

MINUTES
DORCHESTER BOARD OF ZONING APPEALS
COUNTY BOARD OF ZONING APPEALS MEETING
DORCHESTER COUNTY KENNY WAGGONER BUILDING
COUNTY COUNCIL CHAMBERS, ST. GEORGE, SC

March 27, 2024

6:00 PM

1. **DETERMINE QUORUM**

Present: Mr. DeHay
Mr. Dixon
Mr. Segelken
Mr. Lawton
Mr. Reeves
Mr. Dwight

Staff: Ms. Reinertsen- Director
Mr. Solberg- Deputy Director
Ms. Wynn- Principal Planner
Ms. Durham – Recorder

Absent: Ms. Harper

2. **INVOCATION & PLEDGE**

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

3. **MINUTES**

Adoption of Minutes from the February 28, 2024, Board of Zoning Appeals Meeting.

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

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

A. **V-24-04:** Variance request from Section 10.4.2(1)(f) to place an accessory structure in the secondary front yard.

Applicant: Brandon & Christina Lenz
Property Owner: Brandon & Christina Lenz
Address: 5004 Wartrace Court
Summerville, SC 29485

TMS# 151-11-02-063

Mr. Solberg gave the staff report and provided the following facts:

1. The lot was created as a corner lot with a large amount of street frontage and no rear yard.
2. As noted above, the property has a large amount of frontage, and the house was placed in such a manner which deems an unusual amount of the property to be within the required front yard and limited amount of side yard available.
3. The application of the ordinance on this lot creates a situation where it is not possible to place their proposed pool within a side or rear yard. The situation is a result of both the platting of the lot and the placement of the home.
4. The applicant has an existing 6-foot privacy fence to provide a screening of the pool from the street frontage to address the possible detriment to adjacent properties. The Board could place the continued maintenance and upkeep of a 6-foot privacy fence as a condition of approval.

Based on these facts, staff finds that the application does not meet the requirements as it pertains to detriment for a variance, however if the Board considers a condition to the variance acceptable, staff would find the application can meet the requirements for a variance and would recommend approval with the condition that a 6-foot privacy fence be maintained to provide screening of the in-ground pool in the required front yard.

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

- Brandon Lenz (5004 Wartrace) stepped to the podium to explain the request and answer any questions the board may have.
- Mr. Segelken asked if his HOA gave him approval.
- Mr. Lenz advised yes.
- Mr. DeHay asked if landscape would be planted and maintained.
- Mr. Lenz advised yes.

A motion was made by Mr. Segelken to approve the request due to the lot size with a six-foot privacy fence and that it be maintained, seconded by Mr. Dixon. The vote was 6-0 to approve (Dixon, DeHay, Lawton, Dwight, Segelken, Reeves)

B. SE-24-01: Special Exception request for an RV Park in an AR, Agricultural Residential District.

Applicant:	Felicia & John Britt
Property Owner:	John R Britt
Address:	496 Second Texas Road St. George, SC 29477

TMS# 070-00-00-050

TMS# 075-00-00-073

Ms. Reinertsen gave the staff report and provided the following facts:

1. Accommodation uses require Special Exception approval in the Agricultural Residential zoning district.
2. The area is predominately rural with large-lot residences and agriculture.
3. This site is located on a state-maintained rural collector that can handle the low trips generated by the proposed use.
4. The recommendations of the Comprehensive Plan and the Future Land Use designation recommend that preservation of the rural character and low-density development.
5. If approved, the use of this site would be limited to that provided for in this application (20 sites) and future expansion would require additional approval from the Board of Zoning Appeals.
6. The site plan does not provide a clear picture of how the site will be laid out and all required zoning elements addressed.
7. Staff has also received a number of calls regarding concerns with the existing and proposed activities on the site.

Based on these facts, staff would support denial of the request. However, if the board finds the location and use appropriate, staff would recommend deferral to have the applicant provide additional information regarding the operation of the site and a more detailed site plan meeting the sketch plan requirements in Section 19.1 of the Zoning and Land Development Standards.

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

- Felicia & John Britt (496 Second Texas Road) stepped to the podium to explain the request and answer any questions the board may have.
- Mr. Segelken asked about septic and if the property will perk.
- Ms. Britt advised approved for forty-seven spaces but starting with twenty.
- Mr. Segelken asked if each lot would have its own septic.
- Ms. Britt advised they will have dump stations.
- Mr. Dixon asked if there will be a hands-on manager onsite.
- Ms. Britt advised people will be hired to manage the site.
- Mr. Lawton asked what the applicant's idea of an RV park was.
- Ms. Britt advised short term rentals, no permanent homes, hook ups for vacations.
- Mr. Lawton asked about the buffer to the RV park.
- Ms. Britt advised a privacy fence with a gate, landscaping, trees, plants.
- Mr. Segelken asked about the layout of the park.
- Ms. Britt advised they were supposed to have a final plan, but it wasn't ready.
- Barney Atkinson (391 Second Texas) spoke against the RV park.
- Regina Leggett (170 Radio Road) spoke against the RV park.

- Ryan Heid (435 Seven Acres) spoke against the RV park.
- Mike Gilbert (279 Seven Acres Rd) spoke against the RV park.

A motion was made by Mr. Segelken to defer the request to next month to address questions and concerns, seconded by Mr. Dwight. The vote was 6-0 to defer (Dixon, DeHay, Lawton, Dwight, Segelken, Reeves)

5. **OLD BUSINESS**

- A. **V-24-03:** Variance request from Section 10.4.11(b)(7) to allow 24/7 hours of operation regarding mineral resource extraction.

Applicant: John Marion Clayton
Property Owner: MRC Mine LLC
Address: E Main Street
Dorchester, SC 29437
TMS# 075-00-00-073

Ms. Reinertsen advised this variance was deferred from last month's meeting.

Mr. DeHay read a statement submitted by Phyllis Hughes.

Mr. Lawton made a motion to go into Executive Session, seconded by Mr. Dwight.

The Board went into Executive Session at 6:43 p.m.

The Board returned from Executive Session at 6:44 p.m.

A motion was made by Mr. Lawton to amend the agenda to include Executive Session, seconded by Mr. Reeves.

A motion was made by Mr. Lawton to go into Executive Session, seconded by Mr. Dixon.

The Board went into Executive session at 6:45p.m.

The Board returned from Executive Session at 7:30 p.m.

Chairman DeHay advised that no decisions were made in Executive Session.

A motion was made by Mr. Segelken to deny the request, per criteria 1 under section 14.4.4, as there has been no information presented indicating there was a hardship due to size, shape, or topography, seconded by Mr. Dwight. The vote was 6-0 to deny (Dixon, DeHay, Lawton, Dwight, Segelken, Reeves)

6. **NEW BUSINESS**

None

7. **REPORT OF CHAIRMAN**

None

8. **REPORT OF ZONING ADMINISTRATOR**

None

9. **PUBLIC COMMENT**

None

10. **ADJOURNMENT**

Meeting adjourned at 7:32p.m.