

MINUTES
Unified Land Management
Board of Appeals
July 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 sent to the newspaper and to those who have requested it.

Members Present: Gerald Lawson, Chairman
Ray Morris
Roy Pinckney
Kyle Atkins
Jackie Moss
Jerry Noe

Staff Present: Joan Holliday
Laurie Horton
Emory Price
Albert Lee
(Transcriptionist from Freelance)

1. Call To Order

Gerald Lawson, Chairman, called the meeting to order.

2. Approval of Minutes of June 22, 2004

The minutes of the June 22, 2004, meeting, were reviewed. Jerry Noe made a motion to amend the minutes as prepared.

3. New Business

Steven Kopp – Laurie Horton, presented the facts, along with a photo of the site, to the Board. Mr. Kopp, property owner is seeking a Variance for the Unified Land Management Ordinance Section 2.02-1 Dimensional Standards, Table 3, Setback requirements. The property located at 2514 Fairforest Clevedale Road was previously used for a mobile home site. The property has been vacant since October 2000. Mr. Kopp would like to place a mobile home on this property. Gerald Lawson questioned Ms. Horton for

a specific distance for the variance. Ms. Horton informed Mr. Lawson that Mr. Kopp wanted a blanket variance to place a 14' x 50' or smaller mobile home on the property. Ray Morris also questioned Ms. Horton about the accuracy of Mr. Kopp's drawing.

Mr. Kopp presented a drawing to the Board. He stated he was previously approved for this site. He also stated that the railroad would grant him a lease of the property if necessary. Mr. Lawson asked Mr. Kopp if he had a plat of the property. Mr. Kopp stated there was no current plat on file. Roy Pickney questioned Mr. Kopp if he would be living at the location or was it rental. For the time being he stated that the property would be rental. Mr. Lawson again questioned Mr. Kopp about a plat, asking how he knew where the property lines were without a plat to go by.

Mr. Lawson closed the public portion of the hearing. After much discussion among Board members, Ray Morris made a motion to carry over the request so that Mr. Kopp could get a survey of the property to better establish the exact dimensions of the property to determine what the variance would need to be. The vote was unanimous.

Advance Auto Parts - Laurie Horton, still under oath, presented the facts to the Board. Mr. Andrew Shearer, with Site Design, is representing Southeastern Capital, LLC. The property is located at 2275 Chesnee Highway. Advanced Auto is proposing to construct a new store. The property fronts Highway 221. There are single family residences on the right side as well as at the rear/right of the property. When an industrial or commercial use builds adjacent to residential land use, the Ordinance calls for Table 4 to be followed. In this case, Class 4 buffers at the right side, a Class 5 at the rear/right of property are required. Advanced Auto is requesting the Board of Appeals reduce the bufferyard at the right side and rear of the property.

Andy Shearer with Site Design was sworn in. Mr. Shearer presented pictures of the property to the Board; exhibit 1 and 2. Mr. Shearer stated the bufferyard goes to the right of way. Ms. Horton informed the Board the bufferyard would stop 20' from the right of way. Kyle Atkins questioned purchasing more property. Gerald Lawson addressed placing a wall and meeting the four criteria. Mr. Shearer questioned using the building wall as the bufferyard. Jerry Noe stated the Board was required to follow the criteria set fourth by the State. Jackie Moss also stated granting the variance would open a door for other projects that would come to the Board for variances.

Joe Davis an adjoining property owner was sworn in and stated that Misty

Drive was a private drive. He was concerned about the ingress/egress of Misty Drive. Gerald Lawson questioned Mr. Davis about his thoughts of a wall being put up. He stated that he didn't want a wall put up.

D. E. Dupree, Jr., with Southeastern Capital, LLC, stated that it would not interfere with the ingress/egress.

Mr. Kennedy, another adjoining property was sworn in, he stated that he was approach in the past about selling ten feet of a right of way easement. He stated he was not interested then in selling and was not in favor of granting any variance to this property.

The public portion of the meeting was closed and discussion amongst the board members.

Ray Morris made a motion to accept Staff's Recommendation. Jerry Noe 2nd the motion. Kyle Atkins was in opposition. The vote was 4 to 1.

4. Other Business

None

5. Adjourn

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