



**YORK COUNTY**  
**BOARD OF ZONING APPEALS**  
**AGENDA • MARCH 13, 2025**



---

**Board of Zoning Appeals**

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

**6:00 PM**

---

**Call to Order**

**Minutes Approval**

Board of Zoning Appeals - Board of Zoning Appeals - Dec 17, 2024 6:00 PM

**Old Business**

**New Business**

Jeffrey Kelley of York County request a Special Exception to allow the operation of Large Special Event to host a Rodeo on property located at 3771 Highway 97 in the Hickory Grove Community, TMS# 0530000011. District 3 Adkins. Case Number Z25-1 SE BZA.

Allen & Natalie Dixon on behalf of Billy Joe Leming of York County request a Variance from the York County Zoning and Development Standards Ordinance §155.057 (lot width requirement) in order to subdivide property located at 474 and 468 Highway 161 in the Clover community, tax map number 1730000009. District 3–Adkins. Case Number Z25-3 V BZA

1. Aaron VanRiper of York County request a Variance from the York County Code of Ordinances Chapter 155: Zoning Code §155.622-1 Minimum Setbacks, for the property located at 4392 Ivey Wood Dr, in the Rock Hill Community, tax map 4960000043. District 3–Adkins. Case Number Z25-4 V BZA

**Executive Session:**

**Adjourn**

*“York County is committed to assuring accessibility with reasonable accommodation, of county services, facilities, employment and programs for all individuals, in compliance with federal law. Please contact the County Manager’s Office at 803-684-8511 if you need assistance.”*



**YORK COUNTY**  
**BOARD OF ZONING APPEALS**  
**MINUTES • DECEMBER 17, 2024**  
**DRAFT**



---

**Board of Zoning Appeals**

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

**6:00 PM**

---

District 5 Jeff Blair: Absent, Derrick Williams: Absent, Ashley Schemine: Present, District 1 Rob Cameron: Present, District 3 Lauren Hebert: Present, Thomas "Bud" Smith: Present, Rachel Grothe: Present, Richard Abboud: Present, Laura Dover: Present.

**Minutes Approval**

Approval of December 12, 2024 Board of Zoning Appeals Minutes

The minutes from the December 12, 2024 meeting were approved by a 4-0 vote with no changes

**ACCEPTED [Unanimous]**

**MOVANT:** Thomas "Bud" Smith

**SECOND:** Lauren Hebert

**AYES:** Ashley Schemine, Rob Cameron, Lauren Hebert, Thomas "Bud" Smith

**ABSENT:** Jeff Blair, Derrick Williams

**Old Business**

Benjamin Bolding requests a Variance from York County Zoning and Development Standards Ordinance §155.205(C)(1) location of an accessory structure for the property located at 2737 Windswept Cove, in the York Community, tax map 5510000133. District 2–Love. Case Number Z24-9 V BZA

The motion was made to approve the variance request  
Motion to approve in a 3-1 vote

Minutes Acceptance: Minutes of Dec 17, 2024 6:00 PM (Minutes Approval)

**APPROVED [3 to 1]**

**MOVANT:** Rob Cameron

**SECOND:** Thomas "Bud" Smith

**AYES:** Ashley Schemine, Rob Cameron, Thomas "Bud" Smith

**NAYS:** Lauren Hebert

**ABSENT:** Jeff Blair, Derrick Williams

**New Business**

**Executive Session**

**Adjourn**

With no further business meeting was adjourned at 6:40pm

Minutes Acceptance: Minutes of Dec 17, 2024 6:00 PM (Minutes Approval)



## York County Board of Zoning Appeals

Meeting Date: 3/13/2025

Case No. Z25-1SE



**Location:** 3771 Highway 97  
Hickory Grove, SC 29717  
Council District 3-Adkins

**Request:** Section §155.752 Large Special Event (Rodeo)

**Tax Map Number:** 053-00-00-011

**Zoning District:** AGC (AGRICULTURAL CONSERVATION)

**Owner/Applicant:** Jeffery Dwight Kelly

### Special Exception Request

The applicant proposes to hold a rodeo events this year on April 18-19, June 14, and September 12-13. Vendors will be set up to support the event with refreshments and entertainment. The time listed for the event is from 4:00 – 10:00pm and the rodeo will start at 8pm.

### Site Description and History

The applicant proposes to hold the rodeo on approximately 27 acres of a 60-acre vacant parcel located between Highway 97 and Old Highway 97, six miles south of Hickory Grove. The area is sparsely populated and consists of mainly large lots with some lots of a few acres that support some dwellings. Rodeo events have been held on the property the last two years. A special exception was granted for the event held last year. Staff did receive positive feedback about the operation of the event and did not receive any complaints.

The portion of the lot where the event is to be held is relatively flat with an access path from Highway 97 to the emergency exit route of Old Highway 97 that leads to the intersection of Highway 97 and Sawmill Road (and another portion of the lot past old 97). This path separates the event and contestant parking from the attendee parking. The area mapped for attendee parking is approximately nine acres.

### Parking

Based on last year's numbers, the applicant has projected an attendance of 1,500 per night. Required parking for an event is one space per four attendees. This equates to 375 parking spaces. While this is the code requirement, it would be best to consider additional spaces. In an unmarked field, parking is dependent on the ability of the parking attendants. Generally, one may be able to get 90 cars per acre, with good attendants. This is well above the required amount and is in the range of 800 cars in the designated parking area provided. The applicant has gained experience from the last event on how to park more efficiently. Staff has asked that some overflow areas be available. The applicant states that overflow would be directed to the acre currently labeled as contestant parking.



## Traffic

Given the great distances between intersections in the area, the majority of the event traffic being generated outside of peak times, the generous queuing distance provided at the entrance of the event, and the temporary nature of the event, staff finds little to be gained from a TIA.

Due to the size of the event, traffic is inevitable, but the applicant is prepared with traffic control measures. Attendants will help direct the flow of traffic to and from the site. Additionally, four Sheriff's Deputies will be at the event to assist with directing vehicles if necessary.

## Sanitation

The applicant displays 11 'porta potties/jons' on the site diagram. Considering the length of the event and crowd size, 13 porta jons are recommended. The applicant has stated that most of the attendees will arrive between 7:30 and 8:00pm for the rodeo activities and that he has ordered 13 jons including one that is handicap accessible. The applicant is providing trash cans in the vendor and parking areas that are to be collected daily.

## Safety

The applicant will have York County Sheriff's onsite. EMS will be located on site with access to Old Highway 97 for emergencies.

---

## Special Exception Permits

### § 155.1060 PURPOSE

Some land uses, buildings, or structures are not appropriate under all circumstances in a given zoning district but may be appropriate if adequate precautions are taken to assure the compatibility with surrounding uses, public need, and the County as a whole.

### § 155.1064 DECISION

(C) Based on the hearing and probable impact of the uses on contiguous uses and conditions, the Board of Zoning Appeals may approve, approve with conditions (lot configuration standards, open space and bufferyard requirements, impose restrictions, or increase typical development standards, and the like), or deny the request.

### § 155.1065 APPROVAL CRITERIA

(B) The Board will use the following general criteria for judging the compatibility of the proposal with the surrounding area:

#### 1) Adequacy of water and sewer facilities;

*The facility will have vendors to provide drinks to those in attendance and portable restroom facilities will be provided in a number prescribed by the industry for the event. Water and waste facilities with a hand washing station are adequate for the proposed event.*

- 2) **Impacts on existing public services and public facilities (including, but not limited to, education, recreation, transportation, and water/sewer facilities) from the proposed use; and**

*The anticipated impacts to public services or public facilities is expected to be minimal.*

*Traffic will substantially increase the nights of the event. Ordinary traffic on Highway 97 in this area is normally minimal - in the range of a few hundred trips per day. The applicant has a good deal of stacking lane for attendees to pull off the highway as they enter the site. The event times are limited to 4pm till 10pm on Friday and Saturday with the majority of the traffic expected after 7:30, outside of peak traffic times. An emergency exit route from the site is reserved.*

- 3) **Compatibility of the proposed use with surrounding uses.**

*Surrounding properties are zoned AGC with some RUD lots a bit farther away. The surrounding lots are mostly large lots used for agriculture, mixed with some forest. A few residential lots are found along the highway. The neighborhood meeting and hearing notice area was quite expansive, with a radius of 2,500 feet, which is well above the standard distance of 500 feet. This increased radius was needed in order to fulfill the minimum number of lots required for noticing. This distance captured 35 lots, five above the 30-lot requirement. No opposition was recorded and support for the activity was shown.*

*The nearest house is over 500 feet away from the corner supporting contestant parking. A treed buffer surrounds the property. As such, the proposed use is found to be compatible with the vast majority of the surrounding uses.*

---

### **Staff Recommendation**

As staff finds that the proposed Special Exception meets **all three** approval criteria, staff recommends **approval** of the request.

---

### **Conditions**

Based on the hearing and probable impact of the proposed use on surrounding uses and conditions, the Board may approve, approve with conditions (lot configuration standards, open space and bufferyard requirements, impose restrictions, or increase typical development standards, and the like), or deny the request.

Staff does not request any additional conditions.

**Public Notification**

The following public notification actions have been taken:

- 2/18/2025: Public Hearing notification signs posted on the property.
- 2/23/2025: Board of Zoning Appeals public hearing advertisement published in the local newspaper.
- 2/19/2025: Public Hearing notification letters sent to property owners adjacent to the subject property.

**Public Feedback**

A neighborhood meet was held by the applicant on February 20, 2025. Overall, the neighborhood expressed support for the event.

---

**Attachments**

- Application and supporting documents from applicant
  - Location Map
- 

**Staff**

Submitted by:



Rick Abboud, AICP  
Principal Planner

Approved by:



Rachel Grothe, MCRP  
Zoning Administrator



Entrance from HWY 97



Attachment: Packet (9159 : Z25-1 SE BZA - Kelley)

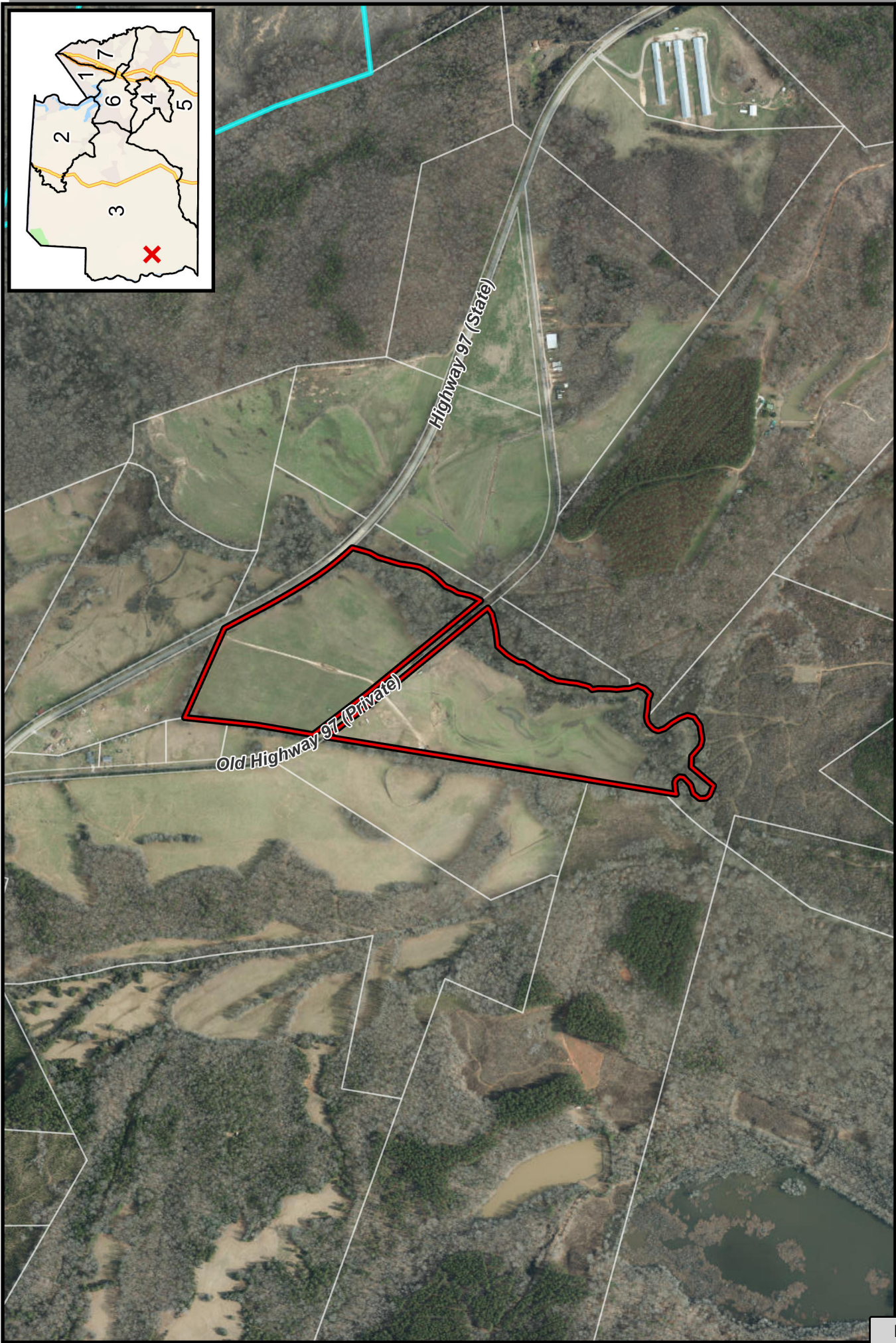


Parking (top) Event area (bottom)



Attachment: Packet (9159 : Z25-1 SE BZA - Kelley)



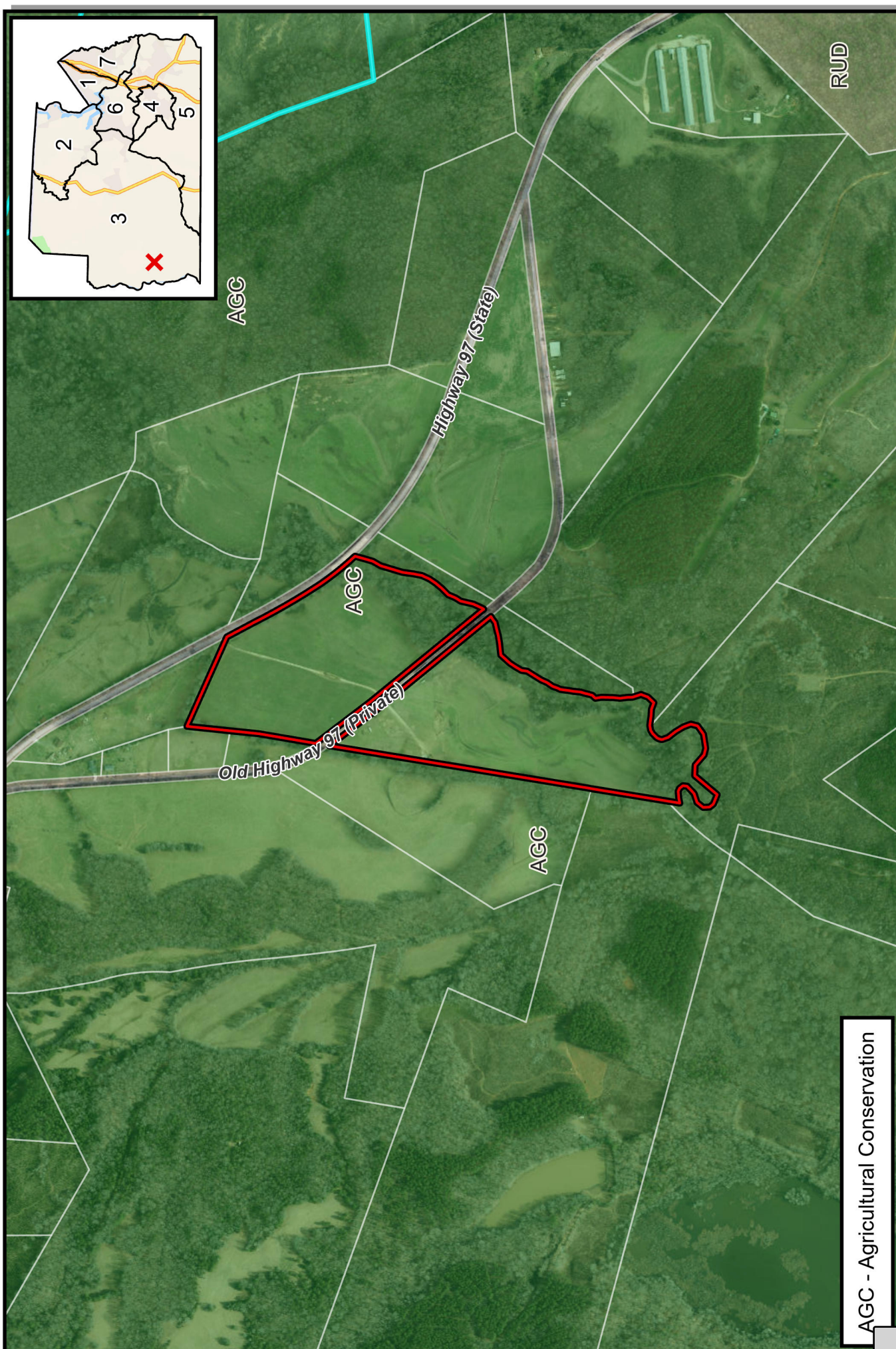


# Vicinity Map

Attachment: Packet (9159 : Z25-1 SE BZA - Kelley)

Applicant: Jeffery Dwight Kelley  
Map Number: 0530000011  
Request: Special Exception - Large Special Event





AGC - Agricultural Conservation

Applicant: Jeffery Dwight Kelley  
Map Number: 0530000011  
Request: Special Exception - Large Special Event

# Zoning Map

Attachment: Packet (9159 : Z25-1 SE BZA - Kelley)

0.5  
0.25  
0  
Miles

N

4.a

3/6/2  
part





## PLANNING & DEVELOPMENT SERVICES

18 W. LIBERTY STREET, PO BOX 96  
YORK, SC 29745-0096  
PHONE (803) 909-7200 / FAX (803) 909-7227



## Special Exception Application & Checklist

This application and checklist will assist with the submittal of a special exception request to the York County Board of Zoning Appeals. All Board of Zoning Appeals meetings are held at 6:00 P.M. on the second Thursday of the month in the York County Council Chambers at 6 South Congress Street in York, SC.

The attached application must be filled out completely. Any submittals that are determined to be incomplete will not be processed, and the applicant will be notified with an explanation of the submittal's deficiencies. To prevent any delays in the process, please use this checklist as a guide.

A site plan with adequate detail must be submitted and approved by staff prior to the submittal of a special exception application. Based on the proposed use, a Traffic Impact Analysis (TIA) may be required and must be submitted prior to accepting the special exception application. If required, the TIA must be approved prior to the application going before the Board of Zoning Appeals.

The applicant is to conduct a neighborhood meeting at least 15 days prior to the request being heard before the Board of Zoning Appeals. A written summary of the neighborhood meeting must be provided to staff within five business days of its conclusion.

The following information corresponds with the special exception application and is provided to help the applicant understand what information is required to be submitted.

### GENERAL INFORMATION

**Applicant:** This is the person who will represent the property owner(s) at the public hearing. Fill in name, full address, and phone numbers.

**Property owner:** This is the person(s) that is listed with the York County Tax Assessor as the property owner. Fill in name, full address, and phone numbers.

### PROPERTY INFORMATION

**Property address:** Provide the address of the property. This can be obtained from the York County Addressing Division at 803-909-7483 or by utilizing the York County GIS system on the County website.

**Property conditions:** Explain the vegetative cover and topography of the land. Examples: "partially wooded and sloping from rear to front", or "no trees in the front", or "flat with rear wooded and rolling."

**Property tax map #:** The tax map number for the property can be found on the property tax notice. It can also be found by calling the York County Tax Assessor at 803-684-8526, or by utilizing the York County GIS system on the County website.

**Plat (survey) of property:** The existing survey can often be obtained from the property owner or the York County Register of Deeds. However, in many instances a new survey may be required to clearly indicate the variance that is being requested. At a minimum, the plat/survey should include the location and distance of all structures and dwellings in relation to all property lines.

**Lot area:** Provide the size (area) of the lot. You may use either acreage or square footage.

**Zoning district:** Fill in the appropriate zoning designation of the property.

**Use of property:** Describe the current and proposed (if any) use of the property.



**Preliminary Site Analysis:** Based upon the proposed use, a Traffic Impact Analysis may be required. If required, the TIA must be submitted prior to acceptance of the special exception application and must be approved prior to presenting the application to the Board of Zoning Appeals.

## RELEVANT FACTORS PERTAINING TO THE SPECIAL EXCEPTION REQUEST

1. **Special Exception information:** Explain the type of special exception you are requesting.
2. **Compliance statement:** Explain how the proposal will meet the requirements of the section allowing the requested special exception approval.
3. **Condition statement:** Explain any conditions you believe should be imposed if your request is approved.
4. **Supporting documentation:** List any additional information (narrative, pictures, petitions, etc.) that will be submitted. This includes information to include with the application or into the record at the meeting.

## CERTIFICATION

**Applicant's signature:** The applicant must sign the form certifying the information is correct. This section must be signed even if applicant is also the owner.

**Owner's signature:** This section must be signed by the property owner. Notarized written authorization from the property owner giving the applicant permission to act of his/her behalf can be substituted for property owner's signature.

## APPLICATION FEE

Note: Payment of the application fee is a submittal requirement.

Special Exception application: \$550.00

## ADDITIONAL INFORMATION

1. The special exception will be advertised in the local newspaper and the property will be posted indicating the date and time of the public hearing. Adjoining land owners will also be notified of the request, date, and time of the public hearing via regular mail.
2. The application filing deadline is the first Wednesday of each month. The Board of Zoning Appeals will hear the request the second Thursday of the following month. Conceptual site plan approval for the special exception must be obtained by staff prior to submittal of the special exception application. Based on the proposed use, a Traffic Impact Analysis (TIA) may be required and must be submitted prior to accepting the special exception application and approved prior to presenting the request to the Board of Zoning Appeals.
3. The Board of Zoning Appeals may elect to approve, approve with conditions, or deny a special exception based on the hearing and potential impact of the proposal on contiguous uses and conditions.
4. Four of the seven appointed board members must be present before action can be taken on a special exception, and the concurring vote of the majority of the Board of Zoning Appeals present is necessary in order for a special exception to be approved.
5. The applicant may present, at the discretion of the Board of Zoning Appeals chairperson, any items they believe are pertinent to the case.
6. No special exception, having been denied, shall be resubmitted to the board for a period of one (1) year, unless conditions have changed substantially, and the board votes unanimously to rehear the matter.
7. Any person who may have a substantial interest in any decision of the Board of Zoning Appeals may appeal from any decision of the board to circuit court, filing with the clerk of such court a petition in writing setting forth plainly, fully and distinctly wherein the decision is contrary to law. The appeal must be filed within 30 days after the decision of the board is mailed. All final decisions or orders of the board will be delivered to parties of interest by certified mail.

## GENERAL INFORMATION

APPLICANT'S NAME: Jeffrey Dwight KelleyEMAIL ADDRESS: buckingk@gmail.com (and) eventsbuckingk@gmail.comADDRESS: 3771 Highway 97

NUMBER

STREET

APARTMENT/BOX NUMBER

Hickory Grove SC 29717

CITY

STATE

ZIP CODE

PHONE: 803-242-6659

CELL

HOME

PROPERTY OWNER'S NAME: Jeffrey Dwight KelleyEMAIL ADDRESS: buckingk@gmail.comADDRESS: 3771 Highway 97

NUMBER

STREET

APARTMENT/BOX NUMBER

Hickory Grove SC 29717

CITY

STATE

ZIP CODE

PHONE: 803-242-6659

CELL

HOME

Attachment: Packet (9159 : Z25-1 SE BZA - Kelley)



# PROPERTY INFORMATION

PROPERTY ADDRESS: 3771 Highway 97, Hickory Grove SC 29717

PROPERTY DIRECTIONS: Highway 49 (toward Lockhardt) to Highway 97 - turn

right - property on left

PROPERTY CONDITIONS: mostly level - all pasture

PROPERTY TAX MAP #: 0530000011 SITE PLAN: Please Attach to application.

LOT AREA: 60.76 ZONING DISTRICT: district 1

CURRENT USE OF PROPERTY: cattle, horses and hay fields

PROPOSED USE OF PROPERTY: no change except to have 2-3 rodeo events/year

Preliminary site analysis and approval from staff? Yes ☐ No ☐

TIA Required? Yes ☐ No ☒ If not, please explain: only for special events - not for multiple/daily use - not a heavily traveled road

Is this property part of any HOA or Community Association? Yes\* ☐ No ☒

\*If yes, a letter from the HOA or Community Association is required acknowledging the special exception requested and attach any applicable covenants and restrictions.

Attachment: Packet (9159 : Z25-1 SE BZA - Kelley)

## RELEVANT FACTORS PERTAINING TO THE SPECIAL EXCEPTION

1. Applicant hereby requests approval of the following special exception use by the York County Board of Zoning Appeals as described below:

For rodeo events - barrel racing, bronc and bull riding - 2-3x a year  
Pro-Rodeo April 18-19 2025 and September 12-13 2025

Ranch Rodeo - June 14

2. The applicant will meet the standards in section 155.751 of the zoning code which are applicable to the proposed special exception in the following manner:

Rodeo providing bull and bronc riding, barrel racing in professional arena, surrounded by bleachers. Emergency access will be on Old Hwy 97 that runs from new Hwy 97 into the property to the arena & only Emergency Fire/Paramedics (River Hills/Lake Wylie) parking only. Security will be provided through York County SherriFF office. Millsap will provide port jons to be dropped off, cleaned after each event and picked up after the event. Trash cans to be on site throughout property, checked, bagged and put on trailer to be hauled away to convenient center. Public parking will be designated area and directed by parking attendants - Expecting 1500 people per night.

3. List any concession(s) or additional conditions that you agree to as part of the approval:

---

---

---

---

4. If you are submitting additional information, please list below:

---

---

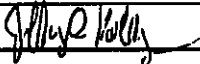
---

---

---

**CERTIFICATION**

I certify that all information presented by me in this application is accurate to the best of my knowledge, information, and benefit:

|                                                                                   |            |
|-----------------------------------------------------------------------------------|------------|
|  | 12/27/2024 |
|-----------------------------------------------------------------------------------|------------|

APPLICANT

DATE

I (we) certify that I (we) are the owners of the property involved in this application and further that I (we) designate the person signing as applicant to represent me (us) in this application.

|                                                                                   |            |
|-----------------------------------------------------------------------------------|------------|
|  | 12/27/2024 |
|-----------------------------------------------------------------------------------|------------|

PROPERTY OWNER (S)\*

DATE

\*Attach owner's notarized written authorization if owner's signature cannot be obtained.

**OFFICE USE ONLY**

Amount Paid: \_\_\_\_\_ Check #: \_\_\_\_\_

Cash Amount: \_\_\_\_\_

Date Received: \_\_\_\_\_

Receipt Number: \_\_\_\_\_

BZA Case #: \_\_\_\_\_

Meeting Date: \_\_\_\_\_

Accepted by:

|  |  |
|--|--|
|  |  |
|--|--|

Staff Signature

Date

Attachment: Packet (9159 : Z25-1 SE BZA - Kelley)



Upon completion of your Application, sign the statement below, and return it along with your application by the due date. A copy of this acknowledgment will be attached with your application for our records.

I, \_\_\_\_\_, have signed that I am aware of the Board of Zoning Appeals hearing date.

\_\_\_\_\_  
(Hearing Date)

I understand that I will be asked to speak on behalf of my request and that I, or a representative will need to be in attendance. If for some reason I or a representative will not be able to attend the scheduled meeting, I must request a deferral to another date, or withdraw my application, if I do not want my application considered by the Board of Zoning Appeals.

I acknowledge that failure to attend the meeting does not result in my application being automatically deferred to the next month. The Board of Zoning Appeals will still hold the hearing on my request and can take any form of action, including denial.

Should my request be denied, I will not be permitted to resubmit the request to the Board of Zoning Appeals for a period of one year, unless conditions have changed substantially and the Board of Zoning Appeals votes unanimously to rehear the matter.

\_\_\_\_\_  
*Jeffrey Kelley*

(Property owner's signature)

\_\_\_\_\_  
12-27-24

(Date)

\_\_\_\_\_  
*Jeffrey Kelley*

(Applicant's signature)

\_\_\_\_\_  
12-27-24

(Date)

\_\_\_\_\_

(Staff's signature)

\_\_\_\_\_

(Date)

Attachment: Packet (9159 : Z25-1 SE BZA - Kelley)

April 18-19 and September 12-13, 2025

Bucking K Ranch LLC Rodeo – Friday and Saturday from 4pm - 10pm

Professional rodeo event will include bulls, broncs and barrel racing

Licensed vendors/trailers on site

Contestants and participants arrive Thursday or Friday am

Trash barrels to be in vendor, parking and arena areas – to be collected daily and put into a trailer and hauled away

Parking attendants to direct traffic an parking – Entering and exiting off Highway 97

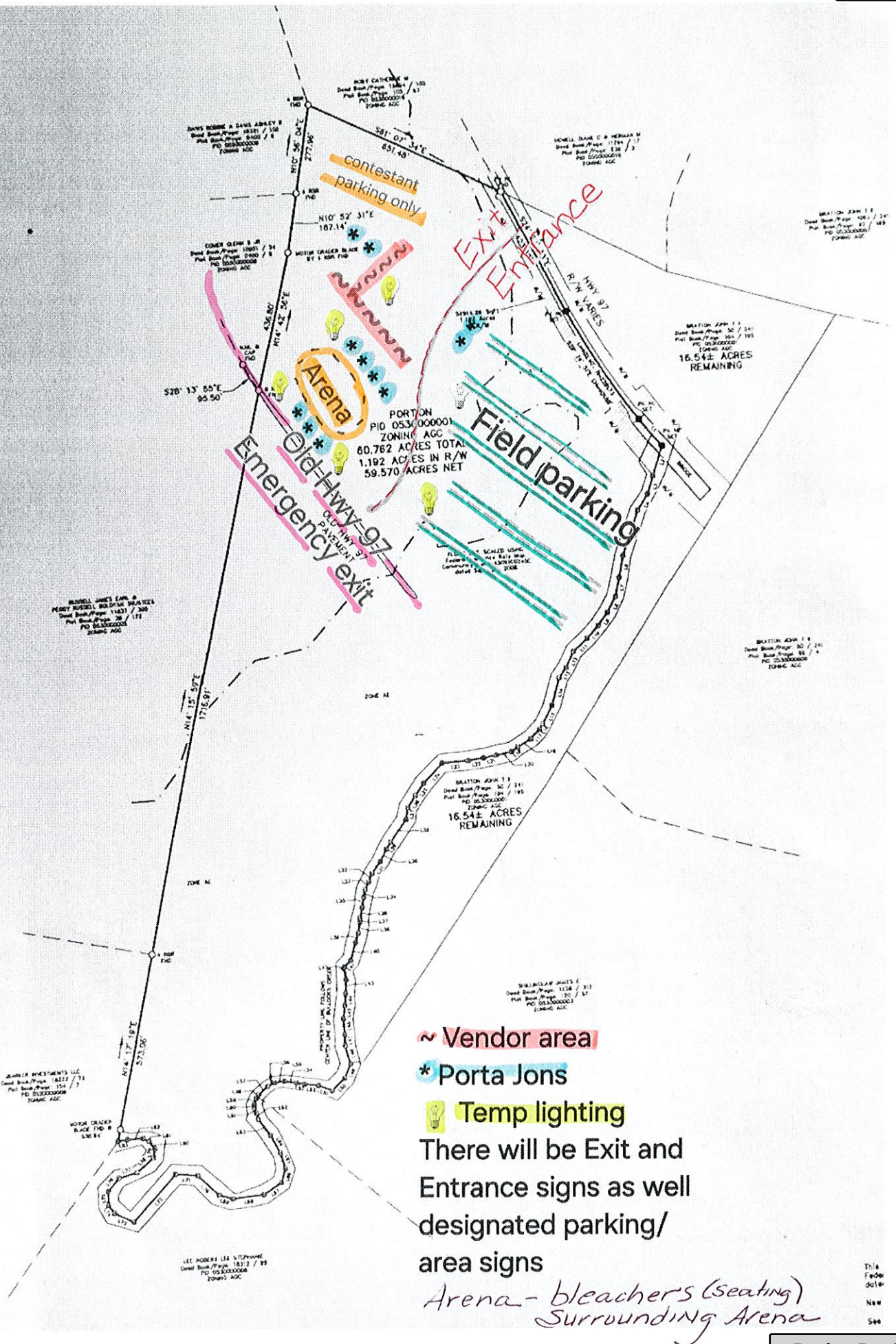
24x18 temporary corrugated signs for entrance/exit, parking, emergency area, no parking and contestant parking

Extra duty officers provided by York County Sheriff department

River Hills/Lake Wylie EMS will be on site and located at Old HWY 97 by the arena for easy and quick access for emergency if needed

Porta Jons to be provided, cleaned on each day







February 3, 2025

Neighborhood Meeting:

This is to announce that we will be holding a meeting at the direction of Planning and Development Services Director, Board of Zoning Appeal's, Planning Commission or County Council for the surrounding property owners.

This is to discuss any concerns on terms of the land use and compatibility with surrounding uses for the upcoming rodeo(s) event being eld by Bucking K Ranch LLC at 3771 S Highway 97, Hickory Grove SC 29717.

This will be the same as the previous year – if you are unable to attend or have no issues and would like to let us know that there are no concerns – please feel free to email us at:  
EventsBuckingK@gmail.com

---

Day: Thursday – February 20, 2025

Location: Bucking K Ranch – 3771 S Hwy 97 – Hickory Grove SC 29717

Time: 6:00 pm

Bucking K Ranch LLC  
Jeff Kelley, Owner  
803-242-6659  
eventsbuckingk@gmail.com

Attachment: Packet (9159 : Z25-1 SE BZA - Kelley)

Bucking K Ranch LLC

3771 Highway 97

Hickory Grove SC 29717

Minutes of meeting held February 20, 2025

As requested by the county a letter was mailed to everyone provided from the county.

The meeting was held at Bucking K Ranch LLC location to discuss any concerns on the land use and compatibility with surrounding uses for the upcoming rodeo events held by Bucking K Ranch LLC.

A sign-in sheet was present with all attendee's name, email and signature – which on this date was not signed.

There were no complaints from anyone that attended, they were not understanding the reason for the meeting because of the one prior, they all were curious and making sure there was not a new issue – as Jeff Kelley explained to them as before, if anyone had any concerns or issues or thoughts after the first rodeo that was held for him to continue having the events.

Everyone there was more than supportive, no complaints, just complimented and thought everything was handled great at the previous event.

All attendees were still supportive to the rodeos.

Everyone discussed the rodeo and how they enjoyed it – discussed making sure there is security, which there is and will continue to have.

Only one concern was the trash on the road after the event – Jeff Kelley assured it will be taken care of cleaned up after each event.

Attendees:

Ken & Anne Gilfillan

Lisa Shillinglaw

Rob Davis

Catherine Roby

John Bratton (sent an email/attached)

Attachment: Packet (9159 : Z25-1 SE BZA - Kelley)

Rodeo Inbox x



**Tommie Bratton** <bratton.farmllc@gmail.com>

to me ▼

Sat, Feb 8, 8:02 PM



If I don't make it to the meeting on February 20th I'm good with whatever you want to do down there it's a good thing you got going on make it bigger. I don't have any problems with what you're doing. Tommie Bratton

Sent from my iPhone



# OFFICE OF THE SHERIFF

## YORK COUNTY, SOUTH CAROLINA

1675-2A York Highway • York, SC • 29745-7430

Phone: (803) 628-3059 • www.yorkcountysheriff.com • FAX: (803) 628-3075

**A.W. Breeden, Sheriff**



### EXTRA-DUTY EMPLOYMENT AGREEMENT

This Agreement to provide a stated wage and liability and workers' compensation insurance coverage to off-duty York County Sheriff's Office deputies in an extra-duty employment capacity ("Agreement") is entered into by and between the York County Sheriff's Office and Bucking K Ranch LLC ("Contractor") as of the date this Agreement is executed by the York County Sheriff's Office.

In consideration of the mutual promises contained below, the parties agree as follows:

The York County Sheriff's Office ("YCSO") shall inform all sworn deputies of the extra-duty employment described in this Agreement and allow such officers the opportunity to apply for and engage in the extra-duty employment. All sworn YCSO deputies who engage in the extra-duty employment described in this Agreement may utilize YCSO-issued uniforms and equipment during the extra-duty employment.

Execution of this Agreement is not a guarantee that the extra-duty employment described herein will be fulfilled. The YCSO will simply make the extra-duty employment opportunity available to YCSO deputies. Additionally, YCSO deputies who are working extra-duty employment must still report for duty if summoned by the YCSO.

Contractor shall pay off-duty YCSO deputies a rate of \$50.00 per hour, for a minimum of 2 hours of work time, to work in a police or security capacity. Any amounts paid to YCSO deputies in excess of the agreed upon hourly rate are strictly prohibited. Contractor shall include the following information on Exhibit "A," attached: 1) the number of deputies requested; 2) the location of the extra-duty employment; 3) the date or dates of employment; and 4) the work hours for each date of employment.

Contractor may elect to treat YCSO deputies working pursuant to this Agreement as either independent contractors or employees. In the event Contractor elects to treat a deputy as an employee, Contractor is responsible for all applicable taxes and employment reporting requirements.

**Employer shall pay all YCSO deputies working pursuant to this Agreement directly.**

Contractor may provide workers' compensation insurance with appropriate coverage limits to YCSO deputies working pursuant to this Agreement. Contractor may have in place a liability insurance policy that covers the acts and omissions of YCSO deputies working pursuant to this Agreement. Contractor must elect below whether workers' compensation and liability insurance will be provided to the YCSO deputies working pursuant to this Agreement. All deputies will be advised as to the types of insurance coverage that are available to them while working pursuant to this Agreement. Deputies are not required to fulfill extra-duty assignments and may decline to work a particular assignment if insurance coverage is not available.

|                                                                                                          |                                                                                                              |
|----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Contractor <b>will</b> provide workers compensation insurance to YCSO deputies. | <input type="checkbox"/> Contractor <b>will not</b> provide workers compensation insurance to YCSO deputies. |
| <input checked="" type="checkbox"/> Contractor <b>will</b> provide liability insurance to YCSO deputies. | <input checked="" type="checkbox"/> Contractor <b>will not</b> provide liability insurance to YCSO deputies. |

Contractor shall allow the YCSO to access Contractor's records directly related to the deputies working pursuant to this Agreement so that the YCSO may calculate the number of hours worked by each deputy.

**Agreements must be submitted at least 7 days prior to the start date for the extra-duty employment. An untimely submission is grounds for rejection by the YCSO.**

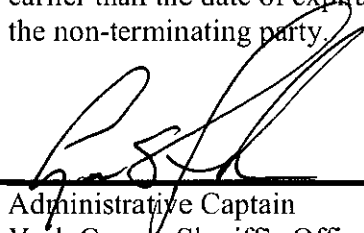
Attachment: Packet (9159 : Z25-1 SE BZA - Kelley)

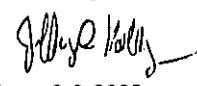


## Overtime Extra-Duty Employment Agreement continued...

Contractor must provide 24 hours' advance notice to the YCSO should Contractor desire to cancel or reschedule a previously scheduled extra-duty employment assignment. **In the event that Employer does not provide at least 24 hours' advance notice, Employer shall pay the YCSO deputy or deputies that accepted the assignment for 2 hours of work.**

This Agreement shall expire one year from the date of execution. Either party may terminate this Agreement earlier than the date of expiration; such termination is effective upon receipt of written notice of termination by the non-terminating party.

  
Administrative Captain  
York County Sheriff's Office

Contractor  
By: Bucking K Ranch - Jeff Kelley  
Its: 

Date: 2-3-2025

Date: 2-3-2025

Exhibit "A"<sup>1</sup>

Contractor's Name: Jeff Kelley - Bucking K Ranch LLC - owner Telephone: 803-242-6659

Address: 3771 Hwy 97 - Hickory Grove SC 29717

| Date:          | Location:                            | Work hours<br>(from/to):      | Number of Deputies<br>requesting: |
|----------------|--------------------------------------|-------------------------------|-----------------------------------|
| April 18, 2025 | 3771 Hwy 97 - Hickory Grove SC 29717 | 6:00 pm - 10:00 pm<br>4 hours | 4                                 |
| April 19, 2025 | 3771 Hwy 97 - Hickory Grove SC 29717 | 6:00 pm - 10:00 pm<br>4 hours | 4                                 |
|                |                                      |                               |                                   |
|                |                                      |                               |                                   |

Using the following space, please describe the extra-duty employment for which you are seeking York County Sheriff's Office deputies:

|                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------|
| Rodeo April 18-19 2025 - Gates open at 4 both nights and end by 11 pm - There will be food, merchant vendors and alcohol (beer) sales |
| Seeking officers to establish public control                                                                                          |
|                                                                                                                                       |
|                                                                                                                                       |
|                                                                                                                                       |

<sup>1</sup> Please attach additional pages if this space is insufficient.



**1019 E. Main St. Rock Hill, SC 29730**

PH: 803-242-4663/ 803-242-7180

Date: 10/02/2024

Bill To: Bucking K Ranch / Jeff Kelley

Phone: 803/242-6659

Email: eventsbuckingk@gmail.com

Dumpster Loc: 3771 HWY 97 Hickory Grove

**DETAILS:**

Drop Off Date: 9/12/2024

Dump Date (s): 10/1/2024

Pick Up Date: 9/30/2024

Dumpster Size: 20 yard (1 dumps) \$ 200.00 (Special Rate)

Fuel Surcharge: 1 @ \$25 \$ 00.00 - WAIVED

Extended Days Rate @\$10 daily: \$ 0.00 - WAIVED

Over Weight Fee @ \$85 per ton: \$ 0.00

**TOTAL: \$200.00**

KINDLY REMIT PAYMENT WITHIN 10 DAYS

Make all checks payable to: **Monster Dumpster LLC**

Mail payment to: PO BOX 175. Edgemoor, SC 29712

**THANK YOU FOR YOUR BUSINESS!!! WE APPRECIATE YOU!!!**

Attachment: Packet (9159 : Z25-1 SE BZA - Kelley)

# INVOICE



To

Jeff Kelley  
 Bucking K Rodeo  
 3771 Highway 97  
 Hickory Grove, SC

Date: 02/10/2025  
 INVOICE # 11162024-1

| Salesperson | Job   | Payment Terms  | Due Date |
|-------------|-------|----------------|----------|
|             | April | Due on receipt |          |

| Qty   | Description                                                                                 | Unit Price | Line Total |
|-------|---------------------------------------------------------------------------------------------|------------|------------|
| 2 Pkg | Standby for Bucking K Ranch Rodeo                                                           |            |            |
|       | 3 Crew Members and one ambulance to remain on site from noon to the end of the riding event |            |            |
|       | 7 hours (5 hours on-site, 2 hour total travel time)                                         |            |            |
|       |                                                                                             | Subtotal   |            |
|       |                                                                                             | Sales Tax  |            |
|       |                                                                                             | Total      | \$600      |

Make all checks payable to RIVER HILLS EMERGENCY SQUAD, INC.,

**Thank you for your business!**

RIVER HILLS EMERGENCY SQUAD, INC., 4 HERITAGE DRIVE, LAKE WYLIE, SC 29710 Phone: 803-656-5477  
 Fax: 803-831-9888 Email: rhes@comporium.net

Attachment: Packet (9159 : Z25-1 SE BZA - Kelley)



**MILLSAPS SERVICES LLC**

1917 MILLSAPS ROAD  
 CHESTER, SC 29706  
 PH. 803-581-3901

**INVOICE**

| DATE     | INVOICE |
|----------|---------|
| 2/6/2025 | 72532   |

| BILL TO                                                                              |
|--------------------------------------------------------------------------------------|
| Bucking K Ranch<br>Jeff Kelly<br>3771 Highway 97<br>Hickory Grove SC<br>803-242-6659 |

| SHIP TO                                                                               |
|---------------------------------------------------------------------------------------|
| Bucking K Ranch<br>Jeff Kelly<br>3771 Highway 97<br>Hickory Grove, SC<br>803-242-6659 |

| JOB PO NUMBER | TERMS         | DUE DATE                                                                                                                                                                     | REP                             | SHIP                             | PROJECT    |
|---------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|----------------------------------|------------|
|               |               | 2/6/2025                                                                                                                                                                     |                                 | 4/18/2025                        |            |
| QUANTITY      | ITEM CODE     | DESCRIPTION                                                                                                                                                                  | PRICE EACH                      | AMOUNT                           |            |
| 12            | HICKORY GR... | SPECIAL EVENT UNIT FOR HICKORY GROVE<br>York County Tax                                                                                                                      | 145.00<br>1.00%<br>0.00         | 1,740.00T<br>17.40<br>0.00       |            |
| 1             | Y/ADA UNIT    | HANDICAP UNIT FOR YORK COUNTY<br>York County Tax                                                                                                                             | 150.00<br>1.00%<br>0.00         | 150.00T<br>1.50<br>0.00          |            |
| 1             | Y/TSINK       | RENTAL OF TAG-A-LONG SINK FOR YORK COUNTY<br>York County Tax                                                                                                                 | 125.00<br>1.00%<br>0.00         | 125.00T<br>1.25<br>0.00          |            |
| 14            | EXPR MAIN.    | EXTRA WEEKLY MAINTENANCE CHARGE PER UNIT FOR UNSCHEDULED CLEANING (if needed on Saturday morning)                                                                            | 45.00<br>0.00                   | 630.00T<br>0.00                  |            |
|               | S/DELIVER     | CHARGE FOR DELIVERY AND PICK UP OF SPECIAL EVENT UNIT<br><br>Special Event - Rodeo on April 18th and 19th<br><br>**** PAYMENT MUST B MADE BEFORE THE DELIVERY ****<br>SC Tax | 300.00<br><br><br><br><br>6.00% | 300.00<br><br><br><br><br>158.70 |            |
|               |               |                                                                                                                                                                              |                                 | <b>Total</b>                     | \$3,123.85 |

Attachment: Packet (9159 : Z25-1 SE BZA - Kelley)



# York County Board of Zoning Appeals

Meeting Date: 3/13/2025

Case No. Z25-3V



**Location:** 468 & 474 Highway 161  
Clover, SC 29710  
Council District 3-Adkins

**Request:** Section §155.057-1

**Tax Map Number:** 173-00-00-009

**Zoning District:** RUD (RURAL DEVELOPMENT)

**Owner/Applicant:** Allen & Natalie Dixon/Billy Joe Lemming

## Variance Request

The applicant proposes to subdivide a lot with two existing manufactured houses into two lots with one house each. Section 155.057 of the York County Zoning Code prescribes minimum lot width based on road type. The subject parcel is located on an arterial road with a minimum lot width of 350 feet. The existing parcel has approximately 300 feet of frontage. The applicant is proposing to divide the parcel in half, with each of the two lots having approximately 150 feet of frontage.

## Site and Project Description

The site is found on Highway 161 adjacent to King Mountain State Park a bit less than a mile from the North Carolina border. The lot contains 2.32 acres mapped and 2 acres deeded (excludes ROW). Two manufactured homes have been onsite since the late 80's and early 90's. One of the manufactured houses was replaced in 2019 and both homes have established driveways. The neighborhood contains single family houses nearby, along with a trailer court and farm lands. The applicants wish to create a separate one acre lots for each home for financial purposes. Nothing is proposed to change operationally with the land after subdivision.

## Variance Findings Analysis

Under §155.1227(D) *Powers and Duties of the Board of Zoning Appeals*, the Board may grant a variance from the requirements of the *Zoning and Development Standards Ordinance* when strict application of the Ordinance would result in an unnecessary hardship. An individual case of unnecessary hardship is established if the Board makes and explains, in writing, all four of the following findings:

- (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property;

*The property was developed with two independent mobile homes with their own accesses at a time when it was allowable. The subdivision of the property will allow the newly created lots to comply with current zoning regulations.*

*Therefore, staff finds the proposed variance meets this criteria.*

- (b) These conditions do not generally apply to other property in the vicinity;

*Neighboring properties are not found to support multiple homes, outside of the mobile home park on the other side of the highway.*

*Therefore, staff finds the proposed variance meets this criteria.*

- (c) Because of these conditions the application of this chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;

*The property is currently nonconforming. The current configuration may not be moved and additions are not allowed.*

*Therefore, staff finds the proposed variance meets this criteria.*

- (d) The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

*Nothing is proposed to be altered other than a property line. Nothing functional will change with subdivision.*

*Therefore, staff finds the proposed variance meets this criteria.*

---

## Exclusions

The Board may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or to change the zoning district boundaries shown on the Official Zoning Map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.

## Staff Recommendation

As staff finds that the proposed variance requests meets all four criteria for an unnecessary hardship, staff recommends approval of the requested variances.

---

## Conditions

In granting a variance, the Board may attach to it such conditions regarding the location, character or other features of the proposed building, structure, or use as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.

The Board may elect to grant the request without conditions or to attach staff conditions as presented, or as may be amended, replaced, or supplemented by motions of the Board.

No conditions are recommended.

---

## Public Notification

The following public notification actions have been taken:

- 2/18/2025 Public Hearing notification signs posted on the property.
- 2/23/2025: Board of Zoning Appeals public hearing advertisement published in the local newspaper.
- 2/19/2025: Public Hearing notification letters sent to property owners adjacent to the subject property.



## Public Feedback

We have no received public feedback as of writing this report.

---

## Attachments

- Application and supporting documents from applicant
  - Location and Zoning Maps
- 

## Staff

Submitted by:



Rick Abboud, AICP  
Principal Planner

Approved by:



Rachel Grothe, MCRP  
Zoning Administrator

Attachment: packet (9160 : Z25-3 V BZA - Dixon)







## PLANNING & DEVELOPMENT SERVICES

18 W. LIBERTY STREET, PO BOX 96  
YORK, SC 29745-0096  
PHONE (803) 909-7200 / FAX (803) 909-7227

### Zoning Variance Application & Checklist

This application and checklist will assist with the submittal of a variance request from the York County Zoning Code to the Board of Zoning Appeals. All Board of Zoning Appeals meetings are held at 6:00 P.M. on the second Thursday of the month in the York County Council Chambers at 6 South Congress Street in York, SC.

The attached application must be filled out completely. Any submittals that are determined to be incomplete will not be processed, and the applicant will be notified with an explanation of the submittal's deficiencies. To prevent any delays in the process, please use this checklist as a guide. A survey and/or site plan with adequate detail and supporting information for the Board of Zoning Appeals to render a decision, must be submitted before a request can be placed on the Board of Zoning Appeals agenda. Waivers cannot be granted prospectively, so all waiver requests must be associated with a reviewed plat or site plan submission (sketch plans are informal and not eligible for waivers).

The following information corresponds with the variance application and is provided to help the applicant understand what information is required to be submitted.

#### GENERAL INFORMATION

**Applicant:** This is the person who will represent the property owner(s) at the public hearing. Fill in name, full address, and phone numbers.

**Property owner:** This is the person(s) that is listed with the York County Tax Assessor as the property owner. Fill in name, full address, and phone numbers.

#### PROPERTY INFORMATION

**Property address:** Provide the address of the property. This can be obtained from the York County Addressing Division at 803-909-7483 or by utilizing the York County GIS system on the County website.

**Property conditions:** Explain the vegetative cover and topography of the land. Examples: "partially wooded and sloping from rear to front", or "no trees in the front", or "flat with rear wooded and rolling."

**Property tax map #:** The tax map number for the property can be found on the property tax notice. It can also be found by calling the York County Tax Assessor at 803-684-8526, or by utilizing the York County GIS system on the County website.

**Plat (survey) of property:** The existing survey can often be obtained from the property owner or the York County Register of Deeds. However, in many instances a new survey may be required to clearly indicate the variance that is being requested. At a minimum, the plat/survey should include the location and distance of all structures and dwellings in relation to all property lines.

**Lot area:** Provide the size (area) of the lot. You may use either acreage or square footage.

**Zoning district:** Fill in the appropriate zoning designation of the property.

**Use of property:** Describe the current and proposed (if any) use of the property.

Attachment: packet (9160 : Z25-3 V BZA - Dixon)



## RELEVANT FACTORS PERTAINING TO THE VARIANCE REQUEST

- 1. Variance information:** Explain the type of variance you are requesting. Include the specific section of the Zoning Code that you are unable to achieve. Explain the deficiency of your proposal provided by staff. Define the numerical figure you would like the Board of Zoning Appeals to apply to your proposed development.
- 2. Explanation of hardship:** Answer the questions in this section carefully, and be very specific in your answer. If more space is needed, use a separate sheet of paper. This information must be provided by the applicant without the assistance of planning staff.
- 3. Condition statement:** Explain any conditions you are willing to impose or accept if your request is approved.
- 4. Supporting documentation:** List any additional information (narrative, pictures, petitions, etc.) submitted with the application. This includes information to include with the application or into the record at the meeting.

## CERTIFICATION

**Applicant's signature:** The applicant must sign the form certifying the information is correct. This section must be signed even if applicant is also the owner.

**Owner's signature:** This section must be signed by the property owner. Notarized written authorization from the property owner giving the applicant permission to act of his/her behalf can be substituted for property owner's signature.

## APPLICATION FEE

Note: Payment of the application fee is a submittal requirement.

Residential project: \$400.00

Non-residential project: \$550.00

## ADDITIONAL INFORMATION

1. Hardship resulting from financial difficulty and due to the applicant's own actions are generally not sufficient cause for the board to grant a variance.
2. The variance will be advertised in the local newspaper and the property will be posted indicating the date and time of the public hearing. Adjoining land owners will also be notified of the request, date, and time of the public hearing via regular mail.
3. The application deadline is the first Wednesday of each month. If the application is deemed complete, the request will be heard before the Board of Zoning Appeals the second Thursday of the following month.
4. The applicant may present (at the discretion of the BZA chairperson) any items they believe are pertinent to the case.
5. The Board of Zoning Appeals may elect to approve, approve with conditions, or deny a variance based on the hearing and potential impact of the proposal on contiguous uses and conditions.
6. No variance, having been denied, shall be resubmitted to the board for a period of one (1) year, unless conditions have changed substantially, and the board votes unanimously to rehear the matter.
7. Any person who may have a substantial interest in any decision of the Board of Zoning Appeals may appeal from any decision of the board to circuit court in and for York County, filing with the clerk of such court a petition in writing setting forth plainly, fully and distinctly wherein the decision is contrary to law. The appeal must be filed within 30 days after the decision of the board is mailed. All final decisions or orders of the board will be delivered to parties of interest by certified mail.

|                            |
|----------------------------|
| <b>GENERAL INFORMATION</b> |
|----------------------------|

**APPLICANT'S NAME:** Allen and Natalie Dixon

**EMAIL ADDRESS:** natalie.dixon@yorkcountygov.com

**ADDRESS:** 2193 Beamguard Road,

**NUMBER**

**STREET**

**APARTMENT/BOX NUMBER**

Clover

South Carolina

29710

**CITY**

**STATE**

**ZIP CODE**

**PHONE:** 803-627-3582

**CELL**

**HOME**

**PROPERTY OWNER'S NAME:** Billy Joe Leming

**EMAIL ADDRESS:** \_\_\_\_\_

**ADDRESS:** 456 Hwy 161 North

**NUMBER**

**STREET**

**APARTMENT/BOX NUMBER**

Clover

SC

29710

**CITY**

**STATE**

**ZIP CODE**

**PHONE:** 803-898-6339

**CELL**

**HOME**

Attachment: packet (9160 : Z25-3 V BZA - Dixon)

**PROPERTY INFORMATION****PROPERTY ADDRESS:** 468 Hwy 161 North, Clover, SC 29710**PROPERTY DIRECTIONS:** 2.32AC/Hwy 161 Deed Book/Page: 1103/88**PROPERTY CONDITIONS:** Cleared land with 2 mobile homes**PROPERTY TAX MAP #:** 1730000009 **PLAT:** Please Attach to application.**LOT AREA:** 2.27 acres**ZONING DISTRICT:****CURRENT USE OF PROPERTY:** Mobile home on land currently being rented**PROPOSED USE OF PROPERTY:** Current tenants daughter to purchase property, the use will remain the sameIs this property part of any HOA or Community Association? Yes\* ☐ No ☒

\*If yes, a letter from the HOA or Community Association is required acknowledging the variance requested and attach any applicable covenants and restrictions.

Attachment: packet (9160 : Z25-3 V BZA - Dixon)



## RELEVANT FACTORS PERTAINING TO THE VARIANCE

1. Applicant hereby requests approval of the following variance by the York County Board of Zoning Appeals as described below:

Waive the 350 foot road frontage rule, as there is already two homes, two driveways, and two separate

wells and septic on the lot.

Staff has denied the request based on the following:

lack of road frontage

I request a variance from the York County zoning code to be/have (be specific with measurements, feet, acreage, numbers of, ratio, etc.):

Request for the property to be divided as close as possible down the middle allowing for at least 1 acre on

each lot with about 150' lot width.

2. The application of the ordinance will result in unnecessary hardship and the standards for a variance set by state law and the ordinance are met by the following facts:

- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows:

*[Is there a special or unique feature or an uncommon situation present on the property?]*

The home needs repairs that the landlord cannot afford and the tenant can not justify doing without

owning the home. The hardship is that the tenant is a disabled man on limited income who needs

to continue to live here, as current living expenses have skyrocketed, and he would otherwise be

homeless. Daughter plans to purchase the home at an affordable price to provide a permanent living situation for her father.

Attachment: packet (9160 : Z25-3 V BZA - Dixon)

- B. These conditions do not generally apply to other property in the vicinity as shown by:**  
*[Is the special or unique feature or uncommon situation on the property present on surrounding properties?]*

There are surrounding properties that do not have the 350-road frontage. Nothing will change in

the case, outside of ownership of part of the property. The property already exist with two homes

and two driveways

- C. Because of these conditions, the application of this chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property:**

*[Because of the situation, the applied regulations would prohibit or limit the proposed use of the subject property?]*

Currently, the land property that one of the mobile homes sit on cannot be sold due to the 350

road frontage rule that was proposed decades after the homes were placed on the land.

- D. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the following reasons:**

*[Approval of this request will not cause significant harm to surrounding properties, the character of the surrounding area, and the public in general?]*

If the application is approved, there will be no negative effect or changes (outside of ownership)

that would harm any adjacent properties.

Attachment: packet (9160 : Z25-3 V BZA - Dixon)

3. List any concession(s) or additional conditions that you agree to as part of the approval:

We agree to have the property be split into one acre lots.

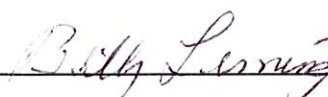
4. If you are submitting additional information, please list below:

# CERTIFICATION

I certify that all information presented by me in this application is accurate to the best of my knowledge, information, and benefit:

 12/16/2024  
 APPLICANT DATE

I (we) certify that I (we) are the owners of the property involved in this application and further that I (we) designate the person signing as applicant to represent me (us) in this application.

 12/16/2024  
 PROPERTY OWNER (S)\* DATE

\*Attach owner's notarized written authorization if owner's signature cannot be obtained.

# OFFICE USE ONLY

Amount Paid: \_\_\_\_\_ Check #: \_\_\_\_\_

Cash Amount: \_\_\_\_\_

Date Received: \_\_\_\_\_

Receipt Number: \_\_\_\_\_

BZA Case #: \_\_\_\_\_

Meeting Date: \_\_\_\_\_

Accepted by:

\_\_\_\_\_  
 Staff Signature

\_\_\_\_\_  
 Date

Attachment: packet (9160 : Z25-3 V BZA - Dixon)



Upon completion of your Application, sign the statement below, and return it along with your application by the due date. A copy of this acknowledgment will be attached with your application for our records.

I, \_\_\_\_\_, have signed that I am aware of the Board of Zoning Appeals hearing date.

\_\_\_\_\_  
(Hearing Date)

I understand that I will be asked to speak on behalf of my request and that I, or a representative will need to be in attendance. If for some reason I or a representative will not be able to attend the scheduled meeting, I must request a deferral to another date, or withdraw my application, if I do not want my application considered by the Board of Zoning Appeals.

I acknowledge that failure to attend the meeting does not result in my application being automatically deferred to the next month. The Board of Zoning Appeals will still hold the hearing on my request and can take any form of action, including denial.

Should my request be denied, I will not be permitted to resubmit the request to the Board of Zoning Appeals for a period of one year, unless conditions have changed substantially and the Board of Zoning Appeals votes unanimously to rehear the matter.

Billy Liming  
(Property owner's signature)

12-16-24  
(Date)

Art Dixon  
(Applicant's signature)

12/16/2024  
(Date)

\_\_\_\_\_  
(Staff's signature)

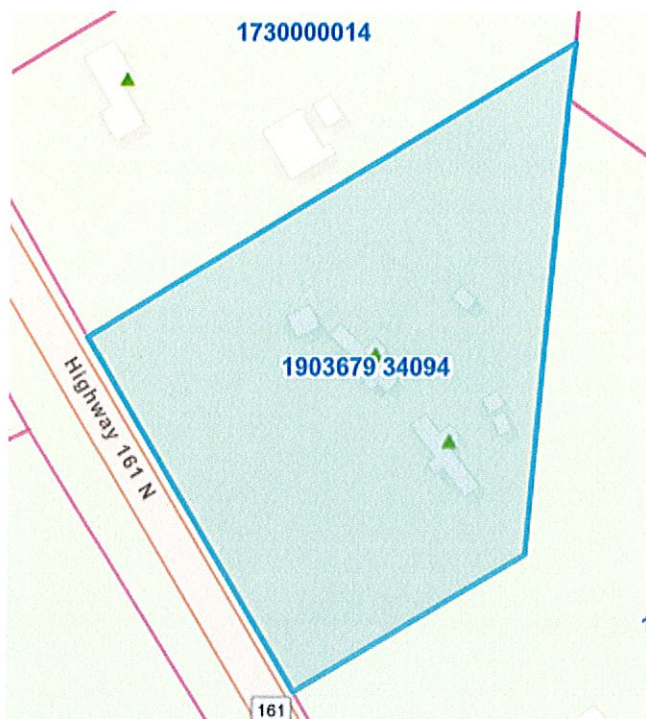
\_\_\_\_\_  
(Date)

Attachment: packet (9160 : Z25-3 V BZA - Dixon)

# York County GIS Property Report

Acc #: 87617

No Property Address Found



## Property Data

**Parcel Number:** 1730000009  
**PIN:** 1730000009  
**Lot:**  
**Deeded Acres:** 2  
**GIS Acres:** 2.27  
**Deed Book / Page:** 1103 / 88  
**Sold Date:** 6/27/1989  
**Sold Price:** 13000  
**Grantor:**  
**Plat Book / Page:** 42 / 58

## Legal Description

2.32 AC / HWY 161

## Subdivision

No Subdivision Found

## Primary Contact (Owner)

Name Line 1 LEMING BILLY JOE  
 Name Line 2  
 Name Line 3

## Tax Districts

**School District:** 2  
**Municipal District:**  
**Fire District:** BT-I

## Mailing Address

Addr Line 1 456 HWY 161 NORTH  
 Addr Line 2  
 Apt  
 City CLOVER  
 State SC  
 Zip 29710  
 Country

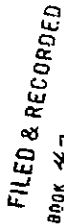
## Values

|                      |         |
|----------------------|---------|
| Market Land Value    | \$26000 |
| Market Imp Value     | \$0     |
| Market Misc Value    | \$0     |
| Total Market Value   | \$26000 |
| Total Taxable Value  | \$26000 |
| Total Assessed Value | \$1560  |

Disclaimer: While every effort is made to keep information provided over the internet accurate and up-to-date, York County does not certify the authenticity or accuracy of such information. No warranties, express or implied, are provided for the records and/or mapping data herein, or for their use or interpretation by the User.

Report Generated: 11/13/2024 11:26 AM

Attachment: packet (9160 : Z25-3 V BZA - Dixon)



AUG 9 9 52 AM '72

THAD L. CARROLL  
C. C. C. P. & G. S.  
YORK COUNTY, S. C.

Property of

D. D. McCARTER

C. Hwy 161 - Near N. C. State Line - Kings Mountain Township

York County, South Carolina

Scale 1"=200' Date 4/25

Drawn By L.D.H. 336

Signed By *John Quinn*

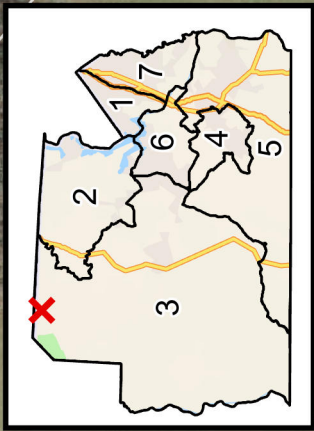




Attachment: packet (9160 : Z25-3 V BZA - Dixon)

Concept plan





1,000  
500  
Feet 0

N

4.a

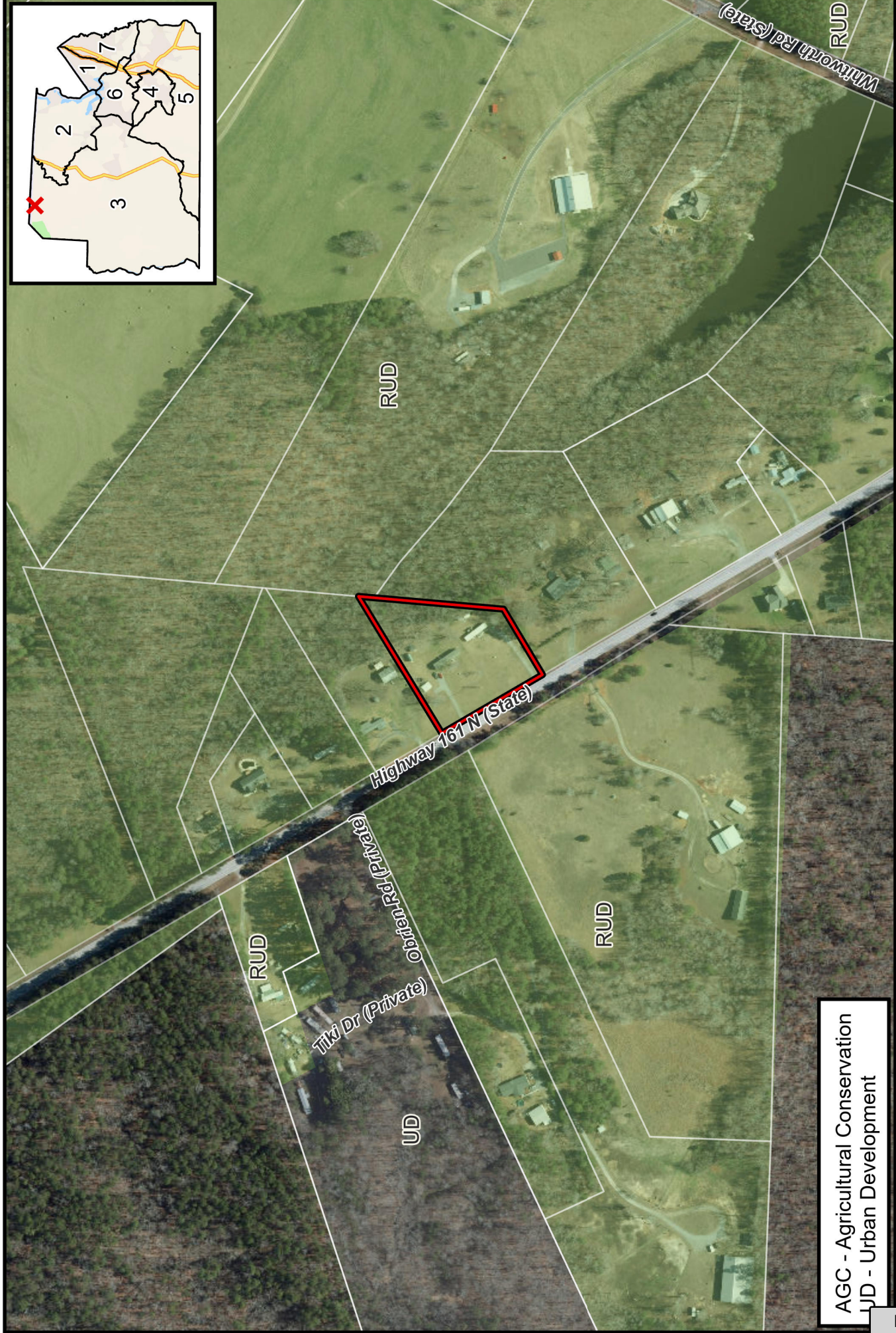
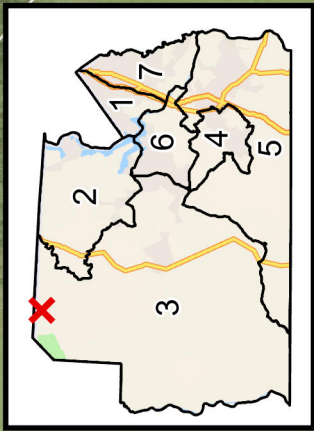
3/6/2  
part

# Vicinity Map

Attachment: packet (9160 : Z25-3 V BZA - Dixon)

Applicant: Allen and Natalie Dixon  
Map Number: 1730000009  
Request: Variance - Road Frontage





Feet 0 500 1,000

4.a  
3/6/2  
part

# Zoning Map

Attachment: packet (9160 : Z25-3 V BZA - Dixon)

AGC - Agricultural Conservation  
UD - Urban Development

Applicant: Allen and Natalie Dixon  
Map Number: 1730000009  
Request: Variance - Road Frontage





# York County Board of Zoning Appeals

Meeting Date: 3/13/2025

Case No. Z25-4V



**Location:** 4392 Ivywood Dr.  
Rock Hill, SC 29735  
Council District 3-Adkins

**Request:** Section §155.057-1

**Tax Map Number:** 496-00-00-043

**Zoning District:** RSF-40 (RESIDENTIAL SINGLE-FAMILY 40)

**Owner/Applicant:** Aaron Van Riper

## Variance Request

The applicant proposes to construct a shop that is approximately five feet into the 10-foot side setback at one corner of the structure.

## Site and Project Description

The lot has six deeded acres and is found in a subdivision of large lots. A stream and floodplain found on the back of the lot restricts two-thirds of the lot, leaving approximately two acres as readily developable.

The property is currently developed with an approximately 2,000 square foot single family dwelling with a 576 square foot attached garage. The property owner is wanting to install a 1,000 square foot prefab metal garage (24' x 50') to the right side of the house. The garage is proposed to be sited at the edge of an existing concrete drive and directly across from the existing attached garage.

## Variance Findings Analysis

Under §155.1227(D) *Powers and Duties of the Board of Zoning Appeals*, the Board may grant a variance from the requirements of the *Zoning and Development Standards Ordinance* when strict application of the Ordinance would result in an unnecessary hardship. An individual case of unnecessary hardship is established if the Board makes and explains, in writing, all four of the following findings:

- (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property;

*Despite the large lot size, much of the acreage is encumbered by a blue line stream and associated floodplain. In addition, the placement of the home's existing garage and topography of the lot limit the possible location of a potential detached garage on that side of the home.*

*Therefore, staff finds the proposed variance meets this criteria.*

- (b) These conditions do not generally apply to other property in the vicinity;

*This parcel and the next two to the south of it are similarly encumbered by the same stream and floodplain, however those two parcels have less buildable area near the road.*

*Therefore, staff finds the proposed variance **does not meet** this criteria.*

- (c) Because of these conditions the application of this chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;

*The subject parcel has relatively flat, buildable acreage to the north side of the home that will support the addition of a detached garage in that location.*

*Therefore, staff finds the proposed variance **does not meet** this criteria.*

- (d) The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

*The existing neighborhood has wide spacing between structures, fostering a rural feel to the development. The addition of a large structure immediately adjacent to the neighboring home conflicts with the character of the area.*

*Therefore, staff finds the proposed variance **does not meet** this criteria.*

---

## Exclusions

The Board may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or to change the zoning district boundaries shown on the Official Zoning Map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.

## Staff Recommendation

As staff finds that the proposed variance requests does not meet all four criteria for an unnecessary hardship, staff recommends **denial** of the requested variances.

---

## Conditions

In granting a variance, the Board may attach to it such conditions regarding the location, character or other features of the proposed building, structure, or use as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.

The Board may elect to grant the request without conditions or to attach staff conditions as presented, or as may be amended, replaced, or supplemented by motions of the Board.

---

## Public Notification

The following public notification actions have been taken:

- February 20, 2025: Public Hearing notification signs posted on the property.



- 2/23/2025: Board of Zoning Appeals public hearing advertisement published in the local newspaper.
- 2/19/2025: Public Hearing notification letters sent to property owners adjacent to the subject property.

### Public Feedback

Staff received one phone call as an inquiry to the nature of the variance request.

---

### Attachments

- Application and supporting documents from applicant
- Location and Zoning Maps

---

### Staff

Submitted by:



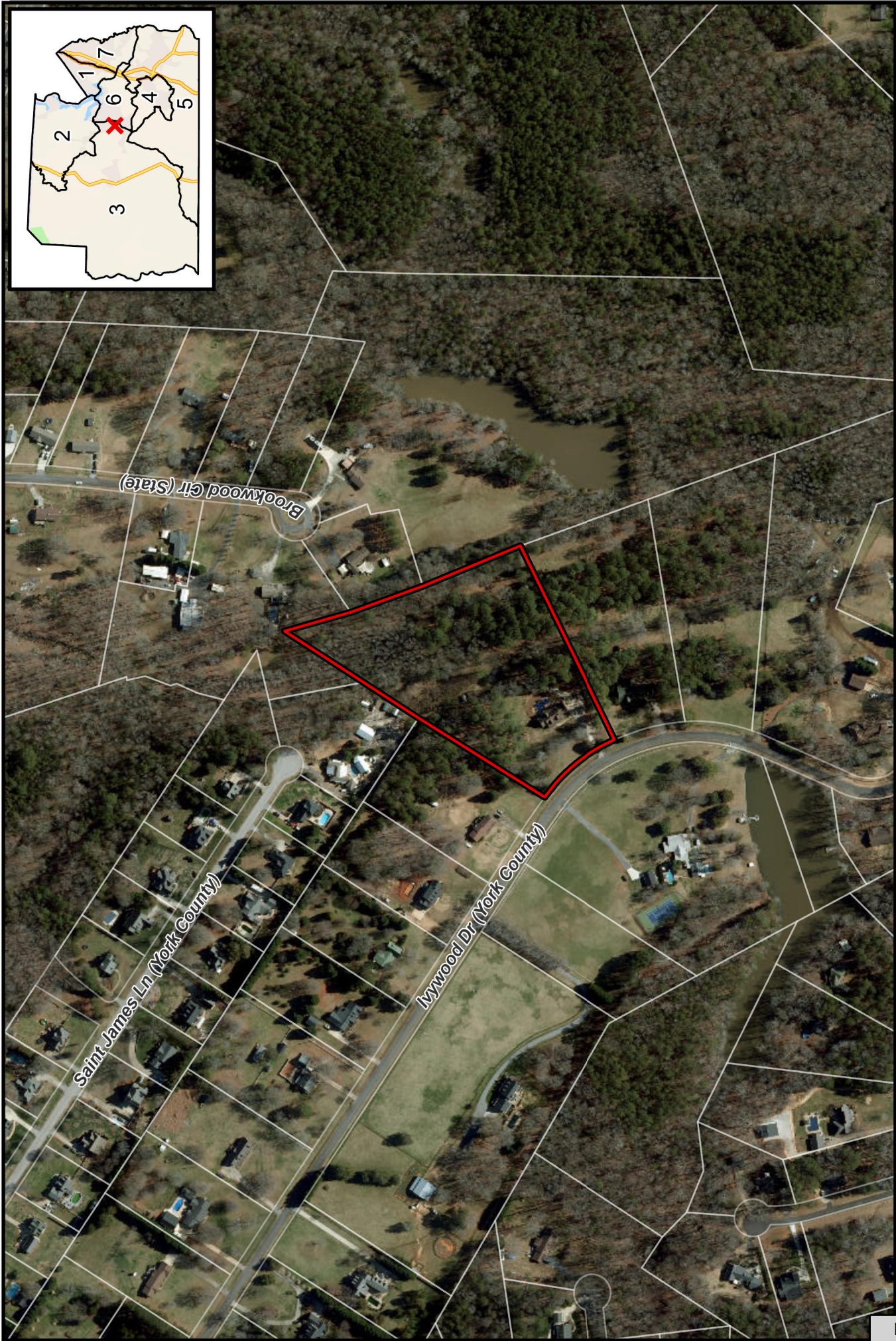
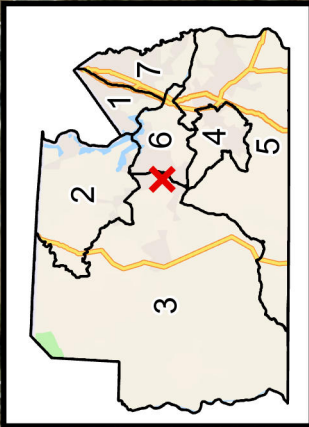
Rick Abboud, AICP  
Principal Planner

Approved by:



Rachel Grothe, MCRP  
Zoning Administrator





Feet 0

500

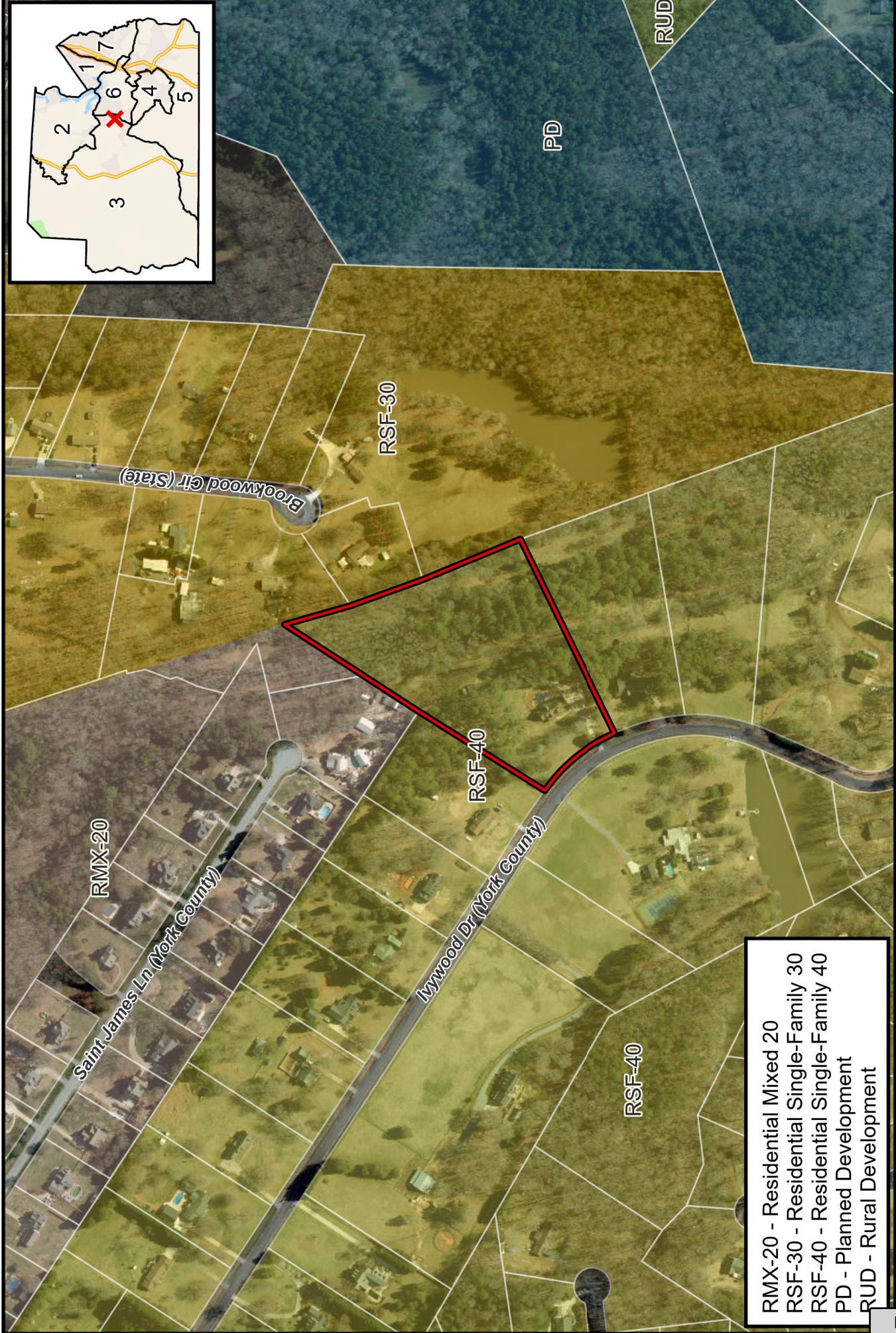
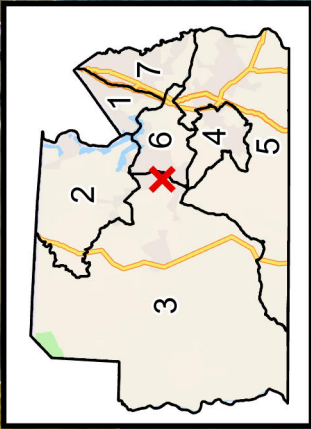
1,000

# Vicinity Map

Attachment: Packet (9161 : Z25-4 V BZA - VanRiper)

Applicant: Aaron Van Riper  
Map Number: 4960000043  
Request: Variance - Side Setback





Feet 0

500

1,000

# Vicinity Map

Attachment: Packet (9161 : Z25-4 V BZA - VanRiper)

4.1.a  
3/6/2  
part

- RMX-20 - Residential Mixed 20
- RSF-30 - Residential Single-Family 30
- RSF-40 - Residential Single-Family 40
- PD - Planned Development
- RUD - Rural Development

Applicant: Aaron Van Riper  
Map Number: 4960000043  
Request: Variance - Side Setback







## PLANNING & DEVELOPMENT SERVICES

18 W. LIBERTY STREET, PO BOX 96  
YORK, SC 29745-0096  
PHONE (803) 909-7200 / FAX (803) 909-7227



### Zoning Variance Application & Checklist

This application and checklist will assist with the submittal of a variance request from the York County Zoning Code to the Board of Zoning Appeals. All Board of Zoning Appeals meetings are held at 6:00 P.M. on the second Thursday of the month in the York County Council Chambers at 6 South Congress Street in York, SC.

The attached application must be filled out completely. Any submittals that are determined to be incomplete will not be processed, and the applicant will be notified with an explanation of the submittal's deficiencies. To prevent any delays in the process, please use this checklist as a guide. A survey and/or site plan with adequate detail and supporting information for the Board of Zoning Appeals to render a decision, must be submitted before a request can be placed on the Board of Zoning Appeals agenda. Variances cannot be granted prospectively, so all variance requests must be associated with a reviewed plat or site plan submission (sketch plans are informal and not eligible for variances).

The following information corresponds with the variance application and is provided to help the applicant understand what information is required to be submitted.

#### GENERAL INFORMATION

**Applicant:** This is the person who will represent the property owner(s) at the public hearing. Fill in name, full address, and phone numbers.

**Property owner:** This is the person(s) that is listed with the York County Tax Assessor as the property owner. Fill in name, full address, and phone numbers.

#### PROPERTY INFORMATION

**Property address:** Provide the address of the property. This can be obtained from the York County Addressing Division at 803-909-7483 or by utilizing the York County GIS system on the County website.

**Property conditions:** Explain the vegetative cover and topography of the land. Examples: "partially wooded and sloping from rear to front", or "no trees in the front", or "flat with rear wooded and rolling."

**Property tax map #:** The tax map number for the property can be found on the property tax notice. It can also be found by calling the York County Tax Assessor at 803-684-8526, or by utilizing the York County GIS system on the County website.

**Plat (survey) of property:** The existing survey can often be obtained from the property owner or the York County Register of Deeds. However, in many instances a new survey may be required to clearly indicate the variance that is being requested. At a minimum, the plat/survey should include the location and distance of all structures and dwellings in relation to all property lines.

**Lot area:** Provide the size (area) of the lot. You may use either acreage or square footage.

**Zoning district:** Fill in the appropriate zoning designation of the property.

**Use of property:** Describe the current and proposed (if any) use of the property.

## RELEVANT FACTORS PERTAINING TO THE VARIANCE REQUEST

**1. Variance information:** Explain the type of variance you are requesting. Include the specific section of the Zoning Code that you are unable to achieve. Explain the deficiency of your proposal provided by staff. Define the numerical figure you would like the Board of Zoning Appeals to apply to your proposed development.

**2. Explanation of hardship:** Answer the questions in this section carefully, and be very specific in your answer. If more space is needed, use a separate sheet of paper. This information must be provided by the applicant without the assistance of planning staff.

**3. Condition statement:** Explain any conditions you are willing to impose or accept if your request is approved.

**4. Supporting documentation:** List any additional information (narrative, pictures, petitions, etc.) submitted with the application. This includes information to include with the application or into the record at the meeting.

## CERTIFICATION

**Applicant's signature:** The applicant must sign the form certifying the information is correct. This section must be signed even if applicant is also the owner.

**Owner's signature:** This section must be signed by the property owner. Notarized written authorization from the property owner giving the applicant permission to act of his/her behalf can be substituted for property owner's signature.

## APPLICATION FEE

Note: Payment of the application fee is a submittal requirement.

Residential project: \$400.00

Non-residential project: \$550.00

## ADDITIONAL INFORMATION

1. Hardship resulting from financial difficulty and due to the applicant's own actions are generally not sufficient cause for the board to grant a variance.
2. The variance will be advertised in the local newspaper and the property will be posted indicating the date and time of the public hearing. Adjoining land owners will also be notified of the request, date, and time of the public hearing via regular mail.
3. The application deadline is the first Wednesday of each month. If the application is deemed complete, the request will be heard before the Board of Zoning Appeals the second Thursday of the following month.
4. The applicant may present (at the discretion of the BZA chairperson) any items they believe are pertinent to the case.
5. The Board of Zoning Appeals may elect to approve, approve with conditions, or deny a variance based on the hearing and potential impact of the proposal on contiguous uses and conditions.
6. No variance, having been denied, shall be resubmitted to the board for a period of one (1) year, unless conditions have changed substantially, and the board votes unanimously to rehear the matter.
7. Any person who may have a substantial interest in any decision of the Board of Zoning Appeals may appeal from any decision of the board to circuit court in and for York County, filing with the clerk of such court a petition in writing setting forth plainly, fully and distinctly wherein the decision is contrary to law. The appeal must be filed within 30 days after the decision of the board is mailed. All final decisions or orders of the board will be delivered to parties of interest by certified mail.



|                            |
|----------------------------|
| <b>GENERAL INFORMATION</b> |
|----------------------------|

**APPLICANT'S NAME:** Aaron Van Riper

**EMAIL ADDRESS:** avanripernc73@gmail.com

**ADDRESS:** 4392 Ivywood Dr.  
ROCK HILL SOUTH CAROLINA 29732

**NUMBER**

**STREET**

**APARTMENT/BOX NUMBER**

ROCK HILL

SOUTH CAROLINA

29732

**CITY**

**STATE**

**ZIP CODE**

**PHONE:** 716-499-3711

**CELL**

**HOME**

**PROPERTY OWNER'S NAME:** AARON VAN RIPER

**EMAIL ADDRESS:** AVANRIPERN73@GMAIL.COM

**ADDRESS:** 4392 IVYWOOD DR

**NUMBER**

**STREET**

**APARTMENT/BOX NUMBER**

ROCK HILL, SC 29732

**CITY**

**STATE**

**ZIP CODE**

**PHONE:** 716-499-3711

**CELL**

**HOME**

Attachment: Packet (9161 : Z25-4 V BZA - VanRiper)

**PROPERTY INFORMATION**

**PROPERTY ADDRESS:** 4392 IVYWOOD DR ROCK HILL SC 29732

**PROPERTY DIRECTIONS:** WEST MOUNT GALLANT AND IVYWOOD DR WOULD BE CLOSEST CROSS STREET

HEAD DOWN IVYWOOD DRIVE MY HOUSE IS ON THE LEFT HAND SIDE OF THE RD. 9 HOUSES DOWN

**PROPERTY CONDITIONS:** partially wooded sloping from front of property to small stream the sloping up hill toward rear of property

**PROPERTY TAX MAP #:** 496-00-00-043

**PLAT:** Please Attach to application.

**LOT AREA:** 6.20 ACRES/270199 SQ FT

**ZONING DISTRICT:** RSF-40

**CURRENT USE OF PROPERTY:** PRIMARY RESIDENCE

**PROPOSED USE OF PROPERTY:** PRIMARY RESIDENCE

Is this property part of any HOA or Community Association? Yes\* ☐ No ☒

\*If yes, a letter from the HOA or Community Association is required acknowledging the variance requested and attach any applicable covenants and restrictions.

## RELEVANT FACTORS PERTAINING TO THE VARIANCE

1. **Applicant hereby requests approval of the following variance by the York County Board of Zoning Appeals as described below:**

To Construct a building 5.2' off of property line for right front corner, due to the restrictions of the shape of the property and 100 year

flood plain I am restricted from building in other desirable areas, ( right rear corner would be built to 10' county set back)

**Staff has denied the request based on the following:**

(chapter 155.058-1)SIDE SETBACKS OF PROPERTY 10' ( I am requesting this enroachment due to restrictions of the lay of the land

I did not understand how limited I would be owning this property, with 100 year flood plain and current placement of home

**I request a variance from the York County zoning code to be/have (be specific with measurements, feet, acreage, numbers of, ratio, etc.):**

I am requesting a variance to the side setback for front right corner of shop to be 5.2 ft off property line and the

back right corner to be 10' of feet off property line. This would give me enough room, allowing me to pull in and out of current garage

and this will allow me to maintain access to gravel driveway that enters the rear of property

2. **The application of the ordinance will result in unnecessary hardship and the standards for a variance set by state law and the ordinance are met by the following facts:**

- A. **There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows:**

*[Is there a special or unique feature or an uncommon situation present on the property?]*

The shape of the property doesnt allow me to install a detached garage while mainting the use

of current 2 car garage, The flood plain doesnt allow me to build a garage in the lower section of my property

Duke power has a right of way that would not allow me to build on the far back left of my property



**B. These conditions do not generally apply to other property in the vicinity as shown by:***[Is the special or unique feature or uncommon situation on the property present on surrounding properties?]*

This is a special feature on this property due to the placement of the existing garage doors not facing the street

I will not be able to use existing garage based on county set backs. I will also not be able to use existing driveway to

the rear of the property to get equipment, tractors attachments etc.

**C. Because of these conditions, the application of this chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property:***[Because of the situation, the applied regulations would prohibit or limit the proposed use of the subject property?]*

Due to this unique scenario if I built detached garage at 10' set back the current garage would not be able to be used

Due to the grade of the land (100 yr flood plain) and the amount of trees I can't push this building back any further

**D. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the following reasons:***[Approval of this request will not cause significant harm to surrounding properties, the character of the surrounding area, and the public in general?]*

Approval of the variance will not cause harm to adjacent properties, There is a fence in between me and Bruce C. Piles house

I have also discussed the proposed location with him and he is ok with me building as close to the property line as

I would like to.

3. List any concession(s) or additional conditions that you agree to as part of the approval:

---

---

---

---

4. If you are submitting additional information, please list below:

I am submitting updated survey the york county requested for me to get for permit process

---

---

---

|                      |
|----------------------|
| <b>CERTIFICATION</b> |
|----------------------|

I certify that all information presented by me in this application is accurate to the best of my knowledge, information, and benefit:

|  |
|--|
|  |
|--|

APPLICANT

DATE

I (we) certify that I (we) are the owners of the property involved in this application and further that I (we) designate the person signing as applicant to represent me (us) in this application.

|  |
|--|
|  |
|--|

PROPERTY OWNER (S)\*

DATE

\*Attach owner's notarized written authorization if owner's signature cannot be obtained.

|                        |
|------------------------|
| <b>OFFICE USE ONLY</b> |
|------------------------|

Amount Paid: \_\_\_\_\_ Check #: \_\_\_\_\_

Cash Amount: \_\_\_\_\_

Date Received: \_\_\_\_\_

Receipt Number: \_\_\_\_\_

BZA Case #: \_\_\_\_\_

Meeting Date: \_\_\_\_\_

Accepted by:

---

Staff Signature

Date



Upon completion of your Application, sign the statement below, and return it along with your application by the due date. A copy of this acknowledgment will be attached with your application for our records.

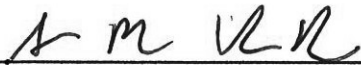
I, Aaron Van Riper, have signed that I am aware of the Board of Zoning Appeals hearing date.

\_\_\_\_\_  
(Hearing Date)

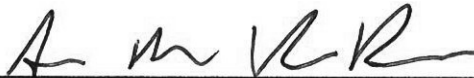
I understand that I will be asked to speak on behalf of my request and that I, or a representative will need to be in attendance. If for some reason I or a representative will not be able to attend the scheduled meeting, I must request a deferral to another date, or withdraw my application, if I do not want my application considered by the Board of Zoning Appeals.

I acknowledge that failure to attend the meeting does not result in my application being automatically deferred to the next month. The Board of Zoning Appeals will still hold the hearing on my request and can take any form of action, including denial.

Should my request be denied, I will not be permitted to resubmit the request to the Board of Zoning Appeals for a period of one year, unless conditions have changed substantially and the Board of Zoning Appeals votes unanimously to rehear the matter.

  
(Property owner's signature)

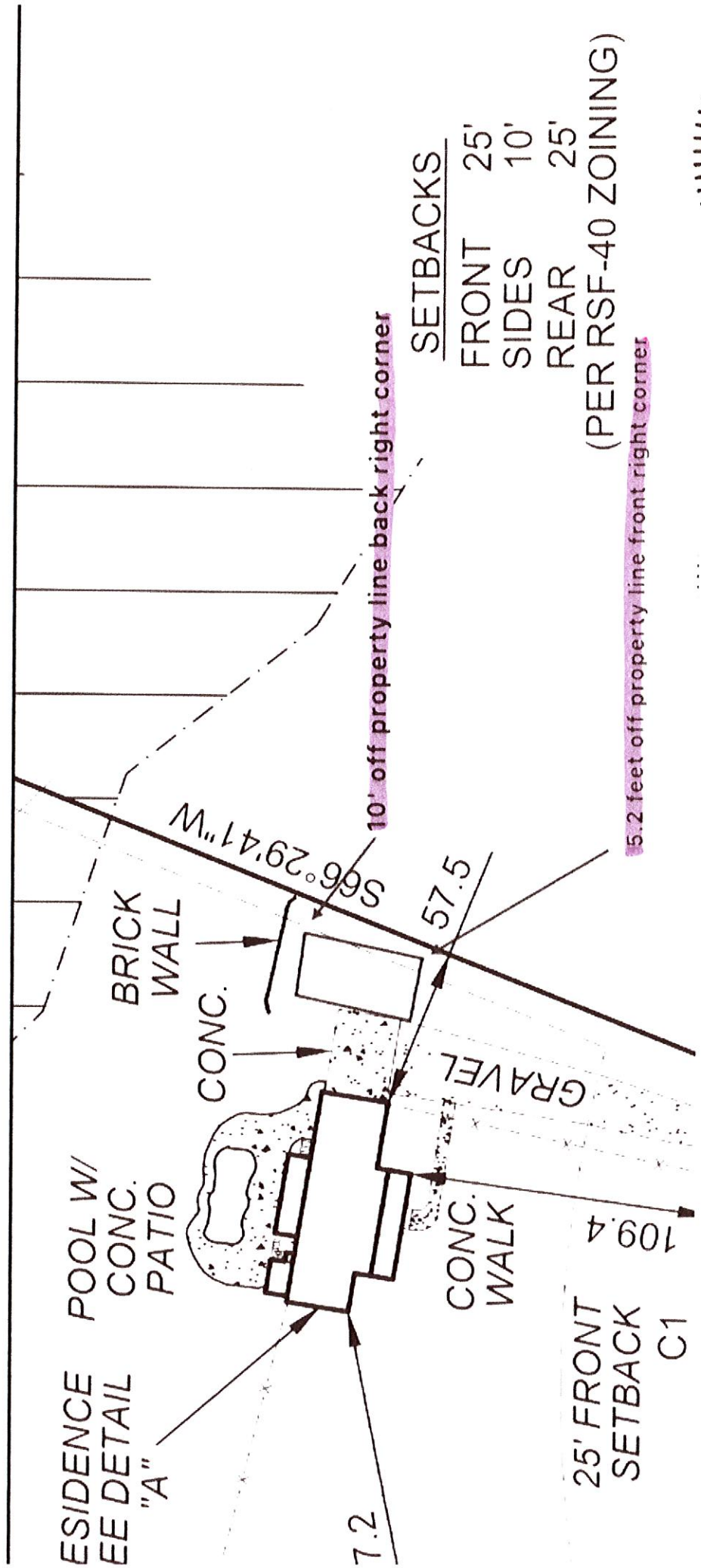
1/27/2025  
(Date)

  
(Applicant's signature)

1/27/2025  
(Date)

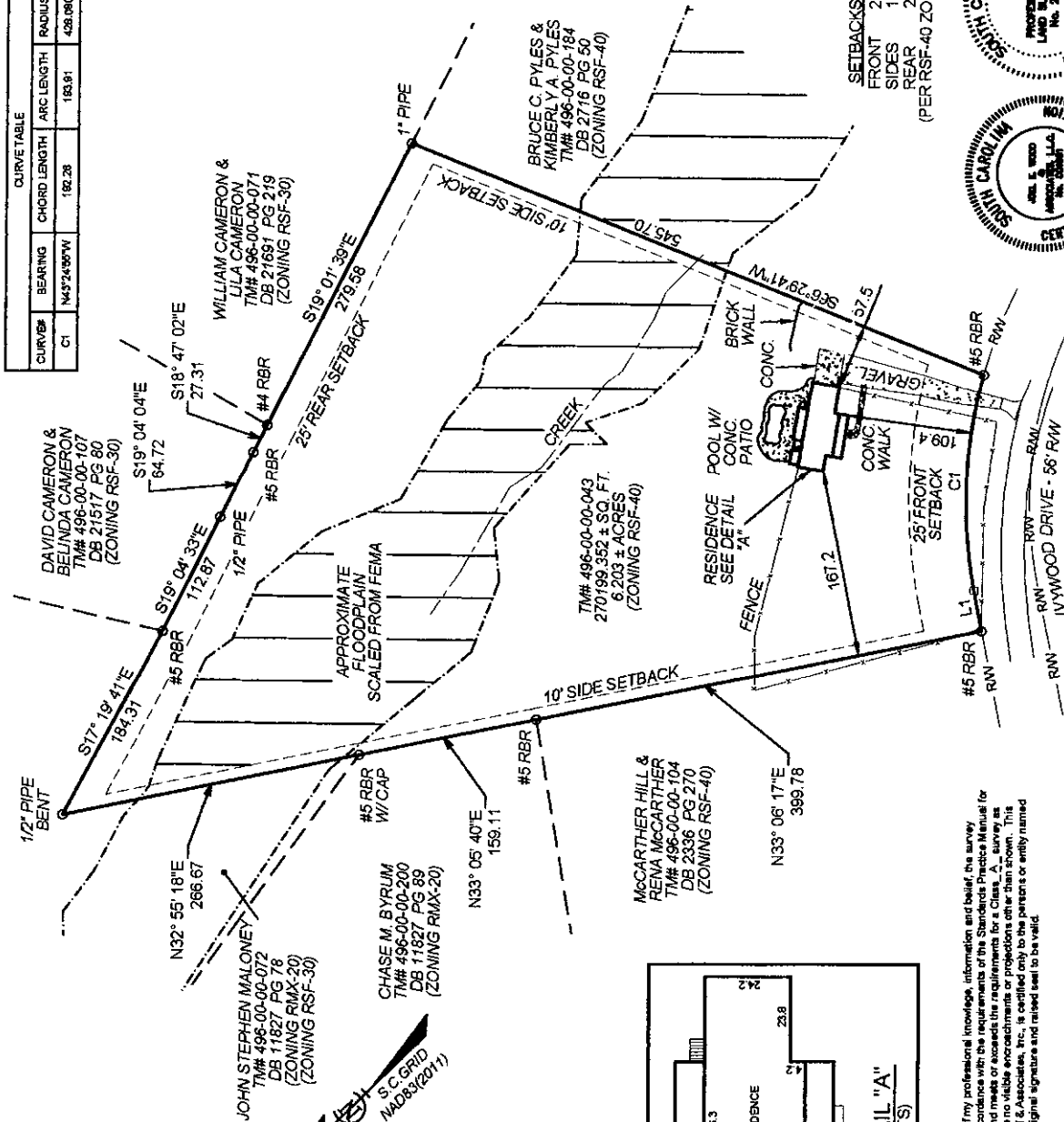
\_\_\_\_\_  
(Staff's signature)

\_\_\_\_\_  
(Date)

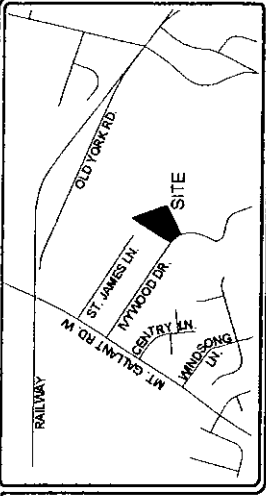


Z:\06-14-2025\41255-4-981 IVYWOOD DRIVE SURVEY BASE 05.dwg

| CURVE TABLE |             |              |            |          |
|-------------|-------------|--------------|------------|----------|
| CURVE       | BEARING     | CHORD LENGTH | ARC LENGTH | RADIUS   |
| C1          | N43°24'00"W | 182.28       | 183.91     | 428.080  |
|             |             |              |            | Δ25.8539 |



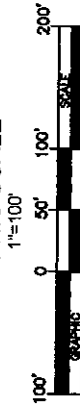
LOCATION MAP (NTS)



- NOTES:
- THIS PROPERTY IS LOCATED IN FLOOD ZONE AE AND FLOOD ZONE X, ACCORDING TO F.I.R.M. No. 45081C0001E, DATED SEPTEMBER 26, 2008.
  - FLOOD ZONE LINES ARE SCALED FROM CURRENT FEMA RATE MAPS. SCALES VARY FROM 1"=500' TO 1"=2000' AND ARE NOTED AS BEING APPROXIMATE ON SAID MAPS. JOEL E. WOODS & ASSOCIATES, INC. DOES NOT CERTIFY TO OR ASSUME RESPONSIBILITY FOR THE ACCURACY OF THE FLOOD ZONE LINES.
  - THIS PROPERTY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
  - JOEL E. WOODS & ASSOCIATES, INC. IS NOT LIABLE FOR ANY AND ALL SETBACKS SHOWN OR NOT SHOWN HEREON. SETBACKS TO BE VERIFIED BY THE OWNER WITH THE COUNTY, CITY, TOWN AND/OR HOA.
  - REFERENCE (DB 17086 PG 32).
  - NO NEW LOTS CREATED.

| LINE TABLE |               |        |
|------------|---------------|--------|
| LINE#      | DIRECTION     | LENGTH |
| L1         | N58° 50' 30"W | 38.40  |

GRAPHIC SCALE



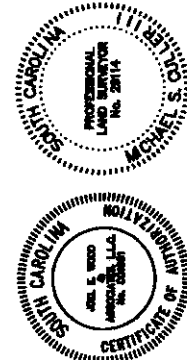
BOUNDARY SURVEY

OF  
4392 IVYWOOD DRIVE  
EBENEZER TOWNSHIP  
YORK COUNTY, SOUTH CAROLINA  
PREPARED FOR  
AARON VAN RIPER



JOEL E. WOODS & ASSOCIATES, INC.  
P.O. BOX 298 CLOVER, SC 29710  
(803) 894-3360

|              |          |       |        |       |                |
|--------------|----------|-------|--------|-------|----------------|
| SURVEY DATE: | 1/3/2025 | PROJ: | 241205 | FILE: | SURVEY BASE 05 |
| CADCOMP/IC/  |          | FB#   | MC/1   |       |                |



Certificate of Accuracy:  
I hereby state that to the best of my professional knowledge, information and belief, the survey shown hereon was made in accordance with the requirements of the Standards Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements for a Class "A" survey as specified therein; also there are no visible encroachments or projections other than shown. This plat is property of Joel E. Woods & Associates, Inc., is certified only to the persons or entity named herein, and must contain the original signature and raised seal to be valid.

Date: 1/13/2025  
Michael S. Culler, III  
28114  
S.C. Registration No.  
496-00-00-043