

Minutes
Regular Meeting of the Florence County Board of Zoning Appeals
Tuesday, October 1, 2013 at 6:30 p.m.
City-County Complex, Council Chambers, Room 803
180 N. Irby St., Florence, South Carolina 29501

The Florence County Planning Department staff posted the agenda for the meeting on the information boards at the main entrance and the back entrance of the City-County Complex and on the information board in the lobby of the Planning and Building Inspection Department building.

The following are summary minutes. The official minutes of this meeting are recorded and can be provided on a CD by request through the Freedom of Information Act.

The agenda was also mailed to the media.

I. Call to Order

Vice-Chairman Jackson called the meeting to order at 6:54 p.m.

II. Attendance:

Board Members Present: Dan Jackson, Vice-Chairman
James Cooper
Gary Dauksch
Craig Floyd
Toney Moore

Board Members Absent: Mack Gettis
Bryant Hollowell
Kenneth McAllister

Staff Present: Jonathan B. Graham, III, Planning Director
Derrick Singletary, Planner II
Malloy McEachin, County Attorney
Angela C. Thomas, Secretary

Public Attendance: See sign-in sheet on file at the Florence County Planning Department.

III. Election of Officers

County Attorney Malloy McEachin administered the nominations and votes for Chairman and Vice-Chairman.

- **Chairman**

Motion – Vice-Chairman Jackson nominated Mr. Dauksch/Second – Mr. Cooper/Vote was 4 to 1 to appoint Mr. Dauksch as Chairman.

- **Vice-Chairman**

Motion – Chairman Dauksch nominated Mr. Hollowell/Second – Mr. Moore/Unanimous approval to appoint Mr. Hollowell as Vice-Chairman.

IV. Review and motion of the minutes:

- **Meeting of June 5, 2012**

Motion to approve – Mr. Jackson/Second – Mr. Moore/Unanimously approved.

V. Public Hearings:

BZA#2013-01 A variance request by Randy and Pamela Bailey from requirements of Sec. 30-246. – Accessory buildings and uses of the Florence County Code of Ordinances for property located at 3829 Pine Needles Rd., Florence shown on Florence County Tax Map No. 00751, Block 01, Parcel 158.

Mr. Jonathan Graham presented the staff report to the Board. Staff recommends denial of the request.

(Copy available at the Florence County Planning Department)

Chairman Dauksch asked if there was anyone that would like to speak in favor of the request.

Mr. Randy Bailey spoke in favor of the request.

Chairman Dauksch asked if there anyone that would like to speak in opposition to the request.

Mr. Rich Gensel spoke briefly. He had concerns that a business was going to be located in the accessory building; after hearing Mr. Bailey speak, he is fine with the building being there if he is able to meet the guidelines of zoning.

Mr. Bailey stated that there will not be a business there and that the building is for storage only.

There was considerable discussion and questions by the Board.

The following are the four findings of fact by the Board:

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

Finding: No by a unanimous vote of 5 to 0.

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

Finding: No by a unanimous vote of 5 to 0.

- c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and

Finding: No by a unanimous vote of 5 to 0.

- d. The authorization of a 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.

Finding: Yes by a unanimous vote of 5 to 0.

Motion to deny the request – Mr. Jackson/Second – Mr. Moore/Unanimously denied.

Motion to allow modifications to the building to bring it within the 1,000 square feet – Mr. Jackson/Second – Mr. Cooper/Unanimously approved to allow modifications to the building in order to bring it into compliance with Chapter 30 - Zoning Ordinance, Section 30-246. – Accessory buildings and uses of the Florence County Code of Ordinances.

VI. Other Business:

- **Review and Approval of the 2013 Board of Zoning Appeals Meeting Calendar**

Motion to approve the remainder of the 2013 meeting calendar – Mr. Moore/Second – Mr. Cooper/Unanimously approved.

- **Review and Approval of the 2014 Board of Zoning Appeals Meeting Calendar**

Chairman Dauksch proposed the September 9th meeting date instead of the 2nd.

Motion to approve the Sept. 9th date instead of the 2nd – Mr. Moore/Second – Mr. Jackson/Unanimously approved.

Motion to approve the 2014 meeting calendar – Mr. Moore/Second – Mr. Cooper/Unanimously approved.

- **Director's Report**

Mr. Graham stated that staff is recommending that the Board meet annually regardless of whether or not there is a case in order that the Board may elect officers and vote on the meeting calendar for the upcoming year; staff is proposing that this meeting be held in June or July.

Motion made to approve the Board of Zoning Appeals perpetually having an annual meeting every June beginning in 2014 – Mr. Moore/Second – Mr. Cooper/Unanimously approved.

VI. Adjournment

Motion to adjourn – Mr. Moore/Second – Mr. Cooper/Unanimously approved/Chairman Dauksch declared the meeting adjourned at 7:45 p.m.

Respectfully submitted,

Angela C. Thomas
Secretary

Approved by:

Jonathan B. Graham, III, Planning Director

*These minutes reflect only actions taken and do not represent a true verbatim transcript of the meeting.