



Spartanburg County

Planning and Development Department

MINUTES

Unified Land Management

Board of Appeals

January 23, 2018

Members Present:

Michael Padgett, Chairman
Jack Gowan, Jr., Vice Chairman
Thomas Davies
Kae Fleming
Jason Patrick
Louise Rakes
Jonathan Adams

Members Absent:

Marion Gramling

Staff Present:

John Harris, County Attorney
Bob Harkrader, Planning Director
Joshua Henderson, Senior Planner
Leigh Davis, Senior Planner
Laurie Horton, Senior Development Coordinator

NOTICE: Pursuant to Section 30-4-80 of the S.C. Code of Laws, the annual notice of meetings for this Board was provided on or before January 1, 2015 via the County website. In addition, the Agenda for this Meeting was posted on the bulletin board at the entrance to the Administration Building as well as on the County's website and was emailed to all persons, organizations, and news media requesting notice.

1. Call to Order

Chairman Michael Padgett called the meeting to order.

2. Approval of Minutes of December 19, 2017

Kae Fleming made a motion to approve the minutes as submitted. Jack Gowan seconded the motion, which carried with a vote of 7 to 0.

3. Unfinished Business – None

4. New Business

Chairman Padgett recused himself from hearing this case, due to previously serving as the Building Codes Director when the department was responsible for enforcing the junkyard ordinance.

A. Appeal Request:

Curtis J. Carson –
4012 Tacco Ct./8029 Taylor-Piedmont Rd., Spartanburg, SC 29303
Tax Map Number: 2-55-06-057.01 & 2-55-10-009.00

Josh Henderson was sworn in and presented the following Staff Report:

Factual Dates

Application for Appeal Received	12/05/2017
Board of Appeals Hearing	01/23/2018

Background Information

Mr. Carson owns a junkyard business at 8029 Taylor-Piedmont Rd. (Parcel 2-55-10-009.00). On October 11, 1999, the Junkyard Board allowed Mr. Carson to expand his junkyard onto the adjacent property that he had purchased, behind his home, 8025 Taylor-Piedmont Rd. (2-55-10-008.01). On November 17, 2017, a Notice of Violation was issued to Mr. Carson citing Sections 108: Required Permits/Certificates and 109: Types of Required Permits/Certificates, for operating without a permit at 4012 Taco Ct. (Parcel 2-55-06-057.01).

Appeal Request

Mr. Carson filed an appeal of said Notice of Violation on December 05, 2017. The applicant believes he was granted permission by the Junkyard Board to extend his business onto the 4012 Taco Ct. location. According to the County records and minutes kept by the Building Codes and Planning Departments, Mr. Carson does not have permission to operate his junkyard on 4012 Taco Ct.

Mr. Henderson presented the Board with an aerial image and street view of the property.

Vice Chairman Jack Gowan inquired as to how many vehicles constitute a junkyard.

Laurie Horton was sworn in and advised the Board that there is no set number in the ordinance.

Vice Chairman Gowan asked if a permit had been issued in 2017 for the original junkyard. Ms. Horton advised that the junkyard had passed inspection in 2016; however, the operating permit did not reference the tax map number for the property on Tacco Ct.

Officer Mark Gwinn from Environmental Enforcement was sworn in. Vice Chairman Gowan questioned whether any violations had been issued on Tacco Ct. prior to 2017. Mr. Gwinn did not see any violations for the Tacco Ct. property in his records.

Jason Patrick asked when each of the properties had been purchased. John Harris, County Attorney, advised the Board that based on the County Assessor records, the 8029 Taylor-Piedmont property was purchased approximately October 01, 1980, the adjacent property was purchased approximately September 01, 1998, and the Tacco Ct. property was purchased approximately December 01, 1998 before Mr. Carson appeared before the Junkyard Board in October 1999.

Curtis J. Carson was sworn in. He advised the Board that his property on Tacco Ct. has been inspected every year and has never been issued any violations, other than minor warnings to put up trees and repair the gate.

Jason Patrick made a motion to grant Mr. Carson's appeal. Based on the dates Mr. Carson purchased the properties involved, the Board found that the original intent of the Junkyard Board in 1999 was to approve the variance to allow Mr. Carson to expand his existing junkyard on 8029 Taylor-Piedmont Rd. (Parcel 2-55-10-009.00) onto the property located at 4012 Tacco Ct. (Parcel 2-55-06-057.01). Thomas Davies seconded the motion. The motion carried with a vote of 6 to 0.

B. Establishment of Nominating Committee

Kae Fleming volunteered for the nominating committee. Chairman Padgett appointed Thomas Davies and Jason Patrick to complete the nominating committee.

5. Other Business - None

6. Adjournment

There being no other business, Jack Gowan made a motion to adjourn the meeting. Thomas Davies seconded the motion, which carried with a vote of 7 to 0.

The meeting adjourned at 5:14 p.m.