



The City of Spartanburg Board of Zoning Appeals

AGENDA

**June 10, 2025, 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. Rules and Procedures for Meeting Conduct.**
- V. Approval of Agenda.**
- VI. Disposition of Meeting Minutes from the April 8, 2025.**
- VII. Old Business: None.**
- VIII. New Business:**
 - 1. APP – 25-00200004 – The City of Spartanburg’s Board of Zoning Appeals has received a request for an Variance to the Zoning Ordinance permitted use table for the property located at 632 Perrin Drive for allowing applicant to build further away (TMS: 7-10-09-053.00); with a zoning designation of R-15 (Single Family Residential District).
Owner/Applicant: Sergys Electric, Owner / Edward Shvets, Applicant.
- IX. Staff Announcements.**
- X. Adjournment.**

For more information, please contact the City of Spartanburg Planning Department at planning@cityofspartanburg.org or call (864) 596-2068.

**Meeting Minutes of the Board of Zoning Appeals
Tuesday, April 8, 2025, at 5:15 PM
Spartanburg County Council Chambers**

The Board of Zoning Appeals met in Spartanburg County Council Chambers on Tuesday, February 11, 2025, at 5:15PM with the following members in attendance **Brian Murdoch, McKay Moore, Darren Matz, and John Moore**. Representing the Planning Department is **Fredalyn Frasier, Planning Director, Nan Zhou, Planner II, and Oksana Holbrooks, Sr. Administrative Assistant**.

Roll Call:

Mr. Matz: Darren Matz

Mr. Murdoch: Brian Murdoch

Ms. Moore: McKay Moore

Mr. Moore: John Moore

Mr. Matz: Public notification of the City of Spartanburg 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.

Approval of Agenda:

A motion was made by Ms. Moore, seconded Mr. Moore, to approve the agenda. The motion was approved with a vote of 4-0.

Approval of Meeting Minutes from February 11, 2025.

A motion was made by Ms. Moore, seconded Mr. Moore, to approve the meeting minutes with modifications. The motion was approved with a vote of 4-0.

Old Business: None.

New Business:

APP – 25-00200003 – The City of Spartanburg’s Board of Zoning Appeals has received a request for an Appeal to the Zoning Ordinance permitted use table for the property located at 1413 W O Ezell Blvd for allowing applicant to open dog grooming business (TMS: 6-21-01-008.00); with a zoning designation of B-1 (Neighborhood Shopping District). Owner/Applicant: Tina Allen and Katrina Klink.

Project Description and History

The new business owners of SuperDogs Grooming and Day Spa located at 1413 W.O. Ezell Blvd. applied for a Certificate of Occupancy. The new owners were informed that the business they acquired SuperDogs grooming, is a non-conforming use based on the current zoning classification and the non-conforming use non-transferable meaning it cannot be transferred from one owner to new ownership.

Upon review of the City’s Zoning Ordinance states that pet grooming services are not stand alone uses but are recognized under Animal Kennel & Veterinary Clinic.

The proposed business is located in a shopping center with the 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 the business of a dog grooming business to remain at 1413 W.O. Ezell Blvd. 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 is required to utilize Section 603.3(A)(2) of the Zoning Ordinance and determine if the proposal meets all the criterion for approval. The Board is to hear and decide appeals for Variance from the requirements of the Zoning Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship. An appeal may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following findings:

- 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;
- 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 shopping center surrounded by retail stores. The current dog grooming business has a ventilation exhaust system installed. However, the current ventilation exhaust system needs to be reinspected by the Building Department and subject to be required to be in compliance with the current building code.

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–

The business has operated in this location since 2013. It is the change of ownership that has triggered the variance request. 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. 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.

- The Board is recommended to address manners of operation and assign conditions:
 - Hours
 - The current ventilation exhaust system needs to be reinspected by the Building Department and is subject to be required to be in compliance with the current building code upon issuance of the Certificate of Occupancy.

Applicant:

Tina Allen and Katrina Klink.

Public Comment:

Linda Quinn, 225 Walnut Grove Rd, Owner.

Linda Olsen, 609 Cavini Rd.

Discussion:

In considering the factors specific to this case, the Board found no issues with granting the appeal. The request was determined to meet all applicable criteria, and no adverse impacts were identified that would prevent approval.

A motion was made by Ms. Moore, seconded Mr. Murdoch to approve the Appeal with conditions as noted in the packet with a vote by 4-0.

Staff Announcements:

Planning is working on sessions on training with all our boards reviewing our procedure of order and business conducts more to come.

The meeting was adjourned at 5:34 PM.

Darren Matz, Chairman

Date: May 13th, 2025

TO: Board Zoning Appeals

RE: VAR-25-00200004 The City of Spartanburg's Board of Zoning Appeals has received a Variance request to the front and side setback requirement reduction for property located at 632 Perrin Dr. (TMS 7-10-09-053.00); with a zoning designation of R-15, Single Family Residential District.
Owner: Sergys Electric / Applicant: Edward Shvets

Project Description and History

The project site is an approximately 35,849 square-foot (0.823 acres) vacant lot with a zoning designation of R-15, Single Family Residential District. The project site abuts Perrin Drive to the west boundary. The surrounding properties to the north, south, and west side of the project site are zoned for R-15, Single Family Residential District. Properties to the east side of the project are outside of the City limit.

The applicant proposes to construct a single-family residence on the lot that will be positioned closer to the front and side property lines while maintaining the original footprint of the proposed house plan. Most existing homes located to the north, south, and west of the project site within the City of Spartanburg limits were built in compliance with the current R-15 Single-Family Residential District setback requirements, as outlined in the City of Spartanburg Zoning Ordinance. The presence of a creek at the rear of the property has prompted the applicant to request a reduction in the front setback from 40 feet to 30 feet, and a reduction in the side setback from 15 feet to 8 feet.

Analysis

Zoning Ordinance Consistency

The project site has a zone designation of **R-15, General Residential District**. Section 302.1 R-15 Single Family Residential District Uses Permitted by Right of the City of Spartanburg Zoning Ordinance, allows 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 criteria 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 –***
There is a creek along the back side of the property line, limiting the buildable space of the single-family dwelling unit. Bringing the house closer to the front (from 40 ft to 30 ft) will alleviate the construction impact around the perimeter of the creek.
2. ***These conditions do not generally apply to other properties in the vicinity –***
Properties in the vicinity (within the city limit) either have more space in the back or do not have a creek within/along the property. Properties about the project site to the west are not within the city limits.
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 –***
Granting the reduction of the front setback from 40 ft to 30 ft, and side setback from 15 ft to 8 ft, will allow the applicant to build a single-family house as proposed. Otherwise, it will pose challenges to the proposed house footprint and may potentially have greater construction impacts on the perimeter of the creek.
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 a residential 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–***
In the event the Board finds that the Variance findings 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 **recommend approval** of this request about front and side setback reduction.

Submitted by:

Nan Zhou

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

Attachments:

Conditions of Approval

Application

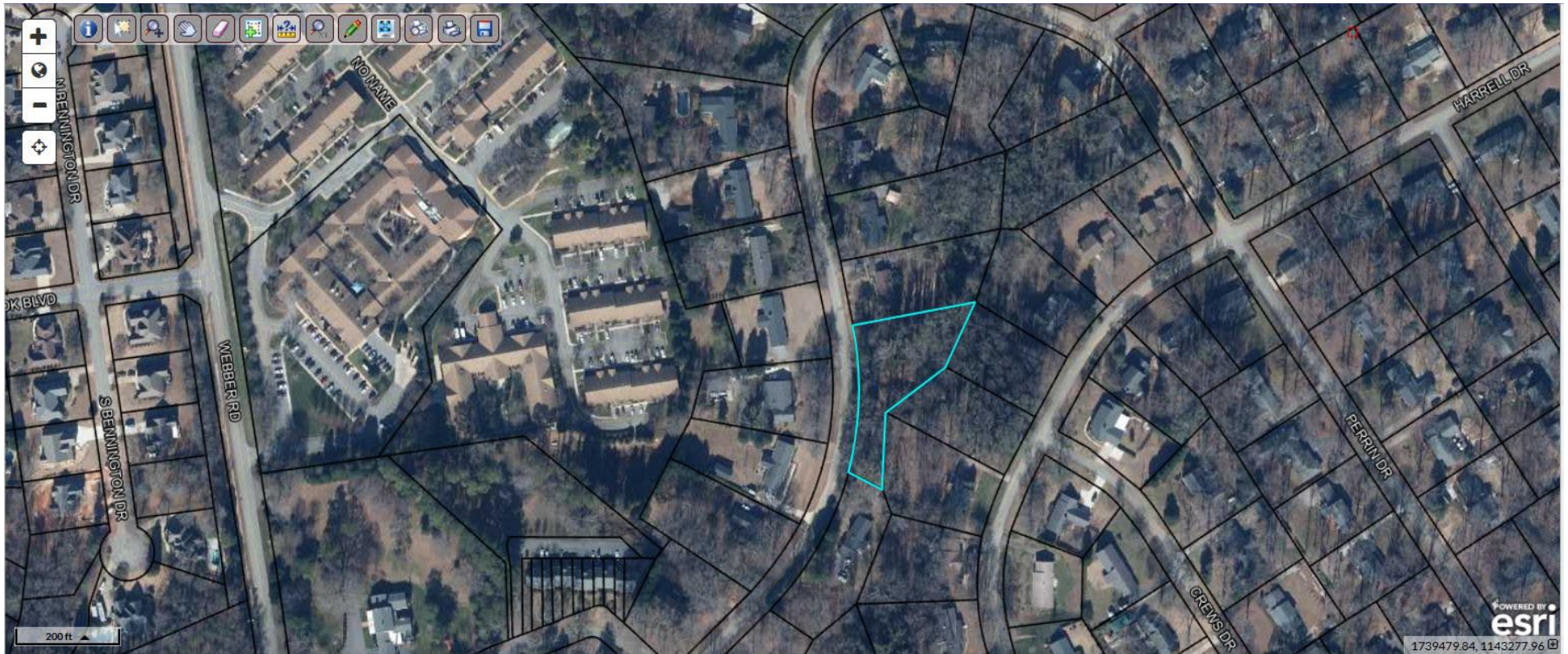
Photos

CONDITIONS OF APPROVAL FOR THE PROJECT ON PROPERTY LOCATED AT:

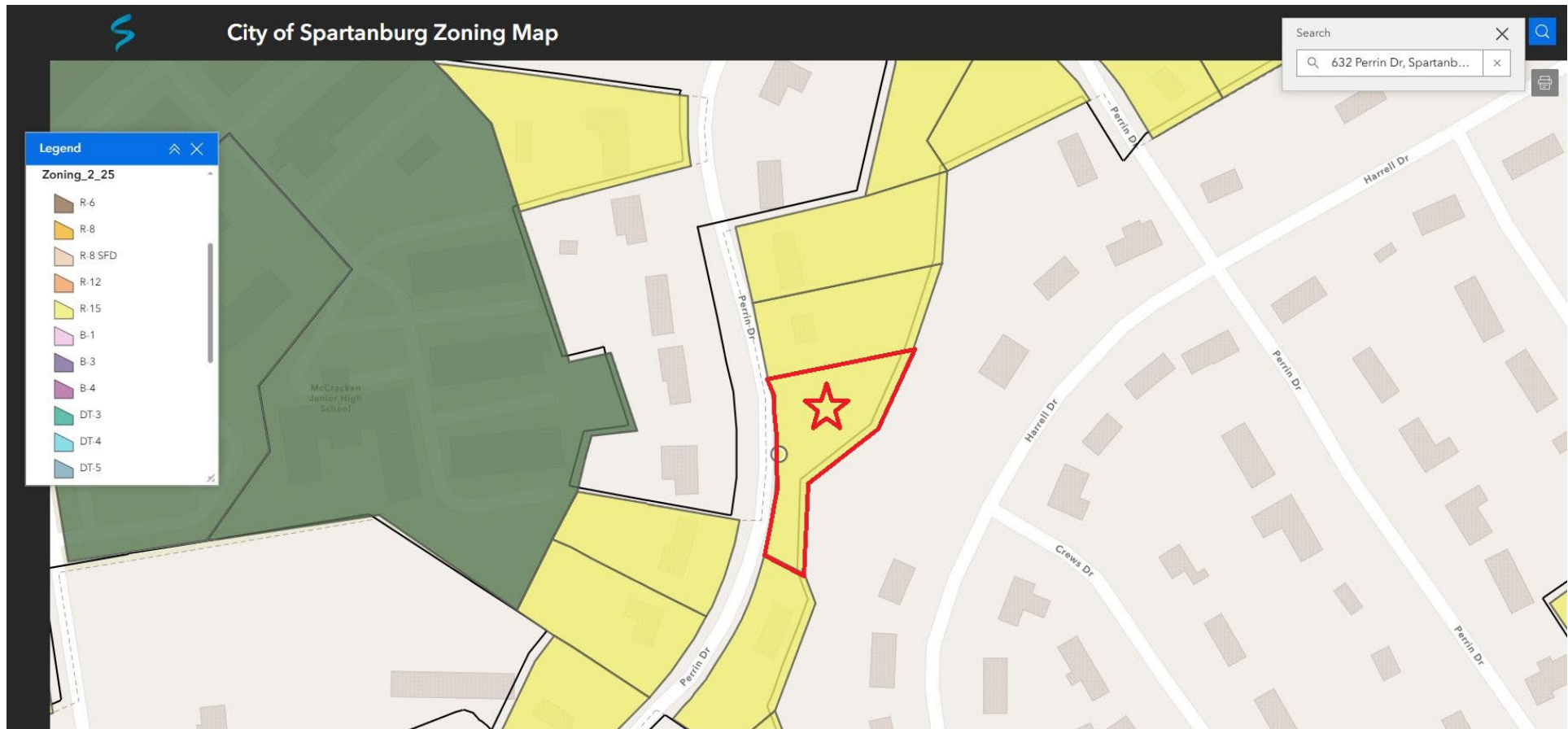
632 Perrin Dr. (TMS # 7-10-09-053.00)

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 25%, front yard setback is 40 feet (approved to be reduced to 30 ft), rear setback is 40 feet, and the interior side setback is 15 (approved to be reduced to 8 feet) 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 – 632 Perrin Dr.



ZONING MAP – 632 Perrin Dr.



Site Photos – Front and Side View



Site Photos – Properties in the Vicinity



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: Perrin Dr

Location of Development: 632 Perrin Dr

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

Section 603.4 Variance #2

Describe completely and specifically the requested Variance: Requesting Variance change to 8' sides and 30' front setbacks

Explain briefly why the Variance is requested: Requested for because of Property and Rowine and other issues that limit build space to build any decently sized 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: _____



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: 632 Perrin Dr

Street Address: 632 Perrin Dr Spartanburg

Zoning District: 7 Overlay: _____ Tax Map Number: 7-10-09-053.00

Owner: SESYS electric Phone: 864-580-3842

Address: 260 Grassland Rd Email: PointsouthPermits@gmail.com

City: Campobello State: SC Zip: 29322

Applicant: Edward Shvets Phone: 864-580-3842

Address: 266 Giles Dr Email: PointsouthPermits@cityofspartanburg.com

City: Boiling Springs State: SC Zip: 29316

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: *Sergii Kovalyuk* Date: 4/16/25

Staff Use Only / Received by: Nan/Oksana

Date Received: 04-21-2025 Time: _____ Permit Number: 25-0200004



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

There is a creek along the right side of the property that limits build space area. We hired an engineer and he recommended building further away due to compaction test.

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

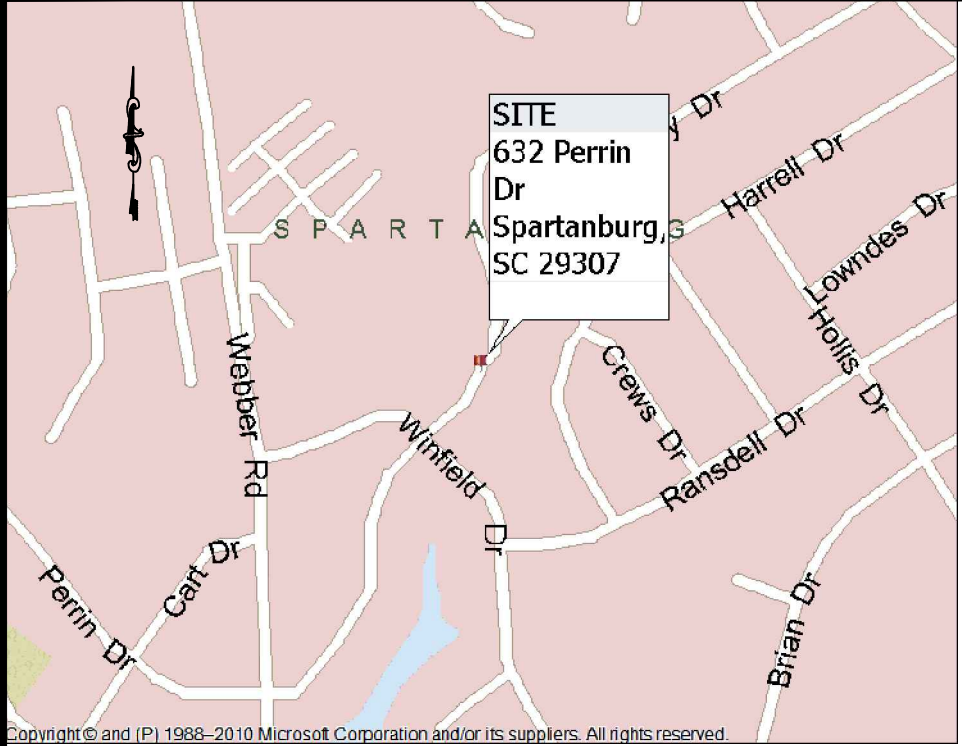
Other properties do not have the creek.



How would these conditions and the application of the Ordinance to your particular lot effectively prohibit or unreasonably restrict the utilization of your property *with updated setbacks we will be able to build a bigger home that will fit the neighborhood more.*

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 variance authorization will not only develop and enrich as a whole but promote more building to make area even more attractive.



VICINITY MAP N/S

NOTES

- NO TITLE SEARCH BY HUSKEY & HUSKEY, INC.
- PROPERTY SHOWN SUBJECT TO EASEMENTS OF/NOT OF RECORD.
- UNDERGROUND UTILITIES HAVE NOT BEEN LOCATED, UNLESS SHOWN OTHERWISE.
- NO FEATURES LOCATED OTHER THAN THOSE SHOWN.
- PROPERTY SUBJECT TO FLOODING ALONG BANKS OF CREEK, STREAM OR BRANCH AS SHOWN.
- 1/2" REBAR ON ALL CORNERS, UNLESS NOTED OTHERWISE.
- ADJOINING PROPERTY OWNERS AND THEIR RESPECTIVE PROPERTY LINES, WHICH MAY BE APPROXIMATED, ARE BASED ON MOST CURRENT COUNTY RECORDS AND DO NOT AFFECT THE VALIDITY OF THE SURVEY SHOWN HEREON.



Map Number: 7-10-09-052.00
Deed Book
132K
Deed Page
400
Owner Name
HENDRIX ROBERT K

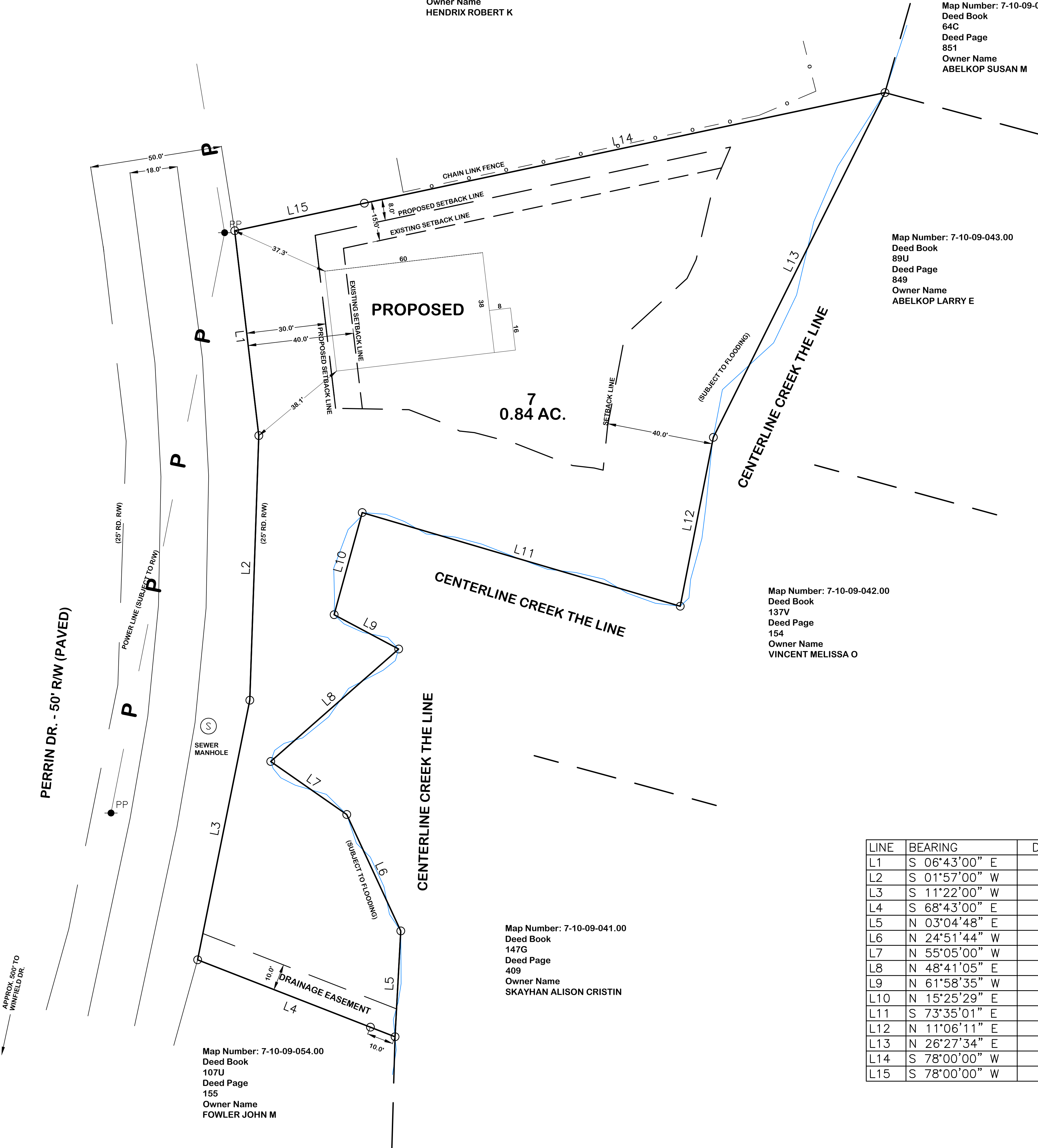
Map Number: 7-10-09-044.00
Deed Book
64C
Deed Page
851
Owner Name
ABELKOP SUSAN M

Map Number: 7-10-09-043.00
Deed Book
89U
Deed Page
849
Owner Name
ABELKOP LARRY E

Map Number: 7-10-09-042.00
Deed Book
137V
Deed Page
154
Owner Name
VINCENT MELISSA O

Map Number: 7-10-09-041.00
Deed Book
147G
Deed Page
409
Owner Name
SKAYHAN ALISON CRISTIN

Map Number: 7-10-09-054.00
Deed Book
107U
Deed Page
155
Owner Name
FOWLER JOHN M



LINE	BEARING	DISTANCE
L1	S 06°43'00" E	77.90
L2	S 01°57'00" W	100.00
L3	S 11°22'00" W	100.00
L4	S 68°43'00" E	80.00
L5	N 03°04'48" E	40.00
L6	N 24°51'44" W	48.49
L7	N 55°05'00" W	35.00
L8	N 48°41'05" E	64.30
L9	N 61°58'35" W	27.60
L10	N 15°25'29" E	40.00
L11	S 73°35'01" E	125.12
L12	N 11°06'11" E	65.00
L13	N 26°27'34" E	145.44
L14	S 78°00'00" W	200.96
L15	S 78°00'00" W	50.04

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA; AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS 'B' SURVEY AS SPECIFIED. THE BUILDING(S) OR WALL(S) SHOWN HEREON DO NOT ENCROACH ON THE ADJACENT PROPERTY, EXCEPT AS SHOWN. I HEREBY STATE THAT THE RATIO OF PRECISION OF THE FIELD SURVEY IS 1/7500 AS SHOWN HEREON AND THE AREAS WERE DETERMINED BY THE D.M.D. METHOD OF CALCULATION OR BY COMPUTER. THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA, AS DEFINED BY THE FLOOD INSURANCE MAP.

REF. PLAT BOOK 55, PP. 416REF. DEED BOOK 148Y, PP. 440

CLOSING SURVEY FOR

SPARTANBURG

COUNTY TAX MAP PARCEL: 7-10-09-053.00

STATE: SOUTH CAROLINA

DATE: FEBRUARY 19, 2025

FIELD BOOK 021825

FIELD CHIEF T. E. H.

DRWN. BY S. H. D.

REVISD:

SCALE 1" = 20'

010204060

HUSKEY & HUSKEY, INC. - PROFESSIONAL LAND SURVEYORS
2939 CHESNEE HWY. - SPARTANBURG, SC 29307
PH. (864)578-5671, FAX (864)578-1771, E-MAIL huskeypls@gmail.com

CKD. BY T. E. H.

Job No. 021825a

REG. NO. 19006

MEMBER OF THE S.C. SOCIETY OF PROFESSIONAL LAND SURVEYORS

SOUTH CAROLINA

REGISTERED PROFESSIONAL LAND SURVEYOR

No. 19006

THOMAS E. HUSKEY