

MINUTES OF MEETING
Newberry County Board of Zoning Appeals
Tuesday, September 4, 2018 @ 5:30 p.m.
Council Chambers
Newberry County Annex

Members Present:

Chairman Doug Hipp
Vice-Chairman Larry Longshore
Anna Kay Coleman
Wayne Boland
Patrick Wilkes

Members Absent:

Ty Ransdell

Other Attendees:

Anne Peters, Zoning Administrator
Ron Powell, Director of Building Inspections, Planning and Zoning`
Bridgett Fain, Secretary to BZA
Lori Smith, Support Specialist
Scott Cain, County Councilman
A.J. Tothacer, Jr., Attorney Representing BZA
Steve Matthews, Attorney Representing Zoning Staff
Christy Brown, Applicant
Samuel Price, Jr., Attorney Representing Applicant
Jake Moore, Attorney Representing Applicant
Wesley Boland, Applicant
Steve Weitzel, Applicant
Michael Brown, Citizen
Emma Jeter, Citizen
And other concerned Citizens

Call to Order and Determination of Quorum:

Chairman Doug Hipp 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 August 7, 2018 meeting was reviewed. A motion to approve the minutes was made by Larry Longshore, seconded by Anna Kay Coleman. The vote was unanimous to approve the minutes as written.

Old Business: None

New Business: Case Presentation

Case# VA01-09-04-18; A variance request for the relief of the 25-foot setback at the road right-of-way, for the placement of a new site built house. The property is located on Holiday Acres Rd., Prosperity, SC.
TM # 650-1-19

Anne Peters presented the case to the Board as outlined in the Staff Report. She stated that the applicant, Steve Weitzel, is requesting this variance to be allowed to build a new site built new home, 10-feet from the road right-of-way. After a lengthy discussion with various pertinent questions from the board members, Wayne Boland made a motion to approve the request, seconded by Patrick Wilkes. The vote was unanimous to approve the variance.

Case# VA02-09-04-18; A variance request for the relief of the 300-foot setback from the nearest existing residential dwelling units (6), for the placement of a Public Safety Antenna for critical infrastructure. The property is located at 896 Duckett Avenue, Whitmire, SC.
TM # 311-1-6-32

Anne Peters presented the case to the Board as outlined in the Staff Report. She stated that the applicant, Wesley Boland, is requesting this variance to be allowed to build a new Public Safety Antenna for critical infrastructure on this property. After a lengthy discussion with various pertinent questions from the board members, Larry Longshore made a motion to approve the request, seconded by Wayne Boland. The vote was unanimous to approve the variance.

Case# SE01-09-04-18; A Special Exception request for a Public Safety Antenna for critical infrastructure. The property is at 896 Duckett Avenue, Whitmire, SC.
TM # 311-1-6-32

Anne Peters presented the case to the Board as outlined in the Staff Report. She stated that the applicant, Wesley Boland, is requesting this special exception to be allowed to build a public safety antenna for critical infrastructure. After a lengthy discussion with various pertinent questions from the board members, Wayne Boland made a motion to approve the request, seconded by Anne Kay Coleman. The vote was unanimous to approve the special exception.

Case # AA01-01-03-17, Case remanded to Newberry County Board of Zoning Appeals so that the Newberry County Board of Zoning Appeals will consider all prior and any new testimony and render a decision in the matter of Christy W. Brown in compliance with and addressing all issues referred to in the Court Order of Judge Frank R. Addy, Jr. dated May 22, 2018. The property is located on 178 Shingle Mill Rd., Newberry, SC. Tax Map # 503-36

Attorney Steve Matthews, representing the Zoning Staff, presented the case to the Board. He stated that the case has been remanded back to the Board so they can consider all prior and any new testimony and address all issues referred to in the Court Order of Judge Frank R. Addy, Jr., dated May 22, 2018. After a lengthy discussion with various pertinent questions from the board members and with the Board Members going through the flowchart (see flowchart attached) and determining the findings of fact, the following was determined. On question one (1): It was determined that the date of the non-conforming use of RV rentals for workers, by the owner of the property, started in August 2016. On question two (2): It was determined through the evidence presented, that the

Non-conforming use did start after the enactment of the pending ordinance doctrine of the zoning ordinance no. 06-11-16. On question three (3): The vote passed by majority to affirm the decision of the Zoning Administrator that the subject property does not meet the conditions required to permit its use as temporary RV accommodation for workers, with one (1) opposing. On question four (4): The vote passed by majority to deny the variance request from the conditions required to permit the use as temporary accommodation for workers, with one (1) opposing. On question five (5): The vote passed by majority to deny the special exception request to allow the use of the subject property as a commercial campground and recreational vehicles park, with one (1) opposing. On question six (6): The vote passed by majority to deny the variance request from the requirements for a special exception as a commercial campground and recreational vehicle park, with one (1) opposing.

Other Business: None

Discussion and Informational Items:

a. Training information for the BZA members:

Anne Peters updated the Board about training information.

b. Next regularly scheduled BZA meeting:

After a brief discussion, Chairman Doug Hipp stated that the next meeting date would be October 2, 2018, at 5:30 p.m.

Adjourn: Due to there being no other business, Anna kay Coleman made a motion to adjourn the meeting, seconded by Vice-Chairman Larry Longshore, and Chairman Doug Hipp adjourned the meeting at 9:21 p.m.