

**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