

Kershaw County Board of Zoning Appeals

515 Walnut Street, Room 160, Camden, SC 29020 803-425-7233



MINUTES

KERSHAW COUNTY BOARD OF ZONING APPEALS SEPTEMBER 6, 2011 REGULAR SESSION COUNCIL CHAMBERS, KERSHAW COUNTY GOVERNMENT CENTER CAMDEN, SOUTH CAROLINA

Members Present: Justin Conder, A.J. Cooke, Bill Denton, Greg Newman, Stephen Staley

Staff Present: Carolyn Hammond, John Newman

CALL TO ORDER

The Chairman, Stephen Staley, called the meeting to order at 5:30 p.m.

PUBLIC HEARING, DISCUSSION, AND ACTION REGARDING CASE #11-01

The Chairman read the following public notice and then opened the public hearing:

Les Kelly is requesting a variance on the allowed increase in floor area of a nonconforming building as required in Section 3:2.3D of the Kershaw County Unified Code of Zoning and Land Development Regulations. The property is located at 809 Jefferson Davis Highway, Camden, SC. TMS#: 285-11-00-031.

John Newman introduced the case by saying the Kelleys want to build a storage building adjacent to their nonconforming office building. The office building does not meet the required 20 foot setback, but is located next to a retaining wall, fence, and an alley that serve as a natural buffer. Because of specific site constraints, the proposed storage building would have to be placed almost on top of an existing building if it were required to meet the 20 foot setback. He explained that enlargements to nonconforming uses greater than 10 percent must be referred to the Board of Zoning Appeals for approval.

Les Kelley told the Board his family's business was becoming more involved in the manufactured home hardware and plumbing supply business, and needed the storage building to accommodate their inventory. Their goal, after the storage building is built, is to tear the old pink gas station building down and open up the lot. He distributed various site photographs and a plat showing the desired location of the storage building along with the location of the storage building in relation to the pink building if it were required to meet the current setback requirement. He said he had spoken with all of the adjacent property owners and presented the Board with a signed document stating that none objected to his plan. Both he and John Newman added that neither had received any objections from anyone else.

Neil McDonald voiced his support for the Kelley's plan and said it would enhance the area. He closed by saying he wished Council would address dilapidated buildings in the area that need attention.

Prior to a motion being made, Greg Newman stated that he would abstain from voting because Les Kelley is a licensed realtor with his real estate firm.

The Chairman closed the public hearing, and after a brief discussion, called for a motion. Bill Denton moved to accept the variance request stating that the building's proposed location would be more logical, would not violate the intent of what the Ordinance was attempting to accomplish, and would make the property more attractive. Justin Conder seconded the motion. Justin Conder, A.J. Cooke, Stephen Staley, and Bill Denton voted in favor of granting the variance. Greg Newman abstained from voting.

ELECTION OF 2011 BOARD OF ZONING APPEALS OFFICERS

Greg Newman moved to re-elect Stephen Staley as Chairman, Bill Denton as Vice Chairman, and Carolyn Hammond as Secretary. A.J. Cook seconded, and all voted in favor.

APPROVAL OF MINUTES

Bill Denton motioned to approve the minutes of the October 5, 2010 meeting. Greg Newman seconded, and all voted in favor of approval.

REVIEW AND VOTE ON AMENDMENTS TO THE BZA RULES OF PROCEDURE

John Newman explained the need to establish policies in the Rules of Procedure regarding ethics and ex parte communication. A discussion followed where various questions and scenarios were presented. After John Newman read the proposed amendments aloud, Bill Denton moved to accept the amendments. A.J. Cook seconded, and all voted in favor of approval.

PLANNING OFFICIALS 3-HOUR CONTINUING EDUCATION TRAINING SESSIONS

John Newman reminded those who have not completed their 2011 CE training that training sessions will be held on September 19th and October 17th in Council chambers at 5:15 p.m. He also said he would pass along information on other qualifying training opportunities as they come along.

ADJOURNMENT

At 6:00 p.m., the Chairman called for a motion to adjourn. The motion was made by Greg Newman, seconded by A.J. Cooke, and approval was unanimous.

Respectfully submitted,

Carolyn B. Hammond

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Secretary