



YORK COUNTY
BOARD OF ZONING APPEALS
MINUTES • MARCH 9, 2023
FINAL



Board of Zoning Appeals

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

6:00 PM

John Gast: Present, Jeffrey Hunter: Present, Barbara Candler: Present, Derrick Williams: Present, Tony Smith: Absent, Jeffrey Blair: Present, Thomas "Bud" Smith: Present, Rachel Grothe: Present, Marion Ray: Present, Peter Kisicki: Present, Josh Reinhardt: Present.

Minutes Approval

1. Approval of February 9, 2023 Board of Zoning Appeals Minutes

ACCEPTED [Unanimous]

MOVANT: Barbara Candler

SECOND: Jeffrey Hunter

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

ABSENT: Tony Smith

Old Business

New Business

Corey Goldstein on behalf of Maverick Venture Group East LLC request a Variance from the York County Zoning and Development Standards Ordinance §155.057 (lot width requirement) in order to subdivide property located at 305 and 325 Ashley Woods Dr in the Rock Hill community, tax map number 7520000044. District 5 - Cox Case Number Z22-16 V BZA

Staff presentation was given by Marion Ray

Corey Goldstein was present to address the board with the reason for the request.

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

Dana Hutchison was present to speak in opposition of the request

Public hearing was closed

Motion To Approve

Motion was made and failed in a 2 to 4 vote to approve with the following condition

- Mr. Goldstein at his own expense paves the existing Knotty Branch Trail from Fields Farm Rd to the entrance of Ashley Woods Dr.

FAILED [2 to 4]

Motion to Approve

The variance was approved by a 6 to 0 vote with the following conditions

- Denial of the variance for Track A
- Approval of the variance for Track B & C with the property line for Track B & C moved to the middle of the parent parcel unless there is an issue with well or septic system at that point county staff will assist

APPROVED [Unanimous]

MOVANT: John Gast

SECOND: Jeffrey Hunter

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

ABSENT: Tony Smith

Motion made for a five minute recess

ALLOWED [Unanimous]

MOVANT: John Gast

SECOND: Jeffrey Hunter

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

ABSENT: Tony Smith

Tri Point Homes on behalf of Cato Lane Development request a Variance from the York County Zoning and Development Standards Ordinance §155.824-1 (Bufferyard Requirement) for property located on Springfield Parkway and Deerfield Dr in the Fort Mill community, tax map numbers 7160000079 and 7160000082. District 7 – Cloninger Case Number Z23-3 V BZA

Staff presentation was given by Peter Kisicki

Margaret Puckett and Matt Mandle 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 was denied in a by a 6 to 0 vote

DENIED [Unanimous]

MOVANT: Barbara Candler
SECOND: Jeffrey Blair
AYES: Gast, Hunter, Candler, Williams, Blair, Smith
ABSENT: Tony Smith

Ted and Linda Nisbett request a Variance from the York County Zoning and Development Standards Ordinance §155.205(D) and 155.849 (A)(1) (attachment of accessory structures; installation of new structure within the buffer)) for the property located at 3952 Concord Road, in the York Community, tax map 5840000004. District 2–Love. Case Number Z23-4 V BZA

Staff presentation was given by Rachel Grothe
Ted Nisbett 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

Motion to Deny the variance request to Size and Proportion

Motion was made and failed in a 3 to 3 vote deny

FAILED [3 to 3]

Motion to Approve the variance request to Size and Proportion

Motion was made and failed in a 3 to 3 vote to approve

FAILED [3 to 3]

Motion to Approve the variance request to Size and Proportion

The variance was approved by a 5 to 1 vote with the following conditions

- Increase the maxim building footprint by 20% for a total of 70%

APPROVED [5 to 1]

MOVANT: John Gast
SECOND: Barbara Candler
AYES: Gast, Hunter, Candler, Blair, Smith
NAYS: Derrick Williams
ABSENT: Tony Smith

Motion to Approve the variance request to Location

The variance was approved by a 6 to 0 vote

APPROVED [Unanimous]

MOVANT: John Gast
SECOND: Barbara Candler
AYES: Gast, Hunter, Candler, Williams, Blair, Smith
ABSENT: Tony Smith

Motion to Deny the variance request to Attachment

The variance to considering the breeze way as an attachment to create the attachment as an attached structure was denied by a 6 to 0 vote

APPROVED [Unanimous]

MOVANT: John Gast
SECOND: Jeffrey Hunter
AYES: Gast, Hunter, Candler, Williams, Blair, Smith
ABSENT: Tony Smith

Motion to Deny the variance request to Buffer

Motion was made and failed in a 3 to 3 vote to deny

FAILED [3 to 3]

Motion to Approve the variance request to Buffer

The variance to allow encroachment into the 50ft buffer was approved by a 5 to 1 vote with the following conditions

- The existing storage building and all current graveled services be removed from the 50ft buffer prior to issuing certificate of occupancy
- Limit the encroachment to 200sf

APPROVED [5 to 1]

MOVANT: Jeffrey Hunter
SECOND: John Gast
AYES: Gast, Hunter, Candler, Williams, Smith
NAYS: Jeffrey Blair
ABSENT: Tony Smith

Motion made to continue past 10:00 and to take a five minute recess

ALLOWED [Unanimous]

MOVANT: Barbara Candler
SECOND: John Gast
AYES: Gast, Hunter, Candler, Williams, Blair, Smith
ABSENT: Tony Smith

Harrison Moyer request a Variance from the York County Zoning and Development Standards Ordinance §155.622 (C) (Maximum Size of Accessory Structures.) for property located at 1880 Suttonview Rd in the Fort Mill community, tax map number 6560000011. District 1-Audette. Case Number Z23-5 V BZA

Staff presentation was given by Marion Ray

Harrison Moyer was present to address the board with the reason for the request.

David Hord 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 was approved by a 6-0 vote with the following condition

- The existing outdoor structures be removed before the certificate of occupancy is issued for the new storage building.

APPROVED [Unanimous]

MOVANT: Jeffrey Blair
SECOND: John Gast
AYES: Gast, Hunter, Candler, Williams, Blair, Smith
ABSENT: Tony Smith

Timothy Lombardozzi request a Variance from the York County Zoning and Development Standards Ordinance §155.058 (Minimum Setbacks) for property located at 2125 Fuera Rd in the York community, tax map number 5520000034. District 2- Love Number Z23-6 V BZA

Staff presentation was given by Marion Ray
Tim Lombardozzi 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

Motion to Approve

Motion to approve variance and to allow 6ft variance into side setback was made and failed in a 3 to 3 vote

FAILED [3 to 3]

Motion to Approve

Motion to approve variance and to allow 5ft variance to the required setback approved in a 5 to 1 vote

APPROVED [5 to 1]

MOVANT: Jeffrey Hunter
SECOND: Barbara Candler
AYES: Gast, Hunter, Candler, Williams, Smith
NAYS: Jeffrey Blair
ABSENT: Tony Smith

Executive Session

Adjourn

With no further business the meeting was adjourned at 11:13