



YORK COUNTY
ZONING BOARD OF APPEALS
MINUTES • JULY 8, 2021
FINAL



Zoning Board Of Appeals

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

6:00 PM

Albert Quarles: Present, John Gast: Present, Jeffrey Hunter: Present, Ragin Craig: Present, Barbara Candler: Present, Derrick Williams: Present, Tony Smith: Present, Jonathan Buono: Present, Laura Dover: Present, Asia Martin: Present, Rachel Grothe: Present, Marion Ray: Present, Peter Kisicki: Present.

Modification to agenda -

Barbara Candler motioned to amend the order of the agenda to move item number five, ZBA Case# Z21-31 of New Business before item number four, ZBA Case# Z21-30.

PASSED [Unanimous]

MOVANT: Barbara Candler

SECOND: Jeffrey Hunter

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

Recommendation made by staff to the ZBA requesting a deferral for ZBA Case# Z21-30 and not allow for a public hearing until August 12, 2021 meeting.

John Gast motioned to defer ZBA Case# Z21-30 per staff's request.

Ragin Craig was the seconder of the motion.

Kelly Clayton was present on behalf of the applicant and not in favor of the recommendation made by staff to defer the request and public hearing until August 12, 2021 meeting.

Staff's recommendation to defer the request and not allow for the public hearing failed by a 0 to 7 vote.

FAILED [0 to 7]

Adoption of Minutes

Approval of June 10, 2021 Zoning Board Of Appeals Minutes

ACCEPTED [Unanimous]

MOVANT: Tony Smith

SECOND: Albert Quarles

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

Location Map

Old Business

1. Terry Roseborough request a Variance from the York County Zoning and Development Standards Ordinance (road frontage) for property located at 624 Rivercrest Road, in the Rock Hill Community, tax map 748-00-00-013. District 5– Christi Cox. Case Number Z21-17

Staff presentation was given by Marion Ray.

No one was present to address the board with the reason for the request - Terry Roseborough (applicant) was unable to attend the meeting.

No public hearing due to request being a deferral from June 10, 2021 meeting.

The variance request to subdivide land, creating an individual vacant lot to build a home without 100' of road frontage on Rivercrest Road was denied by a 7 to 0 vote.

DENIED [Unanimous]

MOVANT: Tony Smith

SECOND: Barbara Candler

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

2. Corey Goldstein requests a Variance from the York County Zoning and Development Standards Ordinance (curb cut) for property located at 490 Rowells Road, in the Catawba Community, tax map 758-00-00-007. District 5– Christi Cox. Case Number Z21-23

Staff presentation was given by Marion Ray.

Corey Goldstein and Ben Gabin were present to address the board with the reason for the request.

No one present to speak in favor or opposition of the request.

Rachel Grothe (Zoning Administrator) mentioned two opposition emails that were provided to staff.

Jeffrey Hunter motioned to approve the request with one condition: (1) All adjacent lots to Empyrean Way shall be provided access to the improved road.

Ragin Craig was the seconder of the motion.

Jeffrey Hunter amended the motion to include an additional condition: (2) The new road shouldn't be within 50' of another curb cut on the eastern side of Rowells Road.

Ragin Craig was the seconder of the amended motion.

The variance request for a reduction to the curb cut separation was approved by a 7 to 0 vote with two conditions: (1) All adjacent lots to Empyrean Way shall be provided access to the improved road. (2) The new road shouldn't be within 50' of another curb cut on the eastern side of Rowells Road.

APPROVED [Unanimous]

MOVANT: Jeffrey Hunter

SECOND: Ragin Craig

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

New Business

1. Neal Mitchell request a Variance from the York County Zoning and Development Standards Ordinance (road frontage) for property located at 2029 Filbert Highway, in the York Community, tax map 286-00-00-072. District 3– Robert Winkler. Case Number Z21-27

Staff presentation was given by Marion Ray.

Neal Mitchell was present to address the board with the reason for the request.

Wallace Tinsley 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 subdivide the subject Lot 1 from the subject parcel, creating two lots, neither of which will have the required road frontage of 350 feet was approved by a 6 to 0 vote (1 recused) with 3 conditions: (1) The division of the lot shall be in substantial conformance with the proposed plat. (2) Individual utilities (well and septic) shall be provided for each of the lots and shall be entirely contained on each of the lots. All wells and septic systems must remain on the individual lots. (3) The access easement along the north side of the lot shall be recorded and shall remain in perpetuity for ingress and egress for the existing lots to the rear of the parent parcel.

APPROVED [Unanimous]

MOVANT: Ragin Craig

SECOND: Albert Quarles

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

RECUSED: Tony Smith

2. Patti S. Meyer request a Variance from the York County Zoning and Development Standards Ordinance (road frontage) for property located at 628 Owens Road, in the Clover Community, tax map 254-00-00-011. District 3– Robert Winkler. Case Number Z21-28

Staff presentation was given by Marion Ray.

Patti Meyer was present to address the board with the reason for the request.

Catherine Rogers 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 subdivide the subject parcel in order to create two lots and the new having zero road frontage of the required 100 feet was approved by a 7 to 0 vote with 3 conditions: (1) The division of the lot shall be in substantial conformance with the proposed plat. (2) Individual utilities (well and septic) shall be provided for each of the lots and shall be entirely contained on each of the lots. All wells and septic systems must remain on the individual lots. (3) A 30 foot legal easement have shared access to the existing curb cut shall remain in perpetuity for ingress and egress for the lot to the rear.

APPROVED [Unanimous]

MOVANT: Jeffrey Hunter

SECOND: Tony Smith

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

3. NarroWay Development requests a Variance from the York County Zoning and Development Standards Ordinance (setback) for property located at 3312 Highway 21, in the Fort Mill Community, tax map 721-00-00-036. District 1– Tom Audette. Case Number Z21-29

Staff presentation was given by Rachel Grothe.

Alisha Hutchens and Yvonne Clark 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.

Ragin Craig motioned to approve the request with three conditions: (1) The proposed sign shall be set back at least one foot from the road right-of-way. (2) The existing pole sign on the property shall be removed before the approval of the new ground sign. (3) The existing concrete in the area around the proposed sign location shall be removed and replaced with landscaping. The minimum area for the concrete to be removed will be between the building and road and down to the parking lot, as shown in Exhibit A.

Barbara Candler was the seconder of the motion.

Ragin Craig amended the motion to modify condition #2 to state the existing pole sign shall be removed before the final inspection of the new sign.

Tony Smith was the seconder of the amended motion.

Ragin Craig amended the motion to remove condition #3.

Tony Smith was the seconder of the amended motion.

The Variance request to construct a new ground sign 0 feet from the property line / Highway 21 road right-of-way was approved by a 7 to 0 vote with 2 conditions: (1) The proposed sign shall be set back at least one foot from the road right-of-way. (2) The existing pole sign on the property shall be removed before the final inspection of the new sign.

APPROVED [Unanimous]

MOVANT: Ragin Craig

SECOND: Tony Smith

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

8:35 PM - 5 minute break

4. Rebecca Davis request a Variance from the York County Zoning and Development Standards Ordinance (road frontage) for property located at 608 Rustlewood Way, in the Rock Hill Community, tax map 543-00-00-106. District 6– Brandon Guffey. Case Number Z21-31

Staff presentation was given by Marion Ray.

Rebecca Davis was present to address the board with the reason for the request.

James Parrish 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 subdivide the subject parcel, creating a lot with an existing home, and one vacant lot without the required 100 feet of road frontage was approved by a 7 to 0 vote with 3 conditions: (1) The division of the lot shall be in substantial conformance with the proposed plat. (2) Individual utilities (well and septic) shall be provided for each of the lots and shall be entirely contained on each of the lots. All wells and septic systems must remain on the individual lots. (3) The 25 foot existing legal easement shall be recorded and shall remain in perpetuity for ingress and egress for the proposed lot to Rustlewood Way.

DENIED [Unanimous]

MOVANT: Barbara Candler

SECOND: Tony Smith

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

10 PM - Motion to continue deliberation after 10PM

5. Chad Goddard request a Variance from the York County Zoning and Development Standards Ordinance (Grand Tree Removal) for properties located on Mt Holly Road, in the Rock Hill Community, tax map numbers: 680-00-00-002, 680-00-00-003, and 614-00-00-036. District 5– Christi Cox. Case Number Z21-30

Staff presentation was given by Peter Kisicki.

Kelly Clayton, Craig Craze, Randy Goddard, Frank McMadden, Greg Verkant, and Chad Goddard were present to address the board with the reason for the request.

Dan Ballou was present to speak in favor of the request.
Lindsay Walker was present to speak in opposition of the request.
Public hearing was closed.

The Variance request to remove 31 grand trees across three parcels for the construction of a new roadway, comprised of road proposed road segments New Indigo Street and Rattlebush Road, to serve the future York Preparatory Academy (YPA), a proposed public charter school was deferred until August 12, 2021 meeting by a 6 to 1 vote to allow the applicant and staff time to meet.

DEFERRED [6 to 1]

MOVANT:	Albert Quarles
SECOND:	Ragin Craig
AYES:	Quarles, Gast, Hunter, Craig, Williams, Smith
NAYS:	Barbara Candler

11 PM - Motion to continue deliberation

Adjourn

With no further business, the meeting was adjourned at 11:15 PM.