

# Kershaw County Board of Zoning Appeals



## MINUTES Kershaw County Board Of Zoning Appeals October 5, 2010 Meeting Council Chambers, Kershaw County Government Center Camden, South Carolina

Members Present: Justin Conder, A.J. Cooke, Bill Denton, Greg Newman, and Stephen Staley  
Staff Present: Carolyn Hammond, John Newman

### **Call To Order**

The Chairman, Stephen Staley, called the meeting to order at 5:33 p.m.

### **Minutes**

Minutes from the April 6, 2010 meeting were reviewed. The motion to approve was made by Greg Newman, seconded by Justin Conder, and approved by all.

### **Public Hearing**

The Chairman opened the public hearing by reading the following public notice:

Dennis J. Paige on behalf of Mt. Joshua Missionary Baptist Church is seeking a variance for a greater than ten percent enlargement of a non-conforming structure per section 3:2.3.D of the Kershaw County Unified Code of Zoning and Land Development Regulations. The property is located at 532 Pickett Thomas Road, Camden, SC, tax map number 273-00-00-006.

John Newman introduced the case by saying the church wishes to build an addition to its existing structure, but the current structure does not meet the required thirty-five foot front setback and is, therefore, a non-conforming structure. The proposed enlargement is greater than ten percent of the existing structure. Zoning regulations state that if a non-conforming use or building is enlarged more than ten percent, it must be referred to the Board of Zoning Appeals for a variance. This request, Newman stated, is a text book case because it meets all of the requirements to grant a variance. He closed by saying Staff recommends approval because of unique topographical conditions of the property.

Dennis Paige, Chairman of Mt. Joshua's Trustee Board, said the church wants to grow and has been trying to build an addition for over ten years. They want to add a 1300 square foot addition to their existing 2400 square foot building. Because of conditions of the land, he said it would make it too expensive to tear down the existing structure and rebuild. The land slopes to the rear, and two streams on the property make it necessary to build on the portion of the property that is toward the road. He said the church has been at its current location since the early 1900s and has had no problems with the neighbors, and knows of no opposition to their proposed project. When asked about a sketch of the addition, Mr. Paige distributed sets of architectural plans for the Board to review. He pointed out that their plan to add to the side and back of the existing structure does not compound the nonconformity.

Sedrick Murphy, a deacon of the church, asked the Board to consider granting the variance. He said they have been planning this project for a long time and there are several generations at the church who would like to see the variance passed so they can get the project started.

**Action on Variance Request**

Bill Denton motioned that the appeal be granted on the grounds that topographical conditions make it necessary to add to the existing structure which was built before zoning regulations existed, and was placed at its current location because of the lay of the land. He further stated that allowing this variance would not contradict the intent of current zoning regulations. A.J. Cooke seconded, and all voted for approval.

**Continuing Education Training Session**

John Newman reminded those who have not yet completed their 2010 continuing education training of the three-hour session that will be held at 5:15 p.m. in Council Chambers on October 19, 2010.

**Adjournment**

There being no other business, at 5:40 p.m., Stephen Staley called for a motion to adjourn. Justin Condor motioned, Greg Newman seconded, and approval was unanimous.

Respectfully submitted,

Carolyn B. Hammond  
Secretary