

Kershaw County Board of Zoning Appeals

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



MINUTES

KERSHAW COUNTY BOARD OF ZONING APPEALS JANUARY 2, 2018 REGULAR SESSION COUNCIL CHAMBERS, KERSHAW COUNTY GOVERNMENT CENTER CAMDEN, SOUTH CAROLINA

Members Present: David Brown, Justin Conder and Ben Strickland

Members Absent: Paul Holder and Mike Jones

Staff Present: Michael Conley, Heather Schmucker and Rhonda Darity

CALL TO ORDER

David Brown, Vice-Chairman, called the meeting to order at 5:30 p.m.

MINUTES

The minutes from the regular meeting were reviewed. The motion to approve was made by Justin Conder, seconded by Ben Strickland, and approval was unanimous.

PUBLIC HEARING CASE #17-06

David Brown opened the public hearing:

In giving her Staff Report, Heather Schmucker, County Planner, informed the Board that Josh Denton was requesting a variance to the front yard setback as required in Section 3:1.3, Table 3-6 (Table of Uses) of the Kershaw County Unified Code of Zoning and Land Development Regulations (ZLDR). Table 3-6 states that in GD zoned district, the front yard setback is 35 feet. Mr. Denton is requesting a 10 ft. front yard setback because the buildable area allowed by the ZLDR would not allow for construction of additional self-storage buildings. Staff recognizes the hardship on the nontraditional property, as it has no actual road frontage. The front property line of the subject property abuts the rear parking lot and turn around area for the adjacent property. The front property line is over 350 ft. from Highway 521. 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 that the applicant has been able to prove that the request for the variance meets the four (4) standards set by State Law and the Ordinance. Therefore, based upon the unusual land restrictions and resulting usable space, the applicant's site plan and landscape plan, Staff recommends that the Board approve this variance for a 10 ft. front setback, subject to the condition that construction, operation, and/or use shall be in substantial compliance with the documents placed on file in conjunction with this case.

There being no more testimony, the Vice-Chairman closed the hearing.

Minutes approved by Board of Zoning Appeals on May 16, 2018

After a brief discussion among the Board members, Justin Conder made the motion to approve the variance as recommended by Staff, stating that all four standards for a variance set by State Law and the Ordinance have been met. The motion was seconded by Ben Strickland, and approval was unanimous.

ADJOURNMENT

At 5:45 p.m., the Vice-Chairman called for a motion to adjourn. The motion to adjourn was made by Ben Strickland, seconded by Justin Conder, and approval was unanimous.

Respectfully submitted,
Rhonda Darity
Rhonda Darity
Secretary