

**Meeting Minutes of the Board of Zoning Appeals
Tuesday, October 14, 2025, at 5:15 PM
Spartanburg County Council Chambers**

The Board of Zoning Appeals met in Spartanburg County Council Chambers on Tuesday, October 14, 2025, at 5:15PM with the following members in attendance **Don Bramblett, Brian Murdoch, McKay Moore, Brandon Harris, Midas Hampton, and John Moore**. Representing the Planning Department is **Fredalyn Frasier, Planning Director, Nan Zhou, Planner II, Bob Coler, City Attorney**.

Roll Call:

Mr. Harris: Brandon Harris
Mr. Bramblett: Don Bramblett
Dr. Hampton: Midas Hampton
Ms. Moore: McKay Moore
Mr. Murdock: Brian Murdock
Mr. Moore: John Moore

Mr. Murdock: 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 6-0.

Approval of Meeting Minutes from September 9, 2025.

A motion was made by Ms. Moore, seconded Dr. Hampton, to approve the meeting minutes with modifications. The motion was approved with a vote of 6-0.

Old Business: None.

New Business:

APP – 25-00200007 An Appeal request for the property located at 199 Bon Air Ave. to permit a pre-fabricated home (TMS: 7-08-13-070.00); with a zoning designation of R-8 (General Residential District). Owner: Champion Investment / Applicant: Charles Habisreutinger.

REQUEST

The Applicant is seeking an Appeal to the permitted use table to permit a mobile/pre-fabricated home located at 199 Bon Air Ave. The property is currently zoned for R-8, General Residential District. Manufactured/Pre-fabricated homes are prohibited in single family districts by City Zoning Ordinance.

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.

Project Description and History

The landowner of 199 Bon Air Avenue has owned the land since 1992 and requests to place a pre-fabricated home on the parcel. The project site is located in a neighborhood with the zoning designation of R-8, General Residential District.

The City's Zoning Ordinance Section 508 Mobile Home and Mobile Commercial Buildings Regulations and Design Standards, states:

508.12 Location. No person shall park or occupy a mobile home except in an approved mobile home park or lawfully parked or occupying a mobile home as a non-conforming use as provided in Section 11 herein by reason of annexation. Mobile home parks shall be allowed only in the B-3 and 3-4 Districts, and will require site plan review. (See Section 501.13)

Further, the City of Spartanburg Zoning Ordinance Section 301 to 303: District Use Regulations states that a Mobile Home Park is only allowed in lands with zoning classification of B-3, General Business District, and B-4, Heavy Commercial District.

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 do not recognize any extraordinary and exceptional conditions pertaining to this particular piece of property.

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

The City Zoning Ordinance explicitly prohibits pre-fabricated homes within city limits, except in Zoning Districts B3 and B4, which are designated for Mobile Home Parks. The subject property is not located within either of these districts.

There are no pre-fabricated homes present in the immediate vicinity, on the surrounding block, or within the broader neighborhood. The existing homes in the area were constructed within the past decade, and there is no evidence indicating that any of these structures were originally purchased as pre-fabricated units and subsequently converted into permanent residences.

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.*

The subject property is zoned **R-8, General Residential District**, which permits a variety of residential uses. Therefore, the application of the City of Spartanburg Zoning Ordinance **does not prohibit or unreasonably restrict** the use of the property for residential purposes.

As such, while residential development is permitted on the subject property, the use of mobile or pre-fabricated homes is restricted under current ordinance provisions (**Section 508.12 & Sections 301–303: Permitted Use Table**).

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 have evaluated the request under the standards for granting a variance as outlined in the City of Spartanburg Zoning Ordinance and South Carolina state law. The surrounding neighborhood is characterized by site-built residential structures developed within the last decade. Allowing a mobile pre-fabricated home in this context would not be harmonious or compatible with the established character of the area. While the proposal may not cause immediate harm to the public good; it would **materially compromise the fabric** and zoning integrity of the neighborhood. A variance in this case would **impair the intent of the zoning ordinance** and set a **concerning precedent** for future requests, potentially weakening the consistent application of residential zoning standards.

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.*

Staff do not support assignment of conditions that would allow the placement of the structure. However, the Board of Appeals may, in conformity with the provisions of its assigned authority, 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.

Summary and Recommendation

Staff recommend **denial** of the request to place a mobile/pre-fabricated on the subject property.

The subject property is zoned **R-8, General Residential District**, which permits various forms of residential development; under the City of Spartanburg Zoning Ordinance, the placement of mobile or pre-fabricated homes is restricted to approved mobile home parks located in the **B-3**

(General Business District) and B-4 (Heavy Commercial District) zoning districts, as specified in Sections 301–303 and Section 508.12.

The Applicant has not demonstrated that the application of the ordinance creates an unnecessary hardship as defined under state law or the City’s zoning code. The property retains reasonable use under its current zoning classification, including the ability to construct a residential structure in compliance with R-8 standards.

Therefore, staff finds that the request does not meet the criteria for a variance and recommends **denial**.

Applicant:

Charles Habisreutinger.

Kim Mace.

Dean Garritson.

Public Comment:

Andy Dragt.

Discussion:

Dr. Midas: He agreed that the structure was made using great material. However, the current City of Spartanburg Zoning Ordinance prohibits the placement of a mobile home in a neighborhood unless it is in a mobile home park with the proper zoning. Therefore, he did not feel confident that the Board should approve this request, as it would set a precedent allowing mobile homes in the City of Spartanburg.

Don Bramlett: Mentioned that the City always requires higher quality and standards for houses being built within the City limits. The Bon Air Ave. neighborhood is a well-established and well-built neighborhood with a variety of types of houses in the neighborhood. The proposed structure (mobile home) does not fit in the neighborhood context. He is okay with well-designed and built modular homes that will be anchored down to the foundation.

Mr. Bramlett further stated that in Spartanburg County, there are mobile homes, but not in the City of Spartanburg. He said he was not in favor of the proposal from No. 4 and No. 5 listed in the analysis specifically.

McKay Moore: She recognizes that “we” need a variety of houses in the City, such as modular homes, affordable housing, and ADUs. Also, the City Comprehensive Plan mentions that the zoning ordinance should support these types of houses. She is looking forward to seeing what the rewritten zoning ordinance would allow for different types of houses in the City. However, the proposed mobile home does not meet the current standards of the Zoning Ordinance.

John Moore: Acknowledged the good quality of the material used on the structure; however, he did not feel confident to set the precedent allowing a mobile home with in the General Residential District when they are permitted elsewhere.

Brandon Harris: He wondered if the label/title on the structure could be de-titled, and convert the RV/temporary structure into a permanent structure with a foundation underneath. He was informed by Mr. Bramlett (a retired electrician) that that type of structure could not be “de-titled” since the power/electric panel box could not be built in the structure, as the mobile home is always moving around. It needs a separate panel box. Duke Energy will not hook the power into a mobile home.

- Deliberation Concluded and Board Voted to Deny the Appeal

A motion was made by Mr. Bramblett, seconded Mr. Moore to deny variance with a vote by 6-0.

Staff Announcements:

Continued Education and New Board Orientation.

The meeting was adjourned at 6:06 PM.



Brian Murdoch, Chair