

Kershaw County Board of Zoning Appeals



MINUTES (CORRECTED)

KERSHAW COUNTY BOARD OF ZONING APPEALS
March 4, 2024 REGULAR SESSION
COUNCIL CHAMBERS, KERSHAW COUNTY GOVERNMENT CENTER
CAMDEN, SOUTH CAROLINA

Members Present: Asleigh Hough, Mark Sury, and Jeffrey Murphy

Members Absent: Amy Eudy, and Cook Young

Staff Present: Joey Adams-Raczkowski, John Dubose, Justin Moore, Hannah Doster and Rhonda Darity

CALL TO ORDER

Since there was not a Chairman in place for the Board of Zoning Appeals for 2024, County Attorney, John Dubose, called the meeting to order at 5:30 p.m, and determined that there was a quorum present.

Mr. Dubose opened the floor for nominations for Chairman. Jeffrey Murphy made a motion to nominate himself and Ashleigh Hough seconded the motion. Hearing no additional nominations Mr. Dubose closed the nominations and proceeded with the voting, which resulted in all voting in favor of the motion.

At the request of Chairman Murphy, Mr. Dubose proceeded with the nominations for Vice Chairman. Ashleigh Hough nominated herself and Jeffrey Murphy seconded the motion. Hearing no additional nominations Mr. Dubose closed the nominations and proceeded with the voting, which resulted in all voting in favor of the motion.

Joey Adams-Raczkowski recommended that Rhonda Darity remain as secretary until a later date for Hannah Doster to have enough training to become secretary. Mark Sury made a motion to nominate Ms. Darity, and Asleigh Hough seconded the motion, and all voted in favor.

MINUTES

Mr. Dubose suggested that the approval of the minutes for the April 24, 2023 meeting be placed on the agenda for the next scheduled meeting, since the Board members present were not on the board during the April 24, 2023 meeting.

PUBLIC HEARING CASE #24-02 and #24-03 - 628 Highway 601 South, Lugoff

Joey Adams-Raczkowski, informed the Board that 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.

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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.

Mr. Adams-Raczowski stated that the applicant Mark Horton, on behalf of property owner QuickTrip Corporation, was requesting two (2) sign variances, and will go over both cases at the same time.

Case #24-02 - A variance request to the 50 sq. ft. maximum allowed sign surface area for a proposed on-site business sign located adjacent to an interstate highway interchange, as required in Section 3:4.2-17. Specifically, the applicant is requesting an additional 69 sq. ft. of sign surface area, for a total sign area of 119 sq. ft.

Case #24-03 - A variance request to the 4 sq. ft. maximum allowed sign surface area for proposed on-site directional signs as required in Section 3:4.3-2.J of the Kershaw County Unified Code of Zoning and Land Development regulations. Specifically, the applicant is requesting an additional 10 sq. ft. of sign surface area, for a total sign area of 14 sq. ft. for each directional sign.

The applicant, Mark Horton, presented a short presentation to the Board, which included a brief history of QuikTrip. Mr. Horton described how important the on-site business and directional signs are to the business. He addressed questions from the Board and was available for any further questions.

There was a discussion amongst the Board members on the two (2) cases presented. Mr. Adams-Raczowski went over the staff analysis for the justification given by the applicant on their applications.

At 6:20 PM Chairman Murphy made a motion to enter into executive session to receive Legal Advice. Asleigh Hough seconded the motion, with all voting in favor.

At 6:36 PM Chairman Murphy called for a motion to exit the executive session and return to the regular meeting. Mr. Sury made the motion to exit the executive session and return to the regular meeting. Asleigh Hough seconded the motion. All voted in favor to exit the executive session. Mr. Murphy stated that at this time he would like the record to reflect that no votes were taken in executive session and there is no further action needed.

Case #24-02 - The Chairman opened the floor for discussion. The Board went over the 4 standards and addressed each item for this variance request.

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
Mr. Sury felt that this standard was met due to the proposed sign's distance from I-20, especially the westbound traffic. All agreed that this standard was met.
2. These conditions do not generally apply to other property in the vicinity.
Ms. Hough felt that this standard tied into item 1, and that this property is further off the interstate than the other gas stations in the area. Mr. Murphy stated that there were no other freestanding signs in the area. All agreed that this standard was met.
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.
Mr. Sury felt that it would be very difficult to see the business from the eastbound and westbound traffic. For traffic exiting the interstate the sign would be a benefit for the company. All agreed that this standard was met.
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.

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Mr. Sury stated that there is no housing near the site, and feels that this is more of an industrial /commercial area. He does not feel that the signage would not have any negative effect on any local homeowners. All agreed that this standard was met.

The Chairman called for a motion on Case # 24-02. Mr. Sury made a motion to approve the variance request. The motion was seconded by Ms. Hough, and all voted to approve the application for the variance.

Case 24-03 - The Chairman opened the floor for discussion. The Board went over the 4 standards and addressed each item for this variance request.

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
Mr. Murphy believes there is a safety concern due to the deadend, and the length of a semi-truck. Having one (semi-truck) pull into the car area would create congestion and road blockages. Mr. Sury stated that he believes that the signage is within the same size as other business signs in the corridor across from I-20. The proposed size will be a safety enhancement. All agreed that this standard was met.
2. These conditions do not generally apply to other property in the vicinity.
Mr. Sury stated that this signage is similar to existing signs across I-20. Ms. Hough stated that she agreed with Mr. Horton's statement that the signage being requested inlines more with the industrial type of zoning which is along the corridor there. All agreed that this standard was met.
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.
Mr. Murphy commented that a traffic jam would inhibit the property. All agreed that this standard was met.
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.
Ms. Hough stated that granting this variance would be for the public good. Mr. Sury reiterated that the signage being requested inlines more with the industrial type of zoning which is along the corridor there. All agreed that this standard was met.

The Chairman called for a motion on Case # 24-03. Mr. Sury made a motion to approve the variance request. The motion was seconded by Ms. Hough, and all voted to approve the application for the variance.

DIRECTOR'S REPORT

- Joey stated that an updated meeting scheduled would be forthcoming.
- Board members should have received an email concerning BZA training.
- An update on the Comprehensive Plan and ZLDR rewrite was provided.

ADJOURNMENT

At 6:50 p.m, Chairman Murphy asked if there was anything else to discuss. Hearing none he made a motion to adjourn. Seconded by Asleigh Hough, and approval was unanimous.

Respectfully submitted,

Rhonda Darity

Rhonda Darity
Secretary

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