

MINUTES
Unified Land Management
Board of Appeals
April 27, 2004
4:30 p.m.

Pursuant to the Freedom of Information Act, notice of this meeting date, time, place, and agenda was posted on the bulletin board at the entrance of the County Administration Building and mailed to the newspapers, radio stations, television stations and concerned citizens.

Members Present: Craig Sims, Vice Chairman
Ray Morris
Kerry O'Brien
Ronnie Culbreth
Jerry Noe
Jackie Moss
Roy Pinckney

Members Absent: Kyle Atkins
Gerald Lawson

Staff Present: Joan Holliday
Laurie Horton
Albert Lee
Debbie Braddock (Transcriptionist)

1. Call To Order

Craig Sims, Vice Chairman, called the meeting to order.

2. Approval of Minutes of March 30, 2004

The minutes of the March 30, 2004, meeting, were reviewed. Jerry Noe made a motion to approve the minutes as prepared. Ray Morris seconded the motion and the vote carried unanimously.

3. Old Business

This item was carried over from the February meeting pending the expiration of the deed restrictions. The deed restrictions for the property expired April 24, 2004.

Jeannie's Towing & Wrecker Service – Albert Lee, Inspector for the County, was sworn in. He informed the Board that Ms. Starnes is proposing to open an impound lot at 2000 Cross Anchor Road in Woodruff. A variance is needed because the Unified Land Management Ordinance requires all impound lots to be located in areas characterized by light, medium or heavy “Industrial Use Areas”. This site does not meet those requirements.

Craig Sims, Vice Chairman, opened the public hearing for Jeannie's Towing & Wrecker Service.

Mr. Starnes was sworn in and stated his case. Mr. Starnes stated that this property was already approved for a machine shop and that he did not really see the difference in the type of use.

Della Robinson, the property owner was sworn in. She wants the property to be utilized the best way possible. She feels there would be no interference from this property in the area.

No one else was present to address the Board, so the public hearing was closed.

Jackie Moss made a motion to grant the variance as requested, with the impound lot to be confined to the 20'x 40' area shown on the site plan. Kerry O'Brien seconded the motion. The vote was 5 to 1. Jerry Noe was in opposition. Jackie Moss, Kerry O'Brien, Roy Pinckney, Ronnie Culbreth, and Ray Morris were in favor of the variance.

4. New Business

Spartanburg Neurosurgical Associates - Laurie Horton, Inspector for the County, was sworn in. She informed the Board that Spartanburg Neurosurgical Associates had presented a new landscape plan for approval. The board approved a landscape plan marked Exhibit 4, on September 23, 2003. The buffer was to be installed according this plan. Some of the plants on the plan are not suitable for this climate, and there is a new power line set and is to be placed on the edge of their property. The buffer yard required by staff was a Class 4 D, which calls for a berm and plantings. The new landscape plan does not meet the Class 4 D buffer yard requirement, but it is a full-blown landscape plan and not just a buffer. Spartanburg Neurosurgical Associates is seeking a variance to submit an alternate

landscape plan, which removes the fencing shown on prior exhibit 4 (submitted at their last variance hearing) and to use all vegetation for the buffer yard.

Craig Sims, Vice Chairman, opened the public hearing.

Dr. Flandry was sworn in. He indicated a firm in Minnesota with no idea of the property's elevation drew up the previous landscape plan. He stated that evergreen screening would completely surround the property. He feels that the new landscape plan is better for the community and the plant material is better suited for this climate.

Bill Lyles, a representative for the architectural firm, was sworn in. He stated that the doctors would be spending more money on this vegetation than they would on the fence previously approved. He stated that the doctors are not asking for a reduction in the buffer yard, just a different type buffer than is required in the Unified Land Management Ordinance. Since the land elevation differs, he feels that putting the vegetation on the property line would not create the desired effect.

Jerry Noe questioned Mr. Lyles about the elevation and the fencing. Ms. Horton pointed out that the Board did not require fencing; it was merely an element placed on the landscape plan they approved in September 2003. Mr. Noe expressed concern about headlights reflecting on the neighbors. Mr. Lyles indicated the office hours were 9:00 to 5:00. Mr. Noe also noted the dumpster in the back. Mr. Sims replied that it was not on the side that needed the buffer, but noted that it was tucked away nicely in the landscaping.

No one else was present to address the Board, so the public hearing was closed.

The board members discussed the plan with Mr. Lyles and Dr. Flandry.

Ray Morris made a motion to accept the plan. Jerry Noe seconded the motion. The vote was unanimous.

John Knox – Storage Building - Laurie Horton presented the facts to the board. Mr. John Knox is proposing to build a personal use storage building at 430 Oliver Drive, Inman. Mr. Knox is proposing to build his storage building in the front of his house near the road right of way. According to the Unified Land Management Ordinance, Table 3, the required setback for

accessory use buildings is 30' from the road right of way. The right of way is not known on Mr. Knox's property. In such cases, Table 3 requires that the measurement be taken 25' from the center of the road. This would require his building to be set back 55' from the center of the road. He is requesting a variance to build his storage building encroaching into the required 55' setback from the centerline. The garage would be 26½' from the centerline of the road. A 28½' variance would be needed.

Mr. Knox was sworn in. He presented a poster marked as Exhibit 1 which included pictures of his house and lot. He stated that with a lakefront lot, there is some question about what is really the front of the lot. He does not want to build his building where it ruins his view and access to the lake. The shape of his lot precludes his placing it immediately in front of his house, and he has a well that keeps him from moving it further back off the right of way at the spot where he is asking to place it.

Mr. Morris noted that his property is almost at the end of the road, so his building would not impede the sight of his neighbors entering the road.

No one else was present to address the Board, so the public hearing was closed.

Jerry Noe made a motion to grant the variance. Ronnie Culbreth seconded the motion. The vote was unanimous.

5. Other Business

None

6. Adjourn

There being no other business, Jerry Noe made a motion to adjourn and Jackie Moss seconded the motion. The vote was unanimous, and the meeting was adjourned.