

## Meeting Minutes of the Board of Zoning Appeals Tuesday, August 11, 2015

The Board of Zoning Appeals met in City Hall Council Chambers on Tuesday, August 11, 2015 at 5:15 P.M. with the following members in attendance: Joshua Lonon, Don Bramblett, Marshall Irby, David Lewis, Reed Teague, and Anne Poliakoff. Jim Davis was absent. Representing the Planning Department were Assistant City Manager Chris Story, Julie Roland and Natalia Rosaria from the Planning Department, and City Building Official, Buddy Bush.

### ***Roll Call***

Mr. Lonon, Chair, stated that public notice of this meeting was given twenty-four (24) hours in advance, limited to a request for pre-litigation/mediation or an appeal to the Circuit Court, to be filed within thirty (30) days after the decision of this Board in accordance with Section 603.6 of the City of Spartanburg Zoning Ordinance.

Roll call was taken – Five members were currently present, constituting a quorum.

### ***Approval of Agenda for the August 11, 2015 Meeting***

Mr. Bramblett moved approval of the Agenda for the August 11, 2015 meeting, and he was seconded by Mr. Irby. The motion was approved by a vote of 5 to 0.

### ***Disposition of the minutes from the May 12, 2015 meeting of the Spartanburg Board of Zoning Appeals***

Mr. Bramblett moved approval of the May 12, 2015 Meeting minutes, with second by Mr. Irby. The motion was approved by a vote of 5 to 0.

### ***Old Business*** – None.

[Editor's Note: Board Member David Lewis arrived to the meeting at approximately 5:19 P.M.]

### ***New Business:***

**SE 15 2-05 - Request for Special Exception from Gabriel Stoeppler, Session Member, on behalf of Second Presbyterian Church, Property Owner.** The request is to allow Second Presbyterian Church to lease the structure to Jumpstart Ministries to utilize the property as a group home, rooming house, or boarding house for up to eight (8) men. Under the Urban Code, the use of properties as a group home, rooming, or boarding house is permitted by Special Exception the DT-5 District. The property is located at 121 College Street, and is further identified as Parcel 352.00 on Spartanburg County Tax Map Sheet 7-12-05.

Assistant City Manager Chris Story came forward and was sworn; and he submitted the meeting packets the Board Members had previously received including the report and slides into Evidence, as Exhibit A. He said the proposed property was an approximately 3,400 square foot structure owned by Second Presbyterian Church, which was located across College Street from the Church Sanctuary and had been home to a variety of Church related activities for many years. The Assistant City Manager said the Church also owns 458 N. Church Street, which was a group home formerly known as The Haven which was located on the other side of the Sanctuary. He informed the Board Members several years ago, the Church formed a relationship with Jumpstart Ministries, a faith-based program that helped previously incarcerated men transition into productive, self-sufficient lives. For three years, an average of sixteen Jumpstart clients and 24-hour on-site staff have resided in 458 N. Church Street as part of that program, and their use of that facility had been successful. He said there had been no reported incidents or complaints. The Assistant City Manager said in order to accommodate an additional eight Jumpstart clients and an additional on-site supervisor; the Church was seeking to utilize 121 College Street as residential space for the program. They would renovate the facility to include a sprinkler system and other life safety upgrades as necessary for a group residential structure. The site is zoned DT-5, Urban Center Zone which allowed such uses only by Special Exception. Assistant City Manager Story said the criteria for the Board Members to consider regarding a Special Exception Request had been listed in the meeting packets the Board Members had previously received. Slides were shown in order to better

illustrate the request. The Assistant City Manager concluded his presentation by saying the conversion of this property for this use was consistent with the mission of the Church, and it would provide a useful and necessary service to the community as evidenced by the success of the use of the other Church owned structure (458 N. Church Street). Staff is of the opinion that the special exception will not cause any adverse consequences for the surrounding area.

[Editor's Note: the report the Board Members previously received included the Mandatory Written Findings for the Board to consider when reviewing a Special Exception Request and Staff's Analysis of Required Findings as follows:

1. *Traffic impact* – Clients of the program are not permitted to have vehicles. Program staff and volunteers provide transportation as necessary. Therefore traffic impact will be minimal, if any.
2. *Vehicle and pedestrian safety* – The structure has been used for various Church activities for many years without vehicle or pedestrian safety issues. This change in the nature of these uses should not alter vehicle or pedestrian safety.
3. *Potential impact of noise, lights, fumes, or obstruction of air flow on adjoining property* – We see no basis for anticipating any such impacts.
4. *Adverse impact of proposed use on the surrounding area including the aesthetic character of the area* - The proposed use would have no impact on the surrounding aesthetic character.
5. *Orientation and spacing of improvements or structures* – The proposed use results in no changes to the orientation and spacing of improvements or structures.
6. *Compliance with the Comprehensive Plan* – The 2004 Comprehensive Plan envisions this area as a core activity center, which includes facilities of this nature.

#### **STAFF'S RECOMMENDATION**

The conversion of this property for this use is consistent with the mission of the Church and it will provide a useful and necessary service to the community as evidenced by the success of the use of the other Church owned structure (458 N. Church Street). Staff is of the opinion that the special exception will not cause any adverse consequences for the surrounding area.

Mr. Gabriel Stoeppler, Elder of Second Presbyterian Church on behalf of the Church, owner of the property, as well as Board Director of Jumpstart Ministries came forward and was sworn; and he introduced the following people to the Board Members: Bob Pitts, Architect; Reverend Steve Rhodes; Sterling Anderson, Elder from the Church; and William Harrison, Program Director with Jumpstart Ministries. Mr. Stoeppler said the Assistant City Manager had pretty well summed up their request; and he added it was their intent the proposed site would operate the same as the one on North Church Street.

#### **Board Questions:**

- Mrs. Poliakoff asked about how the people were chosen that would participate in the program. Mr. Stoeppler explained to the Board Members prior to entering the Jumpstart Ministries program, the inmates had to choose to go through and successfully complete a 40 week program inside the prison that dealt with different issues regarding how to handle authority and responsibility, etc., and they also had to be approved by a Chaplain.
- Mr. Lonon asked how many other Jumpstart locations there were in the City. Mr. Stoeppler said this would be the first one located within the City Limits, but there were about twelve locations in the County.
- Mr. Lonon asked whether or not there had been any problems. Mr. Stoeppler said there had not.
- Mr. Lonon asked whether he had received any objections from the public regarding the request. Mr. Stoeppler said he had not.

- Mr. Bramblett asked had letters been sent out. Mrs. Roland said certified mail letters were sent to adjoining property owners, and regular mail letters were sent out to all property owners within a 400' radius of the subject property.
- Mr. Bramblett asked Staff had they had any feedback from anyone. Mrs. Roland said they had not.

Mr. Lonon opened the public hearing and asked anyone who wished to speak in favor or in opposition of the request to come forward. No one came forward to speak in favor of the request or to speak against the request. Mr. Lonon closed the public hearing.

Board Discussion:

- Mr. Bramblett said years ago he had some friends that were associated with the Flynn Home, which he believed was now the Haven; and he said it was a very successful program. He said back then it was not for inmates, but for people with similar problems. He said they seemed to have a very good history with the program, and felt that it would be a good fit for the neighborhood.

Mr. Lonon made a motion to approve the request based on the written findings that were included in the Staff Report the Board Members had previously received in their meeting packets; and he was seconded by Mr. Irby. The motion was unanimously approved by a vote of 6 to 0.

Mr. Lonon informed the applicant that City Staff would send him a letter regarding tonight's meeting.

***New Election for Chair and Vice-Chair for period 6-30-15 through 6-30-16.***

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Mr. Bramblett nominated Mr. Lonon to continue to serve as Chair of the Board; and he was seconded by Mr. Irby. There were no other nominations. The motion was approved by a vote of 6 to 0.

Mr. Lonon nominated Mr. Bramblett to continue to serve as Vice-Chair; and he was seconded by Mr. Irby. There were no other nominations. The motion was approved by a vote of 6 to 0.

***Staff Announcements***

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Mrs. Roland congratulated Board Members Lonon and Bramblett on being reappointed as Chair and Vice-Chair.

Mrs. Roland welcomed the two new Board Members, Anne Poliakoff and Reed Teague to the Board; and thanked them for their willingness to serve on the Board. She said they would have one year to take the required New Board Member Orientation Training that was a requirement by the MASC for new Board Members.

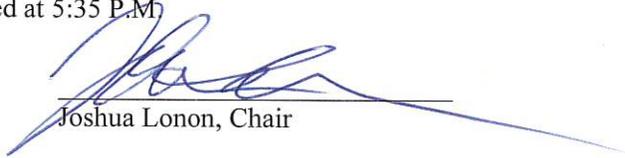
Mrs. Roland updated the other Board Members regarding their continued education training; and she said there would be a conference hosted by Ten at the Top, to be held at USC Upstate in Spartanburg, on September 22, 2015, for anyone who wished to attend to please let her know.

Assistant City Manager Story informed the Board Members, if none of the other training opportunities worked out, the City would try and arrange something by which they could receive their training.

The Assistant City Manager also informed the Board Members that this was a time of transition for the Planning Department since Mr. Henderson, former Planning Coordinator had taken another job in June of this year. Assistant City Manager Story said he would now be involved in some things regarding the department, and Buddy Bush, the Building Official would be overseeing some of the day to day functions of the Planning Department, Julie Roland would continue to work for the Department; and he introduced Natalia Rosario, a Clemson Student who would be working part-time at the moment for the City while she received her Master's Degree in City Regional Planning. She is also the Chair-person of the Clemson Chapter of American Planning Association.

Mr. Lonon also welcomed the two new Board Members.

There being no other business, the meeting adjourned at 5:35 P.M.



Joshua Lonon, Chair

Edited by Julie Roland, Administrative Assistant