

MINUTES

Thursday, January 21, 2021
Board of Zoning Appeals Meeting
Council Chambers-Glennon Center Lower Level
7:00 p.m.

<p>1. Call to Order</p>	<p>Lisa Marie Johnson, Chairman, called the meeting to order.</p> <p>Present: Lisa Marie Johnson, Tony Stone, Jim Aranyi, Walt Krasinski, Mike Tullos, Amy Jo Denton, Shane Parris(staff)</p> <p>Absent: Nicole Leodis</p>
<p>2. Approval of Minutes a. October 1, 2020</p>	<p><u>MOTION</u> Tony Stone motioned to approve the minutes as presented.</p> <p>Amy Jo Denton seconded.</p> <p>VOTE: Ayes, Unanimous</p>
<p>3. Review the Following Statement to be Heard: Case No. 01-21: Request for a Variance to the Lakeshore PUD-R-6 rear setback to allow an encroachment of approximately 3 feet for a shed roof over a stone paver patio. The site is located at 1072 Silver Gull Dr., Tega Cay, SC</p> <p>a. Presentation of the Staff Findings of Fact</p>	<p>Chairman Johnson briefed the public on the procedures for the public hearing before the Board of Zoning Appeals.</p> <p>Ms. Johnson then outlined the particulars of the case to be heard.</p> <p>Shane Parris presented the Staff Findings of Fact (attached to the official record).</p> <p>He also noted for the record that 15 property owners had been identified within 200' of the subject property and notices were sent by certified mail. Of those, 7 neighbors had responded without objection to the requested variance. Mr. Parris noted that these responses would be entered into the official record.</p> <p>Mr. Johnson asked if the board had questions for staff. There were no further questions.</p>
<p>4. Administer the Oath and Receive Testimony in the Above Case</p>	<p>Chairman Johnson administered the Oath to all parties that wished to present testimony on the case in question.</p> <p>The appellant, Stephen Hamilton, presented his case to the Board (copies attached to the official record). He stated the finding of facts covered the particulars of the case from his perspective but proceeded to elaborate on</p>

the subject. This included description of the images he had rendered of the planned project, a description of the area, and his general reasoning for it.

Speaking on behalf of the Appellant: None

Speaking on behalf of the Objectors: None.

Comments by Others Present:

Mr. Tullos asked the appellant to describe how the additional construction would be built since the finding of facts describes it as not being permanently affixed to the principle structure. The appellant said he did not exactly understand what was described as he planned to mount the roof to the house. Mr., Parris responded to the question stating that the roof cannot be connected to the house, for the construction to take place as an accessory structure it must be freestanding without attachment to the principle structure. The roof may have flashing installed to span the gap and allow for water prevention. However if the structures were connected, they would be considered affixed and the new construction would be considered an addition. Mr. Parris further elaborated how an accessory structure is only subject to a five-foot rear setback, but that an addition is considered part of the principle structure which is subject to the full setback. He further stated that any addition to the principle structure would encroach into the setback as the house was already built one foot within the setback.

Ms. Denton asked Mr. Parris to elaborate on why to rear setback was fourteen feet, which is less than the required fifteen feet allowed after reduction. Mr. Parris informed her that he was unsure how exactly it occurred, but that during the course of development the house placed within its' rear setback.

5. Motion on Appeal, Discussion and Action by the Board

MOTION

Tony Stone motioned to consider the variance for compliance with the five (5) required Findings for Hardship.

Mr. Tullos seconded.

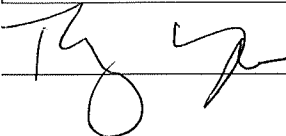

DISCUSSION:

VOTES:

- (1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; **AYES (6)**

	<p>(2) Such conditions are peculiar to this particular piece of property involved and do not generally apply to other property in the vicinity; AYES (6)</p> <p>(3) Such conditions do not result from the applicant's actions; AYES (6)</p> <p>(4) Because of these conditions, the application of this ordinance to this particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; AYES (6)</p> <p>(5) The authorization of a variance would not cause substantial detriment to the adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance; AYES (6)</p> <p>The variance is APPROVED.</p>
<p>6. Election of Officers</p>	<p>Ms. Johnson requested a five-minute recess. After the recess, Ms. Johnson proceeded with the election of officers.</p> <p>1. Chairman. Discussion ensued with multiple nominations, in which Ms. Johnson declined to pursue another term as Chairman. Ms. Johnson Nominated Tony Stone as Chair</p>

	<p>Mr. Stone accepted Call To Question, AYES(6)</p> <p>2. Vice Chair. Mr. Tullos Nominated Amy Jo Denton Ms. Denton accepted Call To Question, AYES(6)</p> <p>3. Staff Secretary. Mr. Tullos Nominated Shane Parris Mr. Parris accepted Call To Question, AYES(6)</p>
<p>7. Adjournment</p>	<p><u>MOTION</u> Tony Stone motioned to adjourn.</p> <p>Jim Aranyi seconded.</p> <p>VOTES: AYES Unanimous</p>

 Tony Stone, Chairman BOZA
  Shane Parris, Zoning Administrator