



YORK COUNTY
ZONING BOARD OF APPEALS
MINUTES • MAY 13, 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, Laura Dover: Present, Asia Martin: Present, Jeff Kirchner: Present, Rachel Grothe: Present, Marion Ray: Present, Josh Reinhardt: Present, Christopher Stephens: Present.

Adoption of Minutes

Approval of April 8, 2021 Zoning Board Of Appeals Minutes

ACCEPTED [Unanimous]

MOVANT: Ragin Craig

SECOND: Barbara Candler

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

Location Map

New Business

1. York Preparatory Academy requests a Special Exception (school use) on properties located on Mt Holly Road and Tuckaway Road, in the Rock Hill Community, tax map numbers: 680-00-00-002, 680-00-00-003, 614-00-00-014, and 614-00-00-036. District 5– Christi Cox. Case Number Z21-15

Staff presentation was given by Jeff Kirchner.

Dan Ballou, Brian Myrup, Joshua Mugabe, Frank McMadden, Kelly Clayton, and Craig Craze were present to address the board with the reason for the request.

Rick Auto and Gwen Mugabe were present to speak in favor of the request.

Brown Simpson Jr., Tammy Wallace Mitchell, Donnie Christopher, and Clay Mitchell were present to speak in opposition of the request.

The Special Exception request to allow for a school use was approved by a 7 to 0.

APPROVED [Unanimous]

MOVANT: Albert Quarles

SECOND: Tony Smith

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

7:24 PM - 5 minute break

2. Nick Steinhaus of Baker Donelson request a Communication Tower Public Service Use (Proposed 195' Monopole Communication Tower) from the York County Zoning and Development Standards Ordinance for properties located at 1288 Porter Road, in the Rock Hill Community, tax map 622-00-00-016. District 5– Christi Cox. Case Number Z21-16

Staff presentation was given by Jeff Kirchner.

Nick Steinhaus 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.

The Communication Tower Public Service Use request to allow for a proposed 195' Monopole Communication Tower was approved by a 7 to 0 vote with one condition: (1) The tower height will not exceed the proposed 195' monopole design submitted by the applicant.

APPROVED [Unanimous]

MOVANT: Barbara Candler

SECOND: Ragin Craig

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

3. 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.

Terry Roseborough 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.

The Variance request to subdivide land, creating an individual vacant lot build a home without 100' of road frontage on Rivercrest Road was deferred until June 10, 2021 meeting by a 7 to 0 vote.

DEFERRED [Unanimous]

MOVANT: Tony Smith

SECOND: John Gast

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

4. Maria Karres request an amendment from the 2014 approved condition of approval for a Variance for road frontage for property located on Tirzah Road, in the York Community, tax map 499-00-00-003. District 3– Robert Winkler. Case Number Z21-18

The applicant withdrew the request prior to the scheduled meeting.

5. Bhavin Parikh request a Variance from the York County Zoning and Development Standards Ordinance (setbacks) for property located at 839 Stratford Run Drive, in the Fort Mill Community, tax map 656-00-00-180. District 1– Tom Audette. Case Number Z21-19

Staff presentation was given by Rachel Grothe.

Bhavin Parikh 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.

The Variance request to encroach by four feet into the required five foot rear and side yard setback requirements in order to construct a detached shed and gazebo was approved by a 5 to 1 vote with one condition: (1) The applicant provide an updated approval letter from the Homeowner's Association regarding the size modifications.

APPROVED [5 to 1]

MOVANT: John Gast

SECOND: Ragin Craig

AYES: Quarles, Gast, Craig, Candler, Smith

NAYS: Derrick Williams

RECUSED: Jeffrey Hunter

6. Joe Coggins request a Variance from the York County Zoning and Development Standards Ordinance (road frontage) for properties located at 2695 and 2699 Neely Store Road, in the Rock Hill Community, tax map 747-00-00-004. District 5– Christi Cox. Case Number Z21-20

Staff presentation was given by Marion Ray.

Joe Coggins 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.

The Variance request to subdivide land, creating an individual lot for the existing home to the rear without 150' of road frontage on Neely Store Road was approved by a 7 to 0 vote with two conditions: (1) 2695 Neely Store Road (Parcel 1) shall have a recorded legal easement to Neely Store Road prior to subdivision. (2) The resultant lots shall be in substantial conformance with the plat on file with the Planning Department. Any deviation shall require approval by the Board.

APPROVED [Unanimous]

MOVANT: Barbara Candler

SECOND: Tony Smith

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

7. Marla F. and Anthony B. Warder requests a Variance from the York County Zoning and Development Standards Ordinance (Lake Wylie Buffer) for property located at 3474 Lake Wylie Drive, in the Rock Hill Community, tax map 586-00-00-031. District 6– Brandon Guffey. Case Number Z21-21

Staff presentation was given by Rachel Grothe.

Tony and Marla Warder 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.

The Variance request to the required 50 foot Lake Wylie Buffer in order to permit an approximately 1,100 square foot deck that is located entirely within the buffer area and approximately 25 feet from the 570 contour line was denied by a 7 to 0 vote.

DENIED [Unanimous]

MOVANT: Barbara Candler

SECOND: Jeffrey Hunter

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

8. Holly Brown request a Variance from the York County Zoning and Development Standards Ordinance (road frontage) for properties located at 432 and 440 Pamela Road, in the York Community, tax map 250-00-00-009. District 3– Robert Winkler. Case Number Z21-22

Staff presentation was given by Marion Ray.

Holly Brown 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.

The Variance request to subdivide land, creating an individual lot for the existing mobile home to the rear without 100' of road frontage on Pamela Road was approved by a 7 to 0 vote

with two conditions: (1) Recorded legal easements will be created for existing or proposed utilities, such as wells and septic systems, for existing structures and shall be indicated on the plat. (2) The variance will become null and void if the resultant lots are further subdivided.

APPROVED [Unanimous]

MOVANT: Tony Smith

SECOND: Ragin Craig

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

10 PM - Motion to continue deliberation after 10PM

PASSED [Unanimous]

MOVANT: Tony Smith

SECOND: Derrick Williams

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

10:02 PM - 2 minute break

9. 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, Frank Talbert, Eric Englart, Ben Gabin, and Jeff Spell were present to address the board with the reason for the request.

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

Toni Adams was present to speak in opposition of the request.

The Variance request for a reduction to the curb cut separation was deferred until July 8, 2021 meeting by a 7 to 0 vote.

DEFERRED [Unanimous]

MOVANT: Albert Quarles

SECOND: John Gast

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

Executive Session: Receipt of Legal Advice regarding appeal of Case Z19-45

The Board went into Executive Session from 10:34 PM - 10:48 PM.

Any actions required upon reconvening from executive session

Recommendation made to select Barbara Candler to represent the Board during mediation regarding ZBA Case# Z19-45 and in the event Barbara Candler cannot be present, Jeffrey Hunter selected as backup.

APPROVED [Unanimous]

MOVANT: John Gast

SECOND: Ragin Craig

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

Adjourn

With no further business, the meeting was adjourned at 10:49 PM.