

**Unified Land Management
Board of Appeals**

March 24, 2009

4:30 p.m.

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

Members Absent: Kyle Atkins
David Long
Craig Sims

Staff Present: Joan Holliday
Laurie Horton
Chris Story
Edwin Haskell
Savannah Sabo

1. Call to Order

Gerald Lawson called the meeting to order.

2. Approval of Minutes of February 24, 2009

Ronald Stokes made a motion to approve the February 24, 2009 minutes as amended. Marion Gramling seconded the motion. The vote carried unanimously.

3. Old Business

None

4. New Business

Express'd Hair – 206 S Blackstock Road, Spartanburg (6-20-12-048.00). Laurie Horton, Land Use Inspector, was sworn in and presented the background information to the Board:

Mr. Steven Hill, applicant, is proposing to convert a house into a hair salon and is requesting a variance from ULMO Section 4.04 Conversion of Residential Property. The property is located at 206 S. Blackstock Road, Spartanburg.

The Unified Land Management Ordinance Section 4.04 Conversion of Residential Property states, “When the conversion of a house to a commercial use is proposed, the house shall be made to meet all applicable codes for commercial buildings. . . . All parking, landscaping, buffering, and other requirements of this Ordinance for the commercial use of the property shall be met.”

The applicant is proposing to change the use of the property from residential to a commercial use. There are several issues that are preventing the applicant from meeting the requirements of ULMO Section 4.04:

1. The property to the rear and left of the applicant’s lot are residential use lots in a subdivision. ULMO Section 2.02-2 Table 4 requires a Class 4 buffer between the proposed Hair Salon/Office use and the existing single-family residential lot in a subdivision.
2. The property to the right is an all other residential lot. ULMO Section 2.02-2 Table 4 requires a Class 3 buffer between the proposed Hair Salon/Office.
3. There is an accessory building on the lot with a setback of 7.3 feet from the right side property line. ULMO Section 2.02-1 Table 3 requires a side setback of 15 feet from the property line.
 - a. The variance request is for relief from Section 4.04 Conversion of Residential Property. The ULMO does not allow the conversion of a residential unit to commercial that can not meet the standards for commercial uses set forth in the ordinance.

The variance request includes the following:

1. A reduction of the Class 4 buffer along the left and rear property lines to a Class 2d. (ULMO Section 2.02-2 Buffer yards Table 4)

2. A reduction of the Class 4 buffer along the left and rear property lines to a Class 1d.
3. A reduction of the required side yard setback from 15 feet to 7.3 feet from the right side property line. (ULMO Section 2.02-1 Dimensional Standards Table 3)

Gerald Lawson opened the public hearing.

Mr. Steven Hill, applicant, was sworn in. He stated that Laurie Horton covered the variance request in her staff report. He stated that he planned to have approximately 36 to 40 parking spaces, about 3 parking spaces per hair stylist. In addition, he stated that he planned to have 10 to 12 chairs in the beauty salon.

James Scarbro, at 323 Cole Street, was sworn in and was against the variance request. He stated that this was already a growing community and a new hair salon in the community would cause more traffic on an already busy road. He stated that the proposed hair salon should be required to comply with the Spartanburg County Land Use Regulations.

Jewell Fowler, at 113 Benjamin Avenue, was sworn in. He stated that he was against the variance request. He stated that there would be residents on both sides of the proposed hair salon. The area is a peaceful community and the hair salon would decrease the property value in the area. There is already increased traffic on S Blackstock Road.

Gerald Lawson closed the public hearing.

Marion Gramling asked about the other existing structures on the property. Mr. Hill explained that the existing building would be used for storage and for the salon.

Edwin Haskell stated that the applicant did not show any extraordinary conditions or basis for the board to grant the variance.

Jerry Noe made a motion to deny the variance request. Marion Gramling seconded the motion. The vote carried unanimously.

Wofford College Shoals Environmental Studies Center- 351 Broadway Street, Glendale (3-23-00-040.00). Laurie Horton, Land Use Inspector, was sworn in and presented the background information to the Board:

Wofford College is currently renovating a building at 351 Broadway Street in Glendale. The building will be used for an Environmental Studies classroom. This project will be LEED Certified. A LEED Certified project has a minimum amount of impervious surface and land disturbance, among many other “green” design elements.

In the preliminary stages of this project, Wofford College began the road closing process. The College has not been able to successfully complete the road closing because a neighboring property did not agree.

Wofford College, the applicant, is represented by Tom Rocks. They are requesting a variance from the Unified Land Management Ordinance Section 2.02-5 Off Street Parking and Loading, items 3 and 4.

1. Item 3 states “All uses shall provide off-street loading space sufficient for their requirements. Such space shall be arranged so that no vehicle being loaded or unloaded in connection with normal operations shall stand in or project into a public street, walk or alley.”
2. Item 4 states “Required off-street parking shall be designed so that all movement onto a public street shall be in a forward motion, and meet the parking dimensions.....”

The variance requests are as follows:

1. To allow cars parked in bay parking on a minor street (14 spaces off the road right of way) to back into the street.

Gerald Lawson opened the public hearing.

William Blackwood with Blackwood Associates was sworn in. He stated that Wofford College was taking the old office of Glendale Mill and renovating it which will be used as Wofford's first off campus teaching facility opened to an environmental study center. In addition, the property slopes down to Lawson Fork Creek and the existing topography falls quickly from the road to the flood plain. The requested on-street parking will provide the general public additional areas to park when visiting the post office, closed bridge and future walking trails; in addition they plan to have a shuttle bus for the students. It is the college's intent for the 14 parking spaces to be used by the community. Mr. Blackwood presented a slide show to the Board with photos of the bridge, sewer pump station, post office and proposed 14 parking spaces. In addition, he showed photos of the old mill at different angles. He stated that the variance request for parking matched the current use of the other businesses in the area.

Jerry Noe asked about paved parking. Mr. Blackwood stated no, the spaces would be gravel to give the area a more natural look.

Laurie Horton stated that less than 20 parking spaces did not require a paved parking area.

Mr. Blackwood stated that the handicap space would be a hard surface and not gravel.

Gerald Lawson closed public hearing.

Marion Gramling made a motion to grant the variance as requested for parking due to a low traffic road. Ronald Stokes seconded the motion. The vote was unanimous to approve the variance as requested.

5. Other Business

None

6. Adjourn

Jerry Noe made a motion to adjourn. Ronald Stokes seconded the motion. The meeting adjourned at 5:07 p.m.

