



YORK COUNTY
ZONING BOARD OF APPEALS
MINUTES • AUGUST 12, 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: Absent, Jeffrey Hunter: Absent, Ragin Craig: Present, Barbara Candler: Present, Derrick Williams: Absent, Tony Smith: Present, Laura Dover: Present, Asia Martin: Present, Rachel Grothe: Present, Josh Reinhardt: Present, Peter Kisicki: Present, Marion Ray: Present.

Adoption of Minutes

Approval of July 8, 2021 Zoning Board Of Appeals Minutes

Minutes accepted with the following two amendments:

-Correction to the spelling of "modification" on page 1

-Revision of item #5 to reflect additional information regarding the request to defer "to allow the applicant and staff time to meet" on page 6

ACCEPTED AS AMENDED [Unanimous]

MOVANT: Albert Quarles

SECOND: Ragin Craig

AYES: Albert Quarles, Ragin Craig, Barbara Candler, Tony Smith

ABSENT: John Gast, Jeffrey Hunter, Derrick Williams

Modification to agenda -

Barbara Candler motioned to suspend the rules and amend the agenda to move Old Business after items #1 and #2 of New Business.

PASSED [Unanimous]

MOVANT: Barbara Candler

SECOND: Tony Smith

AYES: Albert Quarles, Ragin Craig, Barbara Candler, Tony Smith

ABSENT: John Gast, Jeffrey Hunter, Derrick Williams

Location Map

New Business

1. Gary K. and Shirley C. Farris requests a Variance from the York County Zoning and Development Standards Ordinance (road frontage) for property located at 1550 Ernest Road, in the York Community, tax map 396-00-00-104. District 3– Robert Winkler. Case Number Z21-32

Staff presentation was given by Marion Ray.

Gary and Shirley Harris were present to address the board with the reason for the request.

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

Public hearing was closed.

The variance request to subdivide a two-acre parcel from the subject parcel, creating two lots, only one of which will have the required road frontage of 100 feet was denied by a 4 to 0 vote.

DENIED [Unanimous]

MOVANT: Albert Quarles

SECOND: Tony Smith

AYES: Albert Quarles, Ragin Craig, Barbara Candler, Tony Smith

ABSENT: John Gast, Jeffrey Hunter, Derrick Williams

2. Suzanne Pinter request a Variance from the York County Zoning and Development Standards Ordinance (Lake Wylie Buffer and rear setback) for property located at 5554 Riverfront Road, in the Clover Community, tax map 562-03-01-043. District 2– Allison Love. Case Number Z21-33

Staff presentation was given by Rachel Grothe.

Matthew Velkovich was present to address the board with the reason for the request.

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

Public hearing was closed.

The variance request to demolish the existing house and construct a new house entirely within the 50-foot rear yard setback was approved by a 4 to 0 vote with **two conditions: (1)** All development must occur outside of 50-foot Lake Wylie Buffer. **(2)** The applicant shall obtain a licensed arborist to assist with the preservation of the existing grand trees on the property during the construction process with adequate tree protection plan.

APPROVED [Unanimous]

MOVANT: Barbara Candler

SECOND: Tony Smith

AYES: Albert Quarles, Ragin Craig, Barbara Candler, Tony Smith

ABSENT: John Gast, Jeffrey Hunter, Derrick Williams

Encroachment within the 50-foot Lake Wylie Buffer

The variance request to encroach within the 50-foot Lake Wylie Buffer for a proposed pool and pool deck was denied by a 4 to 0 vote.

DENIED [Unanimous]

MOVANT: Barbara Candler

SECOND: Albert Quarles

AYES: Albert Quarles, Ragin Craig, Barbara Candler, Tony Smith

ABSENT: John Gast, Jeffrey Hunter, Derrick Williams

6:50 PM - 5 Minute Break

Old Business

1. 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.

7:18 PM - 5 Minute Break to allow applicant time to prepare presentation.

Craig Craze and Kelly Clayton were present to address the board with the reason for the request.

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

The variance request to remove 31 grand trees to construct New Indigo Street and Rattlebush Road was approved by a 4 to 0 vote.

APPROVED [Unanimous]

MOVANT: Tony Smith

SECOND: Albert Quarles

AYES: Albert Quarles, Ragin Craig, Barbara Candler, Tony Smith

ABSENT: John Gast, Jeffrey Hunter, Derrick Williams

New Business

3. 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, 614-00-00-036, and 614-00-00-014. District 5– Christi Cox. Case Number Z21-34

Staff presentation was given by Peter Kisicki.

Brian Myrup and Josh Vann were present to address the board with the reason for the request.

Craig Craze 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 made a motion to deny the request.

Barbara Candler was the seconder of the motion.

The motion to deny the variance request to remove 12 grand trees across four parcels for the construction of a new school, York Preparatory Academy (YPA), a proposed public charter school failed by a 1 to 3 vote.

FAILED [1 to 3]

Motion for the removal of 12 grand trees across four parcels for the construction of a new school, York Preparatory Academy (YPA), a proposed public charter school was approved by a 4 to 0 vote with four conditions:

(1) Civil construction plans of the school site and associated stacking road must be approved prior to removal of grand trees. (2) The applicant shall mitigate the loss of grand trees with plantings in substantial conformance with the mitigation plan in Attachment 2. (3) All mitigation planting shall be implemented within 6 months of a Certificate of Occupancy by South Carolina Office of School Facilities for the school. (4) The applicant shall submit a tree protection plan, which adequately protects the remaining grand trees, with grading or civil construction plans.

APPROVED [Unanimous]

MOVANT: Tony Smith

SECOND: Barbara Candler

AYES: Albert Quarles, Ragin Craig, Barbara Candler, Tony Smith

ABSENT: John Gast, Jeffrey Hunter, Derrick Williams

Motion to reconsider the previous motion from the board on this particular Case: Z21-30.

PASSED [Unanimous]

MOVANT: Tony Smith

SECOND: Ragin Craig

AYES: Albert Quarles, Ragin Craig, Barbara Candler, Tony Smith

ABSENT: John Gast, Jeffrey Hunter, Derrick Williams

Case: Z21-30 - The variance request to remove 31 grand trees to construct New Indigo Street and Rattlebush Road was approved by a 4 to 0 vote with five conditions:

(1) Civil construction plans of the proposed roadways must be approved prior to removal of grand trees. (2) The applicant shall mitigate the loss of grand trees with plantings in substantial conformance with the mitigation plan in Attachment B. (3) All mitigation planting shall be

complete prior to the release of improvement guarantee funds for the proposed roads. (4) The applicant shall submit a tree protection plan, which adequately protects the remaining grand trees, with grading or civil construction plans. (5) Total number of inches in approved mitigation no less than 596 inches.

APPROVED [Unanimous]

MOVANT: Tony Smith

SECOND: Barbara Candler

AYES: Albert Quarles, Ragin Craig, Barbara Candler, Tony Smith

ABSENT: John Gast, Jeffrey Hunter, Derrick Williams

Adjourn

With no further business, the meeting was adjourned at 8:57 PM.