



YORK COUNTY
ZONING BOARD OF APPEALS
MINUTES • MARCH 11, 2021
FINAL



Zoning Board Of Appeals

York County Government Center
6 South Congress Street
York, SC 29745

6:00 PM

Albert Quarles: Absent, John Gast: Present, Jeffrey Hunter: Present, Ragin Craig: Present, Barbara Candler: Present, Derrick Williams: Present, Tony Smith: Present, Marion Ray: Present, Josh Reinhardt: Present, Asia Martin: Present, Rachel Grothe: Present, Laura Dover: Present, Jeff Kirchner: Present.

Adoption of Minutes

Approval of February 11, 2021 Zoning Board Of Appeals Minutes

ACCEPTED [Unanimous]

MOVANT: Ragin Craig

SECOND: Tony Smith

AYES: Gast, Hunter, Craig, Candler, Williams, Smith

ABSENT: Albert Quarles

Location Map

New Business

1. John Potter request a Variance from the York County Zoning and Development Standards Ordinance (road frontage) for properties located at the intersection of Catamount Drive and Charlotte Highway, in the Clover Community, tax map numbers: 559-00-00-029, -002, -174, and -176. District 2– Allison Love. Case Number Z21-7

Staff presentation was given by Josh Reinhardt.

Dan Ballou and Sarah Stewart were present to address the board with the reason for the request.

No one was present to speak in favor of the request.

No one was present to speak in opposition of the request.

Public hearing was closed.

The variance request to the required road frontage width on Charlotte Highway for a reduction of 50' for the seller-retained parcel was approved by a 6 to 0 vote with five conditions:

1. All plans for future development, which are not covered by this review, shall be submitted to the York County Planning Department for review and approval.
2. Major modifications to plans or exceptions to completion may be granted only by the County authority, which approved the project.

3. A plat showing the original parcel and the parcels being reconfigured, with pertinent supporting data, shall be submitted to the Planning Department for review and approval.
4. After approval and prior to building permit issuance, the stamped plat shall be recorded at the York County Register of Deeds Office. .
5. The re-platting of the site shall be in substantial conformance with the approval plans submitted and on file in the York County Planning Office. Major modifications to plans may be granted only by the County authority, which approved the project.

APPROVED [Unanimous]

MOVANT: Tony Smith
SECOND: Barbara Candler
AYES: Gast, Hunter, Craig, Candler, Williams, Smith
ABSENT: Albert Quarles

2. Donna Martin request a Variance from the York County Zoning and Development Standards Ordinance (road frontage) for property located on Highway 557 and Rainbow Circle, in the Clover Community, tax map 465-00-00-048. District 2– Allison Love. Case Number Z21-8

Staff presentation was given by Marion Ray.

Donna Martin and Tom Llewellyn were present to address the board with the reason for the request.

Esther Garneau was present to speak in favor of the request.

Louis Csencsits, Michael Chartin, Sarah Dockery, Melanie Nienke, and Bill Cathey were present to speak in opposition of the request.

Public hearing was closed.

The variance request from the required, minimum road frontage in order to subdivide without the 100' of road frontage on Rainbow Circle to create a new "Lot C" requiring a road frontage variance of 55.21' was approved by a 5 to 1 vote with five conditions:

1. All plans for future development, which are not covered by this review, shall be submitted to the York County Planning Department for review and approval.
2. Major modifications to plans or exceptions to completion may be granted only by the County authority, which approved the project.
3. A plat showing the original parcel and the parcels being created by the subdivision, with pertinent supporting data, shall be submitted to the Planning Department for review and approval.
4. After approval, the stamped plat shall be recorded at the York County Register of Deeds Office.
5. The re-platting of the site shall be in substantial conformance with the approval plans submitted and on file in the York County Planning Office. Major modifications to plans may be granted only by the County authority, which approved the project.

APPROVED [5 to 1]

MOVANT: Tony Smith
SECOND: Ragin Craig
AYES: Hunter, Craig, Candler, Williams, Smith
NAYS: John Gast
ABSENT: Albert Quarles

3. Kip Goldhammer request a Variance from the York County Zoning and Development Standards Ordinance (rear yard setback) for property located at 398 Fischer Road, in the Fort Mill Community, tax map 729-00-00-242. District 1– Tom Audette. Case Number Z21-9

Staff presentation was given by Rachel Grothe.

Kip Goldhammer was present to address the board with the reason for the request.

No one was present to speak in favor of the request.

No one was present to speak in opposition of the request.

Public hearing was closed.

The variance request to reduce the required rear yard setback in order to construct an in-ground pool and spa at the rear of an existing house was approved by a 6 to 0 vote with seven conditions:

1. All plans for future construction, which are not covered by this review, shall be submitted to the York County Planning Department for review and approval.
2. Major modifications to plans or exceptions to completion may be granted only by the County authority which approved the project.
3. A building permit shall be obtained from the Planning & Development Department prior to commencement of work.
4. The development of the site shall be in substantial conformance with the approval plans submitted and on file in the York County Planning Office. Major modifications to plans may be granted only by the County authority which approved the project.
5. All swimming pool and spa equipment shall be at least 15 feet from any property line.
6. Prior to building permit issuance, the applicant shall work with County Planning staff to discuss and determine appropriate landscaping for the rear property line.
7. Prior to building permit final, all agreed upon rear landscaping shall be installed.

APPROVED [Unanimous]

MOVANT: Ragin Craig
SECOND: Tony Smith
AYES: Gast, Hunter, Craig, Candler, Williams, Smith
ABSENT: Albert Quarles

4. Kenneth Starnes request a Variance from the York County Zoning and Development Standards Ordinance (Lake Wylie Buffer) for property located at 2680 Island Cove Road, in the Fort Mill Community, tax map 642-00-00-025. District 1– Tom Audette. Case Number Z21-10

Staff presentation was given by Rachel Grothe.

Kenneth Starnes was present to address the board with the reason for the request.

No one was present to speak in favor of the request.

No one was present to speak in opposition of the request.

Public hearing was closed.

Barbara Candler made a motion to deny the request.

Ragin Craig was the seconder of the motion.

The motion to deny the variance request to encroach within the required 50' Lake Wylie Buffer by 5' to construct a swimming pool and spa at the rear of an existing house failed by a 2 to 4 vote.

FAILED [2 to 4]

Tony Smith made a motion to approve the variance request with the following conditions:

1. All plans for future construction which are not covered by this review shall be submitted to the York County Planning Department for review and approval.
2. Major modifications to plans or exceptions to completion may be granted only by the County authority which approved the project.
3. A building permit shall be obtained from the Building Department prior to commencement of work.
4. The development of the site shall be in substantial conformance with the approved plans submitted and on file in the York County Planning & Development Office. Major modifications to plans may be granted only by the County authority which approved the project.
5. All swimming pool and spa equipment shall be at least 15 feet from any property line.
6. The applicant must complete the proposed landscape plan that was submitted by the applicant on page 76 of the Zoning Board of Appeals packet.

John Gast was the seconder of the motion.

Tony Smith amended the motion to include an additional condition:

7. Add three (3) additional small maturing trees to the landscape plan that was submitted by the applicant.

John Gast accepted the amended motion.

APPROVED [Unanimous]

MOVANT: Tony Smith

SECOND: John Gast

AYES: Gast, Hunter, Craig, Candler, Williams, Smith

ABSENT: Albert Quarles

Adjourn

With no further business, the meeting was adjourned at 8:15 PM.