



**AGENDA**  
**BOARD OF ZONING APPEALS**  
Greer City Hall, 301 E. Poinsett Street, Greer, SC 29651  
February 5, 2018 @ 5:30 PM  
**Public Hearing and Business Meeting**

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service or activity of the City of Greer Planning Division, should contact Ruthie Helms, ADA Coordinator at (864) 848-5397 or City Administrator (864) 848-5387 as soon as possible, but no later than 48 hours before the scheduled event.

---

**I. ADVISORY MEETING**

- A. November 2017 BZA Minutes

**II. PUBLIC HEARING**

- A. Public Hearing Presentation

**III. ELECTION OF OFFICER**

- A. Election of Chairman and Vice-Chairman

Section 10:3.1 Officials At the first meeting after its establishment, the Board shall elect a chairman, a vice-chairman, and such other officers as necessary from among the members. Such officers shall serve one-year terms and may succeed themselves. The chairman, or in his absence, the vice-chairman, shall preside at all meetings, may administer oaths, and compel the attendance or witnesses.

**IV. OLD BUSINESS**

**V. NEW BUSINESS**

- A. BZA 2018-01 Presentation

10:5.3 Uses Permitted By Special Exception The Board of Zoning Appeals may hear and decide upon Uses Permitted on Review specifically authorized by the terms of this ordinance. A use permitted on review shall not be authorized by the Board of Zoning Appeals unless and until:

- A. A written application is submitted.
- B. Notice shall be appearing at least 15 days in advance of a public hearing.
- C. A public hearing shall be held.
- D. The Board shall make findings.
- E. The Board shall make written findings certifying compliance with the regulations governing the special use.

**VI. EXECUTIVE SESSION**

**VII. ADJOURN**

**Category Number: I.**  
**Item Number: A.**



**AGENDA**  
**BOARD OF ZONING APPEALS**  
**2/5/2018**

---

**November 2017 BZA Minutes**

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
☐ November 2017 Minutes	1/17/2018	Cover Memo



# City of Greer Board of Zoning Appeals Minutes November 6, 2017

**Members Present:** Allison Ringer, Chairman  
William Henry  
Lisa H. Lynn  
Glendora Massey  
Thomas McAbee

**Member(s) Absent:** Kevin Duncan, Vice Chairman  
Monica Ragin Hughey

**Staff Present:** Kelli McCormick, AICP, Planner  
Brandon McMahan, Zoning Coordinator  
Brandy Blake, Development Coordinator

---

## **I. Advisory Meeting**

### **a. Call to Order**

Allison Ringer, Chairman, called the meeting to order.

Ms. Ringer recognized Kelli McCormick to speak.

Ms. McCormick advised the Board that William Henry was resigning from the Board and presented him with a gift of service. Mr. Henry stated that he was moving out of the city and enjoyed serving on the Board.

### **b. Opening Remarks**

Ms. Ringer read the Opening Remarks

### **c. Approval of Minutes from August 7, 2017**

Dr. McAbee made a motion to approve the minutes as submitted. Ms. Lynn seconded the motion. The motion carried with a vote of 4 to 0. Ms. Massey abstained from the vote. Dr. Hughey and Mr. Duncan were absent from the vote.

## **II. Public Hearing**

### **November BZA Cases**

Brandon McMahan presented the Staff Reports and PowerPoint presentations for the following cases to the Board:

Lester Barrouk, applicant, spoke in favor of BZ V 2017-29. She stated that his family is growing and they would like to add a garage with a bonus room to the home to accommodate them.

Mr. Henry asked Mr. Barrouk to clarify the distance between the home to the right of Mr. Barrouk's house and the new addition he wanted to construct. Mr. McMahan advised that it is roughly 100 to 125 feet.

Dr. McAbee made a motion to approve BZ V 2017-29. Ms. Massey seconded the motion. The motion carried with a vote of 5 to 0.

CJ Patel, applicant, spoke in favor of BZ U 2017-30. He stated that the portion of the existing store he would like to make a liquor store used to be a restaurant, and he would like to have the liquor store for additional income.

Mr. Henry asked if there were any liquor stores close to this location. Staff advised Mr. Henry that the closest one is located in the Lowe's food shopping center over a mile away that just opened.

Dr. McAbee asked staff to clarify the Ordinance number that refers to this special exception. Mr. McMahan advised Ordinance number 31-2016 was adopted in late 2016 and it allows liquor stores by use of special exception in C-2.

Ms. McCormick added, that liquor stores used to only be allowed in C-3 until this Ordinance was adopted.

Dr. McAbee asked if this was a City Ordinance then why was it being heard before the Board. Ms. McCormick advised that the ordinance change is for use by special exception for C-2 only. The use is not permitted by right in C-2, only by special exception granted by the Board.

Ms. Ringer stated that there are other businesses that are similar and are only granted by special exception. Ms. McCormick advised that there are about 20 businesses in the Zoning Ordinance that require approval by this Board.

Dr. McAbee asked Ms. McCormick what legal precedence would be set for future cases if the Board were to approve this request. Ms. McCormick stated it would not set a legal precedence to grant this special exception. She stated that this special exception would be for this use at this location only. She also stated that any other liquor store that wanted to operate in C-2, that came before the Board for approval, would have to stand alone on its own merit. She stated that each case would be evaluated on its location, proximity to schools, other liquor stores, and anything else that a liquor store could be detrimental to. She advised that state law would cover most of that as it states that a liquor store must be at least 500ft in the county and 300ft in the city away from certain types of uses.

Dr. McAbee stated that he has some concerns with this issue. Ms. McCormick advised that she could have the City Attorney, Mr. Hughes, come speak to the Board on this subject if they would like.

Dr. McAbee stated that in September 2015 the Board had some training with the City Attorney where he asked the question about the process of setting a legal precedence, and his understanding is that every time the Board grants approval on a case, if in the future, the Board denies a similar case,

and the applicant files an appeal with the circuit court, then the applicant's attorney can show that the Board's denial is capricious and arbitrary, giving grounds for a judge to overrule a denial by the Board. So by his understanding, every time the Board approves something, it is in fact, a legal precedence, if the applicants should appeal it at a circuit court, the burden would be upon the Board to show why that denial is not arbitrary and capricious. Therefore, every case the Board approves is a legal basis for future challenge if someone should seek it.

Ms. McCormick stated that everything Dr. McAbee stated is true, however, staff's analysis of this case is that it does meet the requirements of a special exception in C-2 at this location. She stated that there are other properties zoned C-2 within the city that staff would not recommend approval of this kind of request because it doesn't meet the scrutiny test of whether or not that was an appropriate location for that specific business. She stated that if the Board does choose to approve this request, they may want to add the specifics of the case, because of the location, because it's at an intersection, to the motion for clarity.

There being no further discussion. Mr. Henry made a motion to approve BZ U 2017-30. Ms. Lynn seconded the motion. The motion carried with a vote of 4 to 1. Dr. McAbee voted in opposition.

### **III. Old Business -None**

### **IV. New Business-**

#### **2018 Calendar Dates Approval**

Staff presented the Board with the proposed calendar dates for 2018.

Dr. McAbee made a motion to approve the 2018 Calendar dates. Ms. Lynn seconded the motion. The motion carried with a vote of 4 to 0. Mr. Henry abstained from the vote.

Ms. McCormick advised the Board that the City will offer one training session for required credit hours for the Board before the end of the year.

### **V. Executive Session – None**

### **VI. Adjourn**

Meeting adjourned at 5:52 p.m.

**Category Number: II.**  
**Item Number: A.**



**AGENDA**  
**BOARD OF ZONING APPEALS**  
**2/5/2018**

---

**Public Hearing Presentation**

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
❑ BZA 2018-01 Application	1/24/2018	Cover Memo
❑ BZA 2018-01 Public Hearing Presentation	1/25/2018	Cover Memo



**Board of Zoning Appeals Application**  
**(Variance, Special Exception, Action of Zoning Official)**

(All Fees are due at time of submittal. Fees are: \$100 for each Residential Request and \$300 for each Commercial Request)

The applicant hereby appeals: (Check one)

- Variance – Form 1
- ☒ Special Exception – Form 2
- ☐ Action of Zoning Official – Form 3

\*\*If not the property owner, an Acting Agent Authorization from will be required at the time of submittal. \*\*

Applicant Information		Property Owner Information	
Name	Chip Lawrence & Charles Reid	Name	Suival Inc
Address	552 OTIS Blvd Spartanburg SC 29302	Address	Po Box 5817 Greenville SC 29606
Contact Number	540-355-0151	Contact Number	864-616-6476
Email	Lawrence.Chip@gmail.com	Email	tkbbr16@charter.net

Tax Map Number(s) 6002000302002

Property Address(es) Intersection Hwy 14 and Johnson Ave Greer, SC

Business Name TRD

\*Complete one of the following attached forms that corresponds with the variance request. \*

OFFICE USE ONLY	
Received By BBallo	Date 12-29-17
Staff Recommendation	Meeting Date 2-5-18

Special Exception

1. Applicant hereby appeals to the Board of Zoning Appeals for a special exception for use of the property described in the Notice of Appeals as: Min Warehouses in C2.

which is a permitted special exception under the district regulation in Section(s) 5.8 of the Zoning Ordinance.

2. Applicant will meet the standards in Section(s) 5.8 of the Zoning Ordinance which are applicable to the proposed special exception in the following manner:

Min Warehouses by special exception

3. Applicant suggests that the following conditions be imposed to meet the standards in the Zoning Ordinance:

Chip Conner Date 12-29-17

Applicant Signature



DUPPLICATE

City of Greer

# CASH RECEIPT

RECEIPT NO: 134946

DATE: 12/29/2017

RECEIVED FROM: SPARTANBURG SELF STORAGE INC	AMOUNT: \$	300.00
---	------------	--------

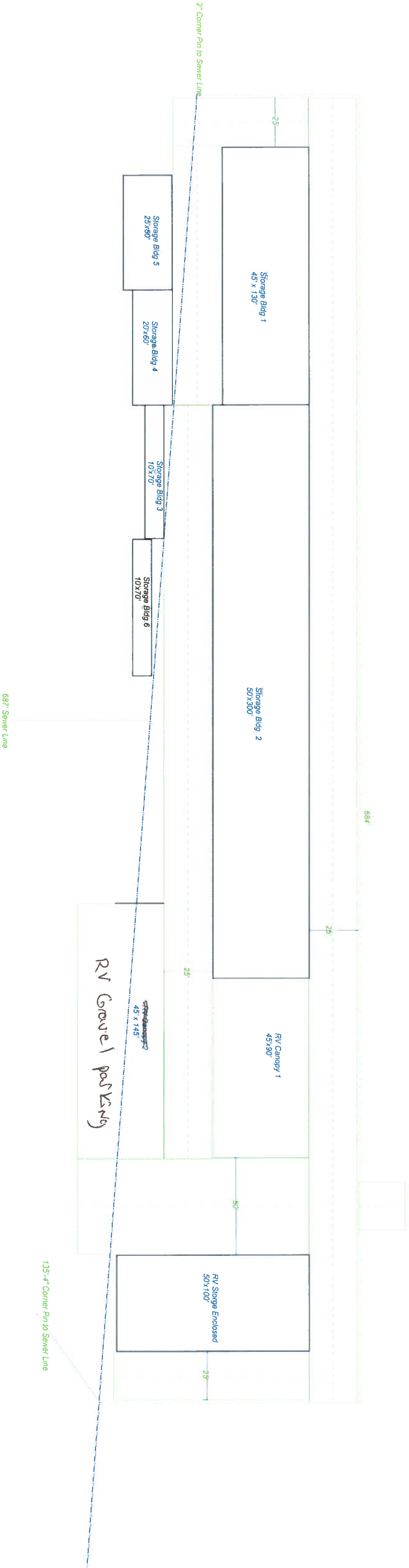
ZONING ZONING AND SIGN PERMITS 300.00  
BOARD OF ZONING APPEALS APPLICATION / G002000302002 / INTERSECTION HWY 14 &  
JOHNSON AVE

RECEIVED BY: MACOSTA	CHK 1885: 300.00
----------------------	------------------

DEBIT: 11-1-0101-0-01000-000	GREER STATE BANK OPERATING ACCT
CREDIT: 11-4-0322-0-04056-000	ZONING FEES

Chip Lawrence  
S40-355-0151

Greer Mini Storage Project  
G0020000302002





---

*City of Greer, SC*

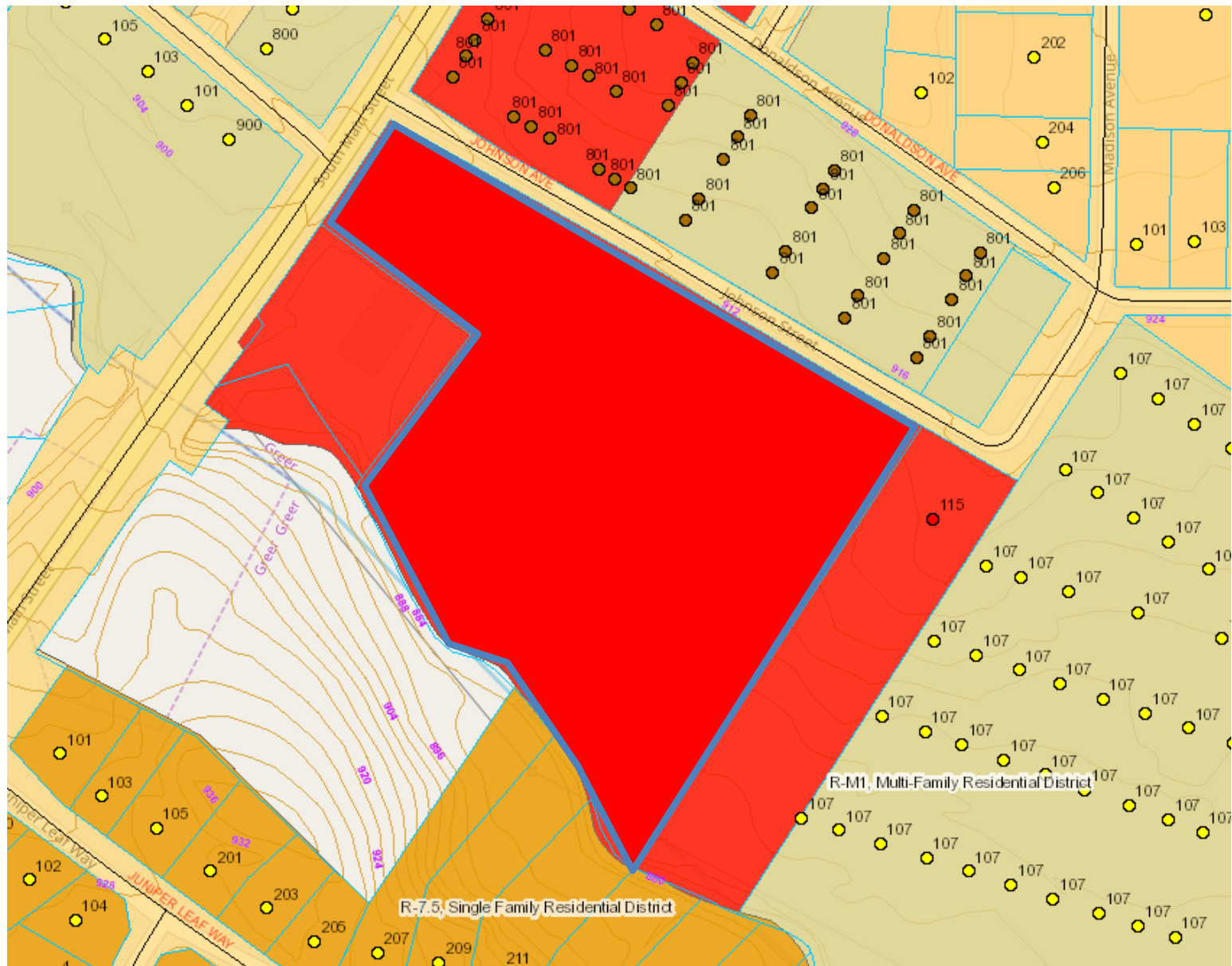
---

*Board of Zoning Appeals*

# BZA 2018-01

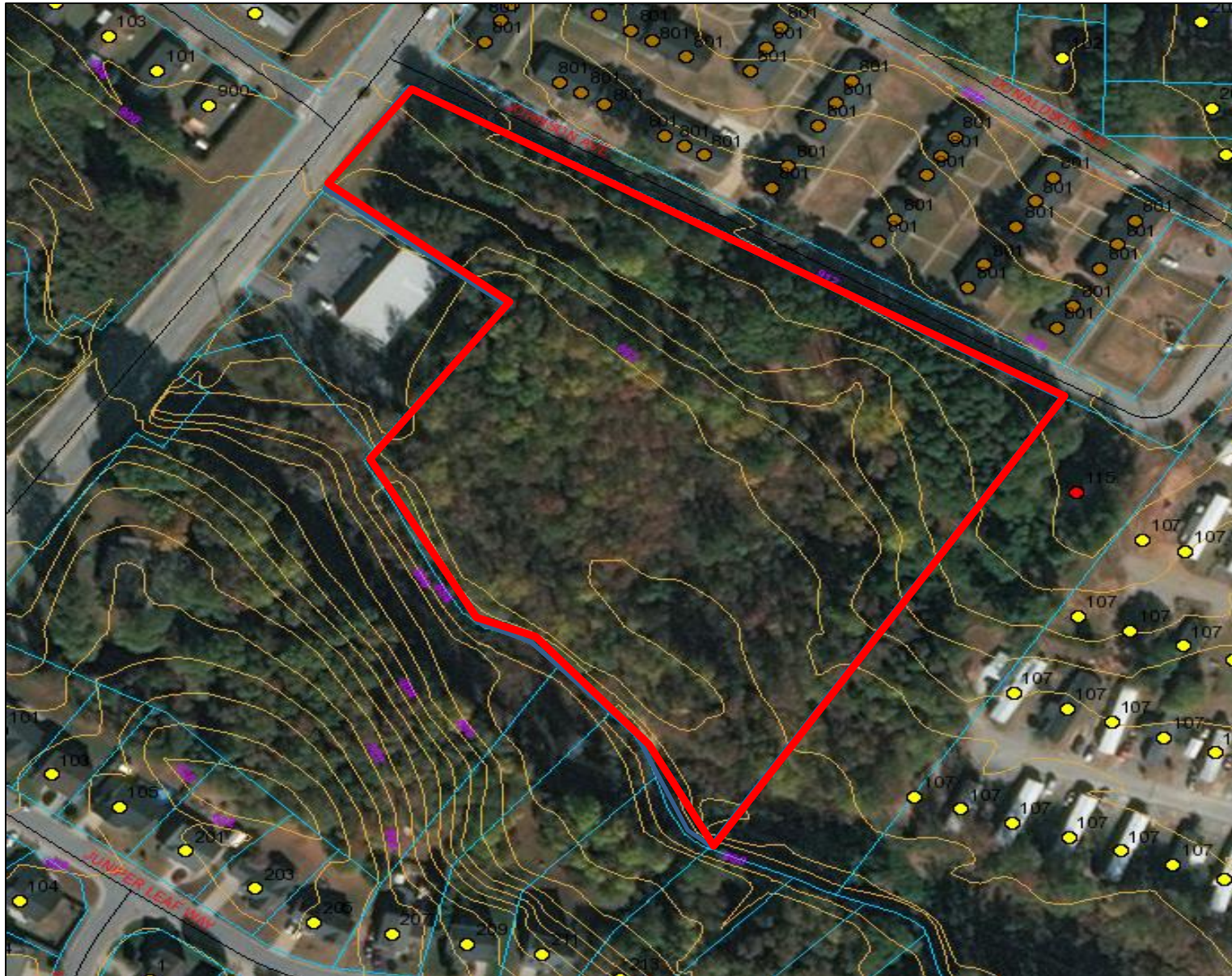
APPLICANT:	Chip Lawrence & Charles Reid
ADDRESS:	Hwy 14 and Johnson Ave
PARCEL ID NUMBER:	G002000302002
USE SOUGHT:	Mini-Warehouses
REQUEST:	Special Exception

# BZA 2018-01





# BZA 2018-01





# BZA 2018-01





---

*City of Greer, SC*

---

*Board of Zoning Appeals*





**AGENDA**  
**BOARD OF ZONING APPEALS**  
2/5/2018

---

**Election of Chairman and Vice-Chairman**

**Memo:**

Section 10:3.1 Officials At the first meeting after its establishment, the Board shall elect a chairman, a vice-chairman, and such other officers as necessary from among the members. Such officers shall serve one-year terms and may succeed themselves. The chairman, or in his absence, the vice-chairman, shall preside at all meetings, may administer oaths, and compel the attendance or witnesses.



**AGENDA**  
**BOARD OF ZONING APPEALS**  
2/5/2018

---

**BZA 2018-01 Presentation**

**Memo:**

10:5.3 Uses Permitted By Special Exception The Board of Zoning Appeals may hear and decide upon Uses Permitted on Review specifically authorized by the terms of this ordinance. A use permitted on review shall not be authorized by the Board of Zoning Appeals unless and until:

- A. A written application is submitted.
- B. Notice shall be appearing at least 15 days in advance of a public hearing.
- C. A public hearing shall be held.
- D. The Board shall make findings.
- E. The Board shall make written findings certifying compliance with the regulations governing the special use.

**ATTACHMENTS:**

Description	Upload Date	Type
□ BZA 2018-01 New Business Presentation	1/25/2018	Cover Memo



---

*City of Greer, SC*

---

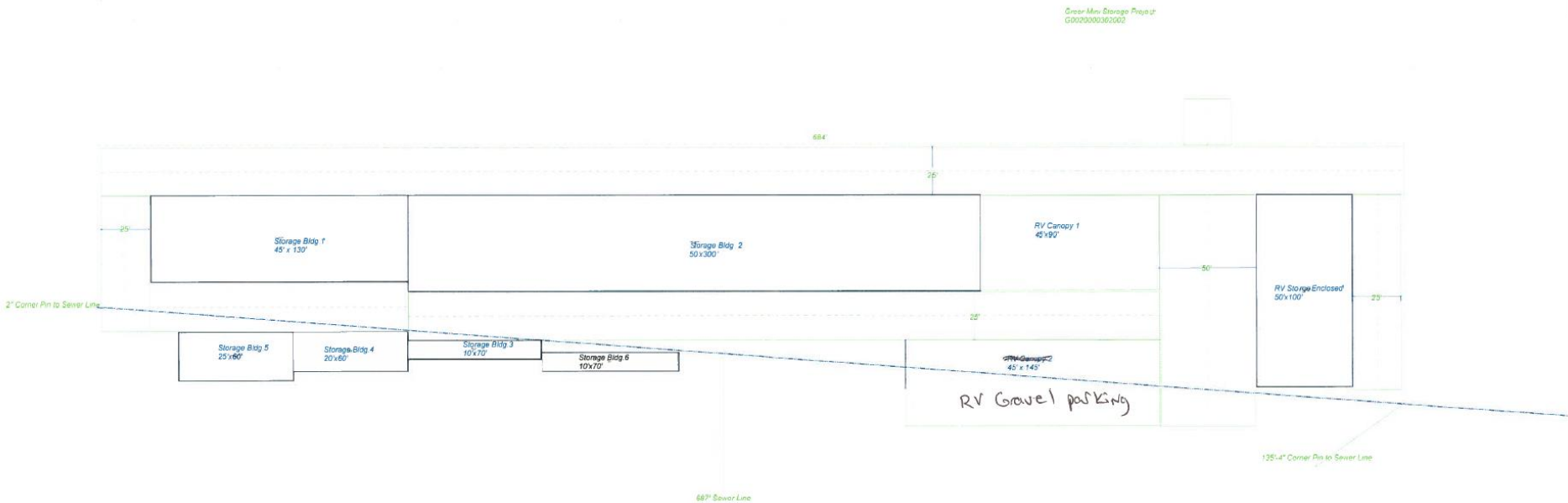
*Board of Zoning Appeals*

# BZA 2018-01

APPLICANT:	Chip Lawrence & Charles Reid
ADDRESS:	Hwy 14 and Johnson Ave
PARCEL ID NUMBER:	G002000302002
USE SOUGHT:	Mini-Warehouses
REQUEST:	Special Exception



# BZA 2018-01





# BZA 2018-01

## **Section 5:8 C-2, Commercial District**

This district is established to provide commercial establishments for the convenience of local residents.

### **5:8.2 Uses Permitted by Special Exception**

Mini-Warehouses subject to the following:

- A. Where sites abut residentially zoned properties, buildings adjacent to perimeter must face inward with their doors oriented to the interior of the site.
- B. The facility shall not be utilized for the manufacture or sale of any commercial commodity or the provision of any service, such as the commercial repair of automobiles, boats, motors, or other items.
- C. The facility shall not be utilized for the storage of flammable chemical substances.

### **5:8.5 Screening**

A wall, compact evergreen hedge or other type of evergreen foliage, or a combination of fence and shrubbery at least 6 feet in height when planted or erected shall be provided along the side and rear lot lines where any commercial use is adjacent to a residential district.

### **5:8.6 Off- Street Parking**

Off-street parking shall be provided in accordance with the provisions set forth in Article 6, Section 6:9.

Staff Recommendation: Approval



---

*City of Greer, SC*

---

*Board of Zoning Appeals*