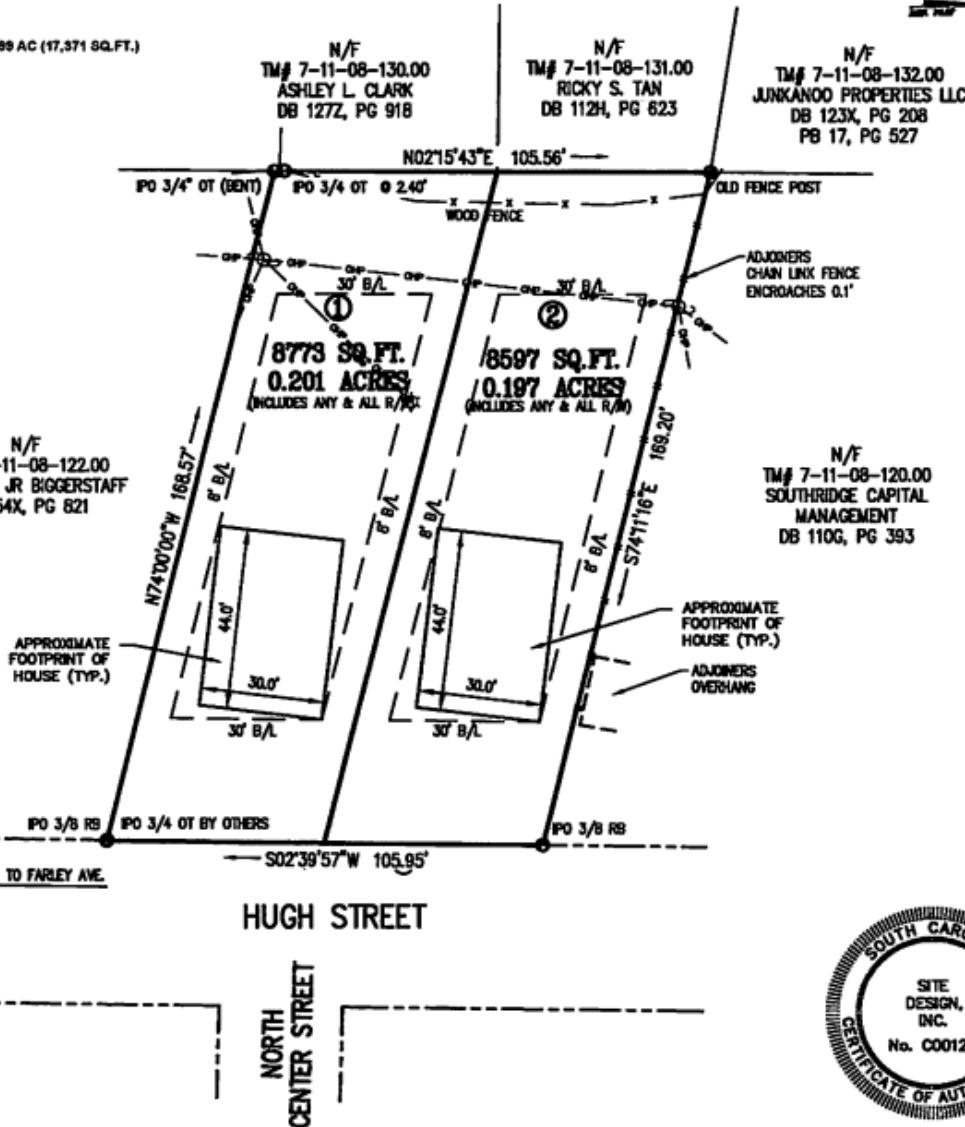
ZONING - R-8

SETBACKS -

FRONT - 30'

REAR - 30'

SIDES - 8'



LEGEND

BL BUILDING LINE	CO CLEAN OUT	GUY GUY ANCHOR
CL CENTERLINE	CB CATCH BASIN	EM ELECTRIC METER
CM CORRUGATED METAL PIPE	DI DRAIN INLET	CTV CABLE TV
CT CRIMP TOP	DI DRAIN INLET	F FENCE LINE
DE DRAINAGE EASEMENT	DI DRAIN INLET	FDC FIBER OPTIC CABLE
EP EDGE OF PAVEMENT	DI DRAIN INLET	GAS GAS LINE
IP IRON PIPE OLD	DI DRAIN INLET	OP OVERHEAD POWER
IPS IRON PIPE SET	DI DRAIN INLET	OT OVERHEAD TELEPHONE
NAC NAIL & CAP	DI DRAIN INLET	SD STORM DRAIN
OT OPEN TOP	DI DRAIN INLET	SS SANITARY SEWER
RS REBAR	DI DRAIN INLET	USP UNDERGROUND POWER
ROP REINFORCED CONC PIPE	DI DRAIN INLET	UT UNDERGROUND TEL
R/W RIGHT OF WAY	DI DRAIN INLET	W WATER LINE
SD STORM DRAIN	DI DRAIN INLET	
SS SANITARY SEWER	DI DRAIN INLET	
SSE SS EASEMENT	DI DRAIN INLET	
VCP VITRIFIED CLAY PIPE	DI DRAIN INLET	

SUMMARY PLAT FOR H DILLARD CO. INC SPARTANBURG COUNTY, SOUTH CAROLINA

SCALE 1"=30'	PROPERTY ADDRESS 558 HUGH STREET	TAX PIN 7-11-08-121.00
DATE 3/13/2024	30' 0 30' 60'	FIELD CREW GL/ZD
		DRAWN BY AK



SITE DESIGN, INC.

CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS

225 ROCKY CREEK ROAD, GREENVILLE, SC 29615
PH: (864)271-0496
www.sitedesign-inc.com

S240260

Site Photos



Site Photos



Contract of Sale

The undersigned _____ (name(s) as you want it to appear on deed, please spell clearly), hereafter called Purchaser, agrees to buy and the undersigned **Forfeited Land Commission of Spartanburg County**, hereinafter called Seller agrees to sell all that lot or parcel of land, with the buildings and improvements thereon, if any, located in Spartanburg County, South Carolina, and being identified as 588 HUGH ST, SPARTANBURG, SC and having Tax Parcel Identification # 7-11-08-121.00

This Contract is subject to all the terms and conditions herein in addition to the terms and conditions as contained in that certain Terms and Conditions, attached hereto and incorporated in its entirety as Exhibit "A".

\$ <u>14,350.00</u>	Bid Price	\$ <u>16,965.40</u>	Total Amount Due
\$ <u>2,152.50</u>	15% Buyer's Premium		
\$ <u>16,502.50</u>	Contract Sales Price	\$ <u>5,000.00</u>	Earnest Money Deposit
\$ <u>365.00</u>	Deed Prep and Closing Fees	\$ <u>11,965.40</u>	Cash Due at Closing
\$ <u>62.90</u>	Deed Stamps		
\$ <u>35.00</u>	Purchaser Coordination Fee		

It is understood that property is subject to all reservations, easements, rights of way, and restrictive covenants, of record, or on the premises, and all government statutes, ordinances, rules and regulations. The described property is to be sold in "as is, where is" condition without warranty either expressed or implied by the Seller or Auctioneer.

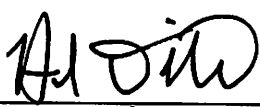
A Quitclaim Deed will be prepared in the name of _____, and delivered at the office of Smith & Haskell Law Firm, LLP, 218 E. Henry Street, Spartanburg, S.C. 29306, or other stipulated place of closing, and the transaction shall be closed on or before **March 29, 2024**.

A Quitclaim Deed will be furnished by the Seller. The Purchaser shall be responsible for all closing costs, including preparation of the Quitclaim Deed and recording fees and any other customary closing costs incurred in connection with the purchase of the property, including but not limited to courier or overnight mail fees and wire transfer fees.

The Purchaser shall be responsible for any outstanding taxes, HOA fees, rents, and other assessments as of the date of closing. Any outstanding county liens on the property shall be included in the base bid amount.

The parties agree that this written Contract and the attached Terms and Conditions attached hereto and incorporated in its entirety as Exhibit "A" express the entire agreement between the parties, and that there is no other agreement, oral or otherwise, modifying the terms hereunder, and that the Contract shall be binding on both parties, their principles, heirs, personal representatives, successors, and assigns forever.

Signatures below signify acceptance of all terms and conditions stated herein and attached hereto, and shall become a binding contract for purchase and sale of real property with a binding agreement date of **February 29, 2024**. The binding agreement date shall be defined as the date the Purchaser has executed the Contract of Sale and the Terms and Conditions.

Purchaser  Date 3/1/2024 Witness _____

Printed Name HAL DILLMAN

Purchaser _____ Date _____ Witness _____

Printed Name _____

Seller _____ Date _____ Witness _____



Hal Dillard <haldillard22@gmail.com>

Spartanburg County Forfeited Land Commission Auction

Edwin Haskell <ehaskell@smithandhaskell.com>

Tue, Apr 9 at 1:18 PM

To: Hal Dillard <haldillard22@gmail.com>

Mr. Dillard:

We received everything and are processing the deeds now.

We will forward you the recorded deeds once the transactions are completed.

[Quoted text hidden]

SMITH & HASKELL LAW FIRM, PA

218 EAST HENRY STREET
SPARTANBURG, SOUTH CAROLINA
29306

SETTLEMENT STATEMENT

Seller: Forfeited Land Commission of Spartanburg County

Purchaser: Hal Dillard
Name on Deed: H. Dillard Co, Inc

Property: 588 HUGH ST, SPARTANBURG, SC

Tax Map No.: 7-11-08-121.00

Date: _____

Seller's Statement

Contract Sales Price:	\$16502.5
Buyers Prem. fee to: Terry Howe & Associates, Inc.	(\$2152.5)
Net to Seller:	\$14350

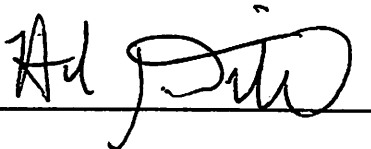
Purchaser's Statement

Contract Sales Price:	\$16502.5
Purchaser Coordination Fee:	\$25
Deed Preparation/Closing Fees:	\$350
Deed Recording Fee:	\$15
Deed Stamps:	\$62.9
Total Costs:	\$16965.4
Less Earnest Money:	(\$5000)
Net Due from Purchaser:	\$11965.4

The Seller and Purchaser have carefully reviewed the Settlement Statement and to the best of our knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on our account or by us in this transaction. We further certify that we have received a copy of the Settlement Statement.

Purchaser:

Hal Dillard



NOTE: EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: RIGHTS-OF-WAY, EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND USE REGULATIONS AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. - ANY FLOOD PLAIN DATA SHOWN HEREON IS AN APPROXIMATE LOCATION GRAPHICALLY PLOTTED FROM THE REFERENCED FEMA MAP UNLESS OTHERWISE NOTED. - THIS SURVEY DOES NOT CONSTITUTE A TITLE RESEARCH, FLOOD STUDY, WETLAND DELINEATION OR ENVIRONMENTAL INSPECTION BY SURVEYOR.

SITE DATA:

TOTAL SITE = 0.399 AC (17,371 SQ.FT.)

ZONING - R-8

SETBACKS -

FRONT - 30'
REAR - 30'
SIDES - 8'

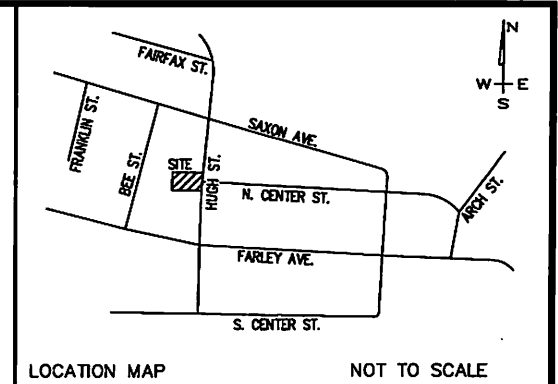
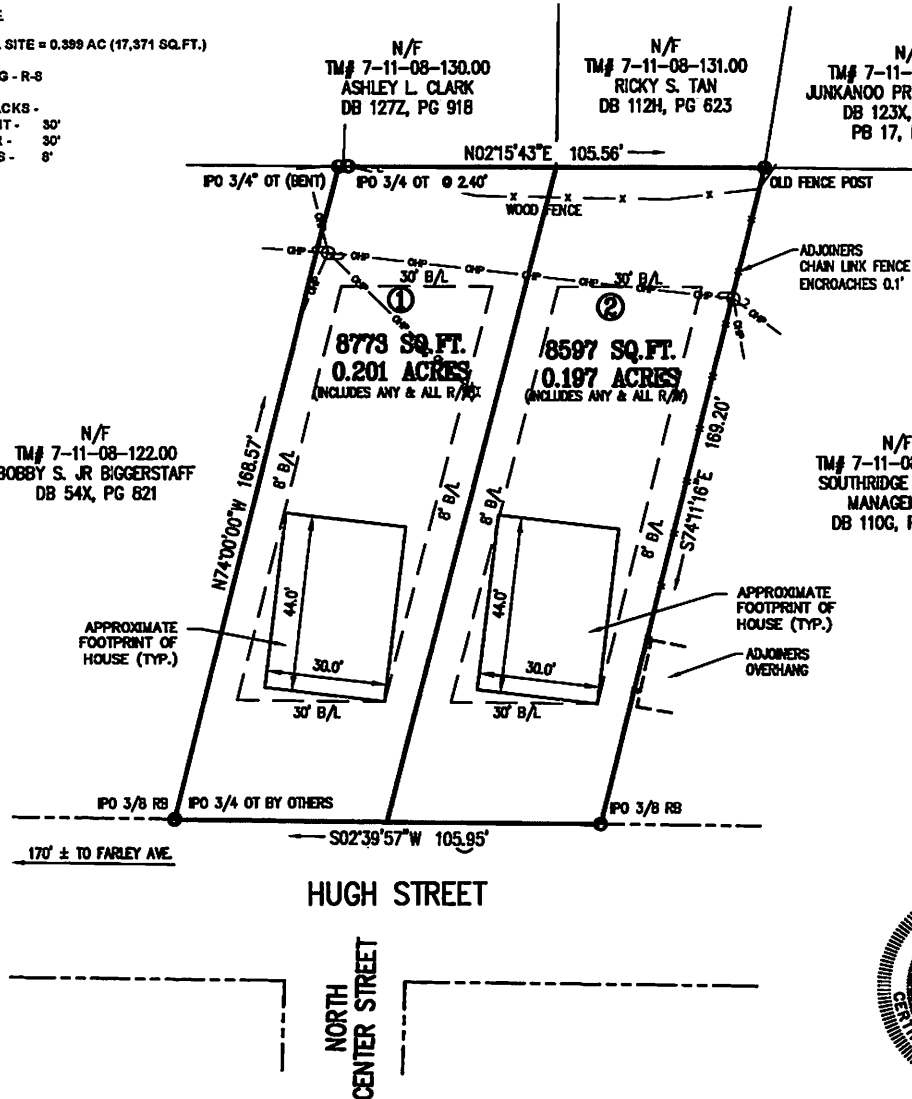
N/F
TM# 7-11-08-122.00
BOBBY S. JR BIGGERSTAFF
DB 54X, PG 821

N/F
TM# 7-11-08-130.00
ASHLEY L. CLARK
DB 127Z, PG 918

N/F
TM# 7-11-08-131.00
RICKY S. TAN
DB 112H, PG 623

N/F
TM# 7-11-08-132.00
JUNKANOO PROPERTIES LLC
DB 123X, PG 208
PB 17, PG 527

N/F
TM# 7-11-08-120.00
SOUTHRIDGE CAPITAL
MANAGEMENT
DB 110G, PG 393



LEGEND

BL BUILDING LINE	CO CLEAN OUT	GUY GUY ANCHOR
CL CENTERLINE	CB CATCH BASIN	EM ELECTRIC METER
CMP CORRUGATED METAL PIPE	CI DROP INLET	CTV CABLE TV
CT CRIMP TOP	DI ELEC TRANS	F FENCE LINE
DE DRAINAGE EASEMENT	E ELEVATION	FOC FIBER OPTIC CABLE
EP EDGE OF PAVEMENT	FX FIRE HYDRANT	GAS GAS LINE
IPO IRON PIN OLD	G GAS VALVE	GP OVERHEAD POWER
IPS IRON PIN SET	L LIGHT POLE	HT OVERHEAD TELEPHONE
NAC NAIL & CAP	PP POWER POLE	SD STORM DRAIN
OT OPEN TOP	SMH MANHOLE (SD)	SS SANITARY SEWER
RB REBAR	SMH MANHOLE (SS)	UP UNDERGROUND POWER
RCP REINFORCED CONC PIPE	TMH MANHOLE (TELEPHONE)	UT UNDERGROUND TEL
R/W RIGHT OF WAY	Telp TELP	W WATER LINE
SD STORM DRAIN	WATER METER	
SS SANITARY SEWER	WATER VALVE	
SSE SS EASEMENT		
VCP VITRIFIED CLAY PIPE		

SUMMARY PLAT FOR H DILLARD CO. INC SPARTANBURG COUNTY, SOUTH CAROLINA

SCALE 1"=30'	PROPERTY ADDRESS 558 HUGH STREET	TAX PIN 7-11-08-121.00
DATE 3/13/2024	30' 0 30' 60'	FIELD CREW GL/ZD
		DRAWN BY AK

SITE DESIGN, INC.

CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS

225 ROCKY CREEK ROAD, GREENVILLE, SC 29615
PH: (864)271-0496
www.sitedesign-inc.com





How would these conditions and the application of the Ordinance to your particular lot effectively prohibit or unreasonably restrict the utilization of your property
Considering the Sq footage of the lot, the conditions of the Ordinance restricts the potential of an additional new construction home to be built. An additional home would fit perfectly on the property and supply new affordable housing for those in the community.

Will the authorization of a variance be of substantial detriment to adjacent property or to the public good? Will the character of the district be harmed by the granting of the variance?
The approval of requested variance would not be a detriment to any adjacent property or the public. These new homes would improve the character of the district and provide the community with quality, affordable housing.

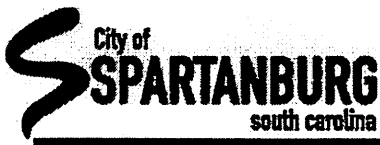


What are the extraordinary and/or exceptional conditions that apply to your parcel?

The address has a square footage of 17,370 which is within the needed square footage to split the lot into two. With such a large piece of property we believe it would not be beneficial to the community to build just one home when the footprint of two 30x44 homes can fit the lot while meeting all required setbacks.

How do these conditions differentiate your parcel from those in the immediate vicinity?

Upon our observation of the general community, it appears that not all single family homes are on lots with at least 60 ft of frontage. Many lots have anywhere from 40-50 ft. 773 Saxon Ave is a property in very close proximity that we purchased recently and has only 55.21' of road frontage. With 105 sq ft of frontage we would be well within the road frontage for many of the single family homes in the surrounding communities.



Planning Department

PO Box 1749 • Spartanburg, SC 29304 • phone: (864) 596-2068 • email: planning@cityofspartanburg.org
website: www.cityofspartanburg.org

ZONING VARIANCE SUPPLEMENTAL APPLICATION FORM

Name of Development: 558 Hugh St

Location of Development: 558 Hugh St. Spartanburg, SC 29301

Section Number(s) of the Ordinance from which a Variance(s) is requested:

Section IV District Area and Dimension Requirements

Describe completely and specifically the requested Variance:

The lot has 105 ft of road frontage. With the Ordinance stating there must be 60 ft of road frontage per lot, we are requesting a variance of 15 ft.

Explain briefly why the Variance is requested:

To build two affordable homes on the lot as opposed to just one. Adding an additional new home on the property will enhance the community.

ALL OF THE FOLLOWING ITEMS MUST BE ATTACHED for this application to be complete.

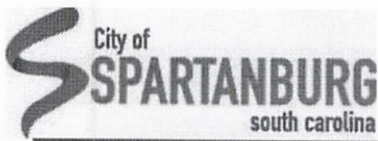
- ☒ A typed narrative that explains How and Why the requested Variance meets All of the criteria of the Zoning Ordinance Section 603.3 (A) (2), (see attached copy). Criteria for Approval of Variances; and
- ☒ Notarized written certification, signed by the owner(s) of record of the property, that the owner(s) consent to the request for a Variance. Certification is not necessary if the owner is the applicant; and
- ☒ A sealed site plan to scale that clearly illustrates the requested Variance in relation to the affected site and to the surrounding parcels and uses. A reproducible copy of this plan, no larger than 11" x 17", must be submitted. In addition, please include or email the site plan in PDF format; and
- ☒ **Filing Fee: \$150.00**

Staff Use Only / Received by: _____

Date Received: _____

Time: _____

Permit Number: _____



Planning Department

APR 22 2024

PO Box 1749 • Spartanburg, SC 29304 • phone: (864) 596-2068 • email: planning@cityofspartanburg.org
website: www.cityofspartanburg.org

General Application

Name of Development: 558 Hugh St

Street Address: 558 Hugh St. Spartanburg, SC 29301

Zoning District: R8 Overlay: _____ Tax Map Number: 7-11-08-121.00

Owner: H. Dillard Company, Inc.

Phone: 864-380-5400

Address: 101 Sugar Mill Rd.

Email: haldillard22@gmail.com

City: Greer State: SC

Zip: 29650

Applicant: H. Dillard Company, Inc.

Phone: 864-380-5400

Address: 101 Sugar Mill Rd.

Email: haldillard22@gmail.com

City: Greer State: SC

Zip: 29650

Agent: _____

Phone: _____

Address: _____

Email: _____

City: _____ State: _____ Zip: _____

Please select the activity requested / also, please attach the required Supplemental Form:

- ☐ Annexations
- ☐ Special Exceptions
- ☐ Zoning - Appeals
- ☐ Zoning - Map Amendment

- ☐ Planned Development Districts (PDD)
- ☐ Zoning - Conditional Use
- ☒ Zoning - Variance

Fees and Payments can be made using the Permit Number and the City of Spartanburg Payment Portal.

To the best of my knowledge, the information on this application and all additional documentation is true, factual and complete. I hereby agree to abide by all conditions of any approvals granted by the City of Spartanburg. I understand that such conditions shall apply to the subject property only and are a right or obligation transferable by sale. I hereby authorize the staff of the Planning Department to inspect the premises of the above-described property.

Applicant / Owner Signature: [Signature]

Date: 4/18/2024

Staff Use Only / Received by: Nan / Osana

Date Received: _____ Time: _____ Permit Number: _____

TO: The Board Zoning Appeals

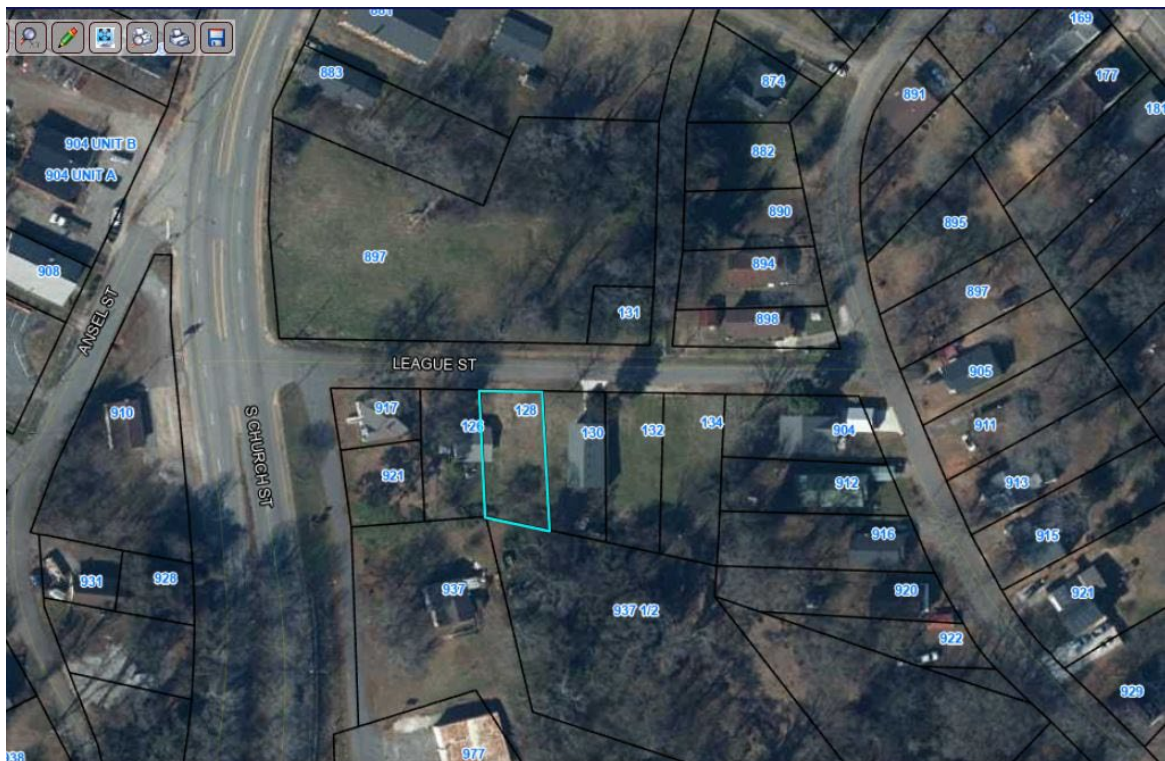
RE: VAR-24-00200010 The City of Spartanburg's Board of Zoning Appeals has received a Variance request to the front and rear setbacks and building coverage for property located at 128 League St. (TMS 7-16-10-124.00); with a zoning designation of R-8, General Residential District.
Owner/Applicant: Angela Cardona.

Date: May 6th, 2024

Project Description and History

The project site is an approximately 5,445 square foot (0.125 acre) vacant lot with a zoning designation of R-8, General Residential District. The project site abuts League Street to the north boundary. The surrounding properties of the project site are all zoned for R-8, General Residential District.

The applicant is proposing to build a single-family house on the lot that is closer to the front and rear setback requirements without reducing the footprint of the proposed house plan. Properties to the left and right side of the project site are existing non-conforming houses that were built prior to the adoption of City of Spartanburg Zoning Ordinance. Therefore, for the applicant to build a house that is consistent with other houses along League Street, the applicant is requesting a variance of reducing the front setback from 30 ft to 20 ft, and the rear setback from 30 ft to 20 ft.



Analysis

Zoning Ordinance Consistency

The project site has a zone designation of R-8, General Residential District. **Section 302.3 R-8 General Residential District Uses Permitted by Right** of the City of Spartanburg Zoning Ordinance, R-8, General Residential District, does allow Single Family dwellings.

A Variance may be granted by the Board of Zoning Appeals to the minimum setback standards required in the Ordinance. Variances may only be granted in the instances listed in Section 603.4. Section 603.4 lists nine instances from which the Board may grant a Variance. Of these nine, one is applicable to this request:

Section 603.4 (2): To permit the reduction of any required setback being in compliance with all applicable Building and Fire Codes and subject to review by the Building Official.

The Board must utilize **Section 603.3(A)(2)** and determine if the proposal meets all the criterion for approval. 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. 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 properties in the vicinity;
- c. 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; and
- d. 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.
- e. 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 that would prevent the proposed single-family house from meeting the current front and rear setback requirements. The topography of the lot is relatively flat, and there is no natural obstacles preventing the owner from meeting the current setback requirements for R-8 zoning designation. Property to the east side of the project site is an existing non-conforming house that was built prior to the current Zoning Ordinance (The house was demolished before but left the foundation on the site. The contractor is renovating the house now).
2. ***These conditions do not generally apply to other properties in the vicinity –***
The adjacent lots of the project site are already built with single-family houses. The lots across from the street are currently vacant. The property to the east side of the project site is an existing non-conforming house and the house to the west side of the project site meets the front and rear setback requirements. The other two vacant lots along League Street (132 & 134 League Street) need to meet the current zoning setback requirements when houses are proposed to be built on those lots.
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; and –***
By granting the reduction of the front and rear setback from 30 ft to 20 ft, it will allow the applicant to build a single-family house that is approximately consistent in size with other lots in immediate surroundings. Otherwise, the project cannot be built as proposed in terms of keeping the same footprint square footage.

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 do not recognize any detriment or harm that will be caused to the general public. The character of the district will remain as residential neighborhoods. However, staff do not see the hardships of the lot where the current setback requirements cannot be met.
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 the event the Board finds that the Variance finding can be met and the project approved, conditions of approval are attached to this report. The Board may choose to approve or amend them based on the outcome of this proposal.

Summary and Recommendation

Based on the above Findings, Staff **do NOT recommend approval** of this request since no hardships or exceptional circumstances pertaining to the lot exist.

Submitted by:



Nan Zhou, AICP
City Planner II
City of Spartanburg Planning Department

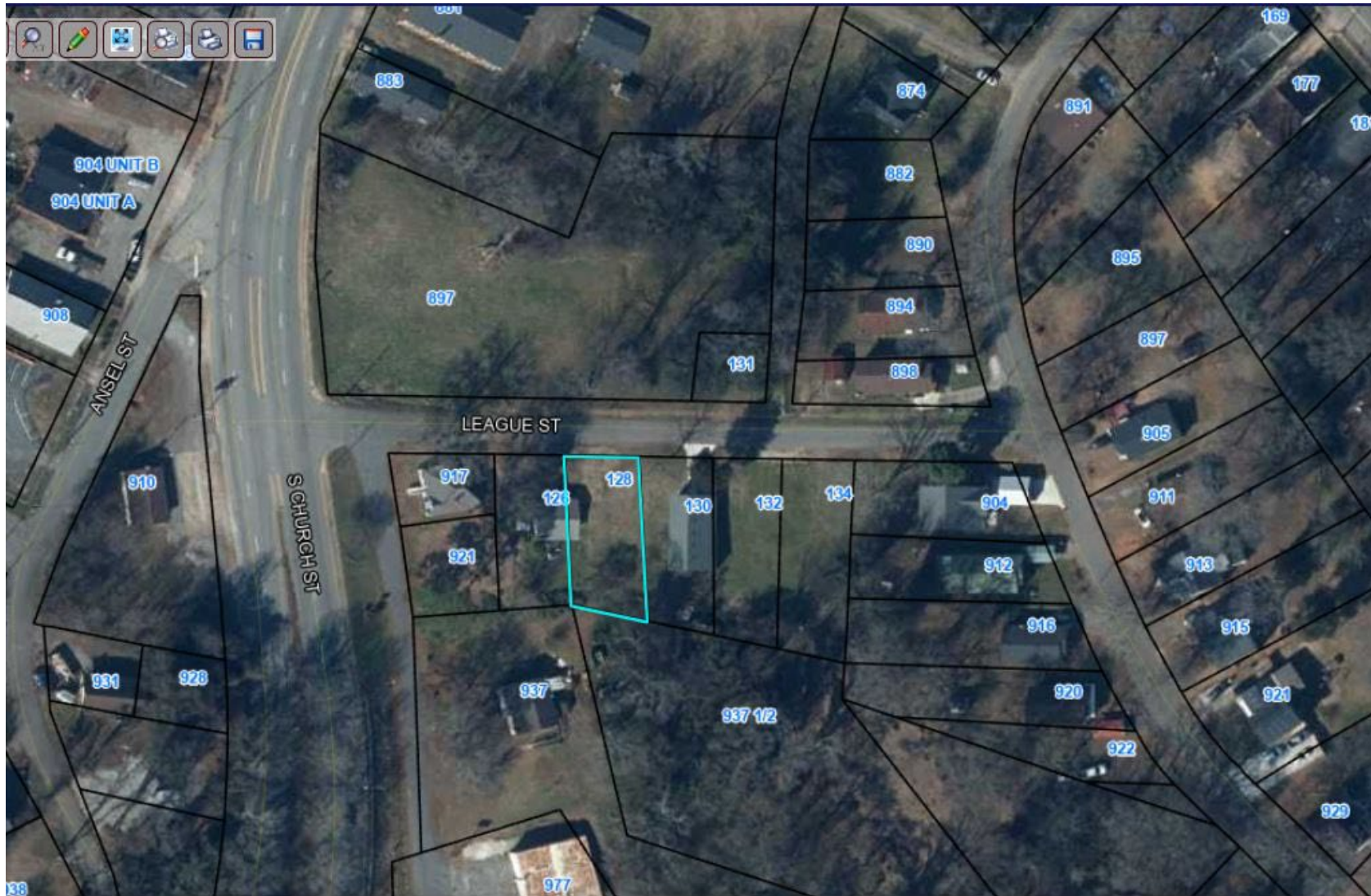
Attachments:
Conditions of Approval
Application
Photos

CONDITIONS OF APPROVAL FOR THE PROJECT ON PROPERTY LOCATED AT:

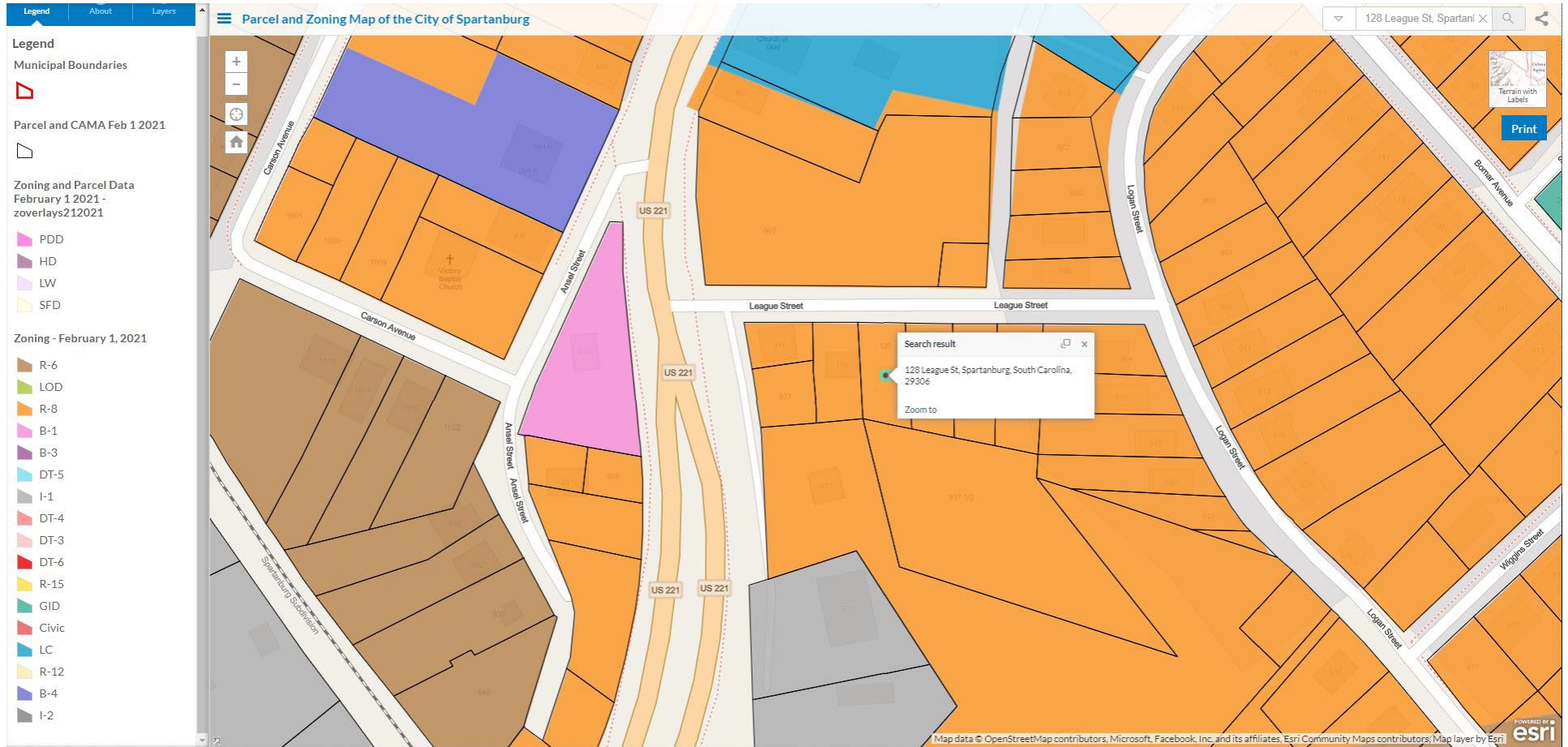
128 League Street (TMS # 7-16-10-124.00)

1. If one or more of the following conditions is not met with respect to all its terms, then this approval may be revoked.
2. All setbacks excluding the street side yard setback shall meet the setback requirements in the City of Spartanburg Zoning Ordinance, where the maximum building coverage is 40%, front yard setback is 30 feet (approved to be reduced to 20 ft), rear setback is 30 feet (approved to be reduced to 20 ft), and the interior side setback is 8 feet from the property line.
3. The use shall meet the standards and shall be developed within the limits established by Chapter 501.10 of the Spartanburg Municipal code as to the emission of noise, odor, smoke, dust, vibration, waste, fumes or any public nuisance arising or occurring incidental to its establishment or operation.
4. The applicant shall be responsible for the completeness and accuracy of all forms and supporting material submitted in connection with any application. Any errors or discrepancies found therein may result in the revocation if any approval or permits issues in connection therewith.
5. The development of the site shall be in substantial accordance with the approved plans submitted and on file in the Spartanburg City Planning Department. All aspects of construction must be completed prior to use. Major modifications to plans or exceptions to completion may be granted only by the City authority which approved the project.
6. All requirements of the Building, Fire, Water and Streets and Stormwater Departments shall be completed prior to building occupancy permit issuance and continuously maintained thereafter.
7. Site Pre-construction meeting with the City of Spartanburg Storm Water Manager, Jay Squires, is required prior to site disturbance. Building pre-construction meeting with City of Spartanburg Building Official, Buddy Bush, required prior to vertical construction.

SITE MAP – 128 League Street



ZONING MAP – 128 League Street



Site Photos – Front



Site Photos – Property to the Left Side of the Project Site



Site Photos – Property to the Right Side of the Project Site



Site Photos – Vacant Lot Across from the Project Site



Site Photos – Vacant Lot Across from the Project Site (Another View)



Site Photos – Properties to the Right Side of the Project Site



Site Photos – Street View of League Street





Planning Department

PO Box 1749 • Spartanburg, SC 29304 • phone: (864) 596-2068 • email: planning@cityofspartanburg.org
website: www.cityofspartanburg.org

General Application

Name of Development: 128 League SF

Street Address: 128 League St, Spartanburg, SC 29306

Zoning District: R-8 Overlay: _____ Tax Map Number: 7-16-10-124.00

Owner: Angel Cardona Phone: (864)680-6999

Address: 128 Sheldon Drive Email: angel@cardonarentals.com

City: Moore State: SC Zip: 29369

Applicant: Angel Cardona Phone: (864)680-6999

Address: 128 Sheldon Drive Email: angel@cardonarentals.com

City: Moore State: SC Zip: 29369

Agent: _____ Phone: _____

Address: _____ Email: _____

City: _____ State: _____ Zip: _____

Please select the activity requested / also, please attach the required Supplemental Form:

- | | |
|---|--|
| ☐ Annexations | ☐ Planned Development Districts (PDD) |
| ☐ Special Exceptions | ☐ Zoning - Conditional Use |
| ☐ Zoning - Appeals | ☒ Zoning - Variance |
| ☐ Zoning - Map Amendment | |

Fees and Payments can be made using the Permit Number and the [City of Spartanburg Payment Portal](#).

To the best of my knowledge, the information on this application and all additional documentation is true, factual and complete. I hereby agree to abide by all conditions of any approvals granted by the City of Spartanburg. I understand that such conditions shall apply to the subject property only and are a right or obligation transferable by sale. I hereby authorize the staff of the Planning Department to inspect the premises of the above-described property.

Applicant / Owner Signature: Angel V. CARDONA Date: 4/22/2024

Staff Use Only / Received by: _____

Date Received: _____ Time: _____ Permit Number: _____

ZONING VARIANCE SUPPLEMENTAL APPLICATION FORM

Name of Development: 128 League SF

Location of Development: 128 League St

Section Number(s) of the Ordinance from which a Variance(s) is requested:

603.4 Item 2

Describe completely and specifically the requested Variance:

To have setbacks of 20 front 20 rear (would meet R-6 Zoning Requirements)

Explain briefly why the Variance is requested:

In order to build a new 3 bed 2 bath Single Family home

ALL OF THE FOLLOWING ITEMS MUST BE ATTACHED for this application to be complete.

- ☒ A typed narrative that explains How and Why the requested Variance meets All of the criteria of the Zoning Ordinance Section 603.3 (A) (2), (see attached copy). Criteria for Approval of Variances; and
- ☒ Notarized written certification, signed by the owner(s) of record of the property, that the owner(s) consent to the request for a Variance. Certification is not necessary if the owner is the applicant; and
- ☒ A sealed site plan to scale that clearly illustrates the requested Variance in relation to the affected site and to the surrounding parcels and uses. A reproducible copy of this plan, no larger than 11" x 17", must be submitted. In addition, please include or email the site plan in PDF format; and
- ☒ **Filing Fee:** \$150.00

Staff Use Only / Received by: _____

Date Received: _____

Time: _____

Permit Number: _____



What are the extraordinary and/or exceptional conditions that apply to your parcel?

I want to build a new home on this lot; however, the plans I have do not meet the zoning requirements. Why not just have another house plan?? These house plans have been built before and are economically the most affordable WITHOUT reducing the sq footage, value, and aesthetically pleasing look. Building a smaller home would also create a financial risk of the house not appraising high enough to meet the planned financial expense.

Additionally, the proposed site plan would meet all R-6 Zoning requirements. Currently with the R-8 zoning in place, mine and some of the other lots on that street do not meet the R-8 minimum lot sq ft minimum area of 8,000. But, would meet R-6

How do these conditions differentiate your parcel from those in the immediate vicinity?

The two current houses beside my lot are grandfathered in. One of the house already does not meet the required setbacks, but they took out renovation permits so the foundation was grandfathered in. There would be no effect.



How would these conditions and the application of the Ordinance to your particular lot effectively prohibit or unreasonably restrict the utilization of your property

Without approval of the requested setbacks I am unable to build. I already have the builder ready, architect plans done and paid. for, as well as the lenders funding ready. The disapproval of these requested setbacks would be a financial hit as well as a cease of any new build.

Will the authorization of a variance be of substantial detriment to adjacent property or to the public good? Will the character of the district be harmed by the granting of the variance?

The requested variance will not negatively affect any adjacent property or public good. This is not a density heavy building, just a 3 bed 2 bathroom single family house. Even parking will not be affected or disasterous because the proposed site plan includes a parking pad for 2 cars.

● DENOTES IRON FOUND (1/2" ROD; UNLESS NOTED)



THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH
BY THE SURVEYOR.

ALL UNDERGROUND UTILITIES ARE NOT SHOWN AND THEIR
LOCATIONS ARE UNKNOWN TO THE SURVEYOR.

THIS PROPERTY IS SUBJECT TO ANY AND ALL OTHER
EASEMENTS, ZONING ORDINANCES, AND R/W'S
OF RECORD OR NOT OF RECORD.

**CITY OF SPARTANBURG
PLANNING DEPARTMENT**
APPROVED THIS 2 DAY OF Sept, 2020
BY: R. Grothe
AUTHORIZED REPRESENTATIVE

CLOSING SURVEY FOR:
RENE ANTONIO RAMOS

128 LEAGUE STREET
SPARTANBURG, 29306

MEMBER S.C. SOCIETY OF
PROFESSIONAL LAND SURVEYORS
REGISTRATION NO: 16500

"I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND
BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE
MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN
SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS
B SURVEY AS SPECIFIED THEREIN. ALSO, THERE ARE NO VISIBLE ENCROACHMENTS
OR PROJECTIONS OTHER THAN SHOWN."

THE PROPERTY SHOWN HEREIN IS NOT LOCATED WITHIN THE 100 YEAR FLOOD
PLAIN AS DEFINED BY THE FLOOD INSURANCE RATE MAP OF JANUARY 2011.

SCALE: 1" = 20'



BLOCK MAP SHEET 7-16-10	PARCEL 124.00	DEED BOOK 977/889	PLAY BOOK	FIELD CHIEF S. W. DONALD	DRAWN BY L.D.	DATE AUGUST 19, 2020
LOCATION SPTBG. CITY LIMITS; E OF US HWY 221, N OF FAIRFOREST CREEK				COUNTY SPARTANBURG	STATE SOUTH CAROLINA	
S. W. DONALD LAND SURVEYING POST OFFICE BOX 160472 BOILING SPRINGS, SC 29316.				PHONE: (864) 599-0192 FAX: (864) 599-0192		

PLT-2020-39518

PLT BK 178 PG 13-13

Recorded 1 Pages on 09/03/2020 01:53:17 PM
Recording Fee: \$25.00
Office of REGISTER OF DEEDS, SPARTANBURG, S.C.
Dorothy Earle, Register Of Deeds



● DENOTES IRON FOUND (1/2" ROD; UNLESS NOTED)

PARCEL 134.01

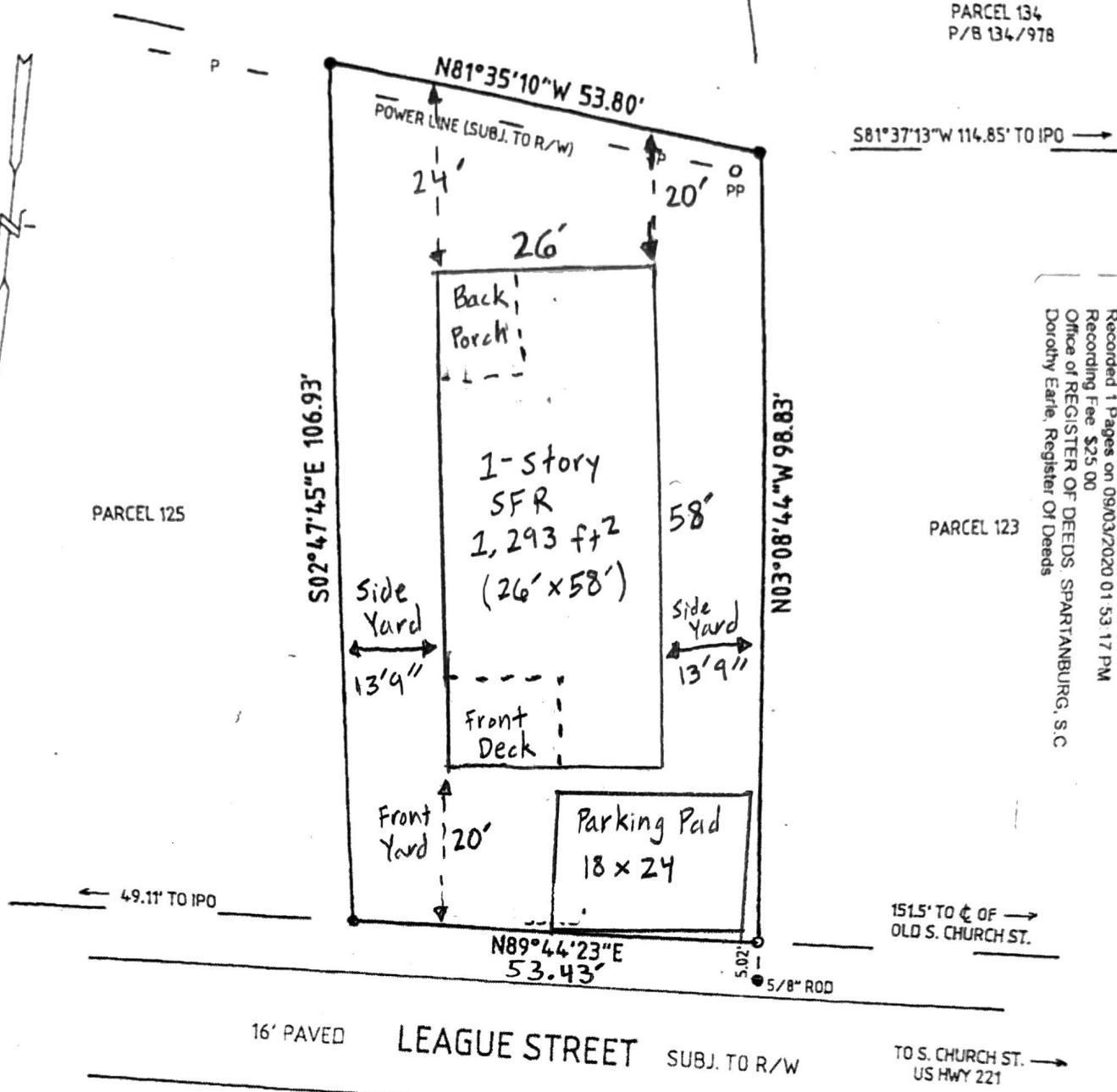
PARCEL 134
P/B 134/978



PARCEL 125

PARCEL 123

PLT-2020-38518
PLT BK 178 PG 13-13
Recorded 1 Pages on 09/03/2020 01:53:17 PM
Recording Fee \$25.00
Office of REGISTER OF DEEDS, SPARTANBURG, S.C.
Dorothy Earle, Register of Deeds



THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR.

ALL UNDERGROUND UTILITIES ARE NOT SHOWN AND THEIR LOCATIONS ARE UNKNOWN TO THE SURVEYOR.

THIS PROPERTY IS SUBJECT TO ANY AND ALL OTHER EASEMENTS, ZONING ORDINANCES, AND R/W'S OF RECORD OR NOT OF RECORD.

**CITY OF SPARTANBURG
PLANNING DEPARTMENT**
APPROVED THIS 2 DAY OF Sept, 2020
BY: R. Grotz
AUTHORIZED REPRESENTATIVE

CLOSING SURVEY FOR:
RENE ANTONIO RAMOS
128 LEAGUE STREET
SPARTANBURG, 29306

MEMBER S.C. SOCIETY OF
PROFESSIONAL LAND SURVEYORS
REGISTRATION NO: 16500

S. W. Donald

"I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN. ALSO, THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN."

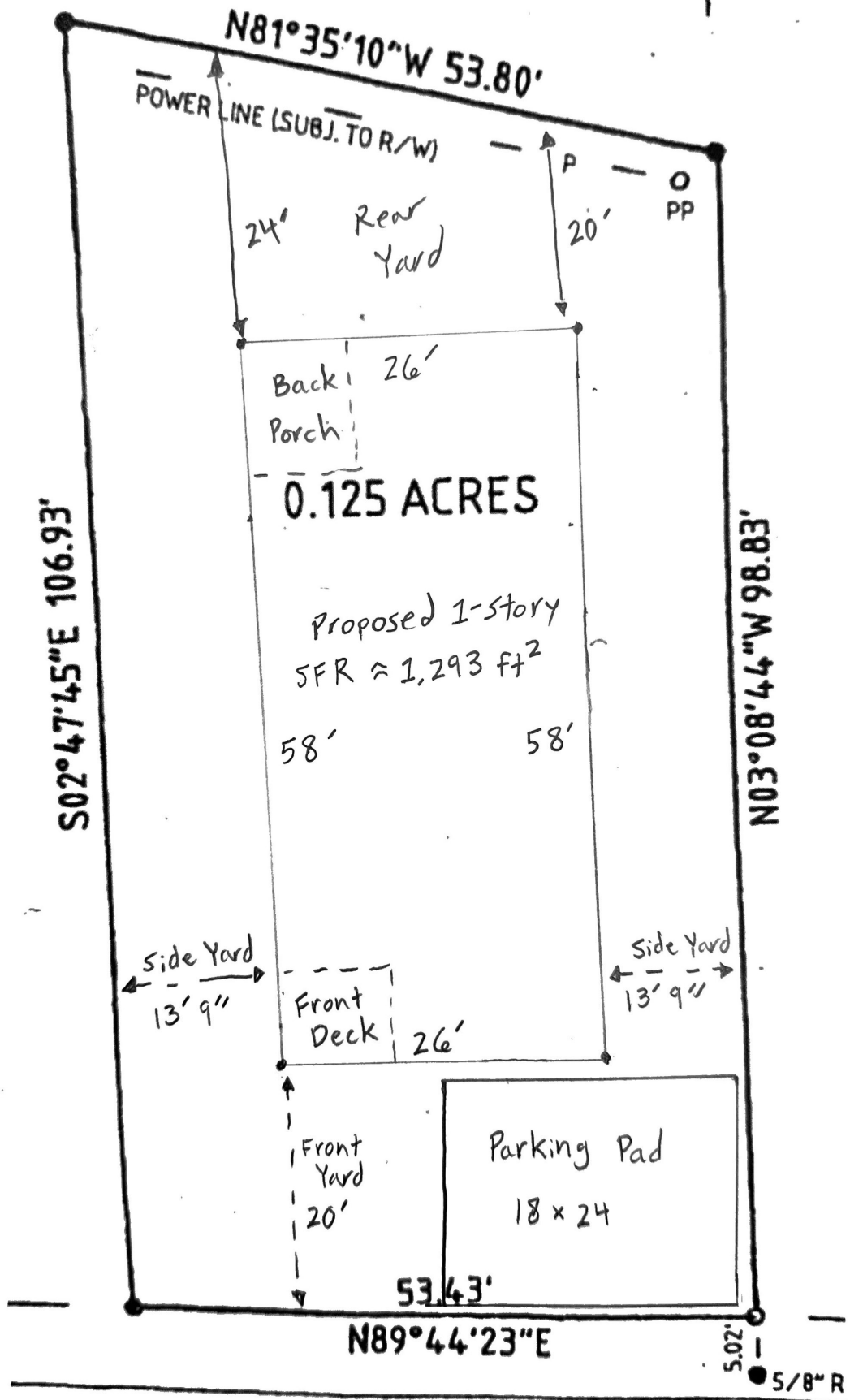
THE PROPERTY SHOWN HEREIN IS NOT LOCATED WITHIN THE 100 YEAR FLOOD PLAIN AS DEFINED BY THE FLOOD INSURANCE RATE MAP OF JANUARY 2011.

SCALE: 1" = 20'



BLOCK MAP SHEET 7-16-10	PARCEL 124.00	DEED BOOK 977/889	PLAT BOOK	FIELD CHIEF S. W. DONALD	DRAWN BY L.D.	DATE AUGUST 19, 2020
LOCATION SPTBG. CITY LIMITS; E OF US HWY 221 N OF FAIRFOREST CREEK			COUNTY SPARTANBURG		STATE SOUTH CAROLINA	
S. W. DONALD LAND SURVEYING POST OFFICE BOX 160472 BOILING SPRINGS, SC 29316				PHONE: (864) 599-0192 FAX: (864) 599-0192		

PARCEL 134.01



' PAVED

LEAGUE STREET

SUBJ. TO R/W

Sheet	O1 - Cover sheet
	Drawing Index
Sheet	O2 - Crawl Foundation
	Crawl Foundation Plan
	Fdn&blk
	F1 blk&-4
	crawl notes
	ledgerblk&-4
Sheet	O3 - Floor 1 Plan
	Door List RT
	Floor 1 Plan
	Kitchen Cabinets
	Kitchen Cabinets
	Window List RT
Sheet	O4 - Front and Right Elevations
	Front Elevation
	Right Side Elevation
	deck rail 1
Sheet	O5 - Rear and Left Elevations
	Left Side Elevation
	Rear Elevation
Sheet	O6 - Details - Building Section
	-eave&box 1&-4
	-porch&col
	-rakeAttic 1 2boxed
	Building Section
	insulation chart
Sheet	O7 - Electrical - Roof
	Electrical 1 Floor Plan
	Roof Plan
Sheet	O8 - Slab Sheet

#2 southern yellow pine (# 1 syp)	12" o.c.		16"o.c.	24"o.c.
40 psf live load	2x10	16'-2" @#2 (18'-0" @#1)	14'-0" @#2 (16'-1" @#1)	11'-5" @#2 (13'-3" @#1)
10 psf dead load (all rooms except sleeping)	2x12	14'-1" @#2 (21'-11" @#1)	16'-6" @#2 (118'-1" @#1)	13'-6" @#2 (135'-7" @#1)
30 psf live load	2x10	18'-1" @#2 (14'-10" @#1)	15'-8" @#2 (18'-0" @#1)	12'-10" @#2 (14'-8" @#1)
10 psf dead load (sleeping rooms @ L/360)	2x12	21'-4" @#2 (24'-2" @#1)	18'-6" @#2 (21'-4" @#1)	15'-1" @#2 (17'-5" @#1)
ceiling joist				
(GWB ceiling @ 10 psf dead load L/240)	2x6	13'-11" @#2 (15'-6" @#1)	12'-0" @#2 (14'-0" @#1)	9'-10" @#2 (11'-5" @#1)
	2x8	17'-7" @#2 (20'-5" @#1)	15'-3" @#2 (17'-4" @#1)	12'-6" @#2 (14'-6" @#1)
rafters				
20 psf live load	2x6	15'-7"	13'-6"	12'-3"
10 psf dead load	2x8	14'-8"	17'-1"	15'-7"
30 psf live load	2x6	12'-11"	11'-2"	9'-2"
10 psf dead load	2x8	16'-4"	14'-2"	11'-7"
50 psf live load	2x6	10'-6"	9'-2"	7'-5"
10 psf dead load	2x8	13'-4"	11'-7"	9'-5"
(slope over 3/12 no finished cig @ L/240)				
#2 S-P-F (spruce-pine-fir)	12" o.c.		16"o.c.	24"o.c.
40 psf live load	2x10	17'-3"	15'-5"	12'-7"
10 psf dead load (all rooms except sleeping)	2x12	20'-7"	17'-10"	14'-7"
30 psf live load	2x10	14'-0"	17'-2"	14'-1"
10 psf dead load (sleeping rooms @ L/360)	2x12	23'-0"	14'-11"	16'-3"
ceiling joist				
(GWB ceiling @ 10 psf dead load L/240)	2x6	14'-4"	12'-10"	10'-6"
	2x8	18'-4"	16'-3"	13'-3"
	2x10	22'-11"	14'-10"	16'-3"
rafters				
20 psf live load	2x6	16'-3"	14'-4"	11'-4"
10 psf dead load	2x8	21'-0"	18'-2"	14'-10"
30 psf live load	2x6	13'-4"	11'-11"	9'-4"
10 psf dead load	2x8	17'-5"	15'-1"	12'-4"
50 psf live load	2x6	11'-3"	9'-4"	7'-11"
10 psf dead load	2x8	14'-3"	12'-4"	10'-1"
(slope over 3/12 no finished cig @ L/180)				

2015 IRC and the 2018 NRC

abbreviations

c.j	ceiling joist
cig.	ceiling
CMU	concrete masonry unit
C.O	cased opening
conc.	concrete
CT.	ceramic tile
dbl.	double
dj	double joist
ew.	each way
f.j	floor joist
ftg.	footing
HVAC	heating/ventilating/air conditioning
jst.	joist
LVL.	laminated veneer lumber - ie. Parallam
mech.	mechanical
mil	.001 inch
min.	minimum
N.T.S.	not to scale
oc	on center
pc	pull cord
pt.	pressure treated
psf	pounds per square foot
R/A	return air
reqd.	required
reinf.	reinforcing
Rm.	room
ro.	rough opening
sf	square foot
syp	southern yellow pine
shw.	shower
T&G	tongue and groove
vif	verify in field
W.H.	water heater
WWM	welded wire mesh
yp	yellow pine

The Small Print - These house plans are not licensed to anyone other than the party listed on each sheet. They are not transferable to any builder, or subcontractor who is hired to build the house, nor their friends nor their family. If any modifications are made to these plans with a PDF editor, they must include the persons name who is changing these plans, and the date of the changes. If the type font anywhere on these drawings is different than 'this', it has been altered. PDF's are now the industry standard. I appreciate the plan reviewers who have given me feedback on this issue. I try to provide very good house plans and they are very reasonably and fairly priced. I am happy to sell them, and appreciate those who do not steal them, but rather purchase them legally. Thank you, Rick Thompson

Thank you for your purchase of these house plans.

These plans are designed to conform to the 2018 IRC, 2021 IRC and the 2018 NRC including local state amendments. National and local building codes vary with location and change from time to time. Therefore it is impossible to warrant compliance to your specific location. It is the responsibility of the purchaser and/or the builder to adapt these plans to the requirements of the individual locale.

Structural Notes

These plans are designed for roof loads of 20 psf live load and 10 psi dead load. The chart to the left can be used to adjust for different requirements. All beams are labeled 'LVL' and should be sized locally. Roof loads can vary and have a big impact on the beams carrying accumulated loads. Most Lumber suppliers can have this engineered for their product.

Wall Header Notes

Headers 3' or less to be 2-2x6 with 1 jack each side
Headers 4' - 6' to be 2-2x8 with 2 jacks on each side
Beams 4' to 6' to be 2-2x12 with 2 jacks on each side
or 3" min bearing and footing under point loads.

Wall bracing notes

Continuous 7/16" o.s.b sheathing - typical - CS-WSP

Wall bracing shall be in accordance to IRC/NRC Section 602.10.3. The required length of bracing for each side of a rectangle circumscribed around the plan or a portion of the plan at each story level shall be determined using Table R602.10.3 and Figure R602.10.3(1). The cumulative contributing length of braced wall panels assigned to a rectangle side shall be greater than or equal to the required length of bracing specified in Table R602.10.3. The following additional requirements shall apply.

Limitations - The continuous sheathing requirements of Section R602.10.3 shall be limited to bracing method CS-WSP in accordance with Table R602.10.1 with the following conditions of use:
1. Basic design wind speed shall not exceed 115 mph.
2. Wall height at each story level shall not exceed 12 feet.
3. Eave to ridge height shall not exceed 20 feet.
4. Exterior walls shall be sheathed on all sheathable surfaces including infill areas between braced wall panels, above and below wall openings, and on gable end walls.
5. Except when used for the bracing method GB, the interior side of exterior walls and both sides of interior walls shall be sheathed continuously with minimum 1/2-inch-thick gypsum wall board interior finish fastened in accordance with Table R102.3.5, or approved interior finish of equivalent or greater shear resistance unless required for fire separation by Section R302.6, gypsum board shall be permitted to be omitted where the required length of bracing, as determined in Table R602.10.3, is multiplied by 1.40.
6. Floors shall not cantilever more than 24 inches (607 mm) beyond the foundation or bearing wall below.

Requirements - The required length of bracing for each side of a rectangle circumscribed around the plan or a portion of the plan at each story level shall be determined using Table R602.10.3 and Figure R602.10.3(1). The cumulative contributing length of braced wall panels assigned to a rectangle side shall be greater than or equal to the required length of bracing specified in Table R602.10.3. The following additional requirements shall apply.

1. Braced wall panels on exterior or interior walls shall be assigned to the nearest rectangle side as shown in Figure R602.10.3(2) for each story level floor plan.
2. Braced wall panels shall be distributed and installed in accordance with Figure R602.10.3(3).
3. A minimum of one-half the required bracing amount for each rectangle side shall be located on exterior walls within 8 feet of the location of the rectangle side.
4. Interior braced wall panels using Method GB shall be assigned to the closest parallel rectangle side and shall contribute 0.5 times their actual length. The narrowest width of braced wall panels allowed for GB is 48", and the 0.5 accounts for GB being half the strength of other methods except LIL.
5. The bracing amount provided on an upper story building side shall be deemed to comply where it equals or exceeds the amount of bracing required for the story immediately below.
6. Where the bracing amount provided on an upper story equals or exceeds the amount of bracing required for the story below, an angle of bracing shall not be required for the upper story.
7. CS-WSP Continuous sheathed WSP method to have - Minimum braced material thickness or size 7/16". Minimum braced panel length or brace angle 24" adjacent to window not more than 6 1/4" of wall height; 30" adjacent to door or window greater than 6 1/4" and less than 8 1/4" of wall height; 48" for taller openings. Fasteners 6d common nail or 8d (2 1/2" long x 0.113" diameter) nails. See table R602.3(3). Space 6" edges and 12" field.

General Notes

• Square footages are for heated floor areas. This does not include fireplace projection or vaulted space. Stairs are counted on the main floor only.

• Dimensions are from the face of the stud wall. Contractor to verify all dimensions and please contact us if an error is present..

• All footings shall be on firm undisturbed soil of no less than 2000 psf and be below frost depth. The exact size and reinforcement of concrete footings must be determined by local soil conditions.

• HVAC design to be sized according to the local climate conditions including compass direction.

Energy Notes

• Caulk all exterior toe plates with latex caulk.

• Caulk all wire and pipe holes where they penetrate all upper and lower exterior plates.

• Use blown-in wall insulation if at all possible. If batt insulation is used pack behind all electrical boxes.

• Seal all joints in HVAC ducts, with leakage no more than 3%. Three inch fiber mesh tape should be used on all collar to plenum connections and all gaps that are 1/4" or wider. Insulate ducts with R-6.5 or greater.

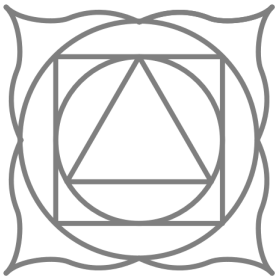
• Foam insulate between all exterior window and door edges and rough opening frame. Use non-expanding foam.

• Provide back draft damper on kitchen hood vent, dryer vent and bathroom vents.

• Insulate all hot water pipes.

• Install wrap kit on water heater.

© Rick Thompson - 2023



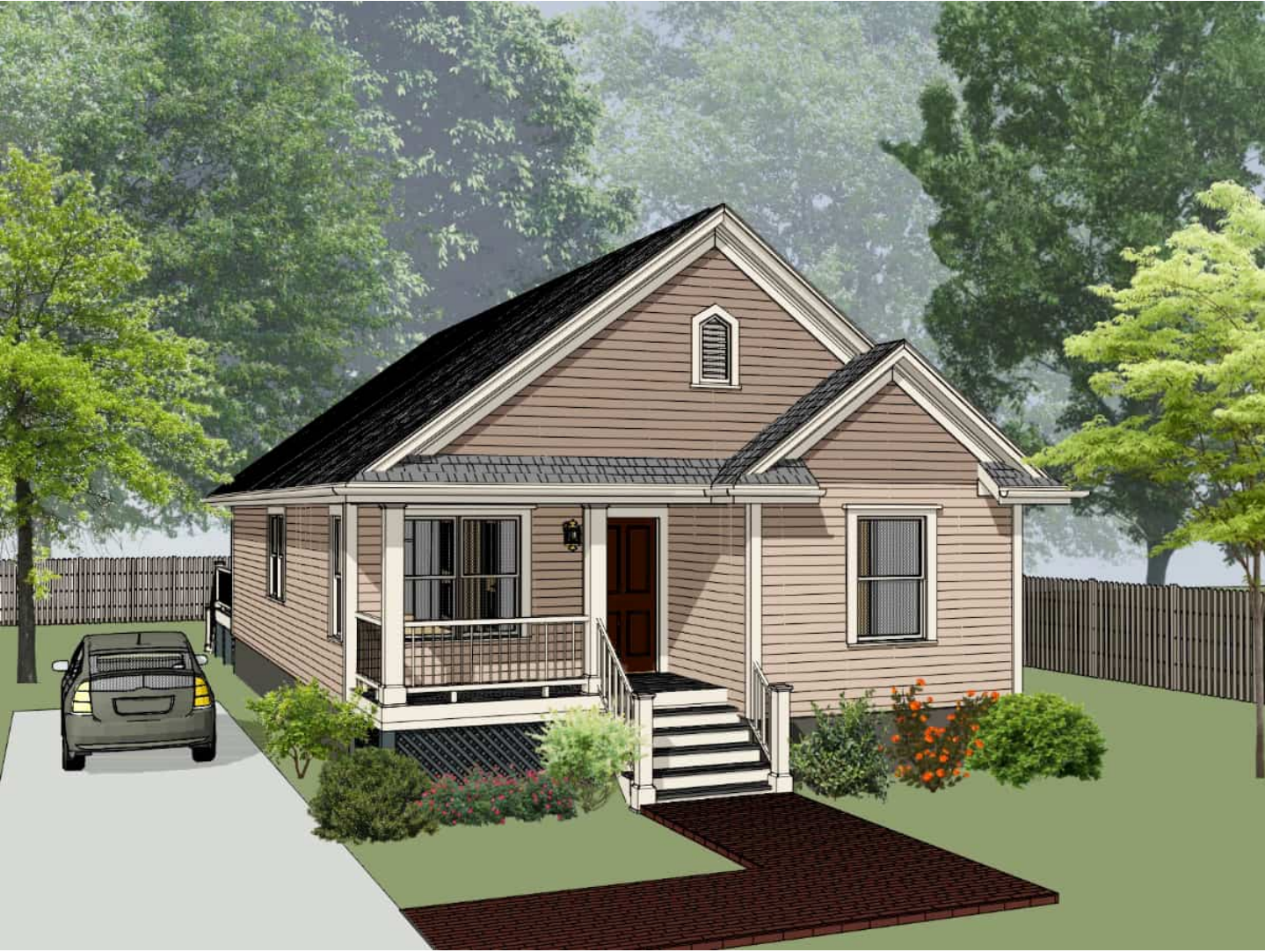
www.

thompsonplans.

com

info@thompsonplans.com
Asheville, NC
828-734-2553

original print date
4/22/24



This plan is licensed to Angel Cardona

Plan 1216A

General crawl notes

Provide 18"x24" min. access door.
Location as per field conditions - side preferred.

Provide foundation vents not less than 1 sqft per 150 sqft under floor space. One vent within 3 feet of each corner. IRC - R408.1

Unvented where exposed earth is covered and and air supplied as per IRC - R409

Fill piers solid with grout. Pier block size shown is minimum. May vary as per foundation height.

Pier spacing may vary dependent on local snow loads, soil bearing capacity and the use of roof trusses.

Footing sizes and reinforcement are assumed. Soil conditions vary and must be taken into account. Inspectors can allow builders to adjust the use of rebar and footing sizes as per local conditions.

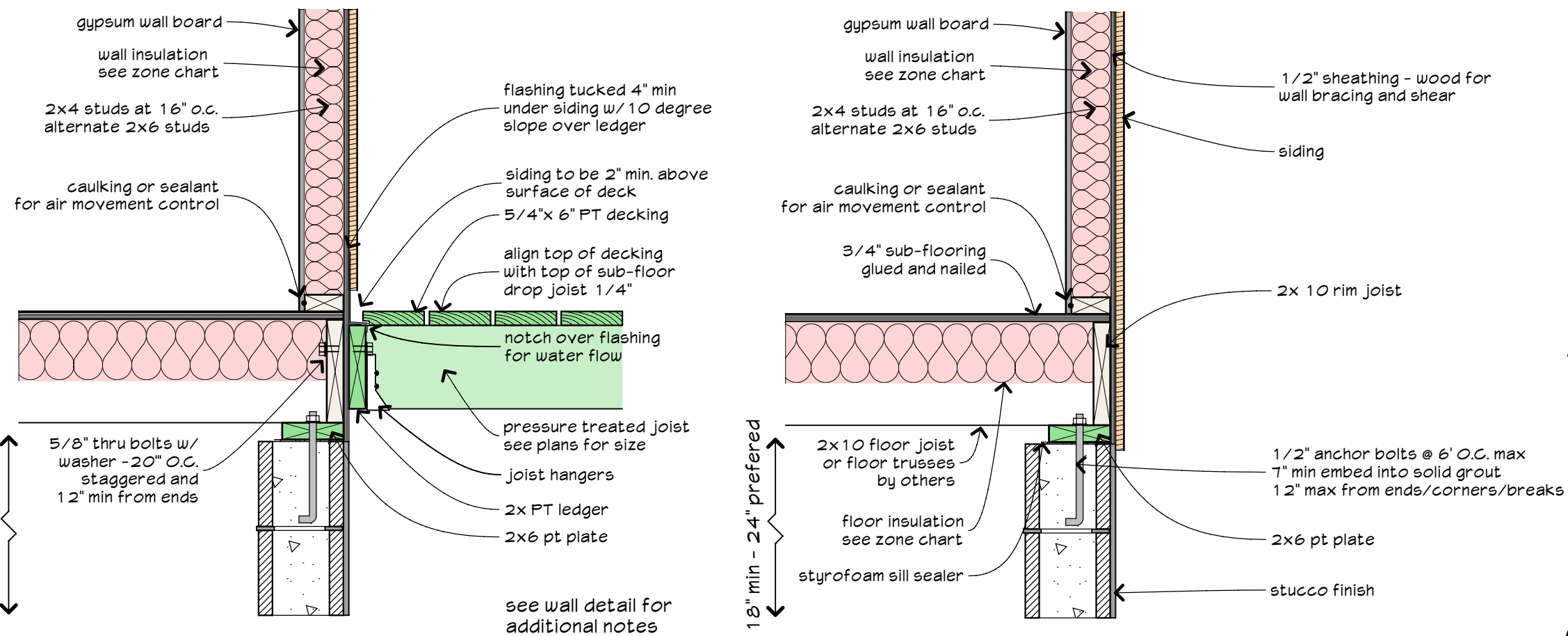
Girders may be sized with LVL's to reduce piers. Up size footing accordingly (30"x30"x10" min w/ 4-#4's each way) and 16"x16" filled piers. See separate drawing for LVL's

Separate double joist under plumbing walls 3 1/2"

F4 Foundation - block wall

scale 1"=1'-0"

F4



W5 Wall detail FI 1

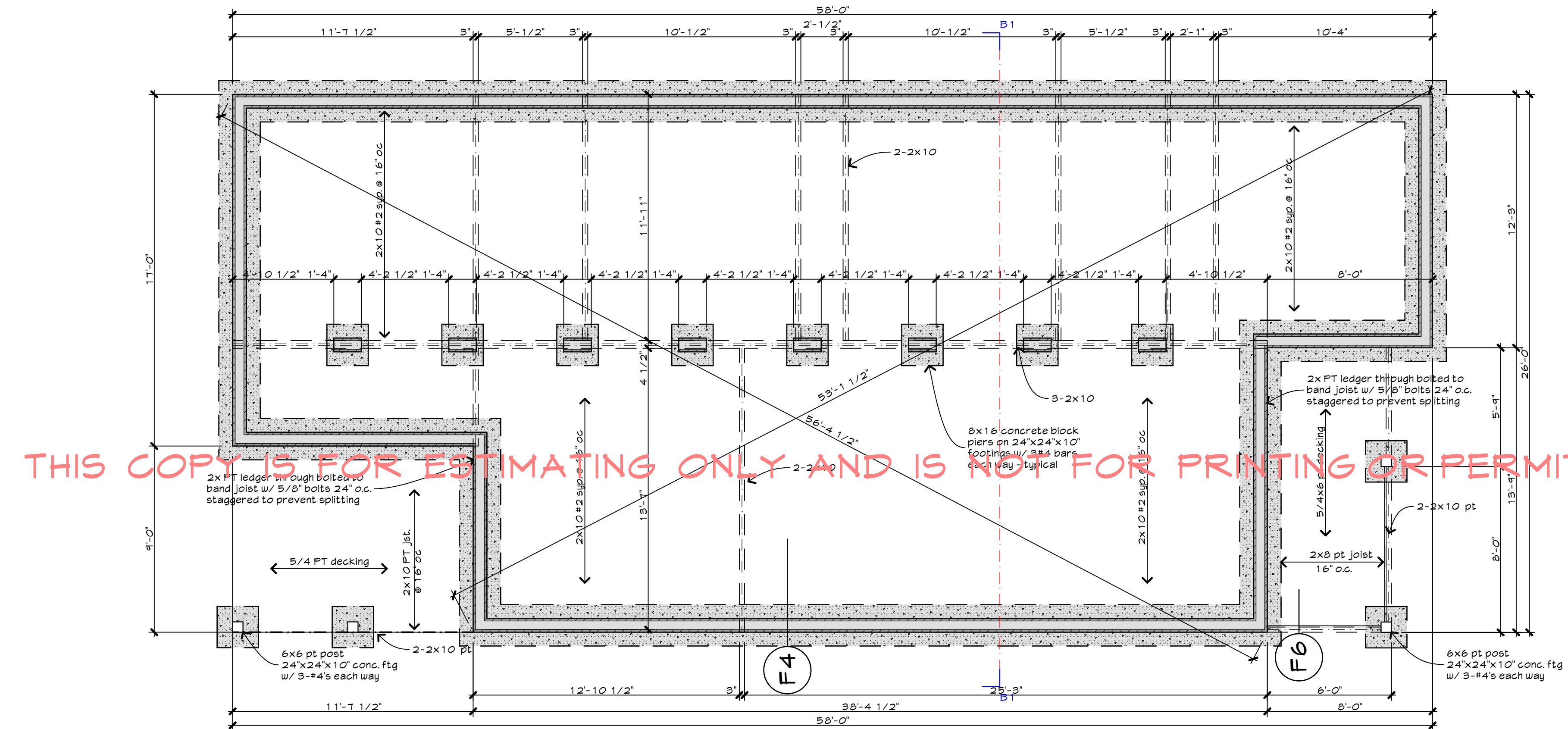
scale 1"=1'-0"

W5

W1 Wall detail FI 1

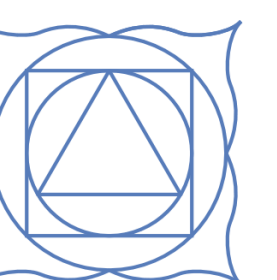
scale 1"=1'-0"

W1



Crawl Foundation Plan

scale 1/4"=1'-0"



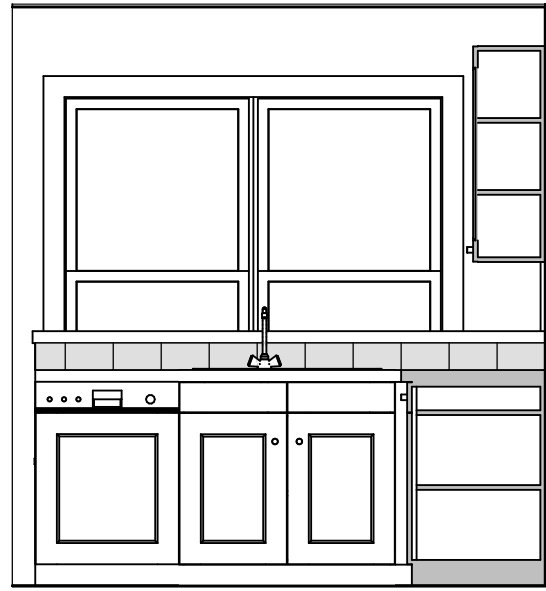
Door List				
Width	Height	Name	Type	Quantity
2'-0"	6'-8"	RDO2 Swing	Interior	2
2'-4"	6'-8"	RDO2 Swing	Interior	5
2'-6"	6'-8"	RDO2 Swing	Interior	3
3'-0"	6'-8"	RDO 1 Door ST	Exterior	1
3'-0"	6'-8"	RDO2 Swing	Interior	1
4'-0"	6'-8"	RDO5 Bifold	Interior	3
4'-6"	6'-8"	RDO2 Swing	Interior	1
5'-0"	6'-8"	RDO5 Bifold	Interior	1
5'-0"	6'-8"	RDO2 Swing	Exterior	1
				18

Window List			
W x H Size	Units	Window Type	Quantity
1'-6"x2'-6"	Attic vent	Vent Window 26	1
1'-6"x3'-0"	Attic vent	RWB-5 Gable	1
2'-0"x3'-2"	Single	RW1-4 Doublehung	1
2'-4"x5'-2"	Single	RW1-4 Doublehung	1
2'-8"x4'-6"	Single	RW1-4 Doublehung	2
3'-4"x5'-2"	Single	RW1-4 Doublehung	1
4'-0"x1'-0"	Single	RW1-6 Glider	1
5'-4"x4'-6"	Twin	RW1-4 Doublehung	2
5'-4"x5'-2"	Twin	RW1-4 Doublehung	1
			11

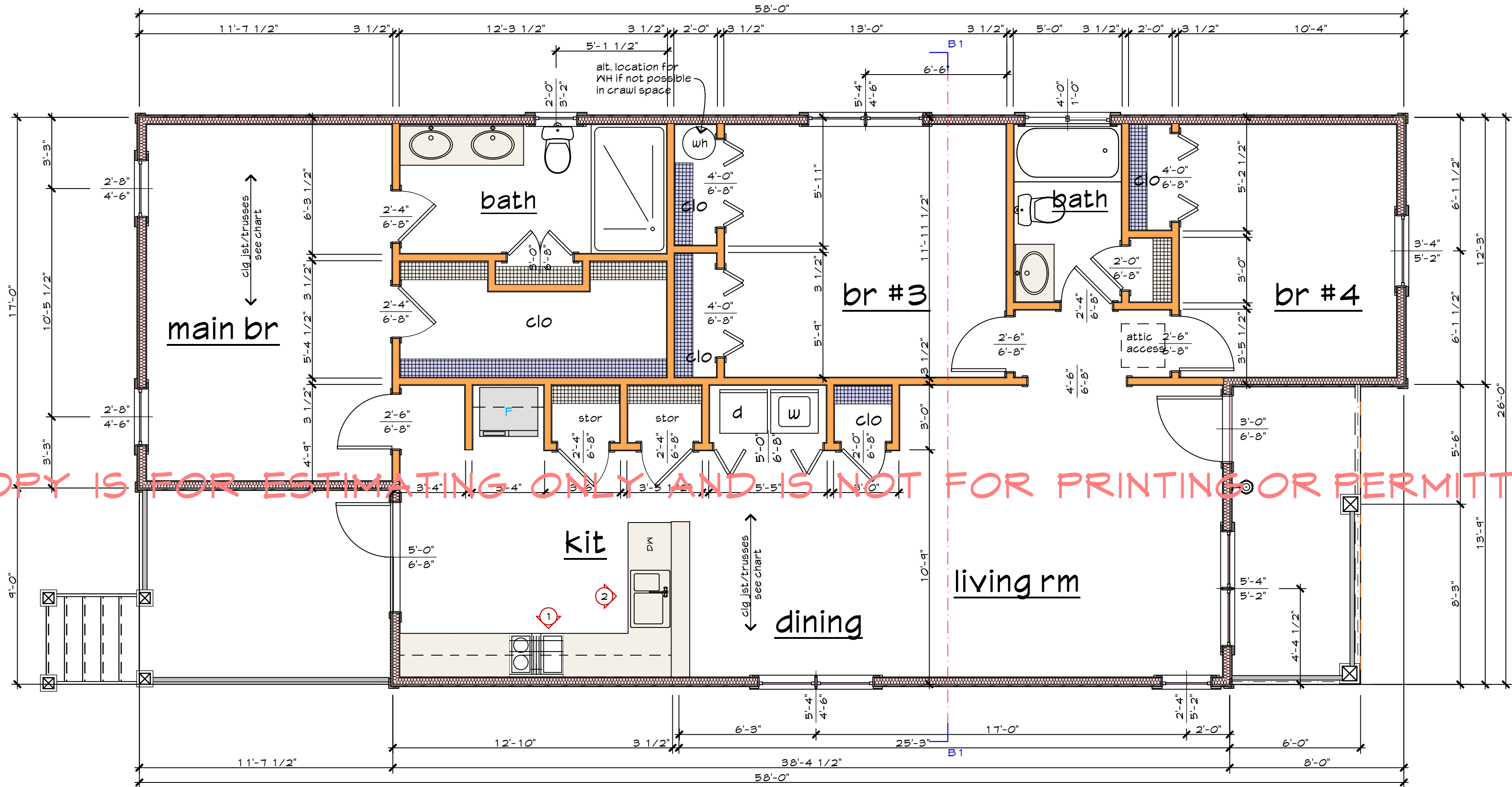


1 Kitchen Cabinets

Scale 3/8" = 1'-0"



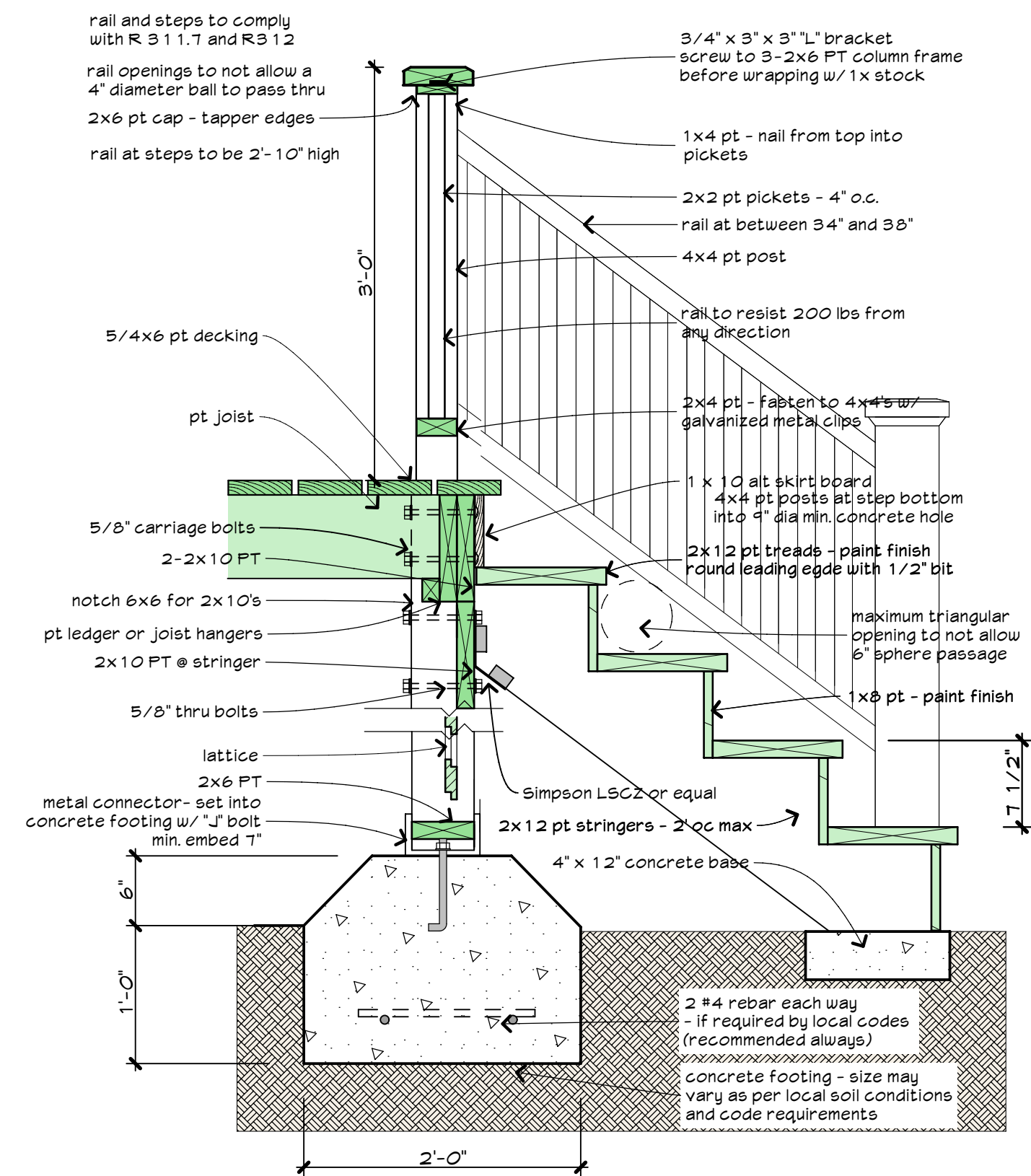
2



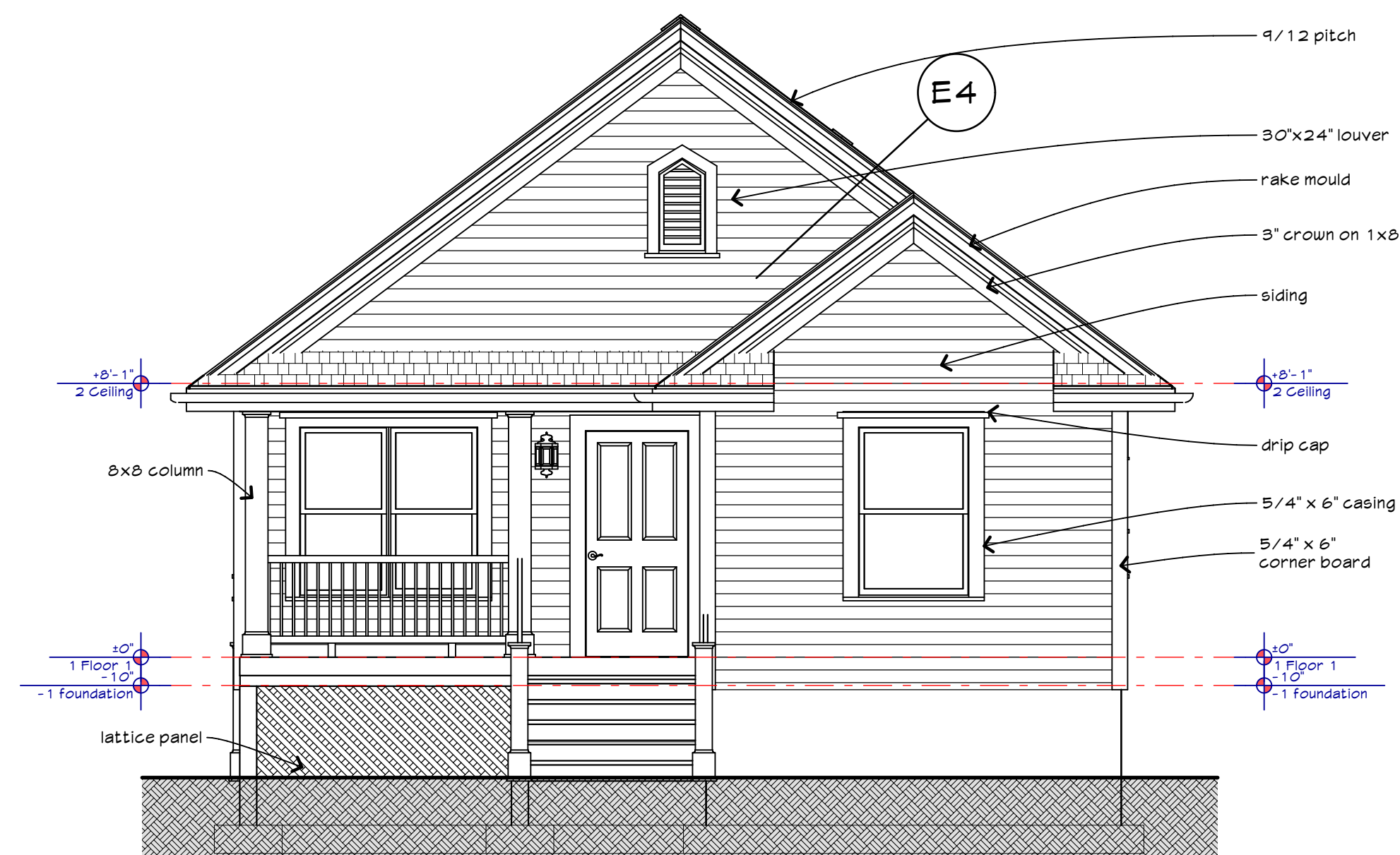
Floor 1 plan

scale 1/4"=1'-0"

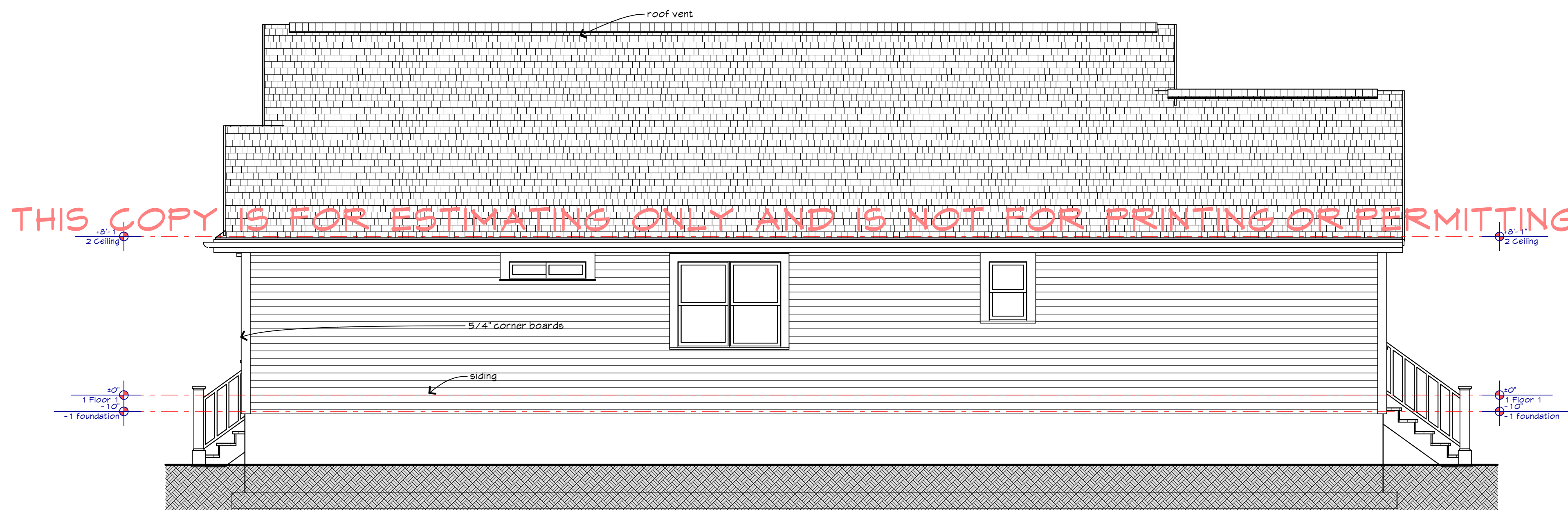
HVAC in cral space
or attic with slab conditions
Floor 1 plan 1293 sq.ft.



F6 Deck Detail
scale 1" = 1'-0"

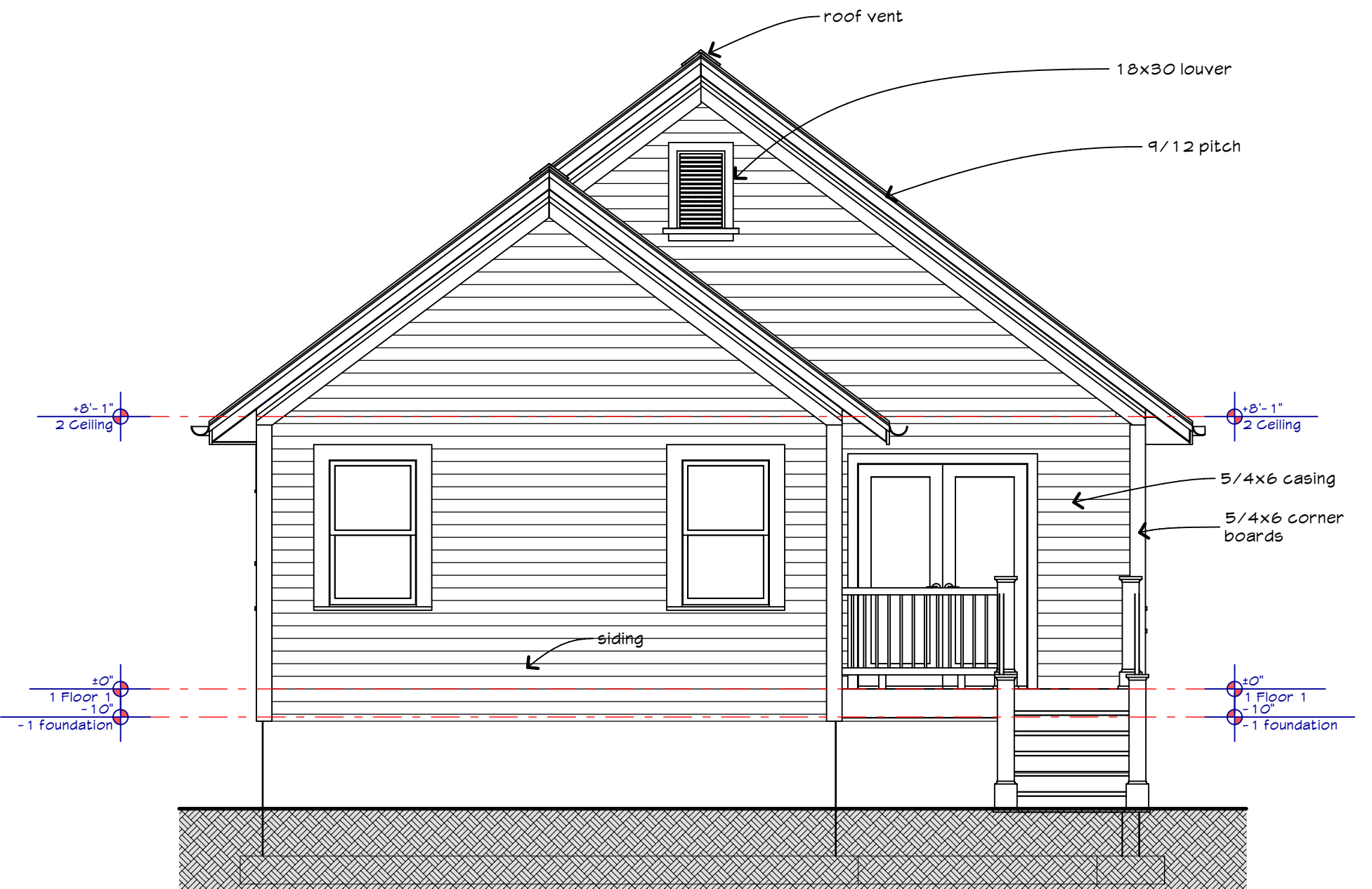
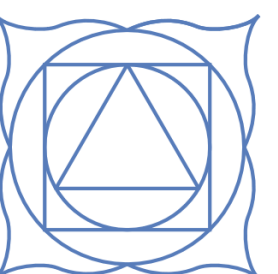


Front Elevation
scale 1/4" = 1'-0"



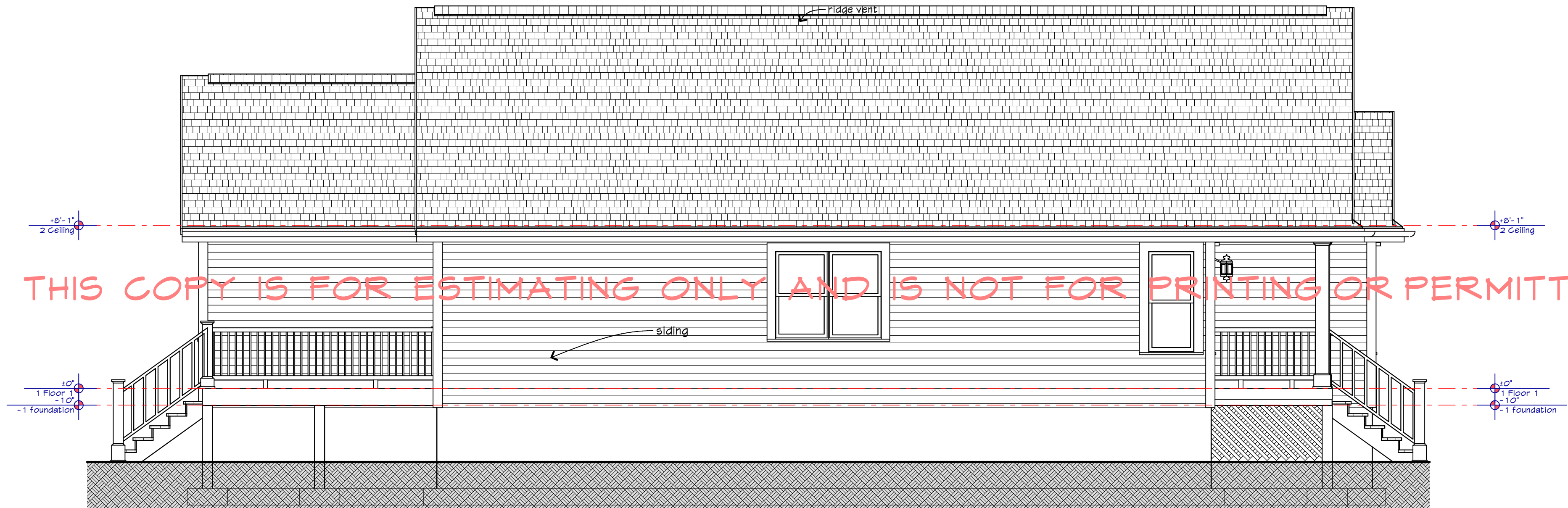
Right Side Elevation
scale 1/4" = 1'-0"





Rear Elevation

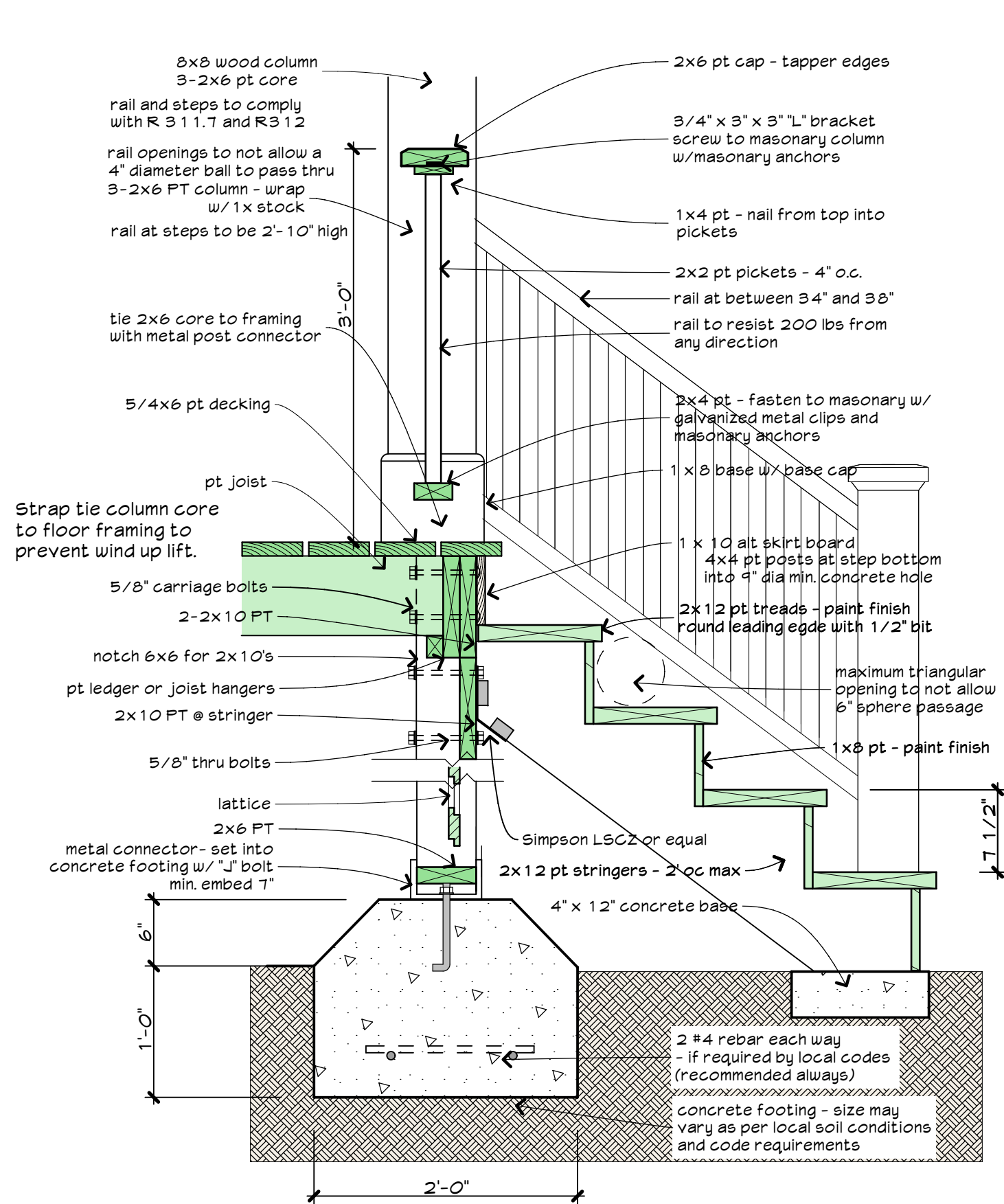
scale 1/4" = 1'-0"



Left Side Elevation

scale 1/4" = 1'-0"

THIS COPY IS FOR ESTIMATING ONLY AND IS NOT FOR PRINTING OR PERMITTING



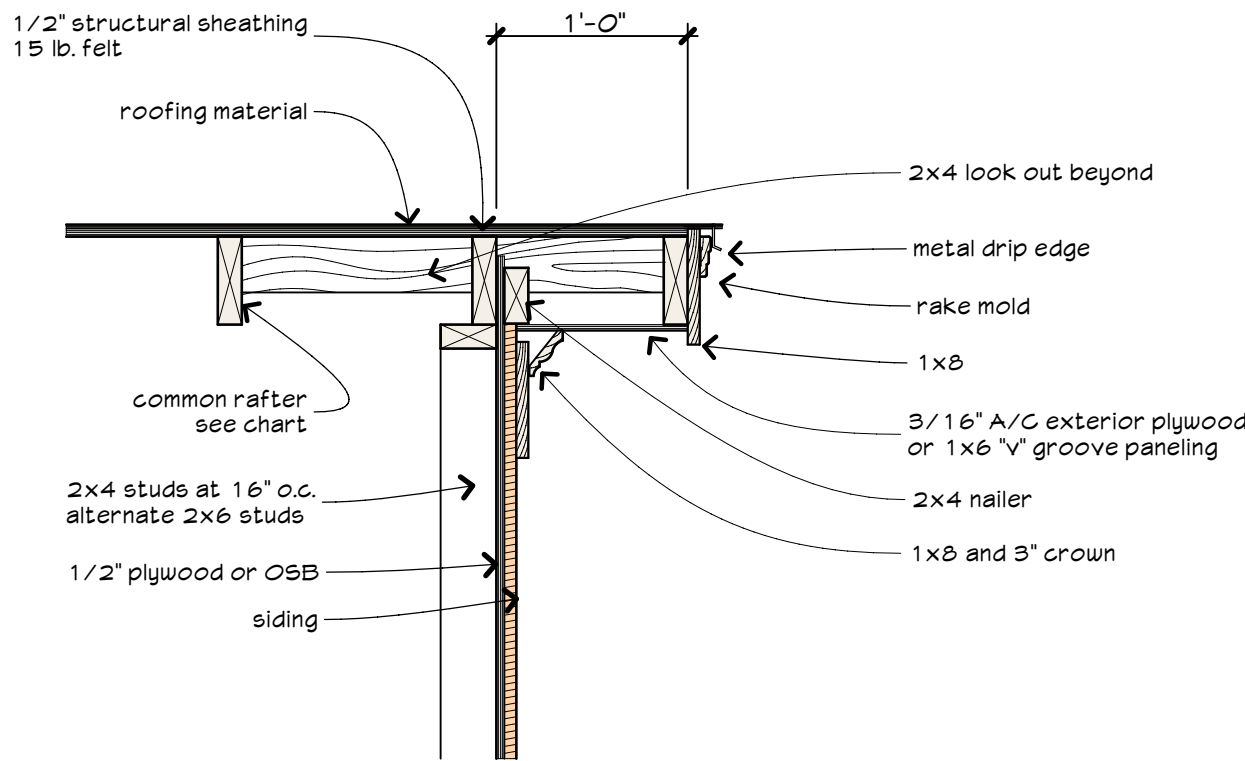
F6 Porch Detail
scale 1" = 1'-0"

Minimum Insulation Chart

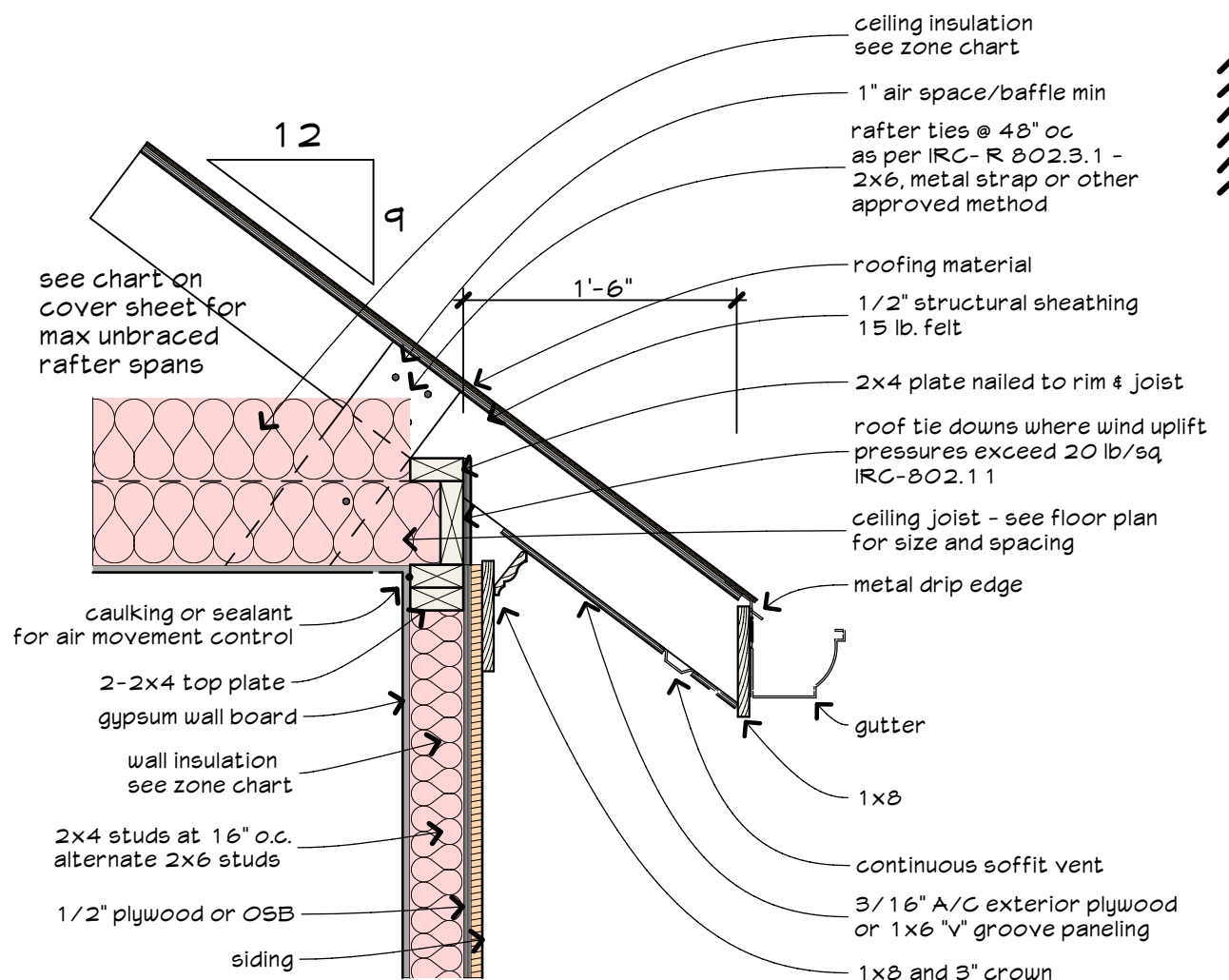
Table N 1 102.1 - IRC 2018 & (2021 NRC - in parentheses)
Insulation and fenestration requirements by components *

Climate Zone	Glazing U-factor	Glazing SHGC	Glazing fenestration SHGC	Ceilings R-value	Wood frame wall R-value	Floors R-value	Basement walls R-value	Slab perimeter R-value and depth	Crawl space wall R-value
1	NR	.25	.30	13	13	0	0	0	0
2	.40	.25	.30	13	13	0	0	0	0
3	.35	.25	.30	13	13	0	0	0	0
4	.35	.40	.30	13	13	0	0	0	0
5	.35	.40	.30	13	13	0	0	0	0
6	.32	NR	.49	13	13	0	0	0	0
7	.32	NR	.49	13	13	0	0	0	0
8	.32	NR	.49	13	13	0	0	0	0

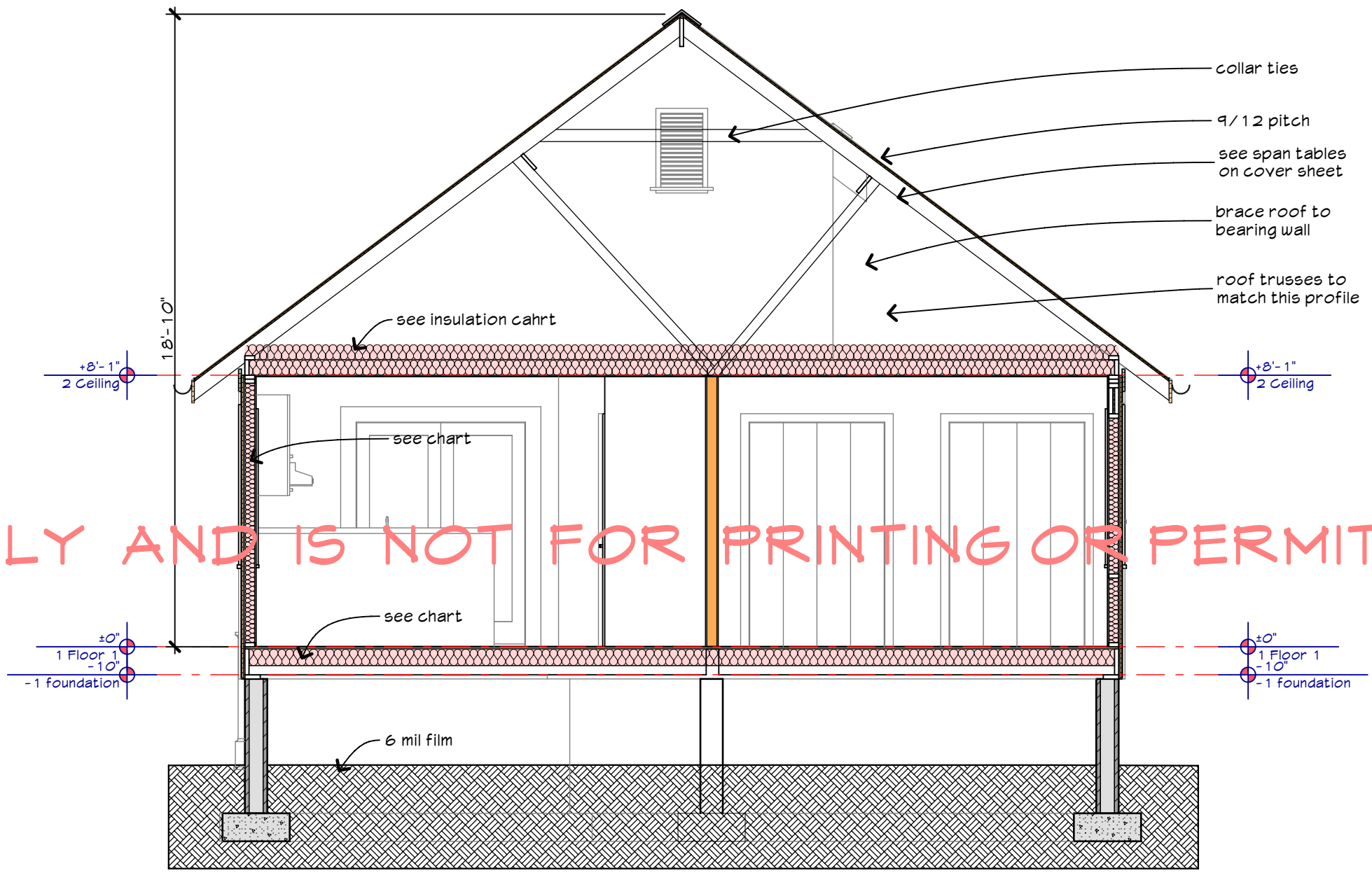
a - R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the installed R-value of the insulation shall not be less than the R-value specified in the table.
b - The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.
c - "15/14" means R-15 continuous insulated sheathing on the interior or exterior of the home or R-14 cavity insulation at the interior of the basement wall. "15/14" shall be permitted to be met with R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulated sheathing on the interior or exterior of the home. "10/13" means R-10 continuous insulated sheathing on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall.
d - R-5 shall be added to the required slab edge R-values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less. For monolithic slabs, insulation shall be applied from the inspection gap downward to the bottom of the footing or a maximum of 24 inches below grade whichever is less. For floating slabs, insulation shall extend to the bottom of the foundation wall or 24 inches, whichever is less.
e - There are no solar heat gain coefficient (SHGC) requirements in the Marine Zone.
f - Basement wall insulation is not required in warm-humid locations as defined by Figure 301.1 and Table 301.1.
g - Or insulation sufficient to fill the framing cavity R-14.
h - "13/5" means R-13 cavity insulation plus R-5 insulated sheathing. If structural sheathing covers 25% or less of the exterior, insulating sheathing is not required where structural sheathing is used. If structural sheathing covers more than 25 percent of exterior, structural sheathing shall be supplemented with insulated sheathing of at least R-2.
i - The second R-value applies when more than half the insulation is on the interior of the mass wall.



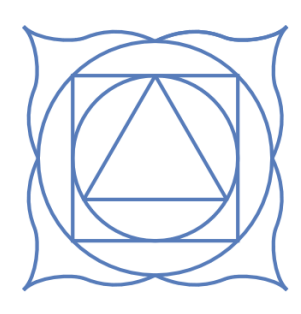
E4 Typical Rake - boxed soffit
scale 1" = 1'-0"

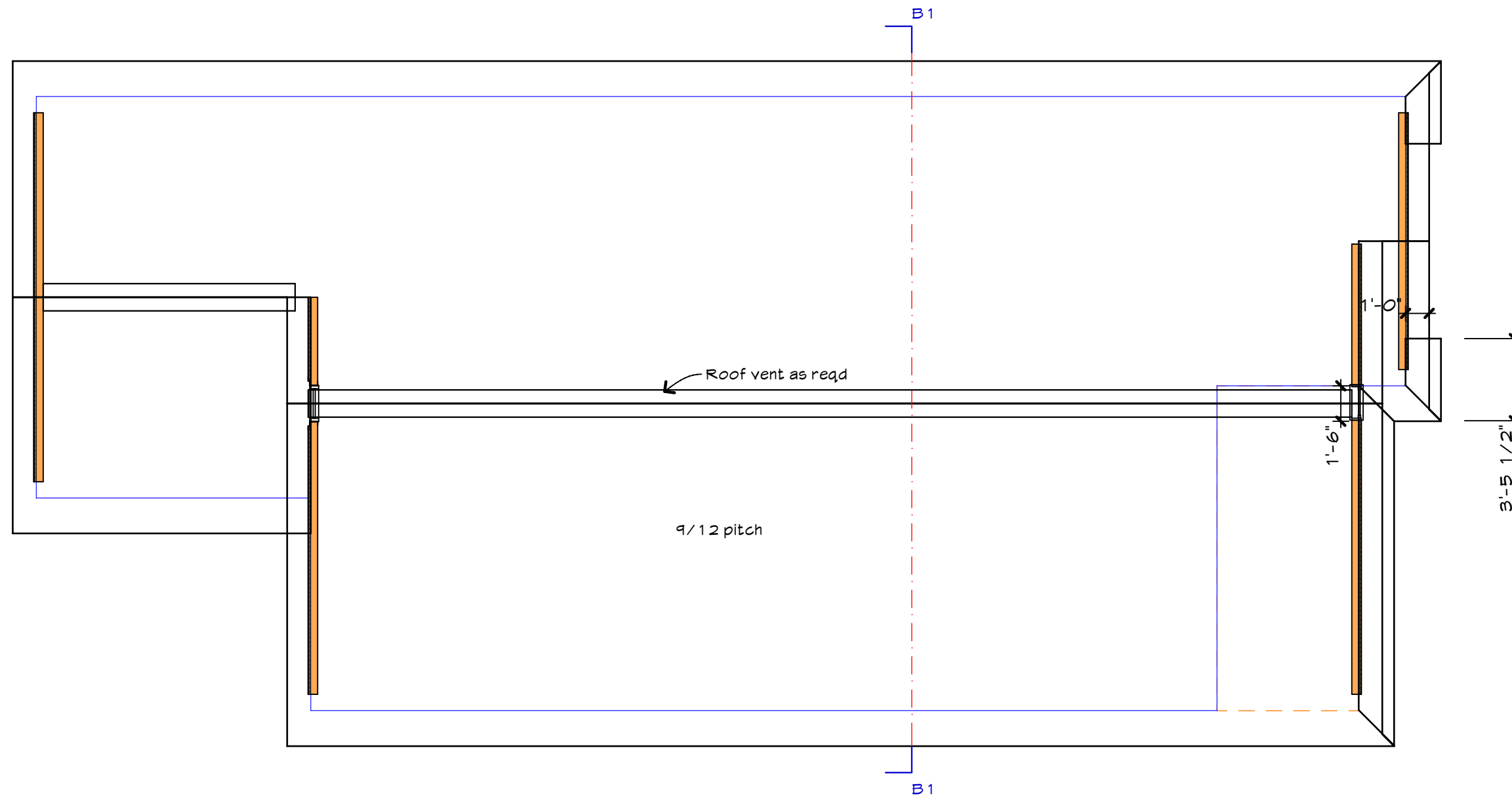


Alternate roof trusses to be raised chord trusses
E1 Typical Boxed Eave - rafters on joist
scale 1" = 1'-0"



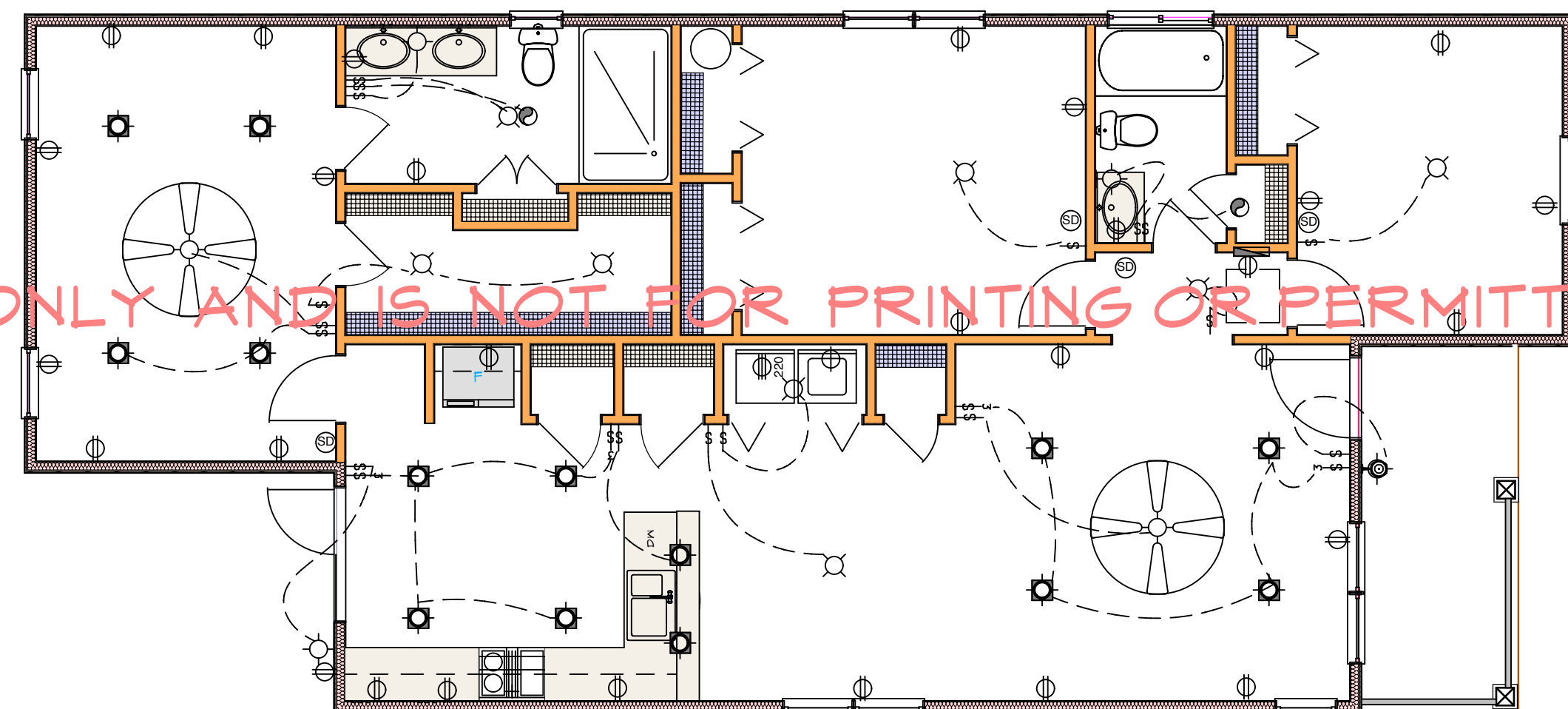
Building Section B 1
Scale 1/4" = 1'-0"





Roof plan

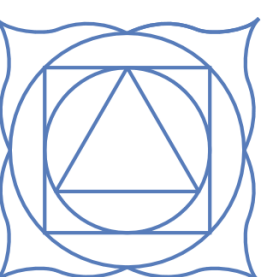
scale 3/16" = 1'-0"



Electrical - Floor 1 Plan

scale 3/16" = 1'-0"

THIS COPY IS FOR ESTIMATING ONLY AND IS NOT FOR PRINTING OR PERMITTING



info@thompsonplans.com

ThompsonPlans.com

828-734-2553

original print date
4/22/24

Asheville, North Carolina

standard contract document

TO: The Board of Zoning Appeals

RE: VAR-24-002-00011: The City of Spartanburg's Board of Zoning Appeals has received a request for a variance to the front and interior side lot setback for property located at 187 Carlisle Street (TMS: 7-12-14-286.00); with a zoning designation of R-8 SFD (General Residential – Single-family District). Owner: Thomas Wooten / Applicant: Gabriel Weisser; Taylored Homes.

Date: May 14, 2024

Project Description and History

The project site is an approximately 6800 square feet lot located at 187 Carlisle Street (TMS: 7-12-14-286.00); with a zoning designation of R-8 SFD (General Residential – Single-family District). The site is located in a traditional single-family neighborhood and surrounded by other single-family lots. The applicant is requesting a variance to the front and interior side setbacks. The applicant received approval to develop a single-family home on the property consisted with the Board of Architectural Design and Historic Review (HARB) standards.

On October 12, 2023, the City of Spartanburg's Board of Architectural Design and Historic Review (HARB) approved the design of the structure in the Hampton Heights Neighborhood Historic District on a vacant lot. At that meeting, the city as a condition of approval failed to require the applicant to submit an application to the Board of Zoning Appeals (BZA) for the setback requirements for the front setback to be consistent with the historic district. Staff expedited the application to bring it before the Board to address the front and side setback requirements.

Variances from the regulations of this Ordinance shall be granted by the Board of Zoning Appeals only in accordance with the standards established in section 603, and may be granted only in the following instances and in no others:

- 1. To permit any yard less than the requirements of this Ordinance;**
- 2. To permit the reduction of any required setback being in compliance with all applicable Building and Fire Codes and subject to review by the Building Official; (*)**
- 3. To permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but in no event shall the respective area and width of the lot or lots be less than eighty percent (80%) of the required area and width;**
4. To permit the same off-street parking facility to qualify as required facilities for two or more units, provided that substantial use of such facility by each use does not take place at approximately the same hours of the same days of the week;
5. To reduce the applicable off-street parking or loading facilities required by not more than one (1) parking space or loading space, or twenty-five percent (25%) of the required facilities, whichever number is greater;
6. To allow for the deferment of required parking facilities for a reasonable period of time, such period of time to be specified in the variance;
7. To increase by not more than forty percent (40%) the maximum distance that required parking spaces are permitted to be located from the use served;

8. To permit the height of a fence in the required rear, side and corner side yard to exceed the maximum height allowed by this Ordinance up to eight (8) feet when property is exposed to exceptional nuisances of traffic, dust, noise, glare, and vandalism; and (*)
9. To reduce the setback requirement for portable signs provided that no variance shall be granted to permit such signs within the triangular area formed by the right-of-way lines of intersecting streets (or a street and a driveway), and a line joining points on the right-of-way lines twenty-five (25) feet from the point of their intersection. If the property in question has no defined driveway to its parking area the Board shall satisfy itself that the proposed location of the portable sign will not interfere with traffic by blocking reasonable sight lines for streets, sidewalks and driveways before any variance is granted. The application for such variance shall be accompanied by a scaled drawing showing all information relevant to the variance request. (**)

Analysis

Zoning Ordinance Consistency

The project site is an approximately 6,800 square feet lot located at 187 Carlisle Street (TMS: 7-12-14-286.00); with a zoning designation of R-8 SFD (General Residential – Single-family District). The site is located in a traditional single-family neighborhood and surrounded by other single-family lots. The applicant is requesting a variance to the front and interior side setbacks. The applicant received approval to develop a single-family home on the property consisted with the Board of Architectural Design and Historic Review (HARB) standards.

Based on Section 603.4(1-3) Variances, the Board has the authority to permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but in no event shall the respective area and width of the lot or lots be less than eighty percent (80%) of the required area and width;

The Board must utilize Section 603.4(1-3) and determine if the proposal meets all the criterion for approval. To hear and decide appeals for a **Variance** from the requirements of the Zoning Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship. 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 properties in the vicinity;
- c. 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; and
- d. 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.
- e. 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 –***
No. There are no extraordinary and exceptional conditions pertaining to the particular piece of property. The project site is an approximately 6800 square feet lot located at 187 Carlisle Street (TMS: 7-12-14-286.00); with a zoning designation of R-8 SFD (General Residential – Single-family District). The site is located in a traditional single-family neighborhood and surrounded by other single-family lots. The applicant is requesting a variance to the front and interior side setbacks. The applicant received approval to develop a single-family home on the property consisted with the Board of Architectural Design and Historic Review (HARB) standards. All other structures on lots that have front setbacks that are less than 20 feet on the street and the neighborhood.
2. ***These conditions do not generally apply to other properties in the vicinity –***
Yes. There are several lots in the area that have similar conditions. A review of the lots in previous BZA cases indicated side lot setbacks of 5 feet and front yard setbacks less than 20 feet.
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; and –***
No. The application of the ordinance would not unreasonably restrict the utilization of the property. The property can still be used in its current condition but would not be consistent with other structures on the lot in the street and in the neighborhood.
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–***
Yes. The authorization of a variance will not be of substantial detriment to the adjacent property or to the public good, and authorization of the district will not be harmed by the granting of the variance. The side yard setbacks would meet the 80% rule, the front yards setback would not meet the requirements. All other requirements in Section 603 will be met with the approval 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–***
No. Staff does not recommend any additional conditions be considered. The variance from the regulations of the zoning can be granted by the Board of Zoning Appeals only in accordance with the standards established in section 603, and can be granted in the following instances:
 1. To permit any yard less than the requirements of this Ordinance;
 2. To permit the reduction of any required setback being in compliance with all applicable Building and Fire Codes and subject to review by the Building Official;
 3. To permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but in no event shall the respective area and width of the lot or lots be less than eighty percent (80%) of the required area and width;

Summary and Recommendation

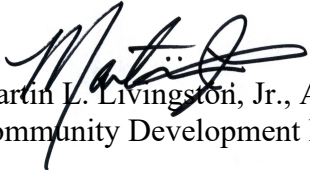
Staff recommends approval of the Variance. The proposed request meets all the required Findings for approval of the Variance except the 80% limits requirements for the front yard setback. The Board has the

authority to approve the front yard setbacks because of the other consistent conditions on the street and the neighborhood.

In exercising its powers, the Board of Zoning Appeals may, in conformity with the provisions of Section 603, 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. The board, in the execution of the duties specified in this chapter, may subpoena witnesses and in case of contempt may certify this fact to the circuit court having jurisdiction.

All final decisions and orders of the board must be in writing and be permanently filed in the office of the board as a public record. All findings of fact and conclusions of the law must be separately stated in final decisions or orders of the board which must be delivered to parties of interest.

Submitted by:

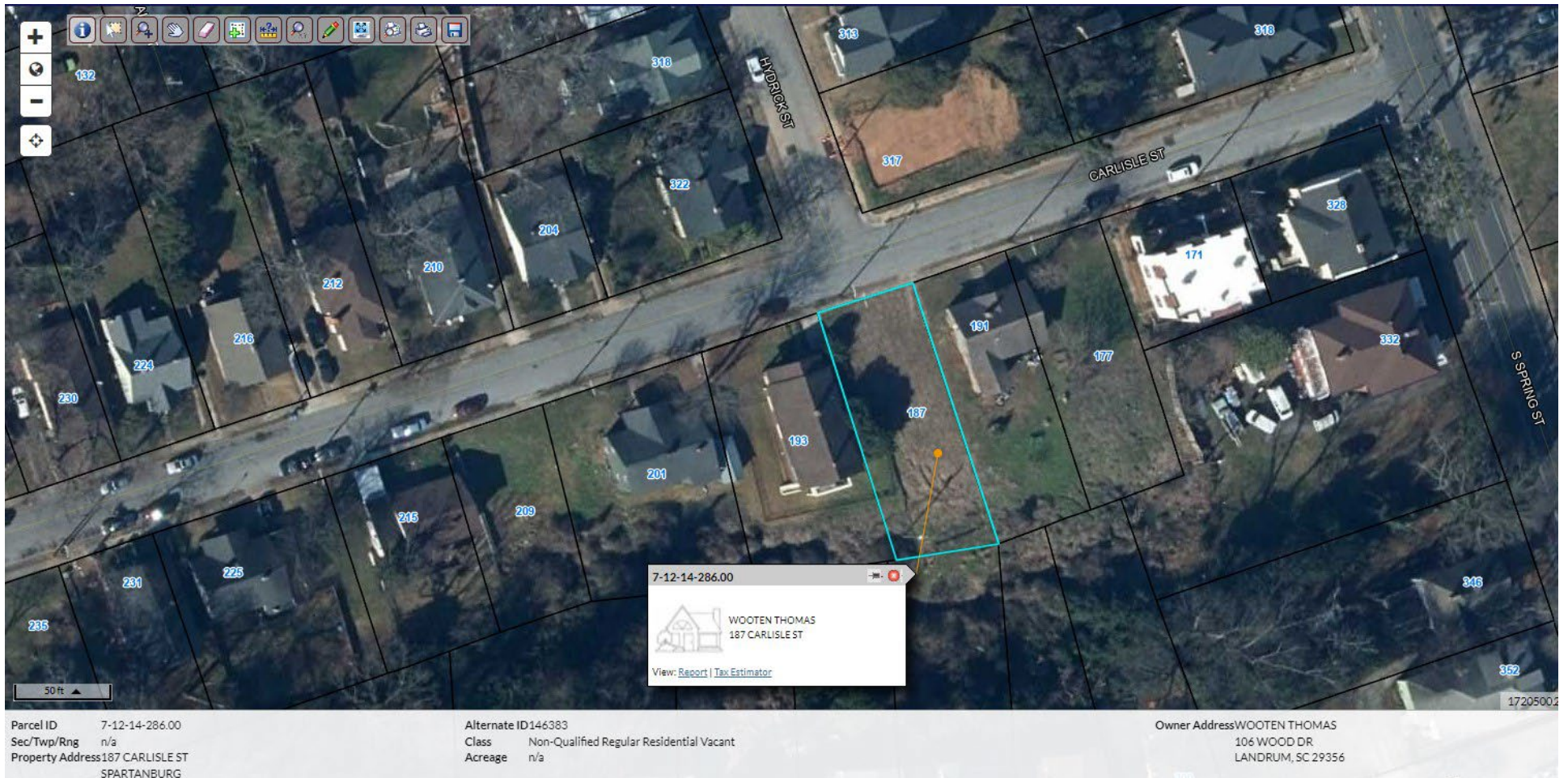

Martin L. Livingston, Jr., AICP, CPM
Community Development Director

Attachments:
Conditions of Approval
Application
Photos

**CONDITIONS OF APPROVAL FOR THE PROJECT ON PROPERTY LOCATED AT:
187 Carlisle Street (TMS: 7-12-14-286.00)**

1. If one or more of the following conditions is not met with respect to all its terms, then this approval may be revoked.
2. All setbacks excluding the interior side yard and front yard setback shall meet the setback requirements in the City of Spartanburg Zoning Ordinance, except what is currently approved by the Board of Zoning Appeals.
3. The use shall meet the standards and shall be developed within the limits established by Chapter 501.10 of the Spartanburg Municipal code as to the emission of noise, odor, smoke, dust, vibration, waste, fumes or any public nuisance arising or occurring incidental to its establishment or operation.
4. The applicant shall be responsible for the completeness and accuracy of all forms and supporting material submitted in connection with any application. Any errors or discrepancies found therein may result in the revocation if any approval or permits issues in connection therewith.
5. The development of the site shall be in substantial accordance with the approved plans submitted and on file in the Spartanburg City Planning Department. All aspects of construction must be completed prior to use. Major modifications to plans or exceptions to completion may be granted only by the City authority which approved the project.
6. All requirements of the Building, Fire, Water and Streets and Stormwater Departments shall be completed prior to building occupancy permit issuance and continuously maintained thereafter.
7. Site Pre-construction meeting with the City of Spartanburg Storm Water Manager, Jay Squires, is required prior to site disturbance. Building pre-construction meeting with City of Spartanburg Building Official, Buddy Bush, required prior to vertical construction.

SITE MAP



ZONING MAP

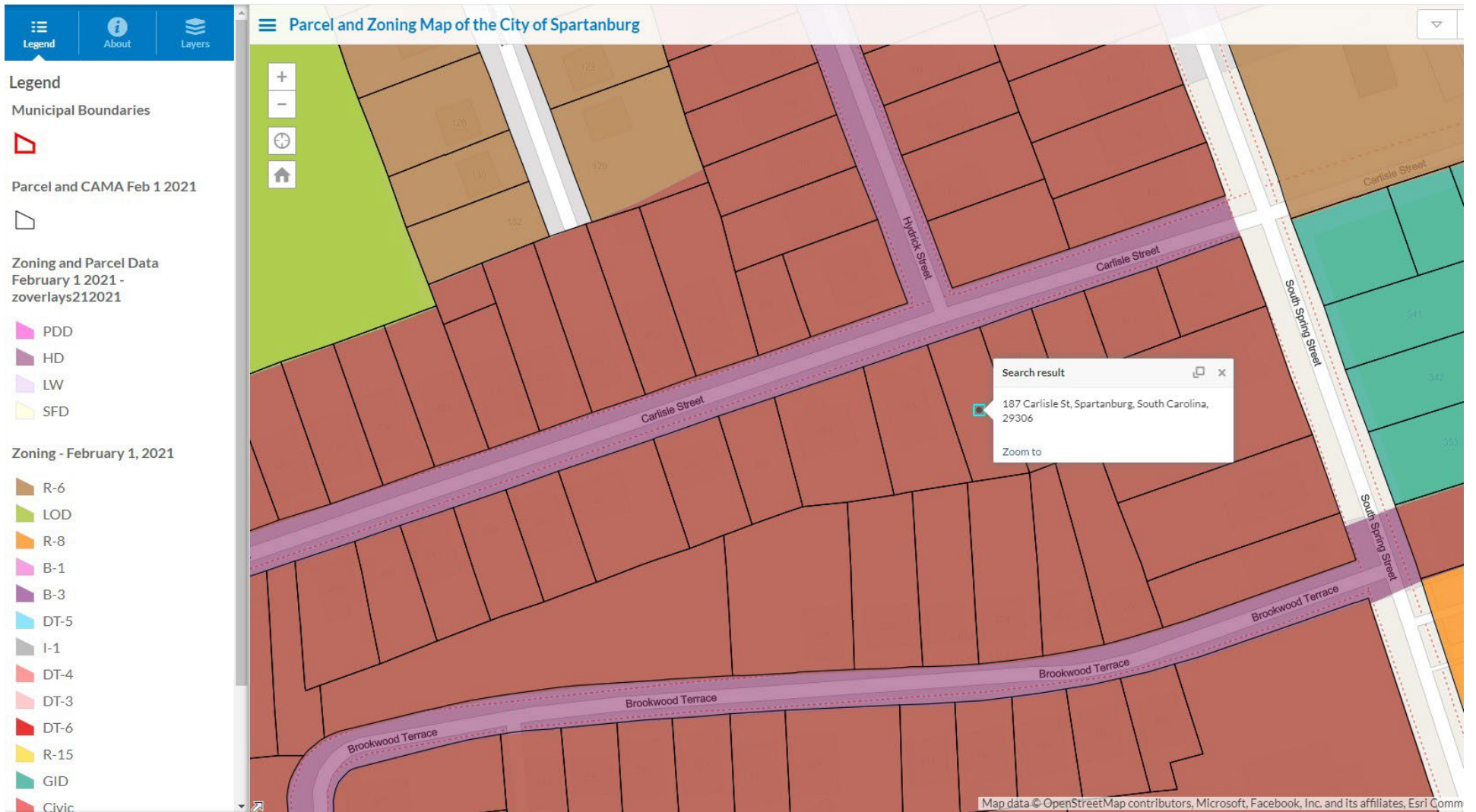


Table 401 – (A) Table of Area Dimensional Requirements

Section IV: District Area and Dimensional Requirements

§ 401 – (A) Table of Area and Dimensional Requirements By District

These Standards Apply Only to One Residential Structure on a Zoning Lot (*8)

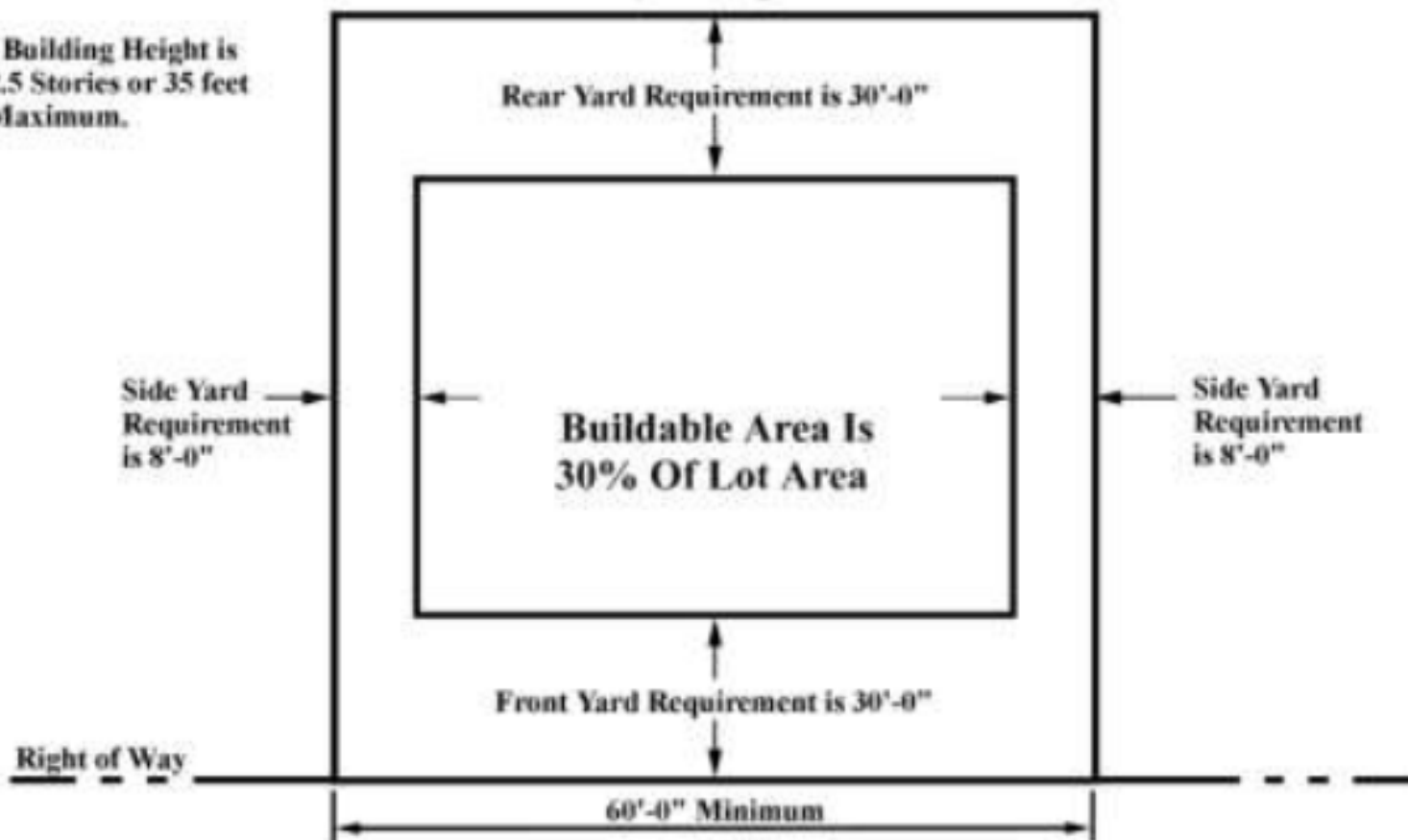
MINIMUM YARD REQUIREMENTS

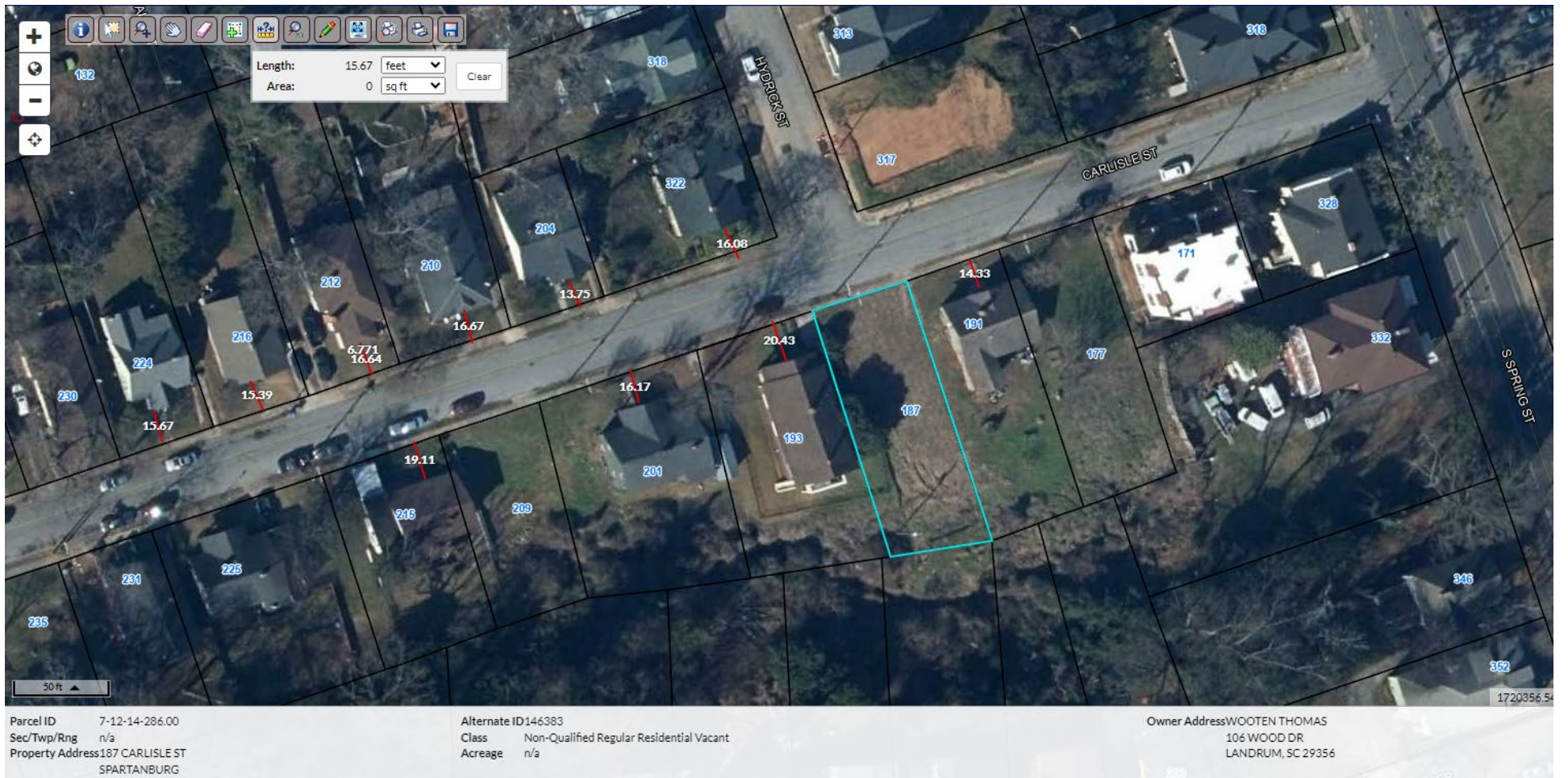
Zoning District	Max. Bldg. Height (Feet)	Min. Lot Area (Square Ft.)	Min. Lot Per Dwelling Unit (Square Ft.)	Min. Lot Width At Lot Line For Lots Not On The Radius Of A Cul-De-Sac (Ft.) (*9)	Min. Lot Width At Front Bldg. Line On The Radius Of A Cul-De-Sac (Ft.) (*9)	Max. Bldg. Coverage (As a %)	FRONT	REAR	INTERIOR SIDE (*1)	STREET SIDE (*2)	Max. Gross Floor Area
R-15	35/A	15,000	15,000	90	80	25 (*16)	40/B	40	15/M (*11)	15/C	
R-12	D	12,000	10,000	80	80	35 (*16)	35/B	30	10	15/C	
R-8 SFD (*10)	D	8,000		60	50	40 (*16)	30/B	30	8	15/C	
R-8	D	8,000	8,000	60	50	40 (*16)	30/B	30	8	15/C	
R-6 (*14)	D	4,000	2,000/F	50	50	50	15/B	20	5	15/C	
GID/LOD (*13)	E	4,000/N (*5)(*14)	2,000 (*5)	50 40	50 40	50/G 50/G (*6)	25/H 15	15/L 15/L (*5)	10/L 5 (*5)	15/C 15/C (*4)	
LC (*12)	35/A	21,780 Or ½ Acre				•	35	30	10	10/C	
B-1	35/A		1,800		50		25	10	5/I	15/J	K
B-3			800		50		15			10/J	K
B-4			800		50		25			10/J	K
I-1							25	15	15	25	K
I-2							25	15	15	25	K
D-T4 D-T5 D-T6	For Area and Dimensional Requirements in Downtown Urban Districts, see §§515.3.3 – 3.6										

R-8 SINGLE FAMILY

Lot Area Is 8,000 SQ.FT. Minimum

**NOTE: Building Height is
2.5 Stories or 35 feet
Maximum.**







1 SITE PLAN
 A001 SCALE: 1/16" = 1'-0"



2 STREETVIEW
 A001 NOT TO SCALE

Site Photos



Site Photos



PO Box 1749 • Spartanburg, SC 29304 • phone: (864) 596-2068 • email: planning@cityofspartanburg.org
website: www.cityofspartanburg.org

General Application

Name of Development: _____
Street Address: 187 CARLISLE ST.
Zoning District: R-8 Overlay: LOCAL HISTORIC DISTRICT Tax Map Number: 7-12-14-286.00

Owner: THOMAS WOOTEN Phone: 864-979-1178
Address: 106B WOOD DRIVE Email: AAPLUMBING SC@yahoo.com
City: LANDRUM State: SC Zip: 29356

Applicant: GABRIEL WISSE Phone: 864-770-8870
Address: 3820A HWY 414 Email: TAYLORHOMES@GMAIL.COM
City: LANDRUM State: SC Zip: 29356

Agent: _____ Phone: _____
Address: _____ Email: _____
City: _____ State: _____ Zip: _____

Please select the activity requested / also, please attach the required Supplemental Form:

- | | |
|---|--|
| ☐ Annexations | ☐ Planned Development Districts (PDD) |
| ☐ Special Exceptions | ☐ Zoning - Conditional Use |
| ☐ Zoning - Appeals | ☒ Zoning - Variance |
| ☐ Zoning - Map Amendment | |

Fees and Payments can be made using the Permit Number and the [City of Spartanburg Payment Portal](#).

To the best of my knowledge, the information on this application and all additional documentation is true, factual and complete. I hereby agree to abide by all conditions of any approvals granted by the City of Spartanburg. I understand that such conditions shall apply to the subject property only and are a right or obligation transferable by sale. I hereby authorize the staff of the Planning Department to inspect the premises of the above-described property.

Applicant / Owner Signature:  Date: 5/3/24

Staff Use Only / Received by: _____

Date Received: _____ Time: _____ Permit Number: _____

PO Box 1749 • Spartanburg, SC 29304 • phone: (864) 596-2068 • email: planning@cityofspartanburg.org
website: www.cityofspartanburg.org

ZONING VARIANCE SUPPLEMENTAL APPLICATION FORM

Name of Development: _____

Location of Development: 187 CARLISLE ST.

Section Number(s) of the Ordinance from which a Variance(s) is requested:

603.4 (#2)

Describe completely and specifically the requested Variance:

NEED TO LINE UP THE HOUSE WITH THE EXISTING HOUSES BECAUSE OF
THE HISTORIC DISTRICT DESIGN STANDARDS

Explain briefly why the Variance is requested:

TO PERMIT THE REDUCTION OF THE SETBACK BEING IN COMPLIANCE WITH ALL APPLICABLE
BUILDING AND FIRE CODES AND SUBJECT TO REVIEW BY THE BUILDING OFFICIAL

ALL OF THE FOLLOWING ITEMS MUST BE ATTACHED for this application to be complete.

- ☐ A typed narrative that explains How and Why the requested Variance meets All of the criteria of the Zoning Ordinance Section 603.3 (A) (2), (see attached copy). Criteria for Approval of Variances; and
- ☐ Notarized written certification, signed by the owner(s) of record of the property, that the owner(s) consent to the request for a Variance. Certification is not necessary if the owner is the applicant; and
- ☐ A sealed site plan to scale that clearly illustrates the requested Variance in relation to the affected site and to the surrounding parcels and uses. A reproducible copy of this plan, no larger than 11" x 17", must be submitted. In addition, please include or email the site plan in PDF format; and
- ☐ **Filing Fee:** \$150.00

Staff Use Only / Received by: _____

Date Received: _____

Time: _____

Permit Number: _____



What are the extraordinary and/or exceptional conditions that apply to your parcel?

DUE TO THE REQUIREMENT FOR THE LOCAL HISTORIC
HOUSES TO BE ALIGNED WITH THE OTHERS.

How do these conditions differentiate your parcel from those in the immediate vicinity?

THE SURROUNDING HOMES ARE BUILT APPROXIMATELY
15 - 16 FEET FROM THE FRONT.



How would these conditions and the application of the Ordinance to your particular lot effectively prohibit or unreasonably restrict the utilization of your property

WE NEED TO HAVE THIS VARIANCE SO THE HOUSE
CAN BE BUILT TO MATCH THE EXISTING HOUSES.

Will the authorization of a variance be of substantial detriment to adjacent property or to the public good? Will the character of the district be harmed by the granting of the variance?

THE APPROVAL OF THIS VARIANCE WILL NOT DO
HARM TO THE NEIGHBORHOOD. IT WILL IMPROVE
THE LOOK OF THE STREET AND BRING VALUE
TO THE HOMES IN THE NEIGHBORHOOD.

TAYLORED HOMES

P O BOX 1415

GREER SC 29652

(864) 720-8820

taylorredhomessc@gmail.com

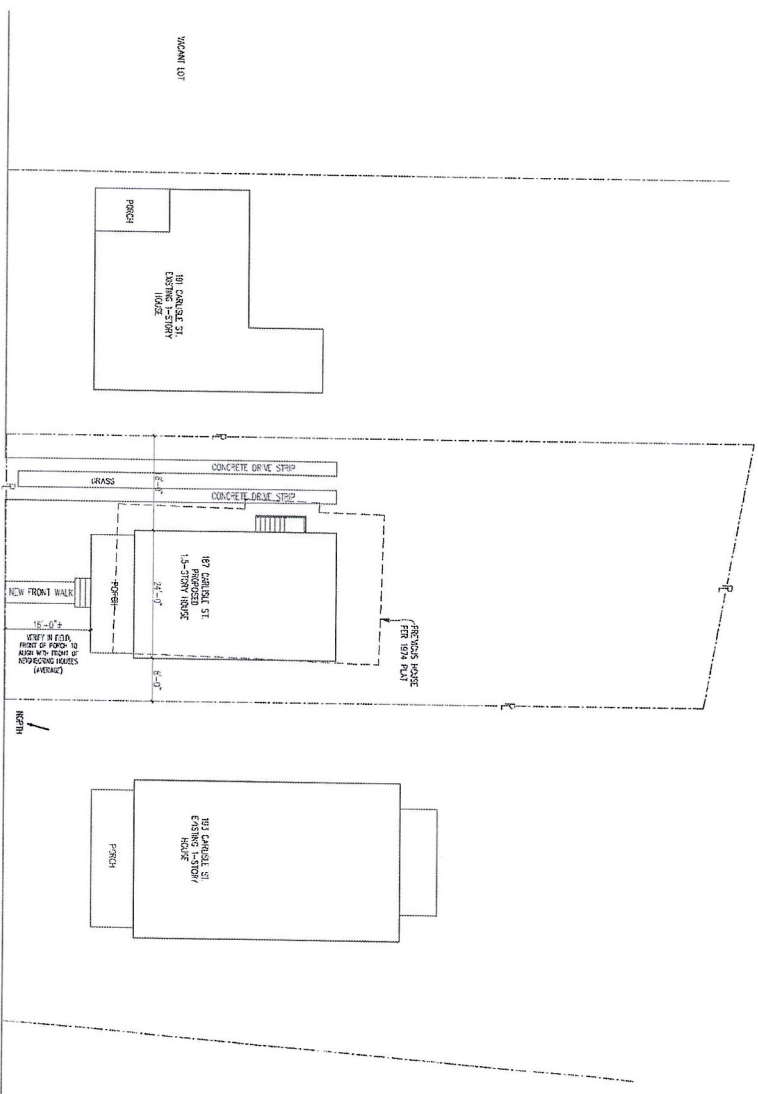
To whom it may concern:

The purpose for this variance is so that the home to be built lines up with the existing homes. The new build located at 187 Carlisle St. was approved at the HARB meeting on 10/12/23. I have attached the site plan that was submitted before the meeting along with the modified site plan showing the setbacks according to the overhangs on the roof.

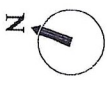
Warm regards,

Gabriel Weisser

Taylorred Homes



1 SITE PLAN
A001 SCALE: 1/16" = 1'-0"



2 STREETVIEW
A001 NOT TO SCALE

NOT FOR
CONSTRUCTION

NEW COTTAGE AT
187 CARLISLE
HAMPTON HEIGHTS

SITE PLAN

A001

