

Minutes
KERSHAW COUNTY BOARD OF ZONING APPEALS
JULY 9, 2013 SPECIAL CALLED SESSION
ROOM 160
KERSHAW COUNTY GOVERNMENT CENTER
CAMDEN, SOUTH CAROLINA

Members Present: Stephen Staley, Shannon Smith, A.J. Cooke, and Bill Denton

Members Absent: Justin Conder

Staff Present: Carolyn Hammond and Rhonda Darity

CALL TO ORDER

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

PUBLIC HEARING AND ACTION ON CASE #13-03

The Chairman opened the public hearing.

The applicant, Sandhill Telephone, has applied for a variance from Section 3:3.12, Paragraph D of the Kershaw County Unified Code of Zoning and Land Development regulations which states that *No tower or antenna shall be located within 5,000 feet of an existing tower or antenna*. The property is located at 2616 Baron DeKalb Road in Kershaw County.

In giving the Staff Report, Carolyn Hammond informed the Board that the Kershaw County Planning and Zoning Commission currently has before it a text amendment request to decrease the distance between communications towers from 5000 feet to 1500 feet. All discussions indicate that they will vote to approve this recommendation. The requirement of 5000 feet between towers was chosen for aesthetic reasons in 1998 when county-wide zoning was initiated. In research and conversations with the FCC, Staff has been unable to find any FCC regulations restricting the distance between communication towers. The fact that the subject property meets elevation requirements makes this property unique for this particular use. In addition, the topography of the land in the Lake Wateree area becomes so varied that it is difficult to locate a parcel of the required acreage at the required elevation. The fact that it is difficult to find property of the required acreage and altitude that landowners are willing to sell also makes this property unique. Application of the Ordinance to this particular piece of property would restrict the utilization of this property as the location for a communications tower providing broadband service to the Lake Wateree area, but the property could be used for other purposes. No opposition from the public has been received. Staff recommends that the variance request be approved.

Kirby Wayne, applicant, on behalf of Sandhill Telephone, informed the Board that Economic Development requested that they look at this area for a possible broadband service. This particular parcel has good elevation which makes it an ideal location for a tower.

There being no one else wishing to speak, the Chairman closed the hearing.

After a brief discussion, Bill Denton motioned to grant a variance on the distance a cell tower must be from another tower. Shannon Smith seconded, and approval was unanimous to grant the variance due to the uniqueness of the property.

MINUTES

Minutes from the July 2, 2013 regular meeting were reviewed. The motion to approve as amended was made by Bill Denton, seconded by AJ Cooke, and approval was unanimous.

DISCUSSION AND VOTE ON INCREASING NUMBER OF BZA MEMBERS FROM FIVE TO SEVEN

The Board decided to table the issue until a later date.

ADJOURNMENT

At 6:00 p.m., the Chairman called for a motion to adjourn. The motion was made by Bill Denton, seconded by Stephen Staley, and approval was unanimous.

Respectfully submitted,

Rhonda Darity

Rhonda Darity
Secretary