

**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:**

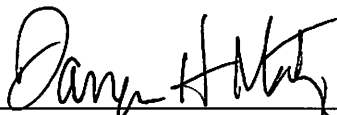
In considering the factors specific to this case, the Board found no issues with granting the appeal. The request was determined to meet all applicable criteria, and no adverse impacts were identified that would prevent approval.

**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