

**Meeting Minutes of the Board of Zoning Appeals
Tuesday, June 10, 2025, at 5:15 PM
Spartanburg County Council Chambers**

The Board of Zoning Appeals met in Spartanburg County Council Chambers on Tuesday, June 10, 2025, at 5:15PM with the following members in attendance **Brian Murdoch, McKay Moore, Don Bramblett, Darren Matz, and John Moore**. Representing the Planning Department is **Fredalyn Frasier, Planning Director, Nan Zhou, Planner II, Bob Coler, City Attorney, and Oksana Holbrooks, Sr. Administrative Assistant**.

Roll Call:

Mr. Matz: Darren Matz
Mr. Bramblett: Don Bramblett
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 Mr. Moore, seconded Ms. Moore, to approve the agenda. The motion was approved with a vote of 5-0.

Approval of Meeting Minutes from April 8, 2025.

A motion was made by Ms. Moore, seconded by Mr. Murdoch, 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 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 singlefamily 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.

Applicant:

Sergy Shvets, Owner.

Public Comment:

Joan Hendrix, 640 Perrin Dr.

Jan Barker, 102 Dolphin Dr.

Marie Ollinger, 663 Perrin Dr.

Bobby Pettit, 632 Perrin Dr.

Discussion:

The board expressed concern regarding the furnished letter. While it provided helpful information on soil conditions and confirmed that a slab foundation is more suitable than a crawl space, the board felt there wasn't enough justification for the requested side setback. The shape of the lot differs from others in the neighborhood, and although some nearby homes have smaller setbacks, this case lacked clear evidence to support the request. The board agreed that granting the variance could negatively impact the character of the neighborhood. Because Conditions #2 and #4 were not met, the appeal was denied.

A motion was made by Mr. Bramblett, seconded by Mr. Murdoch, to deny the Appeal with condition #4 and #2 a vote of 3-2.

Staff Announcements:

Welcome back to Mr. Bramblett and farewell to Mr. Matz as you will be missed and we wish you the best.

The meeting was adjourned at 6:26 PM.



Darren Matz, Chairman
