

**Kershaw County Board of Zoning Appeals
Regular Session Minutes – March 4, 2025, 5:30 PM
County Council Chambers
515 Walnut Street, Camden, SC 29020**

Members in Attendance: Amy Eudy, Ashleigh Hough, and Jeffrey Murphy

Members Absent: Cook Young and Mark Sury

Staff in Attendance: Joey Adams-Raczkowski, Sydney Douglas, and Rhonda Darity

Call to Order and Determination of Quorum

Mr. Adams-Raczkowski called the meeting to order at 5:30 p.m, and determined that there was a quorum. Mr. Adams-Raczkowski opened the floor for nominations for chairman. Ashleigh Hough made a motion for Jeffrey Murphy to be elected chairman. Amy Eudy seconded the motion. Hearing no additional nominations he closed the nominations and proceeded with the voting, resulting in a 3:0 vote to approve the motion.

Mr. Adams-Raczkowski turned the meeting over to Chairman Murphy to proceed with the nominations for vice chairman. Amy Eudy made a motion to nominate Ashleigh Hough as vice chairwoman. Jeffrey Murphy seconded the motion. After hearing no additional nominations, Chairman Murphy closed the nominations and proceeded with the voting, resulting in a 3:0 vote to approve the motion.

Chairman Murphy proceeded with the nomination for Board Of Zoning Appeals secretary. Amy Eudy made a motion for Rhonda Darity to continue as secretary. Ashleigh Hough seconded the motion, resulting in a 3:0 vote to approve the nomination.

Report on Compliance with Freedom of Information Act

Planning Director, Joey Adams-Raczkowski, reported that the agenda and supporting materials were made available online on the Planning and Zoning Department website as well as the Kershaw County Events Calendar in accordance with the Board Of Zoning Appeals Rules of Procedure.

Approval of Minutes

Chairman Murphy called for a vote to adopt the minutes of the May 7, 2024 meeting. Ashleigh Hough made a motion that they amend the minutes of the May 7, 2024 meeting, to correct a syntax and typographical matter. The sentence reading “County Attorney Douglas clarified that a tie vote requires an affirmative majority “, should be amended to read “County Attorney Douglas clarified that a tie vote does not result in approval, and that an approval requires an affirmative majority.”

New Business - Public Hearings Required

Case 25-01:

Public Comments - None

Mr. Adams-Raczkowski, informed the Board that Patrick Schlappich is requesting a variance to the required 35' minimum front yard setback for an accessory/garage located within the R-15 zoning district, as required in article 3:2.5 of the Kershaw County Unified Code of Zoning and Land Development Regulation. The applicant is requesting to allow the proposed accessory structure to encroach 3.8' into the front yard setback. The property is located at 1877 Lakeshore Road, Camden, with TMS# 161-02-43-097.

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 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.

Patrick Schlappich, the applicant was sworn in by Chairman Murphy. Mr. Schlappich stated that the building will be in the flood zone, and will have venting. There is a big slope on his property, and no flat place to put the building. The storage building will enhance his property, he will store items inside the building, not outside, which would be an eyesore. When building his house on the property he went ahead and poured the slab for this building. There was discussion between the board members and the applicant. Chairman Murphy closed the discussion period.

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. Chairman Murphy made a motion in the affirmative to open discussion and vote on standard 1, seconded by Ms. Hough to open for discussion. Points made during discussion were that the surrounding properties were in the flood zone, and this was a variance of convenience. Mr. Murphy made a motion that the condition has not been met, seconded by Mrs. Eudy. All voted to agree that this standard was not met.
2. These conditions do not generally apply to other property in the vicinity. Chairman Murphy made a motion in the affirmative to open discussion and vote on standard 2, seconded by Mrs. Eudy to open for discussion. There was some discussion concerning a slope on the property. Mr. Murphy made a motion that the condition has not been met, seconded by Mrs. Eudy. All agreed that this standard was not 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. Chairman Murphy made a motion in the affirmative to open discussion and vote on standard 3, seconded by Mrs. Eudy to open for discussion. Points made during discussion was that there is enough property that the accessory structure could be built within the limits of the setbacks. Mr. Murphy made a motion that the condition has not been met. All agreed that this standard was not 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. Chairman Murphy made a motion in the affirmative to open discussion and vote on standard 4, seconded by Mrs. Eudy to open for discussion. After discussion, Chairman Murphy and Ms. Eudy voted in favor of the motion. Ms. Hough opposed the motion.

Attorney Douglas reminded the Board that in order for a variance to be approved, all standards must be met. Chairman Murphy made a motion that the variance application be denied. Seconded by Mrs. Eudy, resulting in a 3:0 vote to deny the variance due to all four standards not being met.

Director's Report

No new items have been submitted for the next meeting. Mr. Adams-Raczowski offered to hold a workshop if the Board would like.

Adjournment

At 6:05 p.m., the Chairman asked if there were any other items to discuss. Hearing none he made a motion to adjourn. Seconded by Amy. Eudy, and approval was unanimous.

Respectfully submitted,

Rhonda Darity

Rhonda Darity, Secretary

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