

**Meeting Minutes of the Board of Zoning Appeals
Tuesday, September 9, 2025, at 5:15 PM
Spartanburg County Council Chambers**

The Board of Zoning Appeals met in Spartanburg County Council Chambers on Tuesday, September 9, 2025, at 5:15PM with the following members in attendance **Don Bramblett, McKay Moore, Brandon Harris, and John Moore**. Representing the Planning Department is **Fredalyn Frasier, Planning Director, Nan Zhou, Planner II**.

Roll Call:

Mr. Harris: Brandon Harris

Mr. Bramblett: Don Bramblett

Ms. Moore: McKay Moore

Mr. Moore: John Moore

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

Approval of Meeting Minutes from June 10, 2025.

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

Old Business: None.

New Business:

VAR – 25-00200005 – The City of Spartanburg’s Board of Zoning Appeals has received a Variance request for the property located at 656 Boyd St. for a proposed garage side setback reduction (TMS: 7-12-16-192.00); with a zoning designation of R-8/SFD (Single Family Residential District). Owner/Applicant: David and Lauren Hill.

Project Description and History

Project Description and History

The project site is an approximately 8,140 square feet lot with a zoning designation of R-8 SFD, General Residential Single Family District. The project site abuts Boyd Street to the south boundary and an alley to the north boundary. The surrounding properties of the project site all have a zoning designation of R-8 SFD, General Residential Single Family District.

The applicant proposes to construct a two-story car garage in the rear yard on a concrete pad poured by the contractor. The concrete pad was poured approximately six (6) inches closer to the property line, encroaching six (6) inches into the setback requirement (5 feet) for accessory structures in residential areas per the current City of Spartanburg Zoning Ordinance.

Analysis

Zoning Ordinance Consistency

The project site has a zone designation of **R-8 SFD, General Residential Single Family District**. Section 302.3 R-8 Single Family District of the City of Spartanburg Zoning Ordinance allows Residential, 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 (5): 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 –***
The concrete pad was a construction error from the contractor after the initial assessment of the site. The contractor installed form boards that were wrongfully measured from the fence line rather than the actual property line given the fact that the property line was clearly marked. Despite being notified by the owner about the fact that the form boards were encroaching to the setback, the contractor refused to adjust the form boards and proceeded with pouring the concrete, resulting in an approximate six (6) inches encroachment into the setback.
2. ***These conditions do not generally apply to other properties in the vicinity –***
Due to the site's spatial constraints (insufficient depth) related to vehicle access and garage functionality, the garage has to be located closer to the rear to accommodate car maneuver. The immediate properties in the vicinity currently either do not have a garage in the backyard or the lot size is bigger than the project site.

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 setback reduction for the proposed garage from the required 5 feet to 4.5 feet, would allow the proposed garage to be built on the mistakenly poured concrete pad without causing structural compromise and financial hardship. Otherwise, the concrete pad needs to be either removed or significantly reduced in size to meet the zoning requirements.

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 or adverse impact that will cause to the general public. The character of the neighborhood will remain residential.

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 regarding setback reduction from five (5) feet to four and half (4.5) feet from the property line.

Applicant:

David Hill.

Public Comment:

Lisa Carter, 654 Boyd St.

Daniel Carter, 654 Boyd St.

Discussion:

The board asked for clarification on the use of the top floor, and it was confirmed that it is not intended for rental. They also reviewed the proposed plans and discussed the location of sewer and water lines being set in place. Comments were made about the surrounding Converse Heights neighborhood and the alleyways, with confirmation that the project would not affect those areas. Some members expressed concern about granting an exception based on a contractor's mistake. The board reviewed the proposed drawings, including fire barriers and setbacks, and noted the importance of accurate plans moving forward.

A motion was made by Mr. Moore, seconded Mr. Harris to deny variance with a vote by 3-1.

VAR – 25-00200006 – The City of Spartanburg's Board of Zoning Appeals has received a Variance request for the property located at Isom St regarding required parking reduction (TMS: 7-12-03-047.03); with a zoning designation of B-3 (General Retail District). Owner: Jimmy I. Gibbs LLC / Applicant: Income Investments, LLC / Beaumont Mill Multi-Family.

Project Description and History

The project site is an approximately 7.46 acres vacant lot with a zoning designation of B-3, General Business District. The project site abuts Isom Street to the west boundary and Beaumont Avenue to the north boundary. The surrounding properties to the north are currently zoned for R-6 General Residential District overlayed with Beaumont Mill Village Local Historic District; properties to the south are currently zoned for B-3, General Business District; and properties to the east and west side of the project site are currently zoned for I-1, Light Industrial District.

The applicant proposes constructing a multi-family apartment complex (Beaumont Mill Village Multi-Family) on the lot. The proposed apartment complex is a four and five story building with surface parking, featuring 275 units total with a mix of studio, 1,2, 3 bedrooms. The project reserves 10% of the units for workforce housing.

Per the current City of Spartanburg Zoning Ordinance Section 504 Off-Street Parking and Loading, Residential, Multifamily – Two Spaces per dwelling unit is required. However, due to the presence of sewer easement along the south-western property line and the flood plain along the south portion of the project site, the applicant requests a parking reduction from two (2) spaces per dwelling unit to one (1) space per bedroom to accommodate the proposed development.

Analysis

Zoning Ordinance Consistency

The project site has a zone designation of **B-3, General Business District**. Section 301 to 303 District Use Regulations of the City of Spartanburg Zoning Ordinance, allows Residential, Multifamily 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 (5):** To reduce the applicable off-street parking or loading facilities required by not more than one (1) parking space or loading spaces, or twenty-five percent (25%) of the required facilities, whichever number is greater.*

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:

- b. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- c. These conditions do not generally apply to other properties in the vicinity;
- d. 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
- f. 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.
- g. 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

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

There is a sewer easement along the south-western property line, and a Creek parallels the south-eastern property line with a flood zone and an extended floodway into the subject property drastically limits the ability of grading and filling in the vicinity to create additional parking. Making changes to the existing parking configuration is limited due to the potential impact on parking for immediate adjacent properties.

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

The two adjacent properties 557 Isom St. & 720 N. Pine St. were not subject to the same grading constraints as the proposed development, as their site constraints were mitigated through the construction of a sloped parking lot. 557 Isom St. (TMS # 7-12-03-047) is not located within a floodplain and does not contain a sewer easement, and 720 N. Pine St. (TMS # 7-12-03-047.00) is situated within a floodplain and does include a sewer easement.

8. *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 parking reduction will accommodate the proposed development, as the existing shared access and sewer easements must be maintained. The proposed site layout maximizes the use of available surface parking. Meeting the full parking requirement would necessitate a reduction in the number of units, which would impact both the project's viability and its overall unit density.

9. *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 anticipate any significant impact on the public. The proposed multifamily apartment developments will help meet the growing demand for attainable housing for individuals employed in the surrounding area. The applicant was encouraged to investigate a possible shared parking agreement with adjacent property owners; however, an agreement was not reached. Also, the addition of the bike racks allows a reduction in overall parking requirements by 20% (110 parking spaces) per the current zoning code.

10. *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 the request to reduce the parking allocation from required two (2) parking spaces per dwelling unit to one (1) parking space per bedroom in addition to installing the bike racks on site.

Applicant:

Zedekiah Heydenburg, Site Design Inc.

Public Comment:

None.

Discussion:

The board agreed that the proposed project included sufficient information and showed a clear understanding of the requirements. They expressed appreciation to the applicant for their

continued work and contributions to the community. While the project was well received overall, parking remained a point of concern during the discussion.

A motion was made by Mr. Moore, seconded Mr. Harris to approve variance with a vote by 3-1.

Staff Announcements:

The board conducted elections for the 2025–2026 officers. A motion was made by Mr. Don Bramblett, seconded by Mr. Moore, to nominate Brian Murdoch as Chair. A second motion was made by Mr. Bramblett, seconded by Mr. Harris, to nominate McKay Moore as Vice Chair. Both motions passed unanimously with a vote of 4–0.

Continued Education and New Board Orientation.

The meeting was adjourned at 6:34 PM.



McKay Moore, Chairman