

MINUTES
DORCHESTER BOARD OF ZONING APPEALS
COUNTY BOARD OF ZONING APPEALS MEETING
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNTY COUNCIL CHAMBERS, SUMMERVILLE, SC

January 24, 2024

6:00 PM

1. **DETERMINE QUORUM**

Present: Mr. DeHay
 Mr. Dixon
 Mr. Segelken
 Mr. Lawton
 Mr. Reeves
 Ms. Harper

Staff: Ms. Reinertsen
 Mr. Solberg
 Ms. Durham

Absent: Mr. Dwight

2. **INVOCATION & PLEDGE**

Invocation was led by Mr. Lawton and the Pledge was led by Mr. DeHay.

3. **ELECTION OF OFFICERS**

A. Nomination and Election of Chairman

B. Nomination and Election of Vice-Chairman

Mr. Reeves would like to make an amendment to the current bylaws to allow the Chair and Vice-Chair to serve up to ten consecutive terms if approved and voted on each year.

A motion was made by Mr. Reeves to defer the election of officers until the next meeting, seconded by Mr. Dixon. The vote was 6-0 to defer. (Dixon, DeHay, Lawton, Segelken, Harper, Reeves)

4. **MINUTES**

Adoption of Minutes from the December 20, 2023, Board of Zoning Appeals Meeting.

A motion was made by Mr. Segelken to approve the minutes, seconded by Mr. Dixon. The vote was 6-0 to approve. (Dixon, DeHay, Lawton, Harper, Segelken, Reeves)

5. **VARIANCE REQUESTS, SPECIAL EXCEPTION APPLICATIONS**

A. Variance request from Section 10.4.2(1)(f) to allow accessory structure in required front yard.

Applicant: Chris Thornton
Property Owner: Daniel & Tammy Thelen
Address: 141 Donning Dr
Summerville, SC 29483
TMS# 151-03-03-034

All Individuals who spoke for or against were sworn to oath.

Ms. Reinertsen gave the staff report. After reviewing the request, staff provided the following facts:

1. The property in question is the combination of three lots. The combination of the lots after the construction of the home led to the majority of the lot being deemed front-yard.
2. There are no other lots in the vicinity (developed or undeveloped) that are the result of combining multiple parcels.
3. The application of the ordinance entirely prevents the use of the two vacant lots which were previously buildable single-family lots.
4. The authorization of the variance to allow an accessory structure in the front yard would not be a detriment to adjacent property as the proposed development is no more impactful than a home built on one of the lots prior to combination.

Based on these facts, staff finds that the application does meet the requirements for a variance and therefore recommends approval of the request.

- Mr. Segelken asked if any feedback had been received from surrounding neighbors.
- Ms. Reinertsen advised no.
- Chris Thornton (141 Donning Dr) stepped to the podium to explain his request and answer any questions the board may have.
- Ms. Harper asked if the applicant was taking any trees down.
- Mr. Thornton advised no trees would be removed.
- Ms. Harper asked if there was a second driveway.
- Mr. Thornton advised yes, there was previous access from Glaze, now there would also be a driveway from Donning.

A motion was made by Ms. Harper to approve, based on the facts and findings, seconded by Mr. Lawton. The vote was 6-0 to approve. (Dixon, Lawton, DeHay, Segelken, Reeves, Harper)

- B. Variance request from Section 8.3.6(c) referenced in Section 11.5.9(a) to reduce required setback for accessory structure.

Applicant: Joseph Schieble
Property Owner: Michelle & ET AL Schieble
Address: 4956 Ashley River Rd
Summerville, SC 29485
TMS# 161-00-00-121

All Individuals who spoke for or against were sworn to oath.

Mr. Solberg gave the staff report. After reviewing the request, staff provided the following facts:

1. The lot is a legal, conforming, Rural Residential lot within the Ashley River Historic Overlay District. Although the lot is long and narrow, it is still approximately 200' wide by 600' deep.
2. Other properties in the vicinity are conforming lots subject to the same requirements. The property is not a unique size or shape that would indicate it cannot be developed within the conforming setbacks.
3. The property is approximately 200' wide and the main portion of the lot is 600' deep. Although there are wetlands present on the lot, with the information provided and available to staff it does not appear that the application of the requirements of the ordinance restricts development of the lot.
4. The applicant has provided a letter from the adjacent landowner stating that they do not have objections to the reduced setback.

Based on the facts presented in the analysis, staff finds that the application does not meet the requirements for a variance and therefore recommends denial of the request.

- Ms. Harper asked if the flood zone would be in the tree line.
- Mr. Solberg advised yes.
- Ms. Harper asked for clarification of the setbacks is it 25 ft or 50 ft for side setbacks.
- Mr. Solberg advised 50 ft.
- Joseph Schieble (4956 Ashley River Rd) stepped to the podium to explain his request and answer any questions the board may have.
- Mr. Segelken asked why the offset to the left of the property.
- Mr. Schieble advised that he didn't want the building next to the road and wants to leave easement for utilities.
- Mr. Lawton asked if there was a way to shift the building.

- Mr. Schieble advised no because it would run into the electric easement.

A motion was made by Mr. Segelken to approve, since it wouldn't be a detriment to neighboring properties, and the easement and flood plain limits places where the applicant can place his building, seconded by Ms. Harper. The vote was 6-0 to approve. (Dixon, Lawton, DeHay, Segelken, Harper, Reeves)

6. **OLD BUSINESS**

None

7. **NEW BUSINESS**

None

8. **REPORT OF CHAIRMAN**

None

9. **REPORT OF ZONING ADMINISTRATOR**

None

10. **PUBLIC COMMENT**

None

11. **ADJOURNMENT**

On the motion of Mr. Segelken, seconded by Mr. Lawton, the Board voted six in favor, with one absent (Dwight) to adjourn at approximately 6:30 p.m.