



**City of Greer**  
**Board of Zoning Appeals Minutes**  
**March 5, 2018**

**Members Present:** Allison Ringer, Chairman  
Thomas McAbee, Vice Chairman  
Steve Griffin  
Monica Ragin Hughey  
Glendora Massey  
Robbie Septon

**Member(s) Absent:** Lisa H. Lynn

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

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**I. Advisory Meeting**

a. Call to Order

Allison Ringer, Chairman, called the meeting to order and read the opening remarks.

b. Approval of Minutes from February 5, 2018.

**VOTE** - Dr. McAbee made a motion to approve the minutes as submitted. Mr. Septon seconded the motion. The motion carried with a vote of 5 to 0. Dr. Hughey was absent from the vote.

**II. Public Hearing**

**A. BZA 2018-02**

Ms. Ringer opened the public hearing for BZA 2018-02.

Brandon McMahan read the docket information for BZA 2018-02 and presented several slides with supporting information.

There was no one to speak for or against this case. Ms. Ringer closed the public hearing.

**B. BZA 2018-03**

Ms. Ringer opened the public hearing for BZA 2018-03.

Brandon McMahan read the docket information for BZA 2018-03 and presented several slides with supporting information.

There was no one to speak for or against this case. Ms. Ringer closed the public hearing.

**C. BZA 2018-04**

Ms. Ringer opened the public hearing for BZA 2018-04.

Brandon McMahan read the docket information for BZA 2018-04 and presented several slides with supporting information.

There was no one to speak for or against this case. Ms. Ringer closed the public hearing.

#### **D. BZA 2018-05**

Ms. Ringer opened the public hearing for BZA 2018-05.

Brandon McMahan read the docket information for BZA 2018-05 and presented several slides with supporting information.

There was no one to speak for or against this case. Ms. Ringer closed the public hearing.

Dr. Hughey enters the meeting.

#### **E. BZA 2018-06**

Ms. Ringer opened the public hearing for BZA 2018-06.

Brandon McMahan read the docket information for BZA 2018-06 and presented several slides with supporting information.

There was no one to speak for or against this case. Ms. Ringer closed the public hearing.

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

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

#### **A. BZA 2018-02**

Ms. Ringer read a brief statement about conducting the business meeting and opened a business meeting for BZA 2018-02.

Rex Rice, applicant from Realtylink Development, gave a brief overview of the request for a setback variance.

Mr. McMahan read the staff analysis and recommendation for BZA 2018-02 as follows:

When considering a variance, the Board should review the following information and then may consider a variance:

(a) there are extraordinary and exceptional conditions pertaining to the particular piece of property; The request meets this requirement. The property has three road frontages, and Ryans Corporate Way\* is an L shape road along the eastern side of the property.

(b) these conditions do not generally apply to other property in the vicinity; The request

meets this requirement. Other properties in the vicinity are more of a standard square shaped lot and only have road frontage on one side.

(c) because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; This request meets this requirement. Requiring a 45ft setback along Ryans Corporate Way\* is unreasonably restrictive.

(d) the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance; The request meets this requirement. This is a fully commercial/nonresidential intersection.

**Request is for a 25ft setback along Ryan’s Corporate Way\***

STAFF RECOMMENDATION: Approval

\*Ryans Corporate Way is in process of being renamed Walter Brashier Drive.

**VOTE** - Dr. McAbee made a motion to approve BZA 2018-02. Ms. Massey seconded the motion. The motion carried with a vote of 6 to 0.

**B. BZA 2018-03**

Ms. Ringer opened a business meeting for BZA 2018-03.

Butch Sims, applicant, stated that he would like to open a car lot on the property.

Dr. McAbee asked what plans Mr. Sims had for the property. Mrs. Sims stated that there was a fence on the property and he was not sure if he needed to put anything else on the property.

Mr. Septon asked if there were plans to put a permanent structure on the property. Mr. Sims stated that he was going to put a permanent structure on the property later but to use a mobile office trailer until that time. Mr. Septon asked what type of surfacing was going to be used on the property. Mr. Sims advised he was going to use gravel.

Mr. McMahan stated the facts of the case and gave staff’s recommendation. He showed the Board the screening that is currently on the property using aerial views and google maps. He stated that if Mr. Sims uses a mobile office trailer he would be required to meet all building code and ADA requirements.

Mr. McAbee asked staff if the facts of the case meet the requirements of the ordinance. Mr. McMahan stated yes.

STAFF RECOMMENDATION: Approval

**VOTE** - Dr. McAbee made a motion to approve BZA 2018-03. Ms. Massey seconded the motion. The motion carried with a vote of 6 to 0.

### **C. BZA 2018-04**

Ms. Ringer opened a business meeting for BZA 2018-04.

Jeff Randolph, applicant and member of Grace Church staff, gave a brief overview of the request and gave some general information about Grace Church and their other locations. He stated that they hoped to occupy the buildings by the first quarter of 2019. He stated that the goal of the church is to create street level activity, ensure design quality and compatibility, and enhance the tax base. He stated that they were intending to purchase the building in a for-profit entity and to capture the tax credits of the historic building.

Mr. McAbee asked Mr. Randolph to state for the record, if the church is classified as a profit or non-profit organization under the federal tax laws. Mr. Randolph said the church is non-profit but the church would be forming another entity to purchase the building for profit.

Mr. Griffin asked if there are any questions about parking on Sunday's for the church in downtown. Mr. Randolph stated that they have done an analysis and that they are in downtown now and have had no issues. He stated that they have not seen that problem at Grace Hall.

Mr. McMahan stated the facts of the case and gave staff's recommendation. He stated that C-1 does not have zoning requirements for commercial uses.

**STAFF RECOMMENDATION:** Approval

Mr. McAbee asked for the record, if the applicant is a non-profit religious organization that can be classified as a church. Mr. McMahan referred to the application and advised yes.

Mr. Septon asked about the open space around the property and the use of the entire building. Staff advised that the building currently has property lines going through it. Mr. Randolph stated that they have been in discussions with city staff and they understand that behind the building will be the new parking garage. He stated that the city would like to have access to Poinsett from the new parking garage, and they are currently discussing those options with the city.

**VOTE** – Dr. McAbee made a motion to approve BZA 2018-04. Mr. Septon seconded the motion. The motion carried with a vote of 6 to 0.

### **D. BZA 2018-05**

Ms. Ringer opened a business meeting for BZA 2018-05.

Chris Lemack, applicant with EA Riverside LLC, gave a brief history and overview of the variance request.

Mr. McMahan read the staff analysis and recommendation for BZA 2018-05 as follows:

When considering a variance, the Board should review the following information and then may consider a variance:

(a) there are extraordinary and exceptional conditions pertaining to the particular piece of property; The request meets this requirement. This property is developed with a mix

of uses. At the time of site plan approval, this parking schematic was approved. It is currently developed and is not utilizing all of the parking with all tenant spaces filled.

(b) these conditions do not generally apply to other property in the vicinity; The request meets this requirement.

(c) because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; The requirement meets this requirement. Requiring additional parking for this parcel would be unreasonable because the property is already developed and the oversight does not violate any life safety codes.

(d) the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. The request meets this requirement. This is a fully commercial/non residential intersection.

### **Requested is to allow for 264 Parking Spaces instead of 320**

STAFF RECOMMENDATION: Approval

**VOTE** – Dr. McAbee made a motion to approve BZA 2018-05. Dr. Hughey seconded the motion. The motion carried with a vote of 6 to 0.

### **E. BZA 2018-06**

Ms. Ringer opened a business meeting for BZA 2018-06.

Nepthali Saldana, applicant and resident of home, stated that he build a porch for the safety of his children. He asked that he be granted the request.

Mr. McMahan read the staff analysis and recommendation for BZA 2018-06 as follows:

When considering a variance, the Board should review the following information and then may consider a variance:

(a) there are extraordinary and exceptional conditions pertaining to the particular piece of property; The request does not meet this criteria. This property is shaped and is similar in size to other properties in the area.

(b) these conditions do not generally apply to other property in the vicinity; This property has no conditions to apply.

(c) because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; This property has no conditions to apply.

(d) the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. The request meets this requirement. Most of the homes on this street do not meet the setbacks. As such, developing the property with a reduced

setback would be similar to those in the area and would not harm the character of the area.

**Request is for a 12ft front setback.**

STAFF RECOMMENDATION: Approval

Mr. Septon asked Mr. McMahan to show and describe the lots in the area that do not meet the setbacks. Mr. McMahan showed an aerial of the area and pointed out several lots that do not meet current setbacks. He stated that when the ordinance was created most of the homes in this area were already built.

**VOTE** – Dr. McAbee made a motion to approve BZA 2018-06. Dr. Hughey seconded the motion. The motion carried with a vote of 6 to 0.

**V. Executive Session** – None

**VI. Adjourn**

There being no other business, Dr. McAbee made a motion to adjourn. Ms. Massey seconded the motion. The meeting adjourned at 6:10pm.