



YORK COUNTY
ZONING BOARD OF APPEALS
MINUTES • MAY 9, 2019
FINAL



Zoning Board Of Appeals

York County Office Complex
Large Conference Room, Suite 104
Rock Hill, SC 29732

6:00 PM

Board Member Dennis Getter: Absent, Jeff Blair: Present, Tony Smith: Present, Barbara Candler: Present, Derrick Williams: Late (6:52 PM), Albert Quarles: Present, Brandon White: Present, Josh Reinhardt: Present, Asia Martin: Present, Emily Brown: Present.

Request made to alter the agenda

Jeff Blair motioned to alter the agenda to move item under old business to the end of the agenda after new business complete due to one board member was recused, leaving no quorum until an additional board member arrived later.

Barbara Candler seconded the motion.

Motion passed by a 4 to 0 vote.

Adoption of Minutes

1. Approval of April 11, 2019 Zoning Board Of Appeals Minutes

ACCEPTED [Unanimous]

MOVANT: Albert Quarles

SECOND: Tony Smith

AYES: Jeff Blair, Tony Smith, Barbara Candler, Albert Quarles

ABSENT: Dennis Getter, Derrick Williams

Location Map

New Business

1. Connie Strait request a Variance from the York County Zoning and Development Standards Ordinance (road frontage) for the property located at 3690 Williamson Road, in the Rock Hill Community, tax map 516-00-00-006. District 5– Christi Cox. Case Number Z19-16

Staff presentation was given by Brandon White.

Connie Strait was present to address the board with the reason of the request.

None was present to speak in favor of the request.

None was present to speak in opposition of the request.

Public Hearing was closed.

The Variance request from the minimum required road frontage in order to subdivide and sell 2.2 acres of 206 acres was approved by a 4 to 0 vote.

PASS [Unanimous]

MOVANT: Tony Smith
SECOND: Barbara Candler
AYES: Jeff Blair, Tony Smith, Barbara Candler, Albert Quarles
ABSENT: Dennis Getter, Derrick Williams

2. Rick Davis request a Variance from the York County Zoning and Development Standards Ordinance (setback) for the property located at 64 Honeysuckle Woods, in the Clover Community, tax map 575-09-01-006. District 2– Allison Love. Case Number Z19-19

Staff presentation was given by Brandon White.

Rick Davis was present to address the board with the reason of the request.

None was present to speak in favor of the request.

None was present to speak in opposition of the request.

Public Hearing was closed.

The Variance request to encroach into the rear yard setback by 5.25 feet was approved by a 3 to 1 vote.

PASS [3 to 1]

MOVANT: Albert Quarles
SECOND: Tony Smith
AYES: Tony Smith, Barbara Candler, Albert Quarles
NAYS: Jeff Blair
ABSENT: Dennis Getter, Derrick Williams

3. Brian and Christina Kehlor request a Variance from the York County Zoning and Development Standards Ordinance (setback) for the property located at 621 Samet Street, in the Fort Mill Community, tax map 726-14-01-024. District 1– Michael Johnson. Case Number Z19-20

Staff presentation was given by Brandon White.

Brian and Christina Kehlor was present to address the board with the reason of the request.

None was present to speak in favor of the request.

None was present to speak in opposition of the request.

Public Hearing was closed.

The Variance request to encroach into the rear yard setback by 4 feet was denied by a 4 to 0 vote.

DENIED [Unanimous]

MOVANT: Tony Smith

SECOND: Barbara Candler

AYES: Jeff Blair, Tony Smith, Barbara Candler, Albert Quarles

ABSENT: Dennis Getter, Derrick Williams

4. Bryan Gladden request a Variance from the York County Zoning and Development Standards Ordinance (setbacks, bufferyard requirements, and curb cuts) for the property located at 2050 Celanese Road, in the Rock Hill Community, tax map 634-11-03-004, District 6– Britt Blackwell. Case Number Z19-21

Staff presentation was given by Brandon White.

Bryan Gladden was present to address the board with the reason of the request.

Michael Newman was present to address any additional questions or concerns.

None was present to speak in favor of the request.

None was present to speak in opposition of the request.

Public Hearing was closed.

Albert Quarles made a motion to approve all the 3 variance requests pertaining to the rear and side yard setbacks and the bufferyard to include an additional condition that the garage not be used for commercial use in addition to the recommendations made by staff as listed below:

1. The curb cut shall comply with the *Zoning Code (e.g. width, design, etc.)* and the applicant shall obtain any necessary approvals from the South Carolina Department of Transportation (SCDOT).

2. No commercial activity shall commence prior to obtaining site plan approval and any other York County regulatory approvals.

3. The placement of the 8' wood fence and additional buffer plantings, offered by the applicant, shall be finalized during the site plan review process in compliance with York County Tree Conservation and Bufferyard requirements.

Tony Smith second the motion.

Motion to approve all the 3 variance requests pertaining to the rear and side yard setbacks and the bufferyard to include an additional condition that the garage not be used for commercial use in addition to the recommendations made by staff failed.

Barbara Candler made a motion to deny the variance request for the rear yard setback to 5.3 feet.

Jeff Blair second the motion.

The Variance request for the rear yard setback was denied by a 3 to 1 vote.

Barbara Candler made a motion to deny the variance request to reduce the side yard setback by 5.9 feet.

Jeff Blair second the motion.

The Variance request for the side yard setback was denied by a 3 to 1 vote.

Barbara Candler made a motion to deny the variance request of 14.6 to reduce the bufferyard setback.

Jeff Blair second the motion.

The Variance request for the bufferyard setback was denied by a 3 to 1 vote.

Barbara Candler made a motion to approve the variance request for a reduction of the 250' minimum distance between curb cuts.

Albert Quarles second the motion.

Barbara Candler made a motion to modify the motion made to approve the curb cuts with the conditions as requested/ recommended by staff:

1. The curb cut shall comply with the *Zoning Code (e.g. width, design, etc.)* and the applicant shall obtain any necessary approvals from the South Carolina Department of Transportation (SCDOT).

2. No commercial activity shall commence prior to obtaining site plan approval and any other York County regulatory approvals.

Albert Quarles second the motion to modify the motion made to approve the curb cut with the conditions recommended by staff.

The Variance request for the curb cut was approved by a 4 to 0 vote.

Motion to: Approve all the 3 variance requests pertaining to the rear and side yard setbacks and the bufferyard to include an additional condition that the garage not be used for commercial use in addition to the recommendations made by staff

Albert Quarles made a motion to approve all the 3 variance requests pertaining to the rear and side yard setbacks and the bufferyard to include an additional condition that the garage not be used for commercial use in addition to the recommendations made by staff as listed below:

1. The curb cut shall comply with the *Zoning Code (e.g. width, design, etc.)* and the applicant shall obtain any necessary approvals from the South Carolina Department of Transportation (SCDOT).

2. No commercial activity shall commence prior to obtaining site plan approval and any other York County regulatory approvals.

3. The placement of the 8' wood fence and additional buffer plantings, offered by the applicant, shall be finalized during the site plan review process in compliance with York County Tree Conservation and Bufferyard requirements.

Tony Smith second the motion.

Motion to approve all the 3 variance requests pertaining to the rear and side yard setbacks and the bufferyard to include an additional condition that the garage not be used for commercial use in addition to the recommendations made by staff failed.

FAILED

Motion to: Deny the variance request for the rear yard setback to 5.3 feet

Barbara Candler made a motion to deny the variance request for the rear yard setback to 5.3 feet.

Jeff Blair second the motion.

The Variance request for the rear yard setback was denied by a 3 to 1 vote.

PASSED [3 to 1]

MOVANT: Barbara Candler
SECOND: Jeff Blair
AYES: Jeff Blair, Barbara Candler, Albert Quarles
NAYS: Tony Smith
ABSENT: Dennis Getter, Derrick Williams

Motion to: Deny the variance request to reduce the side yard setback by 5.9 feet.

Barbara Candler made a motion to deny the variance request to reduce the side yard setback by 5.9 feet.

Jeff Blair second the motion.

The Variance request for the side yard setback was denied by a 3 to 1 vote.

PASSED [3 to 1]

MOVANT: Barbara Candler
SECOND: Jeff Blair
AYES: Jeff Blair, Barbara Candler, Albert Quarles
NAYS: Tony Smith
ABSENT: Dennis Getter, Derrick Williams

Motion to: Deny the variance request of 14.6 to reduce the bufferyard setback

Barbara Candler made a motion to deny the variance request of 14.6 to reduce the bufferyard setback.

Jeff Blair second the motion.

The Variance request for the bufferyard setback was denied by a 3 to 1 vote.

PASSED [3 to 1]

MOVANT: Barbara Candler
SECOND: Jeff Blair
AYES: Jeff Blair, Barbara Candler, Albert Quarles
NAYS: Tony Smith
ABSENT: Dennis Getter, Derrick Williams

Motion to: Approve the variance request for a reduction of the 250' minimum distance between curb cuts

Barbara Candler made a motion to approve the variance request for a reduction of the 250' minimum distance between curb cuts.

Albert Quarles second the motion.

Barbara Candler made a motion to modify the motion made to approve the curb cuts with the conditions as requested/ recommended by staff:

1. The curb cut shall comply with the *Zoning Code* (e.g. *width, design, etc.*) and the applicant shall obtain any necessary approvals from the South Carolina Department of Transportation (SCDOT).

2. No commercial activity shall commence prior to obtaining site plan approval and any other York County regulatory approvals.

Albert Quarles second the motion to modify the motion made to approve the curb cut with the conditions recommended by staff.

The Variance request for the curb cut was approved by a 4 to 0 vote.

PASSED [Unanimous]

MOVANT: Barbara Candler

SECOND: Albert Quarles

AYES: Jeff Blair, Tony Smith, Barbara Candler, Albert Quarles

ABSENT: Dennis Getter, Derrick Williams

Brief recess from 7:00PM - 7:12PM

Old Business

1. Amy Jeffcoat requests a Special Exception from the York County Zoning and Development Standards Ordinance (to establish an event venue) for the property located at 5800 Campbell Road, in the York Community, tax map 490-00-00-029. District 2–Allison Love. Case Number Z19-8

Staff presentation was given by Brandon White.

Amy Jeffcoat was present to address the board with the reason of the request.

Brittany Wallace was present to speak in favor of the request.

None was present to speak in opposition of the request.

Mark Cundari was present to speak in neither favor or opposition of the request.

Public Hearing was closed.

The Special Exception request to allow for an event venue on the property located at 5800 Campbell Road, York SC 29745 was approved by a 3 to 1 vote with the following 4 conditions recommended by staff:

1. The applicant shall have sixty (60) days to obtain site plan approval and any other regulatory approvals. Failure to obtain the required approvals will result in the termination of any commercial activity on-site until those approvals are acquired.
2. The maximum capacity for the venue shall be determined by building and fire officials.
3. The applicant shall provide proof of private solid waste service to the Zoning Administrator within sixty (60) days.
4. All site improvements and building improvements shall be completed and approved no later than May 9, 2020. Failure to meet the aforementioned deadline will result in the

termination of any commercial activity on-site until all improvements are made, inspected, and approved.

PASS [3 to 1]

MOVANT: Albert Quarles

SECOND: Derrick Williams

AYES: Barbara Candler, Derrick Williams, Albert Quarles

NAYS: Jeff Blair

ABSENT: Dennis Getter

RECUSED: Tony Smith

Adjourn

With no further business, the meeting was adjourned at 7:58 PM