

**Minutes**  
KERSHAW COUNTY BOARD OF ZONING APPEALS  
OCTOBER 1, 2013 REGULAR SESSION  
COUNCIL CHAMBERS, KERSHAW COUNTY GOVERNMENT CENTER  
CAMDEN, SOUTH CAROLINA

Members Present: Stephen Staley, Justin Conder and Bill Denton

Members Absent: Shannon Smith and A.J. Cooke

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, John Watkins, has applied for a variance from Table 3-6 of the Kershaw County Unified Code of Zoning and Land Development Regulations which states that the required building setbacks in the GD zoning district are 35 feet from the front property line and 10 feet from the side and rear property lines. The property is located at 3491 Kershaw Highway in Kershaw County.

In giving the Staff Report, Carolyn Hammond informed the Board that a variance must be granted on conditions of the specific piece of property and may not be granted because an applicant wants something other than what is allowed under the Ordinance. In order to grant a variance, the Board of Zoning Appeals is required to determine that the application of the Ordinance will result in unnecessary hardship, and that all four standards for a variance set by State law and the Ordinance are met by the following facts.

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. These conditions do not generally apply to other property in the vicinity.
3. Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good and the character of the surrounding area will not be harmed by granting the variance.

It is clear from the applicant's responses that he has been able to prove that all of these conditions exist, and information gathered by Staff at the site investigation reveals that all of them exist. Because all four conditions do exist, a variance can be granted. Therefore, Staff recommends that a variance be granted.

John Watkins, applicant, on behalf of Cassatt Water Company, informed the board that the existing booster pump station is located on the current property due to the elevation of the existing area and is the best place to locate the pump station tank.

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 setbacks, Justin Conder

Minutes approved by the Board of Zoning Appeals on March 3, 2014

seconded and approval was unanimous to grant the variance.

**MINUTES**

Minutes from the July 9, 2013 special called session were reviewed. The motion to approve was made by Bill Denton, seconded by Justin Conder and approval was unanimous.

**ADJOURNMENT**

At 5:50 p.m., the Chairman called for a motion to adjourn. The motion was made by Justin Conder, seconded by Bell Denton and approval was unanimous.

Respectfully submitted,

*Rhonda Darity*

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Secretary