



MINUTES

REGULAR MEETING OF BOARD OF ZONING APPEALS

THURSDAY, SEPTEMBER 11, 2025 - 4:00 PM

Greenville City Hall, Council Chambers, 10th Floor

206 S. Main Street

Greenville, South Carolina 29601

Citizens may access the meeting at the following web address:

<https://www.greenvillesc.gov/meeting>

1. Call to Order

Chair Ken Betsch called the meeting to order at 4:00 PM.

2. Welcome and Opening Remarks from the Chair

Chair Ken Betsch invited the other members to introduce themselves, provided normal beginning procedures for the meeting, explained the agenda, and outlined the rules for procedure.

3. Roll Call

Ross Zelenske moved on to roll call of board members in attendance.

Members Present:

Chair Ken Betsch, Vice Chair Lauren Rounsville, Tammy Johnson, Mark Herro, Al Horrigan, and Sam Davis

Members Absent:

Matthew Praytor

Staff Present:

Logan Wells, Deputy City Attorney; Mary Douglas Hirsch, Planning Director; Kristopher Kurjiaka, Principal Development Planner; Ross Zelenske, Senior Development Planner; and Deanna Ensley, Planning Assistant

4. Approval of Minutes

A. Approval of Minutes for meeting on August 14, 2025

Mark Herro moved to approve the minutes. Lauren Rounsville seconded. The motion passed 6-0.

5. Call for Public Notice Affidavit from Applicants

Staff reported receiving all applicants' affidavits.

6. Acceptance of Agenda

Al Horrigan moved to approve the agenda. Tammy Johnson seconded. The motion passed 6-0.

7. Conflict of Interest Statement

None

8. OLD BUSINESS

None

9. NEW BUSINESS

A. V 25-692

Application by Legacy Decks and Outdoor Living (Nick Stevens) on behalf of Scott Husson for a **VARIANCE** to reduce the side building setback for a 'Single-unit Living' use in a RN-A, Residential Neighborhood A district at **114 ATWOOD ST** (TM# 001200-01-01800)

Staff report presented by Ross Zelenske. Staff recommends denial.

Questions to Staff:

Mr. Herro clarified if the applicant were to build a 3' stair tread instead, they wouldn't need a variance and that the setbacks were the same in 2012 when the home was built, which were both confirmed.

Mr. Zelenske clarified if the deck was rebuilt exactly to what was on the 2012 plan, it would still require a variance as 3.5' is more than the 10% administrative relief staff can provide for the setback.

Mr. Davis asked for clarification on the above-ground story requirements mentioned in the staff report and if that was purposefully built in.

Mr. Zelenske stated there is a gap in coverage per those requirements that this project falls within, as the height of their deck is about 12', so it's not high enough off the ground to be covered by the above-ground story provision, but the landings of the stair are tall enough to also not fall under the provision for ground story structures. He also stated that the provisions had been in the code since 2023 and weren't in effect in the Land Management Ordinance when the home was built and has recently been amended in the latest code update.

Mr. Horrigan asked if the deck would be allowed to be replaced for what was approved in 2012 if it was damaged due to something like a storm.

Mr. Zelenske stated there is some staff discretion to allow the rebuilding of items.

Mr. Davis asked if the neighbors had been notified of the request.

Mr. Zelenske stated it was a requirement for the applicant to send out a public notice and staff did not receive any feedback from the neighbors.

Applicants Present Project:

Nick Stevens- 1110 West Butler Road Ste A

Mr. Stevens stated the reason for the replacement was deterioration of the current deck and that they are not looking to increase the size of the deck, just propose a 4 ft stair for ease of access as it's the only access into the dwelling. He stated their intent was to maintain the integrity of the code, just replace what is in the exact same footprint, with the exception of the stairs.

Questions to Applicant:

Mr. Herro asked for additional information on the fence between the properties.

Mr. Stevens confirmed the owner of the fence was the homeowner of the application and

that the fence cutout behind the deck was just in the fence and not in the lot line which runs straight.

Mr. Betsch asked if there was a reason why the deck was not built further into the backyard instead of closer to the property line and the purpose of the 7' wide deck if a smaller amount of space would be enough to maneuver.

Mr. Stevens said it was for ease of access to approach the door at a straight angle and claimed the balcony was not used as a sitting space and the whole purpose was accessibility.

Scott Husson, 114 Atwood Street

Mr. Husson admitted there is a small area the occupant uses to sit and use the landing as a deck, but the primary use is for accessibility.

Ms. Johnson asked about if the use of the apartment was for long or short-term renters.

Mr. Husson said they have had both, but ideally would have a long-term renter.

Mr. Davis asked if they had reached out to neighbors.

Mr. Husson stated he knows the renters of the property well, and they notified the homeowner via mail.

Ms. Rounsville asked if there was a way to access the apartment from inside the garage and change the access point.

Mr. Husson stated the garage was a small workspace, not a full garage, and there would be no way to access the unit above from that small of a space.

Public Comment:

None

Board/Commission Discussion:

Mr. Horrigan stated generally speaking he is not favorable to getting that close to the lot line as it would create a near 0' lot line.

Ms. Rounsville stated it was an unfortunate situation when it's not your fault, but agrees that the application doesn't meet the criteria to approve.

Mr. Davis stated if a buyer cared to be strictly within zoning codes they shouldn't look at buying something in a neighborhood that predates zoning due to quirks homes in those areas can come with, but he stated he was open to the consensus of the rest of the board.

Mr. Herro pointed out in 2012 they were granted the ability to construct a 3.5' tread and 3.75' deck, which would still require a variance, and stated he was inclined to approve what had previously been allowed, but he was not in favor of a 7' deck.

Ms. Johnson stated she was comfortable with a 4' variance for the stairs, and potentially the deck being longer parallel to the house, but understands difficulties in moving appliances.

Mr. Betsch agreed 3.5' and 4' are not that different, but a 7' deck is unnecessary.

Mr. Horrigan stated he was inclined to agree on the 4' allowance.

***MOTION:**

Mark Herro moved to approve V 25-692 with no wider than 4' stairwell and top deck. The motion is made with the understanding that it meets the following standards:

- 1. There are extraordinary and exceptional conditions (such as size, shape, topography) pertaining to the particular piece of property for which the variance is sought that do not generally apply to other land or structures in the**

vicinity.

2. The special circumstances are not the result of actions of the Applicant.
3. Due to the following conditions, the application of this Code to the property would effectively prohibit or unreasonably restrict the utilization of the property: Extraordinary and exceptional conditions. There are extraordinary and exceptional conditions (such as size, shape, topography) pertaining to the particular piece of property for which the variance is sought that do not generally apply to other land or structures in the vicinity.
4. The granting of the variance is the minimum action that will make possible the reasonable use of the land or structure which is not contrary to the public interest and which will carry out the spirit of this Code.
5. The authorization of the variance will not result in 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.
6. The granting of the Variance will be generally consistent with the purposes and intent of this Code.

The motion was made with the following conditions:

1. The stairwell and top deck extend no further than 4' out from the wall.
2. The top deck cannot extend parallel to the face of the wall past the furthest point of the laundry room.

Tammy Johnson seconded the motion. Motion passed 6-0.

10. OTHER BUSINESS

Staff provided updates on the GVL 2040 Plan update, late night business audit, and upcoming meetings. the Chair directed staff to proceed with a October 1st special called meeting to reduce the October 9th meeting workload.

11. Adjournment

Meeting adjourned at 4:52 PM.

Minutes prepared by Deanna Ensley and Ross Zelenske