



The City of Spartanburg Board of Zoning Appeals

AGENDA

December 9, 2025, at 5:15 P.M.

**Spartanburg County Council Chambers
366 N Church Street – Spartanburg, SC 2930**

(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 notice 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 November 11, 2025.**
- VII. Old Business:** None.
- VIII. New Business:**
 - 1. APP – 25-00200010 – The City of Spartanburg’s Board of Zoning Appeals has received an Appeal regarding erecting a new advertising sign (known as billboard) at 958 E. Main St. (TMS: 7-13-01-026.07) with a zoning designation of B-3 (General Business District). **Owner: 958 E. Main LLC / Applicant: Grace Outdoor Advertising, LLC / Agent: Craig D. Justus**
 - 2. VA – 25-00200011 – The City of Spartanburg’s Board of Zoning Appeals has received a Variance regarding the lot width requirements for property located at 420 & 422 Bethlehem Dr. (TMS: 7-16-01-325.00; 7-16-01-325.01) with a zoning designation of R-6 (General Residential District). **Owner: Habitat for Humanity of Spartanburg Inc. / Applicant: Raymond T. Davis Sr.**
 - 3.
- IX. Staff Announcements.** ACOG training update.
- 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, November 11, 2025, at 5:15 PM
Spartanburg County Council Chambers**

The Board of Zoning Appeals met in Spartanburg County Council Chambers on Tuesday, November 11, 2025, at 5:15PM with the following members in attendance **Brian Murdoch, 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
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:

The order and sequence of the agenda were reversed for this meeting. A motion to approve the revised agenda was made by Ms. Moore and seconded by Mr. Harris. The motion passed with a vote of 4–0.

Approval of Meeting Minutes from October 14, 2025.

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

Old Business: None.

New Business:

VAR – 25-00200009 – The City of Spartanburg’s Board of Zoning Appeals has received a variance request for the construction of an addition at the property located at 740 Springdale Drive (TMS: 7-13-09-057.00), with a zoning designation of R-8 (Single Family District). Owner: Allyson Wallis Markiewicz; Applicant: Vicars Construction, LLC.

REQUEST

The Applicant is seeking a Variance to build an addition, 632 SF, to the right side of the existing premises that will encroach approximately 3’3” to the side setback requirement (8 feet) for property located at 740 Springdale Dr. Due to the constraints of narrow side space, its intended use (master bedroom, bathroom), and the well-designed back porch, the applicants intend to add the addition to the side of the house.

Project Description and History

The project site is an approximately 14,918 square feet lot with a zoning designation of R-8 SFD, General Residential Single Family District. The project site abuts Springdale 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 landowner needs to construct an addition to the right side of the premises. The contractor, Vicars Construction, submitted a Variance application on behalf of the landowner requesting a side setback reduction from 8 feet to 4 ft and 9 inches to accommodate the intended use due to site constraints.

Currently, per Section IV: District Area and Dimensional Requirements Table 401 – (A) Table of Area and Dimensional Requirements by District, for properties have a zoning classification of R-8 SFD, the interior side setback requirement is 8 ft:

Section IV: District Area and Dimensional Requirements

§ 401 – (A) Table of Area and Dimensional Requirements By District

These Standards Apply Only to One Residential Structure on a Zoning Lot (*8)

MINIMUM YARD REQUIREMENTS											
Zoning District	Max. Bldg. Height (Feet)	Min. Lot Area (Square Ft.)	Min. Lot Per Dwelling Unit (Square Ft.)	Min. Lot Width At Lot Line For Lots Not On The Radius Of A Cul-De-Sac (Ft.) (*9)	Min. Lot Width At Front Bldg. Line On The Radius Of A Cul-De-Sac (Ft.) (*9)	Max. Bldg. Coverage (As a %)	FRONT	REAR	INTERIOR SIDE (*1)	STREET SIDE (*2)	Max. Gross Floor Area
R-8 SFD (*10)	D	8,000		60	50	40 (*16)	30/B	30	8	15/C	

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 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:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other properties in the vicinity;
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;
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.

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.

Findings

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

The lot is deep and narrow, and the existing premises was constructed closer to the left property line. Based on the intended use and functionality of the proposed addition, site constraints, and without removal of the existing well designed back porch, the proposed addition (24'2" by 30') could only be added to the right side of the premises, encroaching to the side setback by 3'3".

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

Properties in the vicinity or around block were constructed prior to the adoption of the Zoning Ordinance. Therefore, they are all legal non-forming structures.

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 SFD, General Residential Single Family District**, which allows single family dwelling unit. The application of the City of Spartanburg Zoning Ordinance Section IV District Area and Dimensional Requirements regulations **does not prohibit or unreasonably restrict** the utilization of the property for residential purposes. However, the interior side setback requirement, listed in Table 401 (A) Table of Area and Dimensional Requirements by District Applicable to Only One Residential Structure on a Zoning Lot would restrict or prohibit the construction of the proposed addition at its desired size (24'2" by 30' = 632 SF)

As such, while residential development is permitted on the subject property, the proposed addition will encroach to the side setback by 3'3".

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, granting a variance to the proposal would **not** cause immediate harm to the public good, and the nature of the immediate surroundings remain residential.

The application of the ordinance does **not** create 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 adding an addition to the existing premises.

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 **support** the assignment of conditions that would allow the construction of an addition to the right side of the premises for the site.

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. The Board of Zoning 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.

Recommendation

Staff recommends **Approval** of the Variance request to reduce the side setback requirement **from 8 feet to 4 feet and 9 inches**, allowing the construction of the proposed addition to the right side of the premises.

The subject property is zoned R-8 SFD, General Residential Single Family District, which permits single family dwelling unit construction along with modifications (adding additions) to the premises so long as it is in compliance with the districts' dimensional requirements, as outlined in **Section IV District Area and Dimensional Requirement**.

Staff Rationale:

Granting this request would **not** cause immediate harm to the public good or undermine the integrity of the Zoning Ordinance, and the nature of the immediate surroundings remain residential

Applicant:

Tyler Cochran

Public Comment:

None.

Discussion:

The board was impressed by the applicant's preparation and found the overall appearance of the project to be well designed and in line with the required conditions. They recommended that the HVAC unit be placed at the rear of the property, rather than along the side near neighboring homes. The board also discussed concerns about potential water runoff and supported the use of a French drain or other method to direct water away from adjacent properties, which the applicant agreed to. A relevant building code was briefly referenced during the discussion.

A motion was made by Mr. Harris, seconded by Mr. Moore, to approve the variance with the condition that the HVAC unit be relocated to the rear of the property. The downspouts must face the rear of the lot or toward the road, and a French drain should be installed to manage runoff. The motion passed with a vote of 4 to 0.

APP – 25-00200008 – The City of Spartanburg's Board of Zoning Appeals has received an appeal for a Sign Permit for property located at 1489 W. O. Ezell Blvd (TMS: 6-21-01-

096.01), with a zoning designation of B-1, (Neighborhood Shopping District). Owner: BNGC Plaza LLC; Applicant: Bailey Inabinet, Anchor Sign Inc.

REQUEST

The Applicant is seeking an Appeal to install a wall sign (121.92 SF) on front façade of the building that exceeds the **maximum** allowable square footage (**85 SF**) for property located at 1489 W.O. Ezell Blvd. The applicant is concerned about the visibility from W.O. Ezell Blvd. given the location of the structure is approximately 350 feet back from the main intersection. The property is currently zoned for B-1, Neighborhood Shopping District.

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 Anchor Signs sign contractor submitted a sign application for Dollar Tree to planning staff, staff reviewed the application and determined that the size of the proposed wall sign and monument sign needs to be reduced under **85** square feet ($56'9'' \times 1.5 = 85.125 \text{ SF}$) based on the current zoning (B-1, Neighborhood Shopping District) and the linear feet of the front building wall.

Currently, per Section 503.4 Signs Permitted in Office, Institutional, Business, and Industrial Districts, based on the zoning, staff calculates the sign(s) maximum allowable square footage based on the Table C –Total Area of Business Signs:

Table C -- Total Area of Business Signs		
Zone District	Front Building Wall	Front Lot Line
GID/LOD	1.5 sq. ft.	.or 0.5 sq. ft.
I-C	1.5 sq. ft.	.or 0.5 sq. ft.
B-1	1.5 sq. ft.	.or 1.0 sq. ft.
D-T4, D-T5, D-T6	1.5 sq. ft.	.or 1.0 sq. ft.
B-3	1.5 sq. ft.	.or 1.0 sq. ft.
B-4	1.5 sq. ft.	.or 1.0 sq. ft.
I-1	1.0 sq. ft.	.or 1.5 sq. ft.
I-2	1.0 sq. ft.	.or 1.5 sq. ft.

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:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other properties in the vicinity;
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;

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.
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.

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, other than the fact that the strip mall center sits approximately 350 ft from the main intersection (W.O. Ezell Blvd. intersects with E. Blackstock Rd.)

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

The current City Zoning Ordinance provides calculation formulas to businesses across the City, allowing them to have sign(s) advertising the businesses. Another business, Boot Barn, sits at the same strip mall center, besides the proposed business, Dollar Tree, submitted a sign permit and was approved for having a wall sign of 96 SF under the 125 SF maximum allowable sign square footage.

Around the block and along W.O. Ezell Blvd., businesses who submitted sign permits for staff to review are all able to be in comply with the sign regulations in terms of the maximum allowable sign square footage.

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 **B-1, Neighborhood Shopping District**, and has a linear feet of front building wall of 56'9", which allows the business, Dollar Tree, to have sign(s), in aggregate, of 85 SF, based on the calculation formula from *Table C – Total Area of Business Signs*.

Therefore, the application of the City of Spartanburg Zoning Ordinance sign regulations **does not prohibit or unreasonably restrict** the use or the advertisement of the property for commercial purposes.

As such, while commercial development is permitted on the subject property, the proposed wall sign size, 121.92 SF, exceeds the 36.79 SF of the maximum allowable sign square footage, 85 SF, for the business, Dollar Tree.

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 an Appeal as outlined in the City of Spartanburg Zoning Ordinance and South Carolina state law. While the proposal may

not cause immediate harm to the public good, and the nature of the immediate surroundings remain the same.

Allowing a wall sign that exceeds the aggregated maximum allowable sign area by more than 36.79 square feet would compromise the integrity of the zoning regulations and create an inequitable situation for other businesses that comply with the current sign standards. Granting a variance in this case would undermine the intent of the zoning ordinance and establish a precedent that could weaken the consistent enforcement of sign regulations in similarly zoned districts.

The application of the ordinance does **not** create 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 open a retail store.

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 installation of a front façade wall sign that exceeds the maximum allowable square footage for the site.

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.

RECOMMENDATION

Staff recommends **denial** of the request to install a wall sign totaling **121.92 square feet** on the front façade of the building, as it exceeds the aggregated maximum allowable sign area by **36.79 square feet** for this location.

The subject property is zoned **B-1, Neighborhood Shopping District**, which permits various forms of commercial development. In accordance with the **City of Spartanburg Zoning Ordinance**, the aggregated maximum allowable sign area is determined based on the zoning district and the linear footage of the building's front façade or street frontage, as outlined in **Section 503.4, Table C – Total Area of Business Signs**.

Staff Rationale:

Granting this request would result in a wall sign that exceeds the maximum permitted sign area, thereby compromising the intent of the City's sign regulations to maintain visual harmony and equitable treatment among businesses within the same zoning district. Approval of this variance would establish an undesirable precedent that could encourage similar requests, ultimately weakening the consistent application of the zoning ordinance. Staff finds no evidence of a unique hardship related to the property that would justify a deviation from the established standards.

Applicant:

Aimee Leary, Attorney.

Public Comment:

None.

Discussion:

They appreciated that the proposed sign effectively communicates the business. The board briefly reviewed the goals of the sign ordinance and the importance of conformity with the City's zoning standards. While the first sign option appeared too large, the second design seemed more in line with existing signage in the area. It was noted that the size, though still prominent, was not excessive or out of place. The board expressed preference for seeing the business move forward and felt the smaller rendering was a fair compromise. The significant setback from the road was also acknowledged as a factor worth considering.

A motion was made by Mr. Moore, seconded by Mr. Harris, to approve the sign appeal with a total sign area of 89.56 square feet. The motion passed with a vote of 4 to 0.

Staff Announcements:

Staff announced the proposed new location for all upcoming meetings in the new year: Dr. T.K. Gregg Community Center, located at 650 Howard Street, Spartanburg, SC.

The meeting was adjourned at 6:06 PM.

Brian Murdoch, Chair

DATE

December 9, 2025

PROJECT/ADDRESS/ TAX ID

958 E. Main St./ 7-13-01-026.07

APPEAL REQUEST NUMBER

APP-25-00200010

TO

Board of Zoning Appeals Members

STAFF

Fredalyn M. Frasier, Planning Director

Nan Zhou, AICP, Planner II

Bob Coler, City Attorney

COPIES TO

City Departments/Applicant

OWNER/APPLICANT

958 East Main LLC / Grace

Outdoor Advertising, LLC

AGENT

Craig D. Justus

APPEAL CONDITIONS

On March 8, 2023, Grace Outdoor Advertising, LLC and 958 East Main, LLC (hereinafter collectively the “Applicant”) submitted a sign permit application (hereinafter the “Application”) to erect a new digital advertising sign, commonly referred to as a billboard, (hereinafter the “Proposed Sign”) at 958 E. Main Street. The property is currently zoned for B-3, General Business District.

Following consultations between the Applicant, Grace Outdoor Advertising, LLC, and the Planning and Legal Departments, the Planning Director issued a denial of the Application on September 22, 2025. The Applicant now submits this Appeal in response to that decision. The Applicant maintains that the Proposed Sign satisfies all applicable requirements of the Zoning Ordinance and that the Application was eligible for approval.

REQUEST

This Appeal (hereinafter the “Appeal”) of a determination by the City of Spartanburg Planning Department is made pursuant to Section 603.3 of the City of Spartanburg’s Zoning Ordinance (hereinafter the “Zoning Ordinance”) which states in pertinent part:

603.3 Appeals to the Board may be taken by any person aggrieved or by any officer, department, board, or bureau of the municipality...

603.3 (A) The Board of Appeals has the following powers:

(1) To hear and decide appeals where it is alleged there is error in an order, requirement, decision or determination made by an administrative official in the enforcement of the zoning ordinance.

The City of Spartanburg (hereinafter the “City”) contends that Section 503.44 of the Zoning Ordinance requires the Application be denied as the Planning Director has done.

The sole issue for the Board of Zoning Appeals is whether or not the interpretation of Section 503.44 of the Zoning Ordinance is correct. The Planning Director, as the City's de facto Zoning Administrator, is vested with the authority to interpret the Zoning Ordinance pursuant to Section 602.2 of the Zoning Ordinance, which states in pertinent part:

602.2 Interpretation. *The Zoning Administrator shall give information upon request as to the provision of this Ordinance, and shall interpret the meaning of this Ordinance in the course of enforcement (emphasis added)*

PROJECT DESCRIPTION AND HISTORY

On, or about, March 8, 2023 Grace Outdoor Advertising, LLC submitted an application with the City of Spartanburg's Planning Department to erect a new digital advertising sign at 958 E. Main Street. A number of conversations between the parties occurred to discuss the City's Zoning Ordinance and its treatment of advertising billboards. Ultimately, those conversations did not produce a viable, legal path forward for the construction of the new sign. On September 22, 2025, the Planning Director notified Applicant by letter that it's application to erect a new digital advertising billboard at 958 E. Main Street was denied because of the language of Section 503.44 of the Zoning Ordinance.

In October, 2025, Craig Justus, the Agent, requested clarifications and grounds from the determination letter and stated that the height and digital deficiencies for the Proposed Sign have been addressed with the revised sign application. Upon receiving response from City Attorney for clarifications, Applicant filed an appeal with the City of Spartanburg Planning Department.

ANALYSIS

Section 503.44 of the Zoning Ordinance states in pertinent part as follows:

503.44 Advertising Signs. *Are permitted in Zones B-3, B-4, I-1, and I-2. The City of Spartanburg shall prepare an inventory of all existing advertising signs within the city limits identifying the owner, zone and location of all such advertising signs. **Any sign appearing on the inventory that is lost, removed, or destroyed may be replaced provided that the total number of signs contained within that inventory is not exceeded and further provided that the advertising signs shall comply with the standards set forth below** provided however, the City may allow advertising signs that do not conform with Subsection 503.45, if currently existing advertising signs are deleted permanently from the inventory as negotiated by the City, or other set criteria proposed by the Planning Commission, and approved by Council from time to time.*

The above section of the Zoning Ordinance was likely crafted with the majority of the City's Zoning Ordinance more than twenty-five years ago and last edited by City Council some fifteen years ago.

Staff also noted that a formal, comprehensive review of the City's advertising sign regulations will take place as part of the upcoming Zoning Ordinance update in 2026.

City staff is informed and believes that throughout its existence, this section of the Zoning Ordinance, particularly the language in bold type above, has been interpreted by giving each of the words their plain and ordinary meaning and not to hypothesize about what Council, in passing this ordinance, may have or could have meant, or questioning the wisdom of the legislation, or engaging in endless hypotheticals or reasoning debates.

Staff believes the appropriate interpretation includes the following logic. An inventory of then existing billboards was created. The most critical element of each billboard in the inventory was it's location. The practice over the years is as a billboard in its location was lost, removed, or destroyed, the billboard could be **REPLACED** at the location where it existed before being lost, removed, or destroyed.

City staff does not support the interpretation of the ordinance that would allow a property owner with no prior billboard on their property to construct a brand-new billboard at a brand-new location solely because an existing billboard elsewhere in the city has been lost, removed, or destroyed. Had Council intended to permit such an outcome, it would have established a clear mechanism for determining which property owners, if any, would be entitled to erect a new billboard in response to the removal of one from the existing inventory.

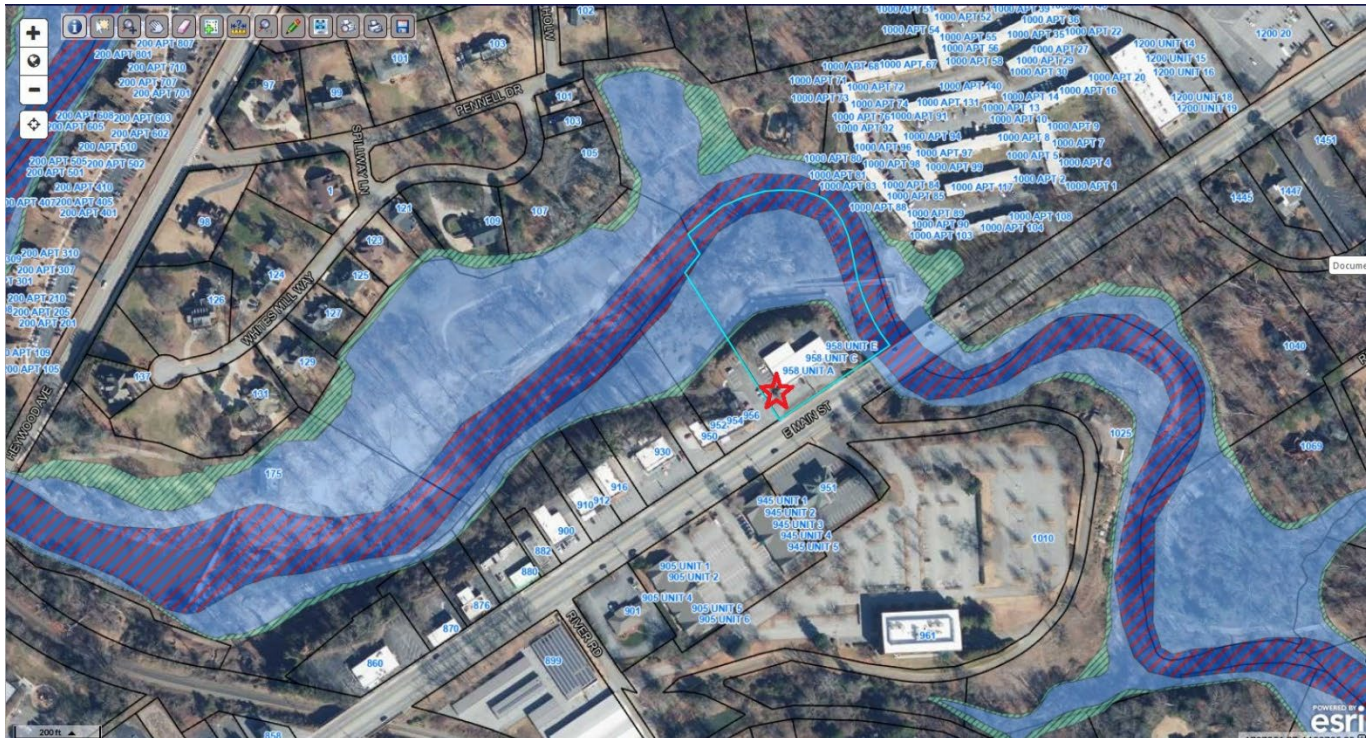
FINDINGS

1. Section 503.44 of the Zoning Ordinance is applicable to the application for a sign permit in this matter.
2. 958 E. Main St is not a location where an advertising sign on the Inventory list mandated by Section 503.44 of the Zoning Ordinance existed.
3. Applicant has presented no currently existing advertising signs to be permanently deleted from the Inventory that would allow City to engage in negotiations to permit non-conforming signs pursuant to Section 503.44.
4. A variance, pursuant to Section 6045.4, is not available to Applicant because this scenario does not fall into one of the nine specifically enumerated variance categories.

RECOMMENDATION

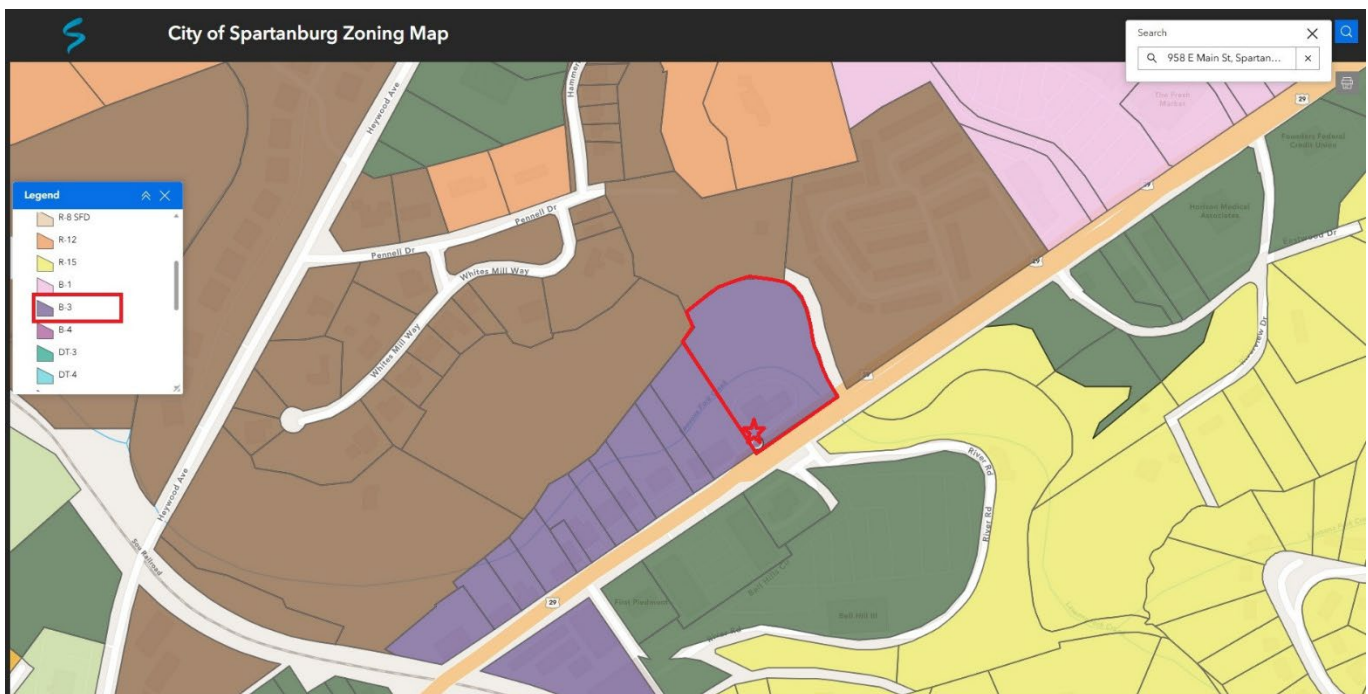
For the above stated reasons, Staff recommends the Board of Zoning Appeals uphold the determination and deny Applicant the relief they are seeking in this appeal.

Aerial Photo – 958 E. Main St.



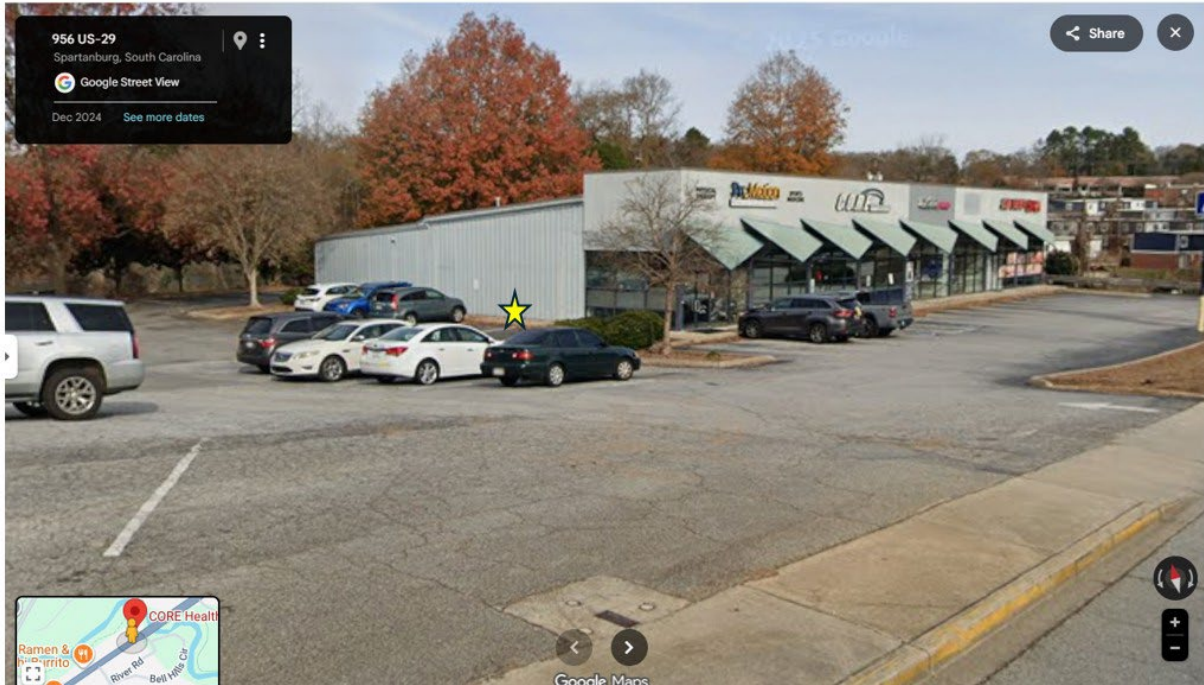
Zoning Map – 958 E. Main St.

B-3, General Business District



Proposed Sign Location

Grace Billboard Proposed Location



Site Photos – Subject Property 958 E. Main St.



Site Photos – Properties in the Vicinity





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: Grace Outdoor Advertising, LLC

Street Address: 958 E. Main Street

Zoning District: 6RGC Overlay: SFP Tax Map Number: 7-13-01-026.07

Owner: 958 East Main LLC Phone: _____

Address: PO Box 1354 Email: _____

City: Travelers Rest State: SC Zip: 29690

Applicant: Grace Outdoor Advertising, LLC Phone: 803-319-4381

Address: 1201 Lincoln Street, Suite 300 Email: diana@graceoutdoor.com

City: Columbia State: SC Zip: 29201

Agent: Craig D. Justus Phone: 828-373-0464

Address: 9 SW Pack Square, Suite 301 Email: cjustus@wilkersonjustus.com

City: Asheville State: NC Zip: 28801

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: [Signature] Date: 10/21/25

Staff Use Only / Received by: Planning/DK
Date Received: 10/24/25 Time: _____ Permit Number: 25-021040



Planning Department

PO Box 1749 • Spartanburg, SC 29304 • phone: (864) 596-2068 • email: planning@cityofspartanburg.org
website: www.cityofspartanburg.org

ZONING APPEALS SUPPLEMENTAL APPLICATION FORM

Name of Development: Grace Outdoor Advertising, LLC

Location of Development: 958 E. Main Street

City Official or Body that made the Decision: Fredalyn M. Frasier

Date of the Decision you are Appealing: September 22, 2025

Please summarize the Decision you are Appealing:

See attached letter

Please explain the Basis for your right to Appeal:

See attached letter

The Nature of the Appeal:

See attached letter

ALL OF THE FOLLOWING ITEMS MUST BE ATTACHED for this application to be complete.

- ☒ A detailed narrative outlining grounds of the Appeal and citing any Zoning Ordinance section number(s) relied upon; and a statement of the specific decision requested of the Board of Zoning Appeals.
- ☒ When an Appeal is filed by an Agent for another party, that party must submit written certification consenting to the Appeal.
- ☒ Filing Fee - \$150.00

Staff Use Only / Received by: _____

Date Received: _____

Time: _____

Permit Number: _____

WILKERSON JUSTUS PLLC

October 20, 2025

Robert P. Coler
City Attorney
City of Spartanburg
P.O. Box 1749
Spartanburg, SC 29304
bcoler@cityofspartanburg.org

**RE: Grace Outdoor Advertising, LLC, Sign Permit Application –
958 E. Main Street, Spartanburg**

Dear Mr. Coler:

I hope you are well. As you know, my firm represents Grace Outdoor. Grace is appealing the determination of Fredalyn M. Frasier (“Frasier”), Spartanburg Planning Director, dated September 22, 2025, denying its sign permit application (“Determination”). A copy of the Determination is attached hereto as Exhibit “A”. This letter sets forth reasons for this appeal.¹

In the Determination, Frasier contends that the City’s sign regulations in Section 503.44 only allow new billboards in the following scenario: an advertising sign (also known as a billboard) is “lost, removed, or destroyed” and then “reconstructed in the location where it existed prior to loss, removal, or destruction.” In your email of October 13, 2025, you clarified that the City’s position is that the sign regulations do not allow a person to “erect a new sign in a new location.” A copy of your email is attached hereto as Exhibit “B”.

The above interpretations are wrong for several reasons.

One, Frasier is adding words and superimposing limitations into Section 503.44 of the City’s zoning ordinance, which is not allowed. The City leaders could have said that a new sign must originate solely from the scenario of the same sign owner reconstructing a sign at the same location. The ordinance does not say that, and the City staff under the guise of construction cannot amend the ordinance. For instance, the ordinance does not use the terms “reconstructing” or “same lot.”

Two, Frasier’s interpretation renders several sections of the ordinance meaningless or superfluous. The first sentence of Section 503.44 reads: “Advertising

¹ Since the Determination, Grace submitted to the City a revised application to cure the complaints in the Frasier letter regarding digital and height.

signs are permitted in Zones B-3, B-4, I-1 and I-2.” This is clear language, permitting new signs to be erected in those zones. Juxtaposed to that is the language in the prohibited sign section of the Zoning Ordinance that does not identify billboards as such. Reading the two sections together, the only reasonable construction is that new billboards are allowed subject to standards like the appropriate zones set forth in the first sentence of Section 503.44 and sign spacing and dimensional standards in subsections A-I of Section 503.44. Frasier’s interpretation that Section 503.44 is limited to the same person replacing the same sign at the same location would render meaningless the need to mention the zones and other sign development standards. Frasier’s interpretation also renders meaningless the need to mention at all any cap on the number of signs. Reconstructing a sign on the same lot is always a 1 for 1 that would never trigger the cap. The cap is only meaningful if signs are removed over time throughout the City (thus reducing the number of signs) and then someone comes in to construct a new sign somewhere else (subject to the standards in Section 503.44).

Three, the second sentence which Frazier focuses on to the exclusion of the rest of Section 503.44 refers to an inventory or list of signs. The term “replace” can be easily read to mean a substitution in that sign inventory (so long as the maximum number is not exceeded). This construction obviously does not mandate the placement of a sign on the same lot or parcel and harmonizes with the remaining portions of the code.

In summary, the City’s Zoning Ordinance expressly permits billboards in three zones subject to standards, all of which my client currently satisfies. The ordinance does not limit new signs to being those reconstructed on the same lot or parcel. Frasier has superimposed limitations that do not exist. *Helicopter Solutions, Inc. v. Hinde*, 414 S.C. 1, 13 (2015) (a reviewing court or agency cannot read into an ordinance language restricting property rights to a greater degree than intended by the legislative body). Ambiguities in the ordinance are construed in Grace Outdoor’s favor. *Id.*

We look forward to resolving this case through the appeal rights granted by South Carolina law.

Sincerely,
WILKERSON JUSTUS PLLC
David M. Wilkerson
(Electronically Signed)
David M. Wilkerson

Cc : Client

September 22, 2025

Diane Stevenson
Grace Outdoor Advertising, LLC
1201 Lincoln St., Suite 300
Columbia, SC 29201
diana@graceoutdoor.com

RE: Sign Permit Application, 958 E. Main Street

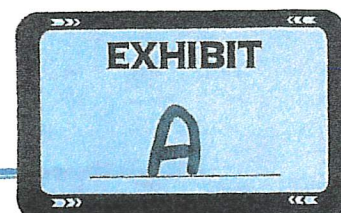
Dear Ms. Stevenson,

Thank you for your interest in doing business in Spartanburg. Unfortunately, your application to construct an advertising sign on the property located at 958 E. Main St. (hereinafter the "Proposed Sign") does not comply with the criteria set forth in the City of Spartanburg's Zoning Ordinance (hereinafter the "Zoning Ordinance") and is hereby denied. In particular, the Proposed Sign does not comply with Section 503.44 of the Zoning Ordinance (hereinafter "Section 503.44"). Our interpretation of Section 503.44 leads us to conclude that any sign that appeared on the inventory of all existing advertising signs created subsequent to passing of Section 503.44 (hereinafter the "Inventory") that is lost, removed, or destroyed may be replaced (that is to say it may be reconstructed in the location where it existed prior to loss, removal, or destruction) provided the total number of signs contained within the Inventory is not exceeded and further provided the replacement sign conforms with the remainder of the standards set forth in the Section 503.44 and Section 503.45 of the Zoning Ordinance (hereinafter "Section 503.45").

Based on our understanding of your application, the proposed sign appears to conflict with at least two—possibly more—of the standards outlined in Sections 503.44 and 503.45. Specifically, Section 503.44 generally limits sign height to 35 feet, and Section 503.45 prohibits electronic variable message signs. While there is a pathway for the City to allow electronic signs, it would require one or more existing signs to be permanently removed from the Inventory.

For your convenience I am providing a copy of Sections 503.44 and 503.45 of the City of Spartanburg's Zoning Ordinance attached hereto. Furthermore, the entire Zoning Ordinance and City Code of Ordinances may be found on our website at cityofspartanburg.org or municode.com.

If you disagree with these conclusions, you may file an appeal with the City of Spartanburg's Board of Zoning Appeals, pursuant to Section 603.3 of the City's Zoning Ordinance and Section 6-29-780 et seq. of the South Carolina Code of Laws. Should you have any questions or need assistance with the appeals process, please feel free to contact me or the City Attorney Bob Coler for guidance.



Finally, our conclusions above are our interpretation of the currently existing Zoning Ordinance. We are duty bound, by statutory construction principles, to interpret the ordinance, giving its language and phrases their plain and ordinary meaning and accurately reflects the intent of the legislation passed by City Council more than a decade ago.

We recognize that there may be alternative approaches to regulating advertising signs within the City. As part of our upcoming comprehensive review and update of the City's Zoning Ordinance, set to begin later this year, we will be thoughtfully exploring those options. We acknowledge the current gap in policy and are committed to addressing it through this process. We invite you to be part of the discussion and share your perspectives as we move forward.

Sincerely,

A handwritten signature in blue ink that reads 'Fredalyn M. Frasier'.

Fredalyn M. Frasier
Planning Director

cc: Chris Story, City Manager
Bob Coler, City Attorney
Buddy Bush, Building Official

From: Robert Coler <bcoler@cityofspartanburg.org>

Sent: Monday, October 13, 2025 2:29 PM

To: Craig Justus <cjustus@wilkersonjustus.com>

Cc: Christie Lindsey <clindsey@cityofspartanburg.org>; David Wilkerson <dwilkerson@wilkersonjustus.com>; Cynthia Arrowood <carrowood@wilkersonjustus.com>; Fredalyn Frasier <ffrasier@cityofspartanburg.org>; Martin Livingston <mlivingston@cityofspartanburg.org>

Subject: RE: Grace Outdoor Advertising, LLC, Sign Permit Application - 958 E. Main Street, Spartanburg

Craig,

Our determination is that your client's application was to erect a new sign in a new location. We do not read the Zoning Ordinance to allow that. What we read the Ordinance to allow, following statutory interpretation principles, is that they could replace a sign on the inventory that was lost, removed, or destroyed in the place it existed at the time it was inventoried. That is the plain and ordinary meaning we are giving to the word "replaced" in the Ordinance. Therefore, I suppose your former scenario better describes our position better than your latter scenario in Paragraph 2, Sentence 2 of your below email. Although, I have issues with the exact language of your former scenario, which is why I have tried to more clearly articulate our position with the first four sentences of this email.

I hope this helps.

Thanks,
Bob

Robert P. Coler
City Attorney
Spartanburg, SC
(864) 596-2722
bcoler@cityofspartanburg.org
www.cityofspartanburg.org



From: Craig Justus <cjustus@wilkersonjustus.com>

Sent: Monday, October 13, 2025 12:30 PM

To: Robert Coler <bcoler@cityofspartanburg.org>

Cc: Christie Lindsey <clindsey@cityofspartanburg.org>; David Wilkerson <dwilkerson@wilkersonjustus.com>; Cynthia Arrowood <carrowood@wilkersonjustus.com>

Subject: Re: Grace Outdoor Advertising, LLC, Sign Permit Application - 958 E. Main Street, Spartanburg



CAUTION: This message has originated from an External Source. Please use proper judgment and caution when opening attachments, clicking links or responding to this email.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Bob,

Please answer the below.

Craig
Sent from my iPhone

On Oct 6, 2025, at 3:46 PM, Craig Justus <cjustus@wilkersonjustus.com> wrote:

Bob,

Thank you. We will review.

I need you to clarify something from the recent "determination." It is not clear whether the City is contending our client's application was denied due to a contention that Grace Outdoor was not eligible at all to apply the existing capacity below the sign cap (based on the language in the parenthetical in the written determination of replacing a sign on the same parcel, which is language not found in the Ordinance), or due strictly to the determinations of height and digital. Both these latter points could have been resolved with comments from staff years ago. My client has recently filed a revised application addressing these perceived height and digital deficiencies. Which leaves the issue of whether Grace is eligible to take advantage of the room under the sign cap if Grace is not intending to take a sign down at the same time as applying for the one in question.

Please advise ASAP. An appeal to the BZA is likely if the City has determined that Grace was never eligible so that its recent revisions for the proposed sign will also be rejected.

Thank you,

Craig

PO Box 1749 • Spartanburg, SC 29304 • phone: (864) 596-2068
email: planning@cityofspartanburg.org • website: www.cityofspartanburg.org

Sign Permit Application

Prior to the installation of a Sign in the City of Spartanburg, a sign permit must be obtained. To ensure that the proposed sign size and installation comply with the City's sign regulations as outlined in the Spartanburg Zoning Ordinance Section 503, the following information must be submitted with your application:

- ☐ **Elevation drawings, pictures, and sign renderings with measurements for proposed signage(s)** showing the height, type, location of the sign with the property dimensions, material of the sign, and any utility of other easements present on the property.

Planning Permit Number: _____ Building Permit Number: _____ Permit Fee: _____

Name of Business or Establishment that sign will Identify Advertising Sign with Static Faces for various advertisers
Address of Business: Street: 958 E Main St City: Spartanburg State: SC Zip: 29302
864-238-0728 Business Owner: Jason Epps
Phone: _____ Business Owner: _____
7-13-01-026.07
Tax Map #: _____ (Need Help? Visit this [website](#) and search by name or location address.)
Zoning District: B3 (Looking for the Zoning? Visit this [website](#) for more information.)

Sign Contractor Name: Grace Outdoor Advertising Total Contract Price: \$ \$90,000.00
Address / Street: 1201 Lincoln St City: Columbia State: SC Zip: 29201
City Business License of Current Year #: will apply as needed
Phone: 803-319-4381 Fax: _____ Email: diana@graceoutdoor.com

For signs located at City zoning districts: (B-1, B-3, B-4, LOD, GID, LC, I-1, I-2)

Linear feet of street frontage where business is located (facing the road) 298.6 FT

Linear feet of the front building wall where individual business is located 134 FT

Types of the signage(s) Wall ☐ Pole ☒ Monument ☐ Directional Sign ☐ Menu Board ☐ Window/Door ☐

***Please Note:** A ground-based freestanding business sign shall be no greater than twenty (20) feet in height; &

Any freestanding signs shall be located no less than 10 feet from the street right-of-way and the front property line(s)

For signs located at Downtown Urban Districts: (DT-4, DT-5, & DT-6)

Wall dimension (Primary Frontage) – Front Facades: _____ FT (length) _____ FT (height)

Wall dimension (Secondary walls) – All other facades: _____ FT (length) _____ FT (height)

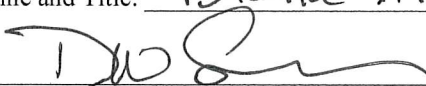
Types of signage(s): Wall ☐ Theater Marquee ☐ Window/Door ☐ Tenant Identification ☐ First Floor Projecting ☐
Awning ☐ Monument ☐ Post & Arm ☐ Sandwich Board ☐

PO Box 1749 • Spartanburg, SC 29304 • phone: (864) 596-2068
email: planning@cityofspartanburg.org • website: www.cityofspartanburg.org

Checklist Before Submission:

- ☒ Completed Sign Permit Application
- ☒ Contractor Information (including the City Business License Number and Contract Price)
- ☒ Elevation Drawing/Proposed Signage (s) Drawing with Dimensions
- ☒ *For New Freestanding Signage, 10 ft Setback Requirement is Showing on the Drawing

☒ I certify to the best of my knowledge that all information provided is true and correct and all work performed under this permit shall conform to all plans and specifications herewith submitted and shall conform to the City Zoning and Building codes and all the laws and ordinances pertaining thereto. I understand the City of Spartanburg accepts no responsibility for signs that do not conform to covenants or guidelines set by associations. I attest that there are no recorded deed restrictions or restrictive covenants that apply to this property which are contrary to, conflict with, or prohibit the permitted activity being requested. If any information is false or misleading, the permit may be considered void and revoked.

Applicant Printed Name and Title: Diana W. Stevenson, CEO
Applicant Signature:  Date: 10/2/25

For Official Use Only: Date Filed: _____ Action: [☐] Approved [☐] Denied By _____
Comments: _____

Free Standing Signs



New Sign



Existing Sign (The structure of a pole or monument sign is on the site)

Note: If the sign is existing, please provide photos of the existing signage and current location

1. Overall Dimension:

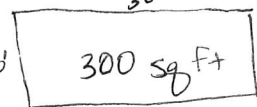
Width: 30' FT

Thickness: 8" FT

Height from the ground to the top of the sign: ☐ Less than 10' ☒ Greater than 10'

The actual height of the sign 35 FT overall height

Sign face measures
10' x 30'



****Please Note:** Signs over 10' in height require structural engineered drawings complying with Chapter 16 of the 2021 IBC. Applicant must submit **two (2) copies** of structural drawings with this form that will be forwarded to the Building Department for plan review. Submitted drawings must include stamp and signature of a licensed S.C. structural engineer.

2. Type of lighting use in/on the sign:



Fluorescent



Neon



Halogen



L.E.D



Incandescent



Other



None

Electrical Service for sign is:



Existing / Electrical Inspector will verify, in field, proper terminations and wire gauges.



New Install / Provide a detailed diagram of electrical circuit.
Electrical Inspector will verify in the field.



None Provided

Electrical Load Information:

Lamps: _____

Ballast: _____

Voltage: _____

Total Conn. Load: _____

Circuit Required: _____

This device is U. L. listed and certified: ☐ YES ☐ NO

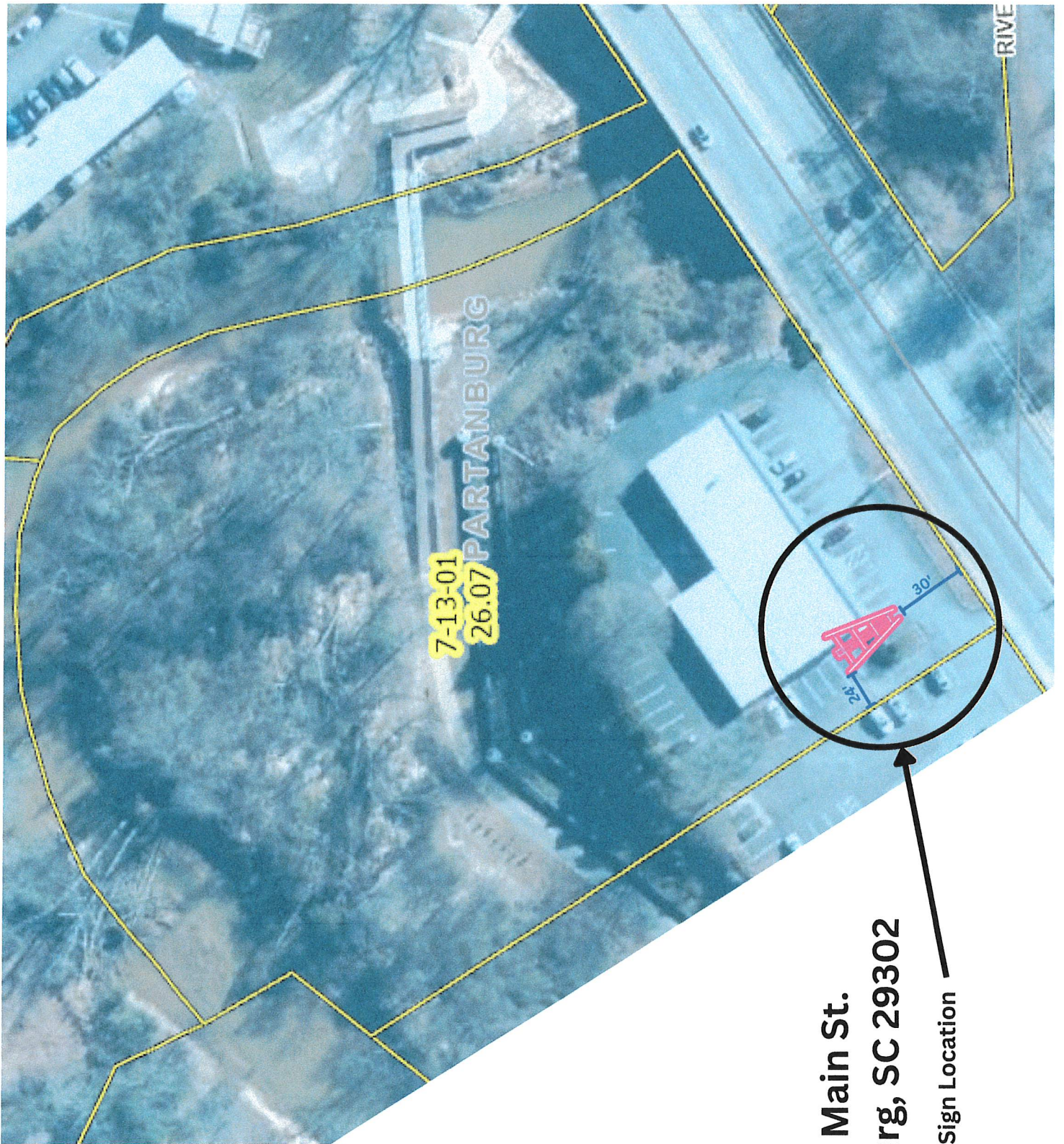


Contractor Information

Contractor Name – Grace Outdoor Advertising

Price of Project - \$90,000.00

Per Johnny Ali, the city' Business License Manager, we do not need a business license until we get approved. We currently do not do any business in the city, so we do not currently have a business license. Once the permit is issued, we will immediately apply and pay for our license.



958 E. Main St.
Spartanburg, SC 29302

Proposed Sign Location

DATE

December 9, 2025

TO

Board of Zoning Appeals Members

PROJECT/ADDRESS/ TAX ID420 & 422 Bethlehem Dr./
7-16-01-325.00 & 7-16-01-325.01**STAFF**Fredalyn M. Frasier, Planning Director
Nan Zhou, AICP, Planner II**APPEAL REQUEST NUMBER**

APP-25-00200011

COPIES TO

City Departments/Applicant

OWNER

Habitat for Humanity of Spartanburg Inc.

APPLICANT/AGENTRaymond T. Davis Sr., Executive
Director

REQUEST

The Applicant is seeking a Variance for the lot width requirements to accommodate construction of two single family houses on each lot in R-6, General Residential District.

PROJECT DESCRIPTION AND HISTORY

In 2016, when the Neighborhood Stabilization Program (NSP) funding was received as part of a broader effort to revitalize and stabilize communities, many lots in the Highland neighborhood were required to be subdivided into smaller parcels to qualify for the program.

The two properties referenced in this request were originally part of the Cammie Clagett Court apartment homes and existed as a duplex prior to being subdivided into two single-family lots. The equal subdivision created two non-conforming lots, each with a lot width of less than 50 feet and an area of approximately 6,000 square feet.

The landowner, Habitat for Humanity of Spartanburg, proposes to construct a single-family home on each lot. This approach aligns with the existing neighborhood character and is preferred over combining the two lots into a single larger lot, which would be inconsistent with surrounding development patterns.

Currently, per Section IV: District Area and Dimensional Requirements Table 401 – (A) Table of Area and Dimensional Requirements by District, for properties have a zoning classification of R-6, the Minimum lot width at lot line for lots not on the radius of a Cul-de-Sac (ft) requirement is 50 ft:

Section IV: District Area and Dimensional Requirements

§ 401 - (A) Table of Area and Dimensional Requirements By District

These Standards Apply Only to One Residential Structure on a Zoning Lot (*8)

MINIMUM YARD REQUIREMENTS											
Zoning District	Max. Bldg. Height (Feet)	Min. Lot Area (Square Ft.)	Min. Lot Per Dwelling Unit (Square Ft.)	Min. Lot Width At Lot Line For Lots Not On The Radius Of A Cul-De-Sac (Ft.) (*9)	Min. Lot Width At Front Bldg. Line On The Radius Of A Cul-De-Sac (Ft.) (*9)	Max. Bldg. Coverage (As a %)	FRONT	REAR	INTERIOR SIDE (*1)	STREET SIDE (*2)	Max. Gross Floor Area
R-6 (*14)	D	4,000	2,000/F	50	50	50	15/B	20	5	15/C	

ANALYSIS

Zoning Ordinance Consistency

The project site has a zone designation of **R-6, General Residential District**. Section 302.5 R-6 General Residential 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 (3): *To permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but in no event shall the respective area and width of the lot or lots be less than eighty percent (80%) of the required area and width;*

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:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other properties in the vicinity;
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;
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.
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.

FINDINGS

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

As a result of requirements tied to the Neighborhood Stabilization Program (NSP)—which mandated the subdivision of larger parcels in the Highland neighborhood to qualify for revitalization funding—these particular properties were subject to conditions not generally applicable to other parcels. These atypical dimensions and the regulatory circumstances that created them constitute extraordinary and exceptional conditions specific to this property.

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

Majority of the properties in the vicinity are either considered lots of record and meet the minimum lot width, 50 ft, requirement for R-6, General Residential District.

City of Spartanburg Zoning Ordinance defines **Lot of Record** as “....A lot which is part of a subdivision, a plat of which had been recorded in the Office of the RMC (Register of Mesne Conveyance) of Spartanburg County as of the 6th day of August, 1973, or a lot described by metes and bounds, the description of which had been recorded in the Office of the RMC of Spartanburg County as of the 6th Day of August, 1973. These two lots are not considered as Lot of Record, therefore, a Variance is needed in order to be built upon.

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-6, General Residential District**, which allows single family dwelling unit. The application of the City of Spartanburg Zoning Ordinance Section IV District Area and Dimensional Requirements regulations **does not prohibit or unreasonably restrict** the utilization of the property for residential purposes.

However, because of these unique conditions, including the mandatory subdivision that created two non-conforming lots under common ownership—the strict application of the Ordinance prevents the construction of two single-family homes that further the city goals for affordable housing and represent an efficient, context-appropriate use of the property consistent with the surrounding neighborhood.

Although residential development is permitted on the subject properties, these two lots are not Lots of Record and are held in common ownership by Habitat for Humanity of Spartanburg. Without a lot-width variance, the two proposed single-family homes cannot be constructed on these separate lots.

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 requested Variance will not result in any detriment to adjacent properties or to the public, nor will it alter the established residential character of the neighborhood. Staff’s review of the Variance criteria indicates that the proposed single-family homes are compatible with the surrounding development pattern and will integrate into the existing community fabric.

Although the property maintains reasonable use under their current zoning, granting the Variance would allow the lots to be utilized in a manner that better aligns with neighborhood conditions and supports the City’s partnership with Habitat for Humanity and its broader goals for quality housing and community stability. The requested relief represents practical and appropriate accommodation that poses no harm and offers clear benefits to the area.

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 **support** the Variance and any assignment of conditions that would allow the construction of two single-family homes consistent with the established neighborhood character. This approach is preferable to combining the two lots, which would create an unusually large parcel on this block of Bethlehem Drive and would be out of scale with the existing lot pattern along the street.

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. The Board of Zoning 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.

RECOMMENDATION

Staff recommends **Approval** of the Variance request regarding the lot width allowing the construction of two single family houses that will be consistent and harmonious with the neighborhood character.

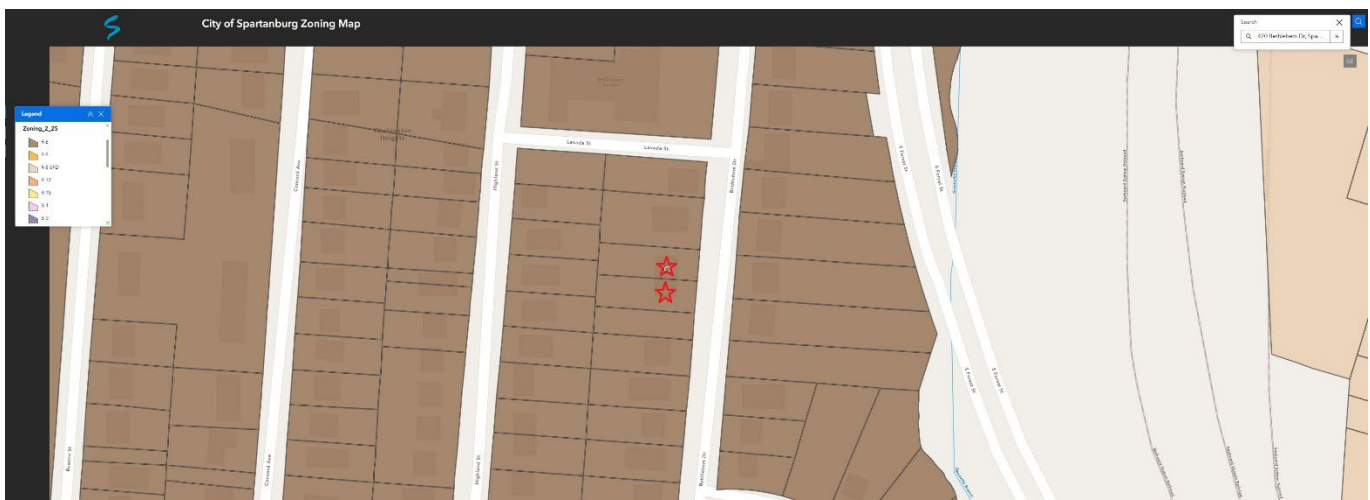
Staff Rationale:

Granting this request would **not** cause immediate harm to the public good or undermine the integrity of the Zoning Ordinance, and the nature of the immediate surroundings remain residential.

Aerial Photo – 420 & 422 Bethlehem Dr.



Zoning Map – 420 & 422 Bethlehem Dr. R-6, General Residential District



Site Photos – 420 & 422 Bethlehem Dr.



Site Photos – Adjacent Properties





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: Habitat for Humanity - Bethlehem Drive

Street Address: 420 and 422 Bethlehem Drive

Zoning District: R-8 Overlay: N/A Tax Map Number: 7-16-01-325.00 and 7-16-01-325.01

Owner: Habitat for Humanity of Spartanburg Inc Phone: (864) 591-2221

Address: 2270 S. Pine Street Email: raymond.davis@habitatspartanburg.org

City: Spartanburg State: South Carolina Zip: 29302

Applicant: Raymond T. Davis, Sr. Phone: (864) 591-2221

Address: 2270 S. Pine Street Email: raymond.davis@habitatspartanburg.org

City: Spartanburg State: South Carolina Zip: 29302

Agent: _____ Phone: _____

Address: _____ Email: _____

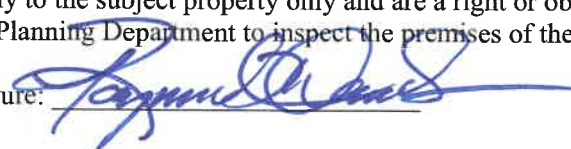
City: _____ State: _____ Zip: _____

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:  Date: 11/10/2025

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

ZONING VARIANCE SUPPLEMENTAL APPLICATION FORM

Name of Development: Habitat for Humanity - Bethlehem Drive

Location of Development: 420 and 422 Bethlehem Drive

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

Section IV District Area and Dimensional Requirements – Table 401(A) Table of Area and Dimensional Requirements By District.

Describe completely and specifically the requested Variance:

Habitat is requesting a variance from the lot-width requirements for two lots

Explain briefly why the Variance is requested:

The varinace is requested to allow two single-family homes to be built

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: _____



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

The city partnered with five (5) non-profits to purchase and demolish 110 units of the Cammie Clagett apartment homes. Many of the lots had to be subdivided into smaller single-family lots to qualify for the NSP funding. Within the last year the larger lots were combined into a single large lot. Many of the lots that were subdivided were non-conforming to the R-8 zoning designation.

The lots located at 420 and 422 Bethlehem Drive were originally a duplex prior to its subdivision into two single-family lots. The subdivision of the lots into equal parts created two non-conforming lots. The R-6 zoning designation requires a minimum 50 feet wide lots. The two lots are currently 43.75 feet wide and approximately 6,000 square feet each. In order to keep the two vacant lots and build two homes, Habitat for Humanity is requesting a variance to the lot width requirement.

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

Majority of the properties in the district are considered lots of record and meet the minimum 50 feet requirement. Based on the zoning ordinance A lot of record is a "A lot which is part of a subdivision, a plat of which had been recorded in the Office of the RMC (Register of Mesne Conveyance) of Spartanburg County as of the 6th day of August, 1973, or a lot described by metes and bounds, the description of which had been recorded in the Office of the RMC of Spartanburg County as of the 6th Day of August, 1973. These two lots are not considered lot of record and therefore a zoning variance is required to develop the two lots.



How would these conditions and the application of the Ordinance to your particular lot effectively prohibit or unreasonably restrict the utilization of your property

The lots located at 420 and 422 Bethlehem Drive were originally a duplex prior to its subdivision into two single-family lots. The subdivision of the lots into equal parts created two non-conforming lots. The R-6 zoning designation requires a minimum 50 feet wide lots. The two lots are currently 43.75 feet wide and approximately 6,000 square feet each. In order to keep the two vacant lots and build two homes, Habitat for Humanity is requesting a variance to the lot width requirement.

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?

An option considered by Habitat was to combine the two lots into one lot thereby eliminating the non-conforming conditions. Habitat for the benefit of its property owners typically builds on smaller lots consistent with neighborhood character. A larger than usual lot in this block of Bethlehem Drive would be inconsistent with the existing lot sizes on the street. Keeping the lots would maintain the existing community character of the neighborhood. The granting of the variance would not harm the neighborhood and would be in keeping with the existing neighborhood character.

The development of the single-family housing for homeownership is consistent with the Highland Transformation Plan adopted by City Council and the Planning Commission in 2021.

Short History of Highland Neighborhood Cammie Clagett Apartments

In 1967, the Spartanburg Housing Authority (SHA) now known as Spartanburg Housing, initiated a significant effort to address deteriorating housing conditions in the Highland neighborhood, a historically African-American community in Spartanburg, South Carolina. This initiative was part of a broader wave of urban renewal programs sweeping across the United States during the 1960s and 1970s, aimed at revitalizing neighborhoods suffering from poverty and substandard housing.

Highland, once a vibrant area with thriving Black-owned businesses and community institutions, began to experience decline due to systemic neglect, white flight, and the economic impact of desegregation. Recognizing the urgent need for intervention, SHA began acquiring properties in Highland to facilitate the development of affordable housing and improve living conditions for low-income residents.

The Housing Authority's approach included purchasing parcels of land and existing structures, many of which lacked basic amenities like indoor plumbing and electricity. These acquisitions laid the groundwork for the construction of public housing complexes such as Prince Hall Apartments (built in 1980) and the now-demolished Cammie Clagett Courts (built in 1971). These developments were intended to replace unsafe dwellings and provide stable housing options, although they also contributed to a shift from homeownership to rental occupancy in the neighborhood.

By the 1990s, Highland had become one of Spartanburg's most concentrated areas of poverty, with a high density of public housing and limited economic opportunities. The SHA's property purchases were part of a larger strategy to combat these challenges, though the long-term effects included reduced community ownership and increased reliance on federal housing assistance.

Today, the legacy of these acquisitions is mixed. While they provided much-needed housing, they also contributed to the erosion of Highland's once-strong sense of community ownership. Efforts continue to revitalize the neighborhood through strategic planning, community engagement, and redevelopment initiatives.

These two properties in the variance request were part of the Cammie Clagett Court apartment homes as duplex. In 2016, the city of Spartanburg received Neighborhood Stabilization Program (NSP) funds to assist with the purchase and demolition of substandard housing in the city. The City received \$4.2 million for acquisition and demolition and was required to partner with non-profits who would own the properties during the three-year hold period. The Neighborhood Stabilization Program (NSP) in Spartanburg's Highland neighborhood was part of a broader effort to revitalize and stabilize communities impacted by foreclosures and economic decline. Through strategic property acquisition, rehabilitation, and redevelopment, the program aimed to improve housing conditions, reduce blight, and promote homeownership.

The city partnered with five (5) non-profits to purchase and demolish 110 units of the Cammie Clagett apartment homes. Habitat for Humanity of Spartanburg was one of the

partners. Many of the lots had to be subdivided into smaller single-family lots to qualify for the NSP funding. Within the last year the larger lots were combined into a single larger lot to meet the zoning requirements. Many of the lots that were subdivided for the NSP funding were non-conforming to the R-6 zoning designation and had to be recombined.

The lots located at 420 and 422 Bethlehem Drive were originally a duplex prior to its subdivision into two single-family lots. The subdivision of the lots into equal parts created two non-conforming lots. The R-6 zoning designation requires a minimum 50 feet wide lots. The two lots are currently 43.75 feet wide and approximately 6,000 square feet each. In order to keep the two vacant lots and build two homes, Habitat for Humanity is requesting a variance to the lot width requirement.

Habitat for Humanity is requesting a variance to Section IV District Area and Dimensional Requirements – Table 401(A) Table of Area and Dimensional Requirements By District. The table requires that properties in the R-6 zoning district have a minimum lot width of 50 feet.

Majority of the properties in the district are considered lots of record and meet the minimum 50 feet requirement. Based on the zoning ordinance A lot of record is a “A lot which is part of a subdivision, a plat of which had been recorded in the Office of the RMC (Register of Mesne Conveyance) of Spartanburg County as of the 6th day of August, 1973, or a lot described by metes and bounds, the description of which had been recorded in the Office of the RMC of Spartanburg County as of the 6th Day of August, 1973. These two lots are not considered lot of record and therefore a zoning variance is required to develop the two lots.

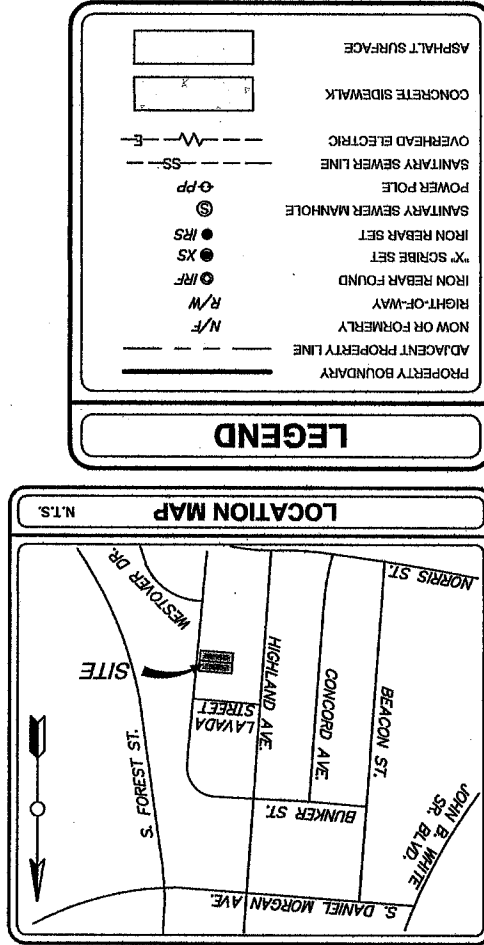
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The development of single-family housing for homeownership by Habitat for Humanity is consistent with the Highland Neighborhood Transformation Plan adopted by City Council and the Planning Commission in 2021.

- NOTES:
1. THIS PLAT WAS PREPARED AS A PROFESSIONAL SERVICE FOR THE EXCLUSIVE USE OF THE PERSON, OR ENTITY NAMED WITHIN THE HEREON STATEMENT AND/OR TITLE. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT THE EXPRESSED PERMISSION OF EMC ENGINEERING SERVICES, INC., NAMING SAID PERSON, PERSONS OR ENTITY.
 2. ACREAGE COMPUTED BY DMD METHOD
 3. THIS PROPERTY IS SUBJECT TO ANY AND ALL COVENANTS RECORDED OR UNRECORDED.
 4. THIS SURVEY IS A LEGAL DOCUMENT FOR THE PARTY (PARTIES) LISTED BELOW ONLY.
 5. SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION 'X' BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 45083C0254E WITH A DATE OF 254 OF 555, IN SPARTANBURG COUNTY, STATE OF SOUTH CAROLINA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED.
 6. THIS IS AN EXISTING PARCEL OF LAND.
 7. PROPERTY INFORMATION AND REFERENCES:

TAX ID: 7-16-01-325.01
PLAT BOOK 172 PAGE 764
DEED BOOK 116-H PAGE 950

TAX ID: 7-16-01-325.00
PLAT BOOK 172 PAGE 764
DEED BOOK 116-H PAGE 950



City of
SPARTANBURG
south carolina

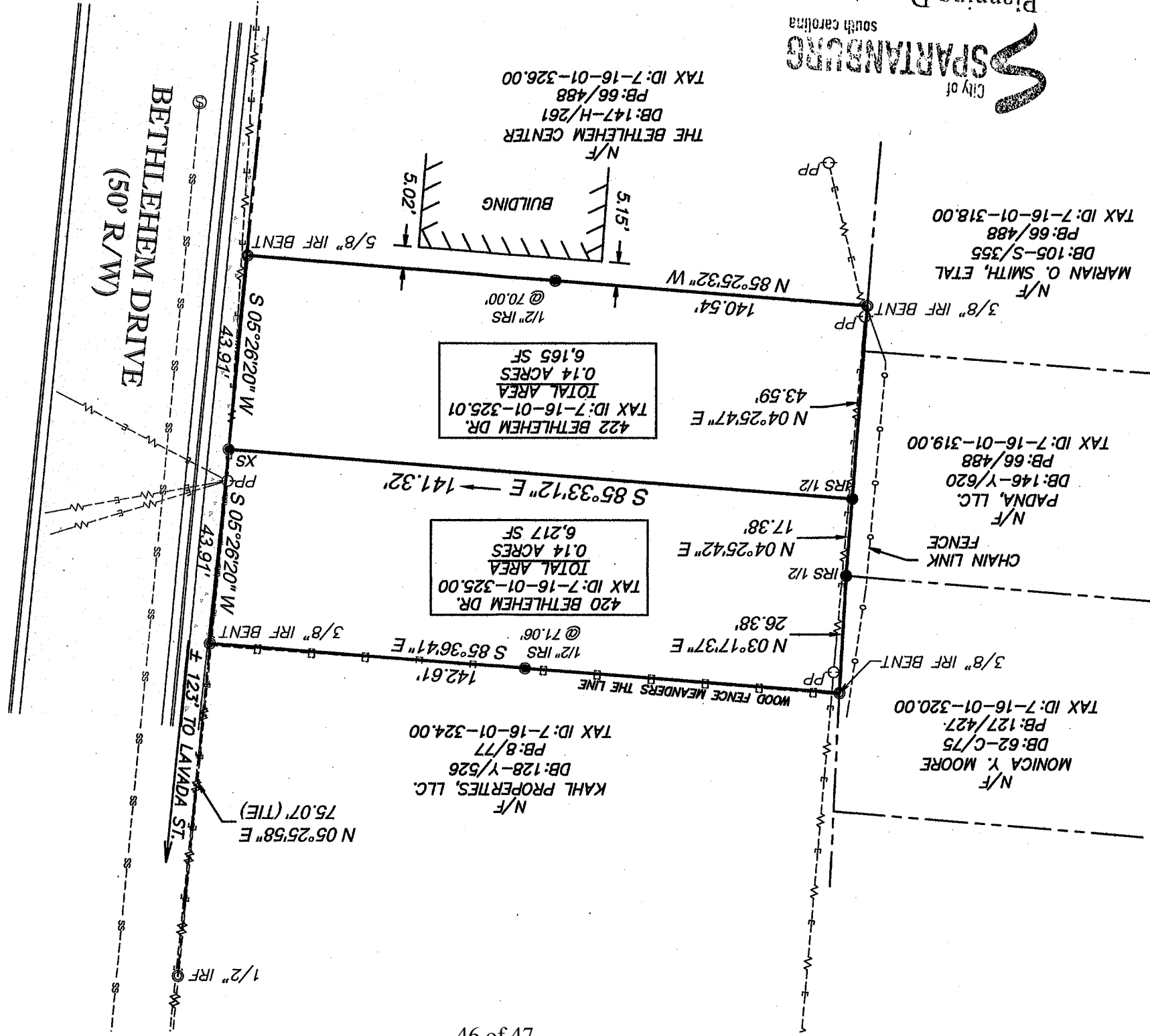
Planning Department

Plat / Survey

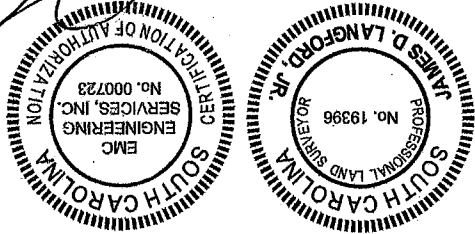
APPROVED

Signature _____

Date 11/24/25



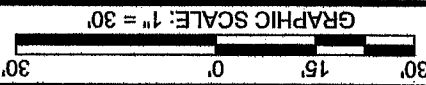
"I hereby state that to the best of my knowledge, information and belief, the survey shown hereon was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements for a Class B survey as specified therein; also there are no visible encroachments or projections other than shown."



S.C. REG No. 19396 J.D. Langford PLS

GRID NORTH
SC SPC NAD 83

PROJECT NO.: 25-3068
DRAWN BY: JBT
DESIGNED BY: N/A
SURVEYED BY: BE
SURVEY DATE: 11-17-25
CHECKED BY: JDL
SCALE: 1" = 30'
DATE: 11-18-25



SURVEY FOR
420 & 422 BETHLEHEM DR.
SPARTANBURG CITY,
SPARTANBURG COUNTY, S.C.
Prepared for:
THE CITY OF SPARTANBURG

LANGFORD
LANGFORD LAND SURVEYING
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City of Spartanburg Zoning Map

