

Minutes
KERSHAW COUNTY BOARD OF ZONING APPEALS
JULY 2, 2013 REGULAR SESSION
COUNCIL CHAMBERS, KERSHAW COUNTY GOVERNMENT CENTER
CAMDEN, SOUTH CAROLINA

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

Members Absent: Shannon Smith

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 # 13-01 & 13-02

The Chairman opened the public hearing.

Sandhill Telephone is requesting a variance on the distance a cell tower must be separated from a residential property line as required in Section 3:3.12, E of the Kershaw County Unified Code of Zoning and Land Development Regulations. The properties are located at 3702 Bethune Road and 705 Dennis Road in Kershaw County. The Board will hear each case and vote after hearing both cases.

In giving the Staff Report, Carolyn Hammond informed the Board that the height of the proposed tower to be located at 3702 Bethune Road is 195 feet. The distance from the tower base to a residential property line is approximately 325 feet. The distance from the base of the tower to the residence on this property is approximately 490 feet. The elevation of the subject property makes it unique for this particular use. Application of the Ordinance to this particular piece of property would restrict the utilization of this property as the location for a communication tower, but not for other uses. The engineering letter states that the tower is designed to buckle and not fall as one piece. If so, the fall zone would be entirely on Sandhill Telephone property.

Carolyn Hammond informed the Board that the height of the proposed tower to be located at 705 Dennis Road is 195 feet. The distance from the tower base to a residential property line is 94 feet. The distance from the base of the tower to the residence on this property is approximately 625 feet. 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. Application of the Ordinance to this particular piece of property would restrict the utilization of this property as the location for a communication tower providing broadband service to the Lake Wateree area, but the property could be used for other purposes. The engineering letter states that the tower is designed to buckle and not fall as one piece. If so, the fall zone would be entirely on Sandhill Telephone property.

No opposition from the public has been received.

Kirby Wayne, applicant, on behalf of Sandhill Telephone, stated that everyone is excited about the service being offered, but it's hard to find someone in the rural area that is willing to sell four to five acres of land for the service. Mr. Wayne stated that they were approached by Economic Development concerning the service.

Bill Denton asked Mr. Wayne if Sandhill Telephone would be willing to allow other companies to co-locate if this variance was approved. Mr. Wayne stated that they would be happy to allow co-location.

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

Bill Denton motioned to grant a variance on the distance a cell tower must be from a residential property line on both sites, Justin Conder seconded. Bill Denton, Justin Conder, and A.J. Cooke voted in favor, Stephen Staley voted against. By a vote of three to one the variance was granted.

MINUTES

Minutes from the October 2, 2012 regular meeting were reviewed. The motion to approve was made by A.J. Cooke, seconded by Bill Denton, and approval was unanimous.

ELECTION OF 2013 OFFICERS

Bill Denton made a motion that Stephen Staley remain Chairman and Bill Denton remain as Vice Chairman, seconded by A.J. Cooke, and approval was unanimous.

DISCUSSION REGARDING INCREASING THE NUMBER OF MEMBERS ON THE BOARD OF ZONING APPEALS

Carolyn Hammond stated that according to the Planning Act, the Board could have up to nine members. She recommends having seven members. At the next meeting the Board will discuss increasing the number of members from five to seven. If approved, the Planning Commission will discuss the required amendment to the Zoning Ordinance at the next meeting in August.

OTHER ITEMS

The Chairman made a motion to appoint Rhonda Darity as the Board's secretary. Bill Denton seconded, and all voted in favor.

ADJOURNMENT

At 6:17 p.m., the Chairman called for a motion to adjourn. The motion was made by Justin Conder, seconded by Bill Denton, and approval was unanimous.

Respectfully submitted,

Rhonda Darity

Rhonda Darity
Secretary