



City of Liberty Board of Zoning Appeals
Meeting Minutes
April 25th, 2023 5: 30 PM
Rosewood Center

Board Members Present:

Brad Rhodes
Chris Henson
Jan Peterson

Staff Present:

Jennifer Vissage
Phillip Trotter
Baker Cleveland

Opening Comments, Establishment of a Quorum

Mr. Rhodes opened the meeting at 5:33 PM and a quorum was established.

Public Comments

No one signed up to speak from the public therefore no public comments were taken.

Appeal Request – 115 Towns End Court

Mr. Rhodes asked if staff would like to make any comments about the appeal request for 115 Towns End Court. Mrs. Vissage reminded the board members that a staff report was not written since it was an appeal on a staff decision. The appeal is on the staff decision to not allow an over twenty-year-old mobile home into the City Limits. Mrs. Vissage reminded the board members that a timeline of all events leading up to the appeal request were provided to the board member as well as council meeting minutes:

In August of 2022, council decided to create regulations for any new manufactured homes to come into the City of Liberty. The regulations included exterior regulations and a 20-year age limit on the unit. The applicant asked for a meeting with staff about how to change the 20-year regulations and wanted an opportunity to speak to council about possible changes. The applicant owns Towns End Court Mobile Home Park, which they have cleaned up and were told that any older existing units would be grandfathered in. Administrator Michael Calvert agreed to give them waivers on the 20 years while council reconsidered the age regulations. The waivers would be granted as long as the rest of the regulations were met. Waivers would be given until council made a final vote on the manufactured home regulations.



In March of 2023, City Council made a final decision to keep the twenty-year age limit in the manufactured home regulations. Therefore, staff will not be issuing any more waivers. Ms. White submitted a manufactured home application after the final decision and Mrs. Vissage denied the application because the unit was 36 years old.

Ms. White stated that she felt the mobile home park was grandfathered in and that they will continue to receive the waivers. Mrs. Vissage informed her that they were never grandfathered in and that waivers were temporary.

Ms. White attorney spoke at the meeting on her behalf and stated that they were never told that council was going to vote on the 20-year age limit. They were told that it was different from what council voted on which was just adding some language. The attorney stated that it would be a fair housing issue because the city was discriminating against them.

Board member Petersen asked if she could speak, and Chairman Rhodes allowed it. She felt that these regulations were making affordable housing impossible in the city. As a realtor, she felt that the regulations need to be looked at again.

City of Liberty's attorney, Baker Cleveland, stated that other cities in the region are more strict than the City of Liberty. City of Easley has a five-year age limit and City of Pickens only allows double wide that meet many regulations.

Mr. Rhodes asked staff about the variance that the board denied a few months ago about the same issue. Mrs. Vissage reminded the board that a different property owner was denied a variance from the regulations. However, that unit did not meet the exterior regulations and the age limit. Mr. Rhodes stated that if the board said no to that one it would not be right to allow the one at Towns End Court.

Mr. Rhodes asked if there were any more comments from the public and Mike James (owner of Old South Management) asked to speak. Mr. James stated that his company had come in, cleaned up the mobile home park, and was trying to offer an affordable place for people to live in City. He felt that staff was discriminating for those that need affordable housing and that he has spent so much money, and he could just walk away and let it become a horrible place against for drugs and other crime. He asked the board to really consider helping the hard-working people that need the affordable houses.

Mr. Rhodes asked Mr. Cleveland if the board could go into executive session to discuss the appeal and Mr. Cleveland stated yes. Mr. Rhodes asked everyone to leave the room except for Mr. Cleveland and staff. Ms. Petersen made a motion to enter into executive



session and Mr. Hansen seconded the motion. The board voted 3-0 to enter into executive session.

The board asked everyone to come back and Mr. Hansen made a motion to end the executive session. Ms. Petersen seconded the motion and the board voted 3-0 to end the executive session.

Mr. Rhodes started the discussion by stating that the regulations were set by city council and this board is in place to make sure staff were following these regulations. He felt that staff followed the regulations and that the board must side with the council. He asked the other board members if they were ready to vote and both stated yes. Ms. Petersen stated that she would agree with Mr. Rhodes that we are to follow what the council puts in the place. She does not agree with the regulations but knows that must be followed. Mr. Hansen also stated he would have to side with staff and follow what council put in the place.

Mr. Rhodes asked each board member to vote on the appeal of staff's denial of a manufactured home to be located at 115 Towns End Court. The denial was based on the age of the unit being over 20 years. Mr. Rhodes voted against the appeal. Ms. Petersen voted against the appeal. Mr. Hansen voted against the appeal. The Board of Zoning Appeal voted 3-0 against the appeal. The denial will remain.

Mr. Rhodes asked if there was any other business discuss and there was not. Mr. Hansen made a motion to adjourn, and Ms. Petersen seconded the motion. The board voted 3-0 to adjourn the meeting at 6:10 PM.