

DORCHESTER COUNTY
Board of Zoning Appeals
500 N. Main Street
Summerville, SC 29483
County Council Chambers

Minutes
January 12, 2016
6:00 PM

I. DETERMINE QUORUM

Present: Chairman Dwight
Mr. Couto
Mr. Johnson
Mr. Reeves
Mr. Westbury
Mr. Coutant

Absent: Mr. Murphree

Staff: Mr. Brebner
Mr. Macholl
Mrs. Cook

II. INVOCATION

Mr. Johnson gave the invocation.

III. VARIANCE REQUESTS, SPECIAL EXCEPTION APPLICATIONS

A. Special Exception requesting a Commercial Use (Business, Convenience Retail)

Applicant: Liberty Ice, LLC
Randy W. Johnson

Property Owner: Austin Services, LLC

Location: 1449 Highway 61
Ridgeville, SC 29472

Mr. Brebner presented the staff report with a recommendation of approval. Chairman Dwight asked for the applicant to take the podium. Mr. Randy Johnson and Mrs. Betsy came forward. Mr. Johnson explained that they had been in the business for 5 years and this is their 4th ice machine. DHEC approved an engineered well and all permits were in place. Mr. Reeves asked if the machine would have a backup generator in case of disaster. Mr. Johnson replied no.

Mr. Couto motioned to approve the special exception and Mr. Johnson seconded the motion. The vote was unanimous to approve the special exception.

IV. REPORT OF CHAIRMAN

Chairman Dwight welcomed everyone back and reminded everyone to turn in their corrections if any to the secretary. He also asked that when the members receive their packets to please let the secretary know if there is any conflict.

V. REPORT OF ZONING ADMINISTRATOR

Mr. Brebner reminded everyone of the continuing education to follow meeting.

VI. PUBLIC COMMENT

Mr. Chad Crosby came to the podium and explained he was there to get educated. He also asked about how many days does information have to be posted prior to the meeting? Chairman Dwight explained 30 days but asked Mr. Brebner to confirm. He corrected it to 15 days.

VII. ADJOURN

Mr. Johnson motioned to adjourn and Mr. Reeves seconded the motion. Chairman Dwight adjourned the meeting.

DORCHESTER COUNTY
Board of Zoning Appeals
500 N. Main Street
Summerville, SC 29483
County Council Chambers

Minutes
January 26, 2016
6:00 PM

I. DETERMINE QUORUM

Present: Chairman Dwight
Vice Chairman Couto
Mr. Murphree
Mr. Westbury
Mr. Johnson

Absent: Mr. Reeves

Staff: Mr. Brebner
Mr. Macholl
Mrs. Cook

II. INVOCATION

Mr. Murphree gave the invocation.

III. MINUTES

A. Minutes - December 15, 2015

Mr. Murphree made a motion to approve the minutes from December 15, 2015. Mr. Westbury seconded the motion and the vote was unanimous.

B. Minutes - Special Meeting, January 12, 2016

Mr. Couto made a motion to approve the minutes from the special meeting on January 12, 2016 and Mr. Westbury seconded the motion. The vote was four to approve with Mr. Murphree abstaining due to being absent from the meeting.

IV. VARIANCE REQUESTS, SPECIAL EXCEPTION APPLICATIONS

Special Exception requesting a Commercial Use (Mining) in an Absence of Controls (AC) District.

Applicant: G5, LLC

Property Owner: G.B. Way
Location: Sandridge Road
Dorchester, SC 29437
TMS# 084-00-00-006

Mr. Brebner presented the staff report reminding the Board about Absence of Controls (AC) and all Industrial or Commercial must go in front of the Board of Zoning Appeals. Mr. Brebner also stated that sand mining is regulated by the State. The buffering will be in place. They will assure the road is able to handle traffic and heavy trucks. They will also take care of the dust along with storm-water. Mr. Brebner presented the staff recommendation to approve the sand mine.

Property Owner Mr. G.B. Way stepped to the podium and introduced himself and then a representative from Sanders Brothers stepped to the podium and explained what they were going to do. They will operate going through the DHEC process, mining fill dirt. He stated their operating hours would be during daylight and will operate consistently and once they complete the mining they will turn the area into a pond.

Residence against the mining operation were asked to approach the podium by Chairman Dwight.

Mr. Arnold Biggerstaff, who resides right beside the property, spoke about the traffic it would cause and the additional litter on the road. Mr. Biggerstaff was also concerned about his fully stocked pond drying up when all the water was taken from the ground and surrounding area. He also mentioned that an endangered species of woodpecker in the area will be disturbed.

Mr. Cusack resides on property that is against the property of the mine. Mr. Cusack explained it would be a mess and agreed with Mr. Biggerstaff.

Mr. Larry Wilkins has a pond on his property and voiced concerns about the drainage issues. Mr. Wilkins says there is only a 2ft pipe that drains under the road and will not be able to handle the run off. Mr. Wilkins asked for a solution to this issue before allowing another mine to open. Mr. Wilkins spoke to DHEC which in turn told him their hands were tied.

Ms. Crystal Branch resides on Powderhorn but is not adjacent to the property. She asked about discussing the flooding issues. Powderhorn gets washed out every time it rains. Ms. Branch also agreed that the traffic will be horrible and the littering is awful.

Mr. Dan Galloway, 149 Powderhorn Road, echo the same issues as Mr. Wilkins. Mr. Galloway stated they needed an agreement to clean out the ditches and to keep the drain pipe cleared of any debris. Mr. Galloway said the county needs to do maintenance at least once a year. Mr. Galloway was also concerned it would interfere with the well water.

Mr. Westbury asked where the water was coming from- the pipe or the pond. Mr. Galloway answered it was the overflow from the pond. Mr. Westbury said he was

confused, first someone is complaining about too much water and the next about ponds drying up.

Mr. Murphree said if it is county then they can clean it up. Mr. Brebner clarified and said the ditch is perpendicular and on private property. Mr. Murphree explained that the county cannot go onto private property. Mr. Galloway said they would give them permission.

Mr. Westbury asked if consideration had been given as to where the water would be pumped? Mr. Couto asked about how deep is the pond, 5 feet, DHEC will have to permit the mine. Mr. Westbury also mentioned that the water on Powderhorn Road could be corrected. Sanders Brothers representative said they would do any corrections if need be.

Mr. Dwight asked is this the first anyone has heard about it? Mr. Brebner replied no all adjacent property owners were sent notification. Mr. Dwight closed the public hearing.

Mr. Brebner spoke up to address concerns some of the public voiced.

1. Wells- The review process is aimed to protect well water. The state will not approve if otherwise.
2. PowderHorn Rd. – Mr. Brebner stated he would ask Mr. Macholl to call Public Works to see about can be done, have the County to take a look at it.
3. DHEC will be responsible for inspections on the mine and make sure it is operating according to the rules.

Mr. Murphree made a motion for a conditional approval of the Special Exception for the sand mine, with those conditions being that we bring in the County (Public Works) to fix the problem on Powder-horn Road. Get folks relief of road by fixing ditch and existing pipe (larger). Also push the issue to get relief from the existing pond.

Mr. Johnson seconded the conditional motion and the vote was unanimous to approve.

V. OLD BUSINESS

A. Variance request to reduce the rear yard setback from 25' to 14.5', in a Single-Family Residential (R-1) District.

Applicant/Property

Owner: Paul Strickland
Location: 1089 Blockade Runner Parkway
Summerville, SC 29485
TMS# 151-11-01-056

Mr. Brebner presented that this variance was carried over from the December meeting. Mr. Brebner also stated the County did not require a buffer but the State did with wetlands. He also explained that this was unique because the applicant installed the deck after the CO

was issued. Mr. Brebner also wanted to reiterate that to pass the variance, all four points must pass. This situation passes none. The staff recommends denying the variance request.

Mr. Strickland stepped up to the podium and stated the steps were already in the set back that the builders installed.

Mr. Couto asked Mr. Strickland why he thought it was Ok for him to build the deck and the builder told him they couldn't do it because of the setbacks?

Mr. Strickland stated he shouldn't have made the assumption and takes full responsibility. He stated it was an odd shaped lot.

Mr. Couto asked why he didn't build to the other side? Mr. Strickland said the builders could not because of the trees. Mr. Couto also explained that if this variance is granted then they would have to grant everyone else in the neighborhood their request. Mr. Strickland assumed that others had decks in the setbacks.

Ms. Melanie Gouzoules, resident of River Birch came to the podium and stated she was concerned what precedent this would set for the future. She also stated you could see the deck from the road.

Mr. Chuck Harness, resident of River Birch, also stated you could stand in his front yard and see the deck and the outcome would affect them all.

Mr. Carlos Ramos, resident of River Birch, also said he echoes what has been said already.

Ms. Linda Fetter also voiced her concerns about setting a precedent within the neighborhood.

Ms. Rhonda Harness, resident of River Birch, just wanted to say she is a rule follower. She doesn't agree with knowingly doing something and then asking for forgiveness.

Mr. Couto made a motion to deny the variance request because it did not meet requirements. Mr. Johnson seconded the motion and the vote was unanimous to deny the request.

VI. NEW BUSINESS

A. Nomination and Election of Chairman

A motion was made by Mr. Couto to leave Chairman Dwight in place. Mr. Johnson seconded the motion and the vote was unanimous to remain the same.

B. Nomination and Election of Vice-Chairman

A motion was made by Mr. Westbury for Mr. Couto to remain as Vice Chairman. Mr. Johnson seconded the motion and the vote was unanimous for Mr. Couto to remain as Vice Chairman.

VII. EXECUTIVE SESSION

A. Appealed decision of the Zoning Administrator – Receive legal advice

A motion was made by Mr. Murphree for the Board to go into an Executive Session with the County Attorney, Mr. John Frampton. The motion was seconded by Mr. Westbury and the vote was unanimous to go into executive session.

Mr. Murphree made a motion that read, "I would move that the Board of Zoning Appeals reverse the decision of the Zoning Administrator regarding the appeal of Chad and Farrah Crosby regarding TMS# 170-00-00-025."

The motion was seconded by Mr. Couto and the vote was unanimous to reverse the decision.

VIII. ADJOURN

The meeting was adjourned at 8:00 pm.

DORCHESTER COUNTY
Board of Zoning Appeals
201 Johnston Street
St. George, SC 29477
County Council Chambers

Minutes
February 23, 2016
6:00 PM

I. DETERMINE QUORUM

Present: Chairman Dwight
Mr. Johnson
Mr. Westbury
Mr. Reeves
Mr. Murphree

Absent: Mr. Couto

Staff: Ms. Sharpe
Ms. Cook

II. INVOCATION

Mr. Westbury gave the invocation.

III. MINUTES

Minutes – January 26, 2016

Mr. Murphree made a motion to approve the minutes and Mr. Westbury seconded the motion. The vote was unanimous to approve January 26, 2016 minutes.

IV. VARIANCE REQUESTS, SPECIAL EXCEPTION APPLICATIONS

A. Special Exception requesting a Commercial Use (Manufacturing Services – Office and Construction Shop) in an Absence of Controls (AC) District.

Applicant: Mr. John P. Burbage
Property Owner: Austin Construction Co. Inc.
Location: Sandhill Road
Dorchester, SC 29437
TMS# 063-00-00-012

Ms. Sharpe presented the staff report to the Board with a recommendation of approval. She also reminded the Board that this special exception was not part of the sand mine operating presently there.

Mr. Dwight asked if the applicant was present and Mr. Brubage stepped to the podium. Mr. Brubage introduced himself as the President of Austin Construction. He stated that Mr. Austin had always wanted to move his business from Berkeley County to Dorchester County, so he wants to make this happen because it was a dream and Mr. Austin has just passed. Mr. Burbage stated it would be a 35 employee crew with 3 office employees including himself. Mr. Burbage also stated that most of their work is site work.

Mr. Dwight asked if there was anyone here for or against the request. Mr. Edward Smith stepped to the podium and complained about trucks already present and the noise from the mine is horrible for those who work shift work. There is also already two trailers on the property and they seemed to be covering the pond with dirt.

Mr. Jeff Andrews stepped to the podium and asked if this would affect his property taxes. Mr. Murphree explained it would not and then Mr. Andrews stated that Sandhill Road is already worn down. He also asked when the mining would cease.

Mr. Burbage explained they are 99.9% done with the mining, this is why the pond is being filled and Sandhill Road should have less traffic.

Mr. Dwight closed public comments and Mr. Murphree made a motion to approve the Special Exception for Austin Construction Company on Sandhill Road. Mr. Reeves seconded the motion and the vote was unanimous to approve.

B. Special Exception requesting a Commercial Use (Business, Convenience Retail) in an Absence of Controls (AC) District.

Applicant and

Property Owner: Constance D. Avant & Aaron B. Sires, Jr.

Location: 2269 Highway 61
Ridgeville, SC 29472
TMS# 132-00-00-143

Ms. Sharpe presented the staff report and explained the applicant has not made the upgrades to the property. No permits have been obtained from DHEC and the County's questions have not been addressed. Ms. Sharpe state the staff's recommendation is to table the request until all questions and concerns are answered and taken care of prior to moving forward.

Mr. Murphree stated that there are serious issues to be addressed and DHEC requirements are our requirements.

Mr. Murphree made a motion to table the special exception based on the staff's recommendation. Mr. Westbury seconded the motion and the vote was unanimous to table the request.

C. Variance request to reduce the side yard setback from 7.5' to 2.9', in a Single-Family Residential (R-2) District.

Applicant:	Vasko's Quality Builders
Property Owner:	Bertha B. & Ben C. Smith (JTROS)
Location:	312 Summercourt Drive Summerville, SC 29485 TMS#145-11-08-023

Ms. Sharpe presented the staff report with a recommendation of changing the layout to meet the setbacks.

Mr. Vasko stepped to the podium and explained exactly how and why the homeowner needs the variance granted. Also if they were to comply with the layout the County is recommending then it would block the homeowners view and take a window away from the home. They would only be taking away 1'2" away from a setback that is already shortened.

Mr. Murphree asked where the utilities were located on the property. Mr. Vasko explained they were to the rear. Mr. Murphree also asked about drainage and Mr. Vasko explained the drainage was to the front of the property. Mr. Murphree spoke that the setbacks were being shortened for a handicapped bathroom and the house was built prior to setbacks being established.

Mr. Murphree made a motion to approve the variance as drawn and Mr. Reeves seconded the motion. The vote was unanimous to grant the setback variance.

V. OLD BUSINESS

VI. NEW BUSINESS

Mr. Westbury wants to put into action dedicating specific locations for Industrial use before the county is piece mealed in the Absence of Zoning District and residents aren't walking out into their front yards and having Industrial businesses across the street. Mr. Westbury feels the Board should go on record to Planning Commission and County Council to move forward and set aside the areas. Mr. Westbury wants to be cautious with big industries. Mr. Reeves is concerned as to how they will get the County Council to agree with something of this nature.

Mr. Westbury suggested the get in contact with both the Planning Commission and County Council to set aside time for them to discuss.

VII. REPORT OF ZONING ADMINISTRATOR

VIII. PUBLIC COMMENT

Mr. Reginald Cusack stepped to the podium and wanted to let the Board know that the sand mine trucks do not stop and have no courtesy for others on the road. Mr. Cusack suggested a sign of warning to go up from Highway 78 to the mine for trucks entering the highway.

Arlethia Cusack stepped to the podium and wanted to know if the entrance to the Sandridge mine could be relocated to a different area to give more of a space between her property and the operation.

X.. ADJOURN

Chairman Dwight adjourned the meeting at 7:20.

DORCHESTER COUNTY
Board of Zoning Appeals
500 N. Main Street
Summerville, SC 29483
County Council Chambers

Minutes
March 22, 2016
6:00 PM

I. DETERMINE QUORUM

Present: Chairman Dwight
Mr. Murphree
Mr. Westbury
Mr. Johnson

Absent: Mr. Reeves
Mr. Couto

Staff: Mr. Brebner
Mrs. Cook

II. INVOCATION

Mr. Murphree gave the invocation.

III. MINUTES

Minutes – February 23, 2016

Mr. Murphree made a motion to approve the minutes for February 23, 2016 and Mr. Westbury seconded the motion. The vote was unanimous to approve.

IV. VARIANCE REQUESTS, SPECIAL EXCEPTION APPLICATIONS

A. Variance request to reduce the rear setback from 50' to 42.5', in a Single-Family Residential (R-1) District, within the Ashley River Historic Overlay District.

Applicant and
Property Owner: Jason & Andrea Rasner
Location: Revolutionary Court @ Wragg Lane
TMS# 171-00-00-202

Mr. Brebner presented the staff report to the Board. Mr. Brebner explained the property across the street is a drainage field. Mr. Brebner reminded the Board of the 50' setbacks

that the Ashley River Historic Overlay District has in place and this parcel is located in the district. Mr. Brebner explained the staff was empathetic with the applicant's position in light of the hardship created by sanitation and challenges of tree protection. The staff's objection to the variance request is half-hearted. Mr. Brebner also explained that the applicant had started to clear but have paid all fines for the violations that were issued.

Ms. Rasner the applicant stepped to the podium and stated the reason for the variance is because they will have two master suites. Ms. Rasner explained she has a daughter with Cystic Fibrosis and she will need to live with them.

Mr. Murphree asked the applicant if they received the neighborhood covenances when they bought the property. Ms. Rasner thought they had when they closed on the property. Mr. Murphree asked did they know anything about the Ashley River Historic Overlay District. Ms. Rasner responded they did not and were not familiar with the 50' set back.

Mr. Lee the Rasner's contractor explained stepped to the podium and explained that the Rasner's were trying to not have to remove a couple of trees near the drive way and that was why the angle.

Mr. Conange stepped to the podium and explained that he did not want his property value to diminish so we was for the house being built as presented to the Board.

Mr. Murphree made a motion to allow the variance on TMS# 171-00-00-202 of 7'5". The motion was seconded by Mr. Westbury. Mr. Murphree stated during discussion that the Ashley River Historic Overlay District was created to stop Watson Hill.

The vote was taken 3 Members voted yes and 1 member abstained to allow the variance.

B. Variance request to reduce the interior side setback from 50' to 30', in a Single-Family Residential (R-1) District, within the Ashley River Historic Overlay District.

Applicant and

Property Owner: Brian & Kathryn Christensen
Location: Grafton Court @ Wragg Lane
TMS# 171-00-00-196

Mr. Brebner presented the staff report to the Board and explained that the variance is for garage. The garage can be pivoted or moved in location. The staff recommends denying the variance request. Mr. Brebner also made the Board aware that staff had received one negative call in reference to this variance from Ms. Nancy Jo Brown the adjacent property owner.

Mr. Brian Christensen the applicant stepped to the podium and stated prior to buying this property that he and his wife had done their due diligence. They had spoken to the County

about the property prior to purchasing. Mr. Christensen received an email after they had closed on the property that it was located in the Ashley River Historic Overlay District and because of this there was a 50' setback. Mr. Christensen said he had even gone to the home owners association and spoke with them about the setbacks based on plat of the previous owner. He did not find out about the setbacks until he had purchased the property and was also disheartened that his neighbor did not support his request.

Mr. Murphree asked if he had a copy of the email from staff, which he provided to Chairman Dwight. All the members were given the opportunity to read the email

Mr. Murphree stated that a detached garage gives you play for the location.

Mr. Westbury asked Mr. Brebner if there was a percentage of setbacks that we are allowed to grant, Mr. Brebner said there is 10% during construction error.

Mr. Murphree made a motion to grant the variance since they had already granted the first variance. Mr. Dwight agreed that the garage could be shifted, Mr. Murphree stated that this again is an unintended consequence from the the Ashley River Historic Overlay District.

Mr. Westbury made a motion to amended Mr. Murphree's motion and split the difference to a 10' variance instead of a 20'. Mr. Murphree seconded the amended motion and the vote was unanimous to grant a 10' variance.

V. OLD BUSINESS

A. Special Exception requesting a Commercial Use (Business, Convenience Retail) in an Absence of Controls (AC) District.

**Applicant and
Property Owner:** Constance D. Avant & Aaron B. Sires, Jr.
Location: 2269 Highway 61
Ridgeville, SC 29472
TMS# 132-00-00-143

Mr. Brebner gave a brief explanation that the applicants are still no ready to proceed. Mr. Brebner also recommended that we post again for a public hearing when the applicants are ready.

A motion was made by Mr. Murphree for the Special Exception to remain tabled until the applicant is ready. Mr. Johnson seconded the motion and the vote was unanimous for it to remain tabled.

VI. NEW BUSINESS

Chairman Dwight addressed to the Board to remember that any information obtained by

applicants or anyone at all needs to come through Mr. Brebner. Then it will be given to the Board, they must remember to follow protocol.

VII. REPORT OF ZONING ADMINISTRATOR

Mr. Brebner advised the Board that the Planning Commission has been looking at the Ashley River Historic Overlay District to scale back the zoning particularly the Cooks Crossroads area. They are hoping to open up restrictions with design standards and larger buildings. Special requests for more square footage would be considered a Special Exception and would have to come to the Board of Zoning Appeals for approval. It should result in fewer cases so the Planning Commission would like to invite them to the meeting on April 14th.

VIII. PUBLIC COMMENT

Mr. Chad Crosby stepped to the podium and stated he was a property owner in the Mateeba Subdivision in the Ashley River Historic Overlay District. Mr. Crosby stated rules aren't available, builders don't even know them. Mr. Crosby said he can attest to this because of his property. He spoke that even with a deed or title search you can't find rules. He also stated he didn't think anyone doing this would think it was a criminal action.

IX.. ADJOURN

Mr. Murphree made a motion to adjourn and Mr. Westbury seconded the motion. The vote was unanimous and the meeting was adjourned.

DORCHESTER COUNTY
Board of Zoning Appeals
500 N. Main Street
Summerville, SC 29483
County Council Chambers

Minutes
May 24, 2016
6:00 PM

I. DETERMINE QUORUM

Present: **Chairman Dwight**
 Mr. Murphree
 Mr. Couto
 Mr. Johnson

Absent: **Mr. Reeves**
 Mr. Westbury
 Mr. Timmons

Staff: **Mr. Brebner**
 Mrs. Sharpe
 Mrs. Cook

II. INVOCATION

Mr. Johnson gave the invocation.

III. MINUTES

A. Minutes – March 22, 2016

Mr. Murphree made a motion to approve the minutes as written. Mr. Johnson seconded the motion and the vote was unanimous to approve.

IV. VARIANCE REQUESTS, SPECIAL EXCEPTION APPLICATIONS

A Variance request to reduce the rear setback from 42.5' (previously approved) to 27' in a Single-Family Residential (R-1A) District, within Ashley River Historic Overlay District One.

Applicant and
Property Owner: Jason & Andrea Rasner
Location: 205 Revolutionary Court, Summerville
TMS# 171-00-00-202
(220 is the property's lot number)

Mr. Brebner presented the staff report with the Home Owner Associations vote of 14 for and 6 against granting the variance. The staff recommendation is to approve the additional 15.5' setback from the previously approved setback of 42'.

Mr. and Mrs. Rasner stepped to the podium to answer any questions. Ms. Rasner explained if they were to go with a different foot plan or move the plans they have it would cause them to lose an Oak tree for a drive way. Ms Rasner stated they wanted to keep the tree.

Mr. Brian Roberson, president of the Home Owner Association, stepped to the podium and stated he appreciated the fact they wanted to save the Grand Tree. Mr. Roberson said they have already lost enough trees they don't want to lose anymore.

Mr. Paul Lee, neighbor and builder for the Rasners, stated that he appreciated that the Rasners had followed all the rules.

Mr. Murphree made a motion to approve the additional variance based on the Home Owners Association's approval. Mr. Couto seconded the motion and the vote was unanimous to approve the variance request.

- B.** Variance request "to remove or greatly reduce setbacks" in a Multi-Family Residential (R-4) District, within Ashley River Historic Overlay District One.

Applicant and

Property Owner: Chad & Farrah Crosby

Location: 4458 Ashley River Road, Summerville
TMS# 170-00-00-025

Mr. Brebner presented the staff report and noted the applicant did not meet all four requirements by state to grant a variance. Mr. Brebner stated the staff recommends denying the Variance request.

Mr. Crosby stepped to the podium and explained he needed the setback reduced to build a garage for two boats and did not want to put up anything portable. Mr. Crosby stated to the right of his property nothing can be built because it is not big enough to meet requirements. Mr. Crosby stated if the neighbor behind had a problem he could request less of a setback back. Mr. Crosby also stated he had no homeowners association.

Mr. Couto asked Mr. Crosby how many feet from Highway 61 and Mr. Crosby replied approximately 400 feet from the highway. Mr. Crosby stated he would be putting up an eight foot privacy fence because he intends on putting in a pool.

Mr. Couto asked "why the garage can't be moved?" Mr. Crosby responded because the plans can't be turned in until we know what the setback will be. Mr. Crosby requested a side setback of 30'. The rear has vegetation which would grow back.

Mr. Couto asked Mr. Crosby if he just wanted to eliminate the setbacks, Mr. Crosby replied no sir.

Mr. Dwight explained that they need pictures and exact setbacks requested. Mr. Couto agreed especially since the property is over two acres.

Mr. Crosby stated it would be a 30'x 30' garage engineered. Mr. Couto stated again that they need accurate drawings. Mr. Crosby stated it wasn't any different than the previous case. Mr. Couto explained it is not the same battle.

Mr. Brebner stated that a scaled drawing is needed. Mr. Crosby also supplied the Board with a letter from his neighbor that it would not be an issue if he was granted the variance. Mr. Crosby stated if requesting a setback reduction for the rear of the property he would deal with later. Mr. Crosby just stated he wanted the side setback reduced only.

Mr. Couto stated he has never seen limitations on 2.9 acres of property.

Mr. Murphree made a motion to suspend the order of the day, item "B" would be revisited after item "D". Mr. Couto seconded the motion and the vote was unanimous to suspend the order.

Variance request "B" readdressed after item "D".

Mr. Crosby presented a hand drawing of the layout of his property and where construction would be and why the variance was needed. Mr. Crosby also showed where the ditch was piped in and goes under the driveway.

Mr. Couto asked if there was a garage built with the house. Mr. Crosby said yes a single car garage. Ms. Sharpe provided the Board a copy of Mr. Crosby's original site plan. Mr. Crosby stated his case is not much different than the one before his. Mr. Couto stated that bringing up other cases does not help his.

Mr. Crosby stated the main variance needed would be for the right side of his property. The right side would be reduced by 20' and all other sides would remain 50'.

Mr. Murphree made a motion to close discussion and Mr. Couto seconded the motion. The vote was unanimous for the discussion to close.

Mr. Murphree made a motion to move Mr. Crosby's setback on the right to 30', a 20' deduction. Mr. Johnson seconded the motion and the vote was 3 yes and 1 opposed.

Mr. Couto stated to build a garage for two boats. Mr. Murphree stated discussing is laboring the point and it is being consistent with what we have granted in the past.

C. Special Exception requesting a Commercial Use (Mining) in an Absence of Controls (AC) District.

Applicant and

Property Owner: Matthew & Donna Halter

Location: Zion Road, Dorchester
TMS# 095-00-00-034

The Dorchester County Zoning and Land Development Standards Ordinance #04-13, Article IX, Section 9.1, Subsection 9.1.3.2 lists Use Group 1(d) Agriculture, Mineral Resource Extraction as a Special Exception Use.

Mr. Brebner presented the staff report and explained the applicant provided total response to the questions in Section X. Mr. Brebner said there was no comments good or bad for the sand mine. Mr. Brebner stated the staff recommends approved of the Special Exception which is appropriate to the County's comprehensive plan.

Mr. Halter stepped to the podium and explained that he had purchased this property to eventually retire and down size. Mr. Halter wants to have a pond on his property so sand mining was ideal until they start to build.

Mr. Murphree asked how long for the mining and the response was two years. Mr. Murphree then asked if there were any remarks from the neighbors and Mr. Brebner explained there was nothing.

Mr. James Pendravious stepped to the podium and stated he lives on the east side of Zion Road and was present to support the sand mine.

Mr. Murphree made a motion to approve the Special Exception for the Sand Mine on Zion Road. Mr. Johnson seconded the motion and the vote was unanimous for approval.

D. Special Exception requesting a Commercial Use (Game Room/Sports Bar) in an Absence of Controls (AC) District

Applicant: Tocara Smalls

Property Owner: Jodia Smalls

Location: 196 Joe Felder Road, Ridgeville
TMS# 126-00-00-215

The Dorchester County Zoning and Land Development Standards Ordinance #04-13, Article IX, Section 9.1, Subsection 9.1.3.2 lists Use Group 13(a) Business/Recreation, Sports Bar/Game room as a Special Exception Use.

Mr. Brebner presented the staff report and explained the office had received a tremendous amount of negative feedback in reference to this Special Exception request.

Mr. Brebner stated Staff recommends that the Board of Zoning Appeals deny the proposed Special Exception request for a Business, Recreation in the Absence of Controls (AC) district located at 196 Joe Felder, as it is not compatible with the residential/rural character of surrounding properties. In addition, the proposed use is not consistent with the Future Land Use Map, with the FLUM showing this property outside of a future commercial/civic land-use node in a constrained growth area. The following items of concern should be at least contemplated if not acknowledged and addressed in the application:

1. The proposed business hours of operation from 6 a.m. until 2:00 a.m. are outside of "Quiet Hours" 11 p. m. until 7 a.m., and will have a potential negative noise impact on the surrounding neighbors.
2. The format of the proposal suggests that alcohol could be brought in – perhaps sneaked in – by customers. The history of the property as a pool hall suggests that the adjacent community "residential nature" of the proposal could erode.
3. The location of the business, on a dead-end rural side road, inhibits regular law enforcement patrolling to ensure public safety and keeping the peace.

Staff would advise the Board to find that the following Special Exception criteria in Section 10.5 of Dorchester County Zoning and Land Development Standards, Ordinance #04-13, have not been met:

- (a) Consistency with the County's Comprehensive Plan
- (b) Compatibility with surrounding land uses and neighborhoods
- (c) Level and impact of noise in relation to uses in the immediate area
- (d) Adequate public services (specifically law enforcement patrolling and response)
- (e) Use of non-conforming structure (specifically, compatibility of the structure with building code standards for Assembly occupancy)

The applicants Tacora Smalls and Jodia Smalls stepped to the podium. They explained it was originally set up for storage. The applicant then stated they wanted to make it a gathering place/game room sports bar possible banquet room for the neighborhood.

Mr. Smalls stated they want to have a gathering place for the neighborhood, hold reunions, have birthday parties. He can't remember when he hasn't had a family reunion at the location.

Mr. Couto asked if the size was 40'x30' and the applicant replied yes. Mr. Couto asked about operating hours not just for the game room. Mr. Couto asked if there is going to be alcohol? The applicant responded yes just beer and no loud music.

Mr. Couto asked about parking looks about 25'x25' crush and run gravel. The applicant responded yes.

Mr. Randall Felder stepped to the podium, he lives next door to the game room, and stated he was against it. Mr. Felder explained that he has had to replace his gates due to people running into his fence. Mr. Felder said the Dupties have shut it down, also there have been shotings Mr. Frank Thompson was shot in his bed. Mr. Felder stated the road was so narrow the special needs bus could not come down the road so the traffice will be a problem.

Mr. Harold Smalls stepped to the podium stated he resides in the area. Mr. Smalls said the special needs children Mr. Felder fosters have stolen from his Dad and the special needs bus is in the neighborhood at 9 am and Noon. Mr. Smalls said the "Preacher" was lying.

Mr. Resnick, resident of Bridlewood Farms Subdivision, stepped to the podium to present a petition from the residents of Bridlewood Farms. Mr. Resnick read from the petition the concerns for the neighborhood. Mr. Resnick spoke about crime, drug dealings, assaults and even murder. Mr. Resnick voiced his concern that it will become like the bar "Eight Ball" where a double murder occurred.

Mr. Harzog a resident of Bridlewood Farms stepped to the podium, and stated he has lived in the neighborhood two years. Mr. Harzog stated he can hear loud music on the weekends.

Ms. Clough, resident of Bridlewood Farms, spoke that her house backs up to the property and there has been fires. Ms. Clough said she can't even enjoy her backyard because the music is loud.

Chris Malinowski stepped to the podium and just asked how many people were against the Special Exception.

Travis McGill, resident of Bridlewood Farms, stated he was concerned about bring in outsiders to the community. The traffice would increase and he was opposed to it.

Patricia Sanders, resident of Bridlewood Farms, stated she can hear the music at anytime. Ms. Sanders stated the applicant said this was for the community but the Bridlewood community hasn't been invited.

Captian Finney, Dorchester County Sheriff's Department, stated they have had to deal with concerns. Captian Finney supplied the Board with a copy of an information only incident report from April 14, 2016. Captian Finney stated that dispatch had received nurmous calls for music but have not witnessed it. Captian Finney stated that since January 23rd they have received 4 loud music calls and emails about traffic.

Mallery Thompson-Parker stepped to the podium and stated the business was a family heirloom. Ms. Thompson-Parker also spoke about more family uses

Roxy Smalls stepped to the podium and stated she was raised in Givhans. Ms. Smalls stated there will always be traffic and alcohol with drug use in some homes. Ms. Smalls stated they had never had a party with loud music and there are drugs anywhere you go. Ms. Smalls said there is no such thing as a perfect world.

Mr. Couto asked now you are opening a business to the public? Ms. Smalls replied it will be a family business.

Mr. Smalls stepped to the podium and spoke about their family having to deal with additional traffic when Bridlewood was being built. Mr. Smalls also mention his brother is a role model to the kids in the neighborhood, he builds character.

Ms. Vivian Thompson, resides across the street, stepped to the podium and said they try to do different things in the community. Ms. Thompson spoke how Mr. Smalls is a mentor for the neighborhood kids.

Ms. Hazel Smalls, the wife of the applicant, stated Bridlewood was welcome to join them at the "Spot" and they can close at 11 pm.

Ms Bernice Mincule, stepped to the podium and stated, we should all be fearful as a community.

Ms. Angie Crum, director of the Community for Ridgeville, stepped up and stated for everyone to regroup themselves with what they want in a community. Ms. Crum stated as a community they need to have peace and harmony, be helpful for each other's needs.

Mr. Brebner mentioned that they still need a business license, then the zoning issues and the building occupancy issue would have to also be taken care of prior to any business.

Mr. Murphree motioned to close the public hearing and Mr. Johnson seconded the motion.

Mr. Couto made a motion to deny the Special Exception because it does not meet with the use of the surrounding land and the impact of the surrounding neighborhood. Mr. Murphree seconded the motion and the vote was unanimous to deny the special exception.

Mr. Dwight suggested that people speak with Ms. Crum and ask the applicant to speak with Ms. Crum.

V. OLD BUSINESS

VI. NEW BUSINESS

VII. REPORT OF ZONING ADMINISTRATOR

VIII. PUBLIC COMMENT

IX. ADJOURN

Chairman Dwight Adjourned the meeting.

DORCHESTER COUNTY
Board of Zoning Appeals
500 N. Main Street
County Council Chambers
Summerville, SC 29483

Minutes
July 26, 2016
6:00 PM

I. DETERMINE QUORUM

Present: Chairman Dwight
Mr. Murphree
Mr. Reeves
Mr. Couto
Mr. Westbury

Absent: Mr. Johnson
Mr. Timmons

Staff: Mr. Brebner
Mrs. Blatchford
Mrs. Cook

II. INVOCATION

Mr. Murphree gave the invocation.

III. MINUTES

A. Minutes from May 24, 2016

Mr. Murphree made a motion to approve May 24, 2016 minutes and Mr. Couto seconded the motion. The vote was unanimous to approve.

IV. VARIANCE REQUESTS, SPECIAL EXCEPTION APPLICATIONS

A. Special Exception requesting a Commercial Use (Business, Personal Services for a Child Care Center) in an Absence of Controls (AC) zoning district.

Applicant and
Property Owner: James and Ronda Simmons
Address: 1284 Ridge Road
Ridgeville, SC 29472
TMS# 118-00-00-216

Mr. Brebner presented the staff report with a staff recommendation of approval.

Ms. Simmons the applicant stepped to the podium and explained why she is wanting to open the daycare on Ridge Road. Ms. Simmons stated it is a low income area and there is a waiting list for 4K. Ms. Simmons also explained she would like to help residents in the community to become successful in their lives, so she explained this will be much more than a daycare. Ms. Simmons is the owner of the Good Shepherd daycare so she has 10 years of experience in the business.

Mr. Simmons stepped to the podium and explained that his responsible will the labor and maintenance when needed.

Mr. Couto made a motion to approve the special exception for the Daycare in an Absence of Controls District. Mr. Westbury seconded the motion and the vote was unanimous to approve.

B. Special Exception requesting a Commercial Use (Business, Secondary Retail 9 (b), with a conditional use of Outdoor Storage 17 (b) in an Absence of Controls (AC) zoning district.

Applicant:	Jeffrey Palmer, Certified Sales, Inc.
Property Owner:	Harvey C. Kizer
Address:	325 Wunningham Road St. George, SC 29477 TMS# 032-00-00-019 (portion of)

Mr. Brebner presented the staff report and stated there were already two different approvals that have been approved that are similar to this request. Mr. Brebner stated the staff recommended approval for the Special Exception request.

Mr. Couto asked Mr. Brebner was the staff recommendation of approval conditional with what the staff has listed in the report.

Mr. Westbury stated several years ago the Planning Commission tried to put in certain conditions with Industrial uses. Mr. Westbury asked Mr. Brebner did this fall into the economic development plan. Mr. Brebner responded yes it does meet the plan.

Mr. Palmer the applicant stepped to the podium. Mr. Palmer stated he is the manager of Certified Sales, Inc. Mr. Palmer feels this property would be a great fit for the business.

Mr. Couto made a motion for a conditional approval with these three things as the conditions.

1. Applicant shall submit and comply with all site development plan requirements for future property development.
2. Proposed subdivision will meet all Department of Health and Environmental Control (DHEC) regulations.
3. Applicant will comply with Applicant will meet all applicable building codes as required by the Dorchester County Building Official.

Mr. Murphree seconded the motion and the vote was unanimous to give the Special Exception a conditional approval.

C. Variance request to reduce the rear setback from 25.0' to 17.0', in a Single-Family Residential (R-2) District.

Applicant: John Kahler
Property Owner: Connie Campbell
Location: 106 Kensington Place
Summerville, SC 29485
TMS# 171-06-02-001

Mr. Brebner presented the staff report and stated the variance request did not pass the four part test for legal bases. The staff tried to work out something else with the applicant but the applicant was not interested in an alternative solution. Mr. Brebner stated that the staff recommends denial for the Variance request due to lack of legal bases.

The applicant and builder stepped to the podium and explained that the existing garage would be her daughter's bedroom. The applicant daughter is not rooming in her living room. The applicant explained that her daughter was in a terrible accident and is wheelchair bound. So once converting the garage an additional garage would be constructed.

The builder, John Kahler, stated he thought there would be no problem because there was a lot of green space and no residences behind her house.

Mr. Couto asked how she gets in the home now and Ms. Campbell answered through the existing garage. Mr. Kahler stated if the variance is granted he would raise the current garage floor for ease transition into the home. Mr. Kahler stated he would build a ramp from the new garage up to her room, they would have to go through her room or the front door to enter the residence.

Mr. Kahler then stated they had a plan B but was told he was too late to submit but would meet all the setbacks however his client prefers plan A.

Mr. Murphree made a motion to approve the Variance request of the setback from 25' to 17', Mr. Reeves seconded the motion which opened the discussion.

Mr. Murphree stated he had worked around existing buildings and it is tough project. Mr. Murphree also stated the intent here is to meet the needs of the applicant. So the ramps and bathrooms within the budget should be built. If it is not a burden to the owner things should get built and as a Board we should lean towards the applicant.

Mr. Murphree gave a motion to approve the Variance request and Mr. Westbury seconded the motion. The vote was unanimous to approve the setback from 25.0' to 17.0'.

V. OLD BUSINESS

Mr. Murphree commented on the landscaping at the Dollar General in Ridgeville, if it was in compliance. Mr. Brebner stated he would send someone out to confirm and Mr. Murphree stated that if in compliance that would be fine.

VI. NEW BUSINESS

VII. REPORT OF CHAIRMAN

VIII. REPORT OF ZONING ADMINISTRATOR

Mr. Brebner stated training would be given on a night with a light agenda. Mr. Brebner introduced MJ Blatchford as the new planner in the department and commented on the new Board Member, Mr. Timmons from District 5, who will be able to join us at the next meeting, which will be in St. George.

IV. PUBLIC COMMENT

XI. ADJOURN

Mr. Murphree made a motion to adjourn the meeting and Mr. Couto seconded the motion. The vote was unanimous and the meeting was adjourned.

DORCHESTER COUNTY
Board of Zoning Appeals
201 Johnston Street
County Council Chambers
St George, SC 29477

Minutes
August 23, 2016
6:00 PM

I. DETERMINE QUORUM

Present: Chairman Dwight
Mr. Murphree
Mr. Reeves
Mr. Johnson

Staff: Mrs. Sharpe
Mrs. Cook

II. INVOCATION

The invocation was given by Mr. Johnson.

III. MINUTES

A. Minutes from July 26, 2016

Mr. Murphree made a motion to approve the minutes as written. Mr. Johnson seconded the motion and the vote was unanimous to approve.

IV. VARIANCE REQUESTS, SPECIAL EXCEPTION APPLICATIONS

A. Special Exception requesting a Commercial Use (Business, General Services for a Tire and Auto Repair Center) in an Absence of Controls (AC) zoning district.

Applicant: Richard Mays
Property Owner: Thelma Johnson
Address: East Main Street
Harleyville, SC 29448
TMS# 049-00-00-003

Mrs. Sharpe presented the staff report to the Board with a staff recommendation of a conditional approval. Mrs. Sharpe listed the conditions for the Board.

The applicants step father Mr. James Brother stepped to the podium and briefed the Board

on the back ground of the property and business. He also stated the applicant is in Texas.

Mr. Murphree asked did Mr. Mays understand the conditions the Board is asking/ requesting.

Mr. Dwight asked Mrs. Sharpe if Mr. Mays is fully aware of the conditions. Mrs. Sharpe stated she has been in constant contact with Mr. Mays and he is aware of the conditions.

Mr. Murphree made a motion to approve with the conditions listed by staff:

1. Hours of operation will be Monday thru Friday from 8:00 a.m. to 5:00 p.m. and Saturday from 8:00 a.m. to 12:00 p.m.
2. All vehicles and tires will be stored within the building or privacy fence.
3. Applicant will meet the Fire Chief requirement of no more than one hundred fifty tires (150) tires.
4. There will not be onsite fuel storage.

Mr. Johnson seconded the motion and the vote was unanimous to approve with the conditions listed.

B. Special Exception requesting a Commercial Use (Business, Secondary Retail for a Used Car Lot) in an Absence of Controls (AC) zoning district.

Applicant: Kathleen Washington
Property Owner: Carlisle S. Carter
Address: Highway 78
TMS# 087-00-00-059

Mrs. Sharpe presented the staff with a recommendation of a conditional approval.

Mrs. Washington stepped to the podium and explained what they had planned and would be glad to answer any questions.

Mr. Murphree made a motion to make a conditional approval based on the staff's list:

1. Hours of operation shall be 9:00 am until 7:00, Monday thru Saturday. Office will be closed on Sunday.
2. All lighting and their direct glare shall be shielded from adjacent residential use and public right of way.
3. Buffer requirement of fifty-feet (50ft.) along the east portion of property adjacent to residential use that can be reduced to a twenty-five feet (25ft) buffer with the installation of an opaque privacy fence.
4. Applicant shall provide primary access and through vehicular traffic circulation plan that minimizes lack of minimum visual buffer of vehicular parking from Transitional Overlay District (TOD) corridor. This can be achieved by locating parking at the side or rear of a principal structure. As well as the installation of landscaping to screen from all public right of way.
5. Prior to commencing operations the operator will meet all applicable building codes as required by the Dorchester County Building Official.

Mr. Johnson seconded the conditional approval and the vote was unanimous to approve with the conditions listed.

V. OLD BUSINESS

Mr. Murphree thanked the staff for following up on the situation of landscaping at the Dollar General.

VI. NEW BUSINESS

It was announce that Mr. Brebner was a new father.

VII. REPORT OF CHAIRMAN

VIII. REPORT OF ZONING ADMINISTRATOR

IV. PUBLIC COMMENT

XI. ADJOURN

Mr. Murphree made a motion to adjourn and Mr. Johnson seconded the motion. The meeting was adjourned at 6:22 pm.

DORCHESTER COUNTY
Board of Zoning Appeals
500 N. Main Street
County Council Chambers
Summerville, SC 29483

Minutes

November 15, 2016

6:00 PM

I. DETERMINE QUORUM

Present: Chairman Dwight
Mr. Westbury
Mr. Johnson
Mr. Murphree

Absent: Mr. Timmons
Mr. Reeves

Staff: Ms. Sharpe
Ms. Cook

II. INVOCATION

Mr. Murphree gave the invocation.

III. MINUTES

Minutes from August 23, 2016

Mr. Murphree made a motion to approve as corrected and Mr. Johnson seconded the motion. The vote was unanimous to approve as corrected.

IV. VARIANCE REQUESTS, SPECIAL EXCEPTION APPLICATIONS

A. Special Exception requesting a Commercial Use (Business, Accommodation and Food Services for a Recreational Vehicle Park) in an Absence of Controls (AC) zoning district.

Applicant: Arlene Wheeler
Property Owner: Cynthia L. Grooms
Address: Myers Mayo Road
Ridgeville, SC 29448
TMS# 098-00-00-235

Ms. Sharpe stepped to the podium and explained the applicant requested the item be tabled and addressed at the December meeting. Ms. Sharpe explained that the applicant still needs to provide a DHEC approved site plan and has not been able to acquire the plan yet.

Mr. Murphree made a motion to table the special exception request until the December's meeting. Mr. Westbury seconded the motion and the vote was unanimous to table until December.

B. Special Exception requesting a Commercial Use (Community Convenience Store) in an Absence of Controls (AC) District

Applicant: Tocara Smalls
Property Owner: Jodia Smalls
Location: 196 Joe Felder Road
Ridgeville, SC 29472
TMS# 126-00-00-215

Ms. Sharpe prior to giving the staff report explained the applicant had obtained a lawyer and there could be a chance the applicant may want a continuance. The applicant's lawyer, Mr. Robbie Robbins stood and explained that the applicant was ready to proceed.

Ms. Sharpe then presented the staff report to the members of the Board. Ms. Sharpe explained the applicant's intent to have a community convenience store. Ms. Sharpe explained it would be in the same building that the applicant applied to have a sports bar located, that the Board denied in May. Ms. Sharpe explained the building now has an extension that was not inspected by the building department. Ms. Sharpe stressed the increase in the noise level since the building is just 80' away from a residence. Ms. Sharpe also stated the past concerns the County had are still valid with this request. Ms. Sharpe also explained that special exception did not fit with the County Comprehensive Plan. Ms. Sharpe stated the staff recommends that the Board denies the applicants request for a community convenience store.

Mr. Dwight asked Ms. Sharpe did the building department not clear the building. Ms. Sharpe said the building department deemed it uninhabitable. Mr. Dwight asked about the fire department statement on the staff report. Ms. Sharpe explained the road was not adequate to handle emergency calls of any sort as stated by the fire department.

Mr. Dwight stated to the members that they have all outside emails that have been sent in against and/or for the special exception in front of them to review.

Mr. Murphree stated he is bewildered about the fire departments comments about the road when there are houses on the road in question.

Mr. Dwight asked if the applicant was here and if he would step to the podium. Mr. Robbins his attorney stepped up to speak for his client.

Mr. Robbins stated he had spoken with Mr. Smalls when he tried to open a night club in the spring. He stated that the previous application needs to be left out of this request. Mr. Robbins stated he was able to go out to the site prior to the meeting and take a look around to see the set up. Mr. Robbins stated it was far away from the subdivision Bridlewood Farms. He stated there was no way they could disturb this area at all. Mr. Robbins stated there was a tire store that has been on Joe Felder Road for many years. He then stated that the County should not use the Comprehensive Plan as an excuse to deny this request. Mr. Robbins stated that Mr. Smalls has a right to do this with his property. Mr. Robbins stated the hours of operation would be 8 am to 8 pm, there would be no parking on Joe Felder Road. Mr. Robbins stated that after talking with Mr. Smalls and learning the age of the people that reside on Joe Felder Road, this convenient store would be a nice addition to the neighborhood. So respectfully we request that you grant Mr. Smalls the Special Exception.

Mr. Westbury asked about an alcohol or liquor license to operate this store. Mr. Murphree explained that he would have to partition to the state for that, the County had nothing to do with it. Mr. Westbury also wanted to know how this land was being taxed has vacant when there is a building on the property. Mr. Westbury also voiced concern about how he was permitted to build a shed for storage and the permit that stated or something else in the future. Ms. Sharpe explained that the permit was granted in 2009 and could not answer why it was granted that way. Ms. Sharpe stated it is not done that way now and the County has to go on the honor system for the citizen's if they say something we have to believe they are stating the truth.

Ms. Sharpe also rebutted Mr. Robbins statement of the Tire Store located on Joe Felder Road. The tire store in question is located on Hwy 27 and does not have a business license. Mr. Dwight asked if there was anyone here against this exception. Mr. Hartzog who resides in Bridlewood Farms and lives adjacent to the property stepped to the podium. Mr. Hartzog spoke about noise and how he can see the building from his back yard. He also stated he was concerned about additional traffic when the Parkway goes all the way through to Carter Road. Mr. Hartzog also stated that there are plenty of other locations for a convenient store on Highway 27.

Public comment was closed and the Board opened up for discussion. Mr. Murphree stated that it seems they are trying to put the cart before the horse. He stated that there are building issues, egress issues, power issues and a drive up window could be a deny on premises.

Mr. Westbury asked if this Convenience store carry qualifications as a convenience store already setup. Ms. Sharpe replied yes it would and approval would be on a board use group.

Mr. Murphree motioned to table the application until January 2017 and suggest the applicant give us an idea of what they are going to do, what would the classification of ordinance that can be compared. The applicant has to submit this information so we can look at exactly what the applicant plans or wants to do. Mr. Johnson seconded the motion and the vote was unanimous to table the application until January 2017. Mr. Westbury stated we need to look into the road availability for the fire and police department.

V. **OLD BUSINESS**

VI. **NEW BUSINESS**

VII. **REPORT OF CHAIRMAN**

Mr. Dwight thanked the Board members that participated in the continuing education opportunity last month.

VIII. **REPORT OF ZONING ADMINISTRATOR**

Ms. Sharpe stated that the 2017 calendars will be on next month's agenda for their approval.

IV. **PUBLIC COMMENT**

XI. **ADJOURN**

Mr. Johnson made a motion to adjourn the meeting and Mr. Westbury seconded the motion. The meeting was adjourned at 6:45 pm.

DORCHESTER COUNTY
Board of Zoning Appeals
500 N. Main Street
County Council Chambers
Summerville, SC 29483

Minutes
December 20, 2016
6:00 PM

I. DETERMINE QUORUM

Present: Chairman Dwight
Mr. Westbury
Mr. Murphree
Mr. Couto
Mr. Reeves
Mr. Timmons

Absent: Mr. Johnson

Staff: Ms. Sharpe
Ms. Cook

II. INVOCATION

Mr. Westbury gave the invocation.

III. MINUTES

A. Minutes from November 15, 2016

Mr. Murphree made a motion to approve the minutes as written. Mr. Westbury seconded the motion and the vote was unanimous to approve.

IV. VARIANCE REQUESTS, SPECIAL EXCEPTION APPLICATIONS

A. Variance for an accessory structure in the second front yard, Section 5.4.5 (Yards on corner lots) and Section 10.4.2 (f) accessory structures.

Applicant: Charles McPherson and Danny Gilbert
Property Owner: Charles R. McPherson
Address: 131 Prince Edward Drive
Summerville, SC 29483
TMS# 128-10-04-013

Ms. Sharpe presented the staff report and explained that Mr. McPherson created the hardship himself when he constructed his home at the current location on this property.

Mr. Murphree asked Ms. Sharpe the zoning of the property, Ms. Sharpe replied it is Transitional Residential-Manufactured Housing District. Mr. Murphree stated then there are a variety of homes.

The applicant Mr. McPherson and Mr. Gilbert the builder stepped to the podium. Mr. McPherson explained he had spoken to Mr. Brebner in the past and showed his plans when he built his house. Mr. McPherson also said there is a privacy fence running down the side on Marie Street to block the condemned home across the street.

Mr. Dwight asked Mr. McPherson did you ask or tell Mr. Brebner? Mr. McPherson said he asked and the answer at the time was there shouldn't be a problem.

Mr. Timmons asked the height of the building that was being built and dimensions. Mr. Couto asked why it can't front Marie Street and not Prince Edwards. Mr. McPherson said he would have to pour more concrete and doesn't want to. Mr. Couto asked would Mr. McPherson would rather be grant a 10' setback to 15' from the fence and move it to the backyard. The project will be flipped facing Marie Street and the applicant was agreeable.

Mr. Couto motioned to grant a 10' front setback and approved turning the garage to face Marie Street at the rear of the property. Mr. Timmons seconded the motion and the vote was unanimous to grant a 10'ft variance.

V. **OLD BUSINESS**

A. Special Exception requesting a Commercial Use (Business, Accommodation and Food Services for a Recreational Vehicle Park) in an Absence of Controls (AC) zoning district.

Applicant:	Arlene Wheeler
Property Owner:	Cynthia L. Grooms
Address:	Myers Mayo Road Ridgeville, SC 29448 TMS# 098-00-00-235

Mrs. Sharpe presented the staff report to the Board with a conditional approval. The conditions are as follows:

1. Applicant understands Special Exception is only for the use on property. Therefore, applicant shall work with staff by submitting necessary revisions to site plan to ensure compliance with Dorchester County Zoning and Land Development Ordinance.
2. Applicant shall provide primary access and through vehicular traffic circulation plan.

3. The retention/maintenance of a buffer to screen proposed use from all public rights of way; and protect the integrity of the Cypress Campground Historic site.
4. Prior to commencing operations the operator will meet all applicable building codes as required by the Dorchester County Building Official.
5. Onsite wastewater systems serving campgrounds shall comply with all applicable Department of Health and Sanitation regulations.

The applicant Ms. Wheeler and property owner Ms. Grooms stepped to the podium. Ms. Wheeler stated that they have increased the roadway to 40' with a 10' buffer. Ms. Wheeler also stated that the picnic tables and swings would be moved to the right of the drainage field. DHEC will require them to have a modified tank system. Ms. Wheeler also stated that she intended to make it a keyless entry gate. It would be a work camp for Volvo workers an actual Recreational Vehicle park. She and Ms. Grooms stated the plan to leave as many trees as they can. Ms. Wheeler believes it would cause the least amount of change because of the zoning now, she could put in apartments, a trailer park but this would be the least disruptive. Ms. Wheeler will have cameras mounted for security.

Mr. Timmons asked if it would be paved or gravel? Ms. Wheeler responded, recycled asphalt. Mr. Timmons suggested two entrances for Ms. Wheeler's benefit. Mr. Timmons also asked if there would only be trailers, travel trailers and campers on the land. Ms. Wheeler stated there would be 50 amp poles with water and sewer lines from each site and no dump station.

Mr. Timmons asked if there would be pads or no pads. Ms. Wheeler stated she would rather there be no pads just a simple park.

Mr. Dwight asked about pay and hours of operation, how will it be handled. Ms. Wheeler stated there would be a key card gate, on line reservations. Mr. Couto asked if all payments would be on line. Ms. Wheeler stated she would work from home.

Mr. William Edwards owns the property near the possible campsite. Mr. Edwards says he parks up to 10 trucks on his property and no one seems to notice. Ms. Wheeler is correct about this area and property. It is just a matter of time before the Dorchester side grows. The area is a prime location to become Industrial.

Mr. Russell Hilton stepped to the podium and explained that the Cypress Campground has been labeled historic and documented on the National Historic Registry. Mr. Hilton stated he has grown up going to the campground and church since birth. Mr. Hilton stated he felt this is not a good location for a worker camp where people will be migrating in and out as their work permits.

Mr. Timmons asked what difference does it make, why deny the opportunity for Ms. Grooms to make some money off her land.

Mr. Couto stated we can't tell people what they can or can't do with their land. You can't say no one is going to build, so what if apartments went there. Mr. Couto stated we do not

have that right. Mr. Couto then stated it's a nice area and it will change but at least it will only be twelve sites, appreciate the fact that there will be a buffer.

Mr. Hilton stated but it is still a work camp.

Mr. Ralph Sanders stepped to the podium and stated they received grants to secure the property. Mr. Sanders stated he felt since 1794 over 200 years of religion and three services a day, Mr. Sanders feels strongly against it and asked if the Board would consider not approving.

Mr. Robert Hoover, who resides on Cypress Campground Road, stepped to the podium and stated he was confused, if nothing can happen what is the next step.

Ms Wheeler stepped back to the podium and stated mobile homes are allowed already with the zoning so they could create a mobile home park but that is not what they want to do.

Mr. Murphree made a motion with the 5 recommendations on the staff report give a conditional approval of a RV Park with the 5 site conditions.

- 1. Applicant understands Special Exception is only for the use on property. Therefore, applicant shall work with staff by submitting necessary revisions to site plan to ensure compliance with Dorchester County Zoning and Land Development Ordinance.*
- 2. Applicant shall provide primary access and through vehicular traffic circulation plan.*
- 3. The retention/maintenance of a buffer to screen proposed use from all public rights of way; and protect the integrity of the Cypress Campground Historic site.*
- 4. Prior to commencing operations the operator will meet all applicable building codes as required by the Dorchester County Building Official.*
- 5. Onsite wastewater systems serving campgrounds shall comply with all applicable Department of Health and Sanitation regulations.*

Mr. Murphree commented that it still only had one way in and one way out.

Mr. Timmons made a motion to amend the original motion by adding that the fire department has to sign off on the entrance to the RV Park. Mr. Murphree seconded the amendment to the original motion as written in concerns.

Mr. Couto made a motion to amend item number three to a minimum of a 200' buffer and Mr. Timmons seconded Mr. Couto's amendments.

Chairman Dwight called for a vote to approve as motioned and amended and the vote was unanimous to approve with all amendments stated.

VI. NEW BUSINESS

Board of Zoning Appeals Schedule for 2017

Mr. Murphree made a motion to approve the schedule as written. Mr. Westbury seconded the motion and the vote was unanimous to approve.

VII. REPORT OF CHAIRMAN

Mr. Dwight spoke about officers being elected at the January meeting.

VIII. REPORT OF ZONING ADMINISTRATOR

IV. PUBLIC COMMENT

XI. ADJOURN