

MINUTES
Unified Land Management
Board of Appeals
September 23, 2008
4:30 p.m.

Members Present: Gerald Lawson
Marion Gramling
Kyle Atkins
Michael Henthorn
Jackie Moss
Ronald Stokes

Members Absent: David Long
Craig Sims
Gerald Noe

Staff Present: Joan Holliday
Laurie Horton
Savannah Sabo
Billy Smith
Freelance Reporting Services, Transcriptions

1. Call to Order

Gerald Lawson called the meeting to order.

2. Approval of Minutes of August 26, 2008

Kyle Atkins made a motion to approve the August 26, 2008 minutes as submitted. Jackie Moss seconded the motion. The vote carried unanimously.

3. Old Business

None

4. New Business

SC Telco Credit Union – Laurie Horton, Land Use Inspector, was sworn in and presented the background information to the Board:

On November 4, 1997 an application was submitted from Blackwood Associates for SC Telco Credit Union to place a temporary office building, with a future building shown, at 175 North Town Drive.

An application for a variance was received at that same time. The temporary office building was proposed in the setbacks. The reason for the variance at the time was “the temporary building is being placed at the location to determine whether the location will be suitable for a permanent structure to be built on the property at a future date. Should the bank decide to construct a permanent office all requirements of the Ordinance will be met and the temporary structure removed.”

The request read as follows “a variance of 27’ is required at the rear of the property off of Mobile Drive and a variance of 7’ is required to the right side off of Mobile Drive and along North Town Road a variance of 6’ is required.” The variance was granted as requested.

In 2005 SC Telco purchased property across the street at 130 North Town Drive and built a new facility.

SC Telco is asking for a continuation of the variance approved in 1997.

The building will have to be reviewed by the Spartanburg County Building Codes Office prior to a new building permit being issued. The building will have to meet all applicable codes/requirements.

Gerald Lawson opened the public hearing.

Laurie Horton presented a slide show presentation of the property.

Steve Harkins, representing the variance, was sworn in. He stated that this was a good location and they would like to lease the building since it was visible from I-85. Mr. Harkins was not sure what type of business would go into the building.

Gerald Lawson closed the public hearing.

Marion Gramling asked the County Attorney if the Board had the authority to grant a variance on another variance. The County Attorney stated that this was outside of the original scope of the variance and that the request was not consistent with the original

variance. He stated that the first variance was granted to allow the first applicant to purchase the original lot and build a permanent structure.

The Board agreed that by granting the variance would not create any harm to the adjoining properties. In addition, this would fit under the extraordinary conditions since the use of the property would be restricted if the variance was not granted.

Ronald Stokes made a motion to grant the variance as requested. Marion Gramling seconded the motion. The vote carried unanimously.

Laurie Horton informed the Board that Mr. Harkins would have to meet the Building Codes requirements before any permits could be issued.

Los Compadres – Laurie Horton, Land Use Inspector, already sworn in, presented the background information to the Board:

Mr. Artemio Leyra, tenant, is requesting a variance from the Unified Land Management Ordinance, Section 2.02-2 Dimensional Standards, Table 3 Setbacks.

The applicant is proposing to add a walk in cooler and a walk in freezer to an existing building:

Section 2.02-2 Dimensional Standards, Table 3 Setbacks – Requires all other uses to have a setback of 30 feet off of a minor street.

Mr. Leyra is requesting a reduction in the required front yard setbacks from 30 feet to 14 feet along William Jolly Drive, a 16 foot variance.

Gerald Lawson opened the public hearing.

Laurie Horton presented a slide show presentation of the property.

Mr. Artemio Leyra, tenant, was sworn in. He stated that he wanted to add on a walk in cooler and freezer to the existing building. The addition would be too close to William Jolly Drive and he was asking for a 16 foot variance.

Gerald Lawson closed the public hearing.

The Board agreed that the building was surrounded by commercial properties.

Kyle Atkins made a motion to approve the variance as requested. Marion Gramling seconded the motion. The vote carried unanimously.

5. Other Business

None

6. Adjourn

Marion Gramling made a motion to adjourn. Ronald Stokes seconded the motion. The meeting adjourned at 4:48 p.m.

