**MINUTES OF MEETING**

**Newberry County Board of Zoning Appeals**

**Tuesday, May 2, 2023 @ 5:30 p.m.**

**Council Chambers**

**Newberry County Annex**

**Members Present:**

Chairman Wayne Boland

Vice-Chairman Anna Kay Coleman

Doug Hipp

Ty Ransdell

Patrick Wilkes

Hugh Lister

Patrick Meetze

**Members Absent:**

None

**Other Attendees:**

Katie Werts, Planning and Zoning Administrator

Bridgett Fain, Secretary

Chad Randolph, Applicant

Donald Slaughter, Applicant

Burnie Martin, Jr., Applicant

Other Concerned Citizens (see sign-in sheet 2 & 3)

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**Call to Order and Determination of Quorum:** Chairman Wayne Boland called the meeting to order at 5:30 p.m. and determined there was a quorum.

**Approval of Minutes of Meeting:** The minutes of the April 4, 2023, meeting was reviewed. A motion to approve the minutes as written was made by Vice-Chairman A Kay Coleman, seconded by Hugh Lister. The vote was unanimous to approve the minutes as written.

**Old Business:** Case # SE01-04-04-23, A Special Exception request for a Practice Racetrack. The property is located at 15 Holly Point Rd., Prosperity, SC. Tax Map # 534-24

Due to the Special Exception SE1-04-04-23 being tabled last month, Chairman Wayne Boland call for a vote to bring the Special Exception off the table. Ty Ransdell made a motion to bring the Special Exception off the table, seconded by Patrick Meetze. The vote was unanimous to bring the Special Exception off the table.

Chairman Wayne Boland presented the case to the Board. He stated that at the last meeting, April 4, 2023, the case was tabled so that the people that were opposing the Special Exception could possibly come to some sort of agreement. The applicant, Chad Randolph presented to the Board a list of Terms and Conditions that he gave to the adjoining property owners and neighborhood residences for their consideration. He stated that the adjacent property owners and neighborhood residences could not agree to any of his Terms and conditions as presented to them. After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions. The use will substantially injure the value of adjoining properties, the use is not a public necessity, the location and character of the use will not be in harmony with the area in which it is to be located and the use will create noise on the adjoining properties. Chairman Wayne Boland called for the vote. Patrick Wilkes made a motion to deny the Special Exception, Seconded by Ty Ransdell. The vote was unanimous to deny the special exception.

**New Business: Case Presentation**

Case # VA01-05-02-23, A Variance request for the relief of the average of the 50-foot setback from the 360-contour of Lake Murray to be 15-feet, for an addition to the existing house. The property is located at 69 Wilkerson Rd., Prosperity, SC. Tax Map # 653-3-25

Katie Werts presented the case to the Board as outlined in the Staff Report. She stated that the applicant, Donald Slaughter, is requesting this variance to be allowed to build a new addition to the existing house on the property, 15-foot from the 360-contour of Lake Murray. After a brief discussion with various pertinent questions from the board members and in consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions. All the standards in Section 153.052(C) (1-5) have been met. Chairman Wayne Boland called for the vote. Hugh Lister made a motion to approve the request, seconded by Ty Ransdell. The vote was unanimous to approve the variance.

Case # VA02-05-02-23, A Variance request for the relief of the average of the 73-foot setback from the 360-contour of Lake Murray to be 49-feet, for an inground pool. The property is located at 32 Mariners View Rd., Prosperity, SC. Tax Map # 538-6-14

This case has been withdrawn until the next meeting, due to the information posted not being correct.

Case # VA03-05-02-23, A Variance request for the relief of the minimum 1-acre lot size for the R2-Rural zoning district. The property is located at 4704 SC Hwy 391, Prosperity, SC. Tax Map # 470-20

Katie Werts presented the case to the Board as outlined in the Staff Report. She stated that the applicant, Justin Middleton, is requesting this variance to be allowed to record a plat with less than the required acreage. After a brief discussion with various pertinent questions from the board members and in consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions. All the standards in Section 153.052(C) (1-5) have been met. Chairman Wayne Boland called for the vote. Hugh Lister made a motion to approve the request, seconded by Patrick Meetze. The vote was unanimous to approve the variance.

Case # VA04-05-02-23, A Variance request for the relief of the minimum 100-foot required buffer from all adjoining property lines of existing single-family residential and adjacent residentially zoned properties, for a canopy over the existing gas pumps. The property is located at 4704 SC Hwy 391, Prosperity, SC. Tax Map # 470-20

Katie Werts presented the case to the Board as outlined in the Staff Report. She stated that the applicant, Justin Middleton, is requesting this variance to be allowed to place a canopy over the existing gas pumps 89-foot and 26.5-foot from all adjoining property lines of existing single family residential and adjacent residentially zoned properties. After a brief discussion with various pertinent questions from the board members and in consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions. All the standards in Section 153.052(C) (1-5) have been met. Chairman Wayne Boland called for the vote. Hugh Lister made a motion to approve the request, seconded by Patrick Meetze. The vote was unanimous to approve the variance.

Case # VA05-05-02-23, A Variance request for the relief of the average of the 113-foot setback from the 360-contour of Lake Murray to be 98-feet, for a new site-built house. The property is located at Jennings Point., Prosperity, SC. Tax Map # 653-1-1

Katie Werts presented the case to the Board as outlined in the Staff Report. She stated that the applicant, Burnie Martin, Jr., is requesting this variance to be allowed to build a new house on the property, 98-foot from the 360-contour of Lake Murray. After a brief discussion with various pertinent questions from the board members and in consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions. All the standards in Section 153.052(C) (1-5) have been met. Chairman Wayne Boland called for the vote. Vice-Chairman A Kay Coleman made a motion to approve the request, seconded by Patrick Meetze. The vote was unanimous to approve the variance.

Case # VA06-05-02-23, A Variance request for the relief of the required 25-foot setback from the road right-of-way to be 2-foot, for a new site-built house. The property is located at 784 Marina Way, Prosperity, SC. Tax Map # 592-2-123

Katie Werts presented the case to the Board as outlined in the Staff Report. She stated that the applicants, Jeff and Melinda Littlejohn, are requesting this variance to be allowed to build a new site-built house, 2-foot from the road right-of-way. After a brief discussion with various pertinent questions from the board members and in consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions. All the standards in Section 153.052(C) (1-5) have been met. Chairman Wayne Boland called for the vote. Ty Ransdell made a motion to approve the request, seconded by Patrick Wilkes. The vote was unanimous to approve the variance.

Case # VA07-05-02-23, A Variance request for the relief of the required 25-foot setback from the road right-of-way to be 2-foot and a variance request for the relief of the required 7-foot side yard setback to be 2-foot from the side yard, for a storage building. The property is located at 784 Marina Way, Prosperity, SC. Tax Map # 592-2-123

Katie Werts presented the case to the Board as outlined in the Staff Report. She stated that the applicants, Jeff and Melinda Littlejohn, are requesting this variance to be allowed to place a storage building, 2-foot from the road right-of-way and 2-foot from the side lot line After a brief discussion with various pertinent questions from the board members and in consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions. All the standards in Section 153.052(C) (1-5) have been met. Chairman Wayne Boland called for the vote. Hugh Lister made a motion to approve the request, seconded by Ty Ransdell. The vote was unanimous to approve the variance.

**Other Business:**

Next scheduled BZA meeting is June 6, 2023 at 5:30 p.m.

**Adjourn:** Due to there being no other business, Vice-Chairman A Kay Coleman made a motion to adjourn the meeting, seconded by Ty Ransdell, and Chairman Wayne Boland adjourned the meeting at 6:42 p.m.