

Unified Land Management

Board of Appeals

November 27, 2007

4:30 p.m.

Members

Gerald Lawson

Present:

Kyle Atkins

Ray Morris

Les green

David Long

Gerald Noe

Members

Roy Pinckney

Craig Sims

Jackie Moss

Absent:

Staff

Joan Holliday

Present:

Albert Lee

Savannah Sabo

Freelance Reporting Services, Transcriptions

1. Call to Order

Gerald Lawson, Chairman, called the meeting to order.

2. Approval of Minutes of October 23, 2007

Ray Morris made a motion to approve the October 23, 2007 minutes as submitted. Les Green seconded the motion. The vote carried unanimously.

3. Old Business

Appeal – Jarvis Allen - Albert Lee, Land Use Inspector, was sworn in and Presented the background information to the Board:

Albert Lee briefed the Board on the progress that Mr. Allen was making to clean up his property. Mr. Lee stated that Mr. Allen had taken several piles of metal to the Landfill.

He was also removing the rims off of the tires from the vehicles and many of the vehicles had been removed off the property.

4. **New Business**

Thompson Small Engine – Albert Lee, Land Use Inspector, still under oath. He presented the background information to the Board:

Mr. & Mrs. Thompson, applicants, are requesting a variance from the Unified Land Management Ordinance Section 2.02-2 Table 4 (Buffer yards).

The applicants are proposing to construct a small engine repair shop on the parcel addressed as 4800 Chesnee Highway, Chesnee. The parcel is adjoined on the right, and rear sides by single family dwellings.

The ordinance requires a Class five (5) buffer yard along any side or rear lot line when a small engine repair is developed next to existing single family dwellings.

The request is to reduce the Class five (5) buffer yard to a Class two (2) buffer yard along the left and part of the rear property line and a reduction of the required buffer Class five (5) to a Class three (3) on the remaining rear property lines.

Albert Lee presented the slide show presentation to the Board with a detailed drawing of the proposed building.

Gerald Lawson opened the public hearing.

Clint Thompson, applicant, was sworn in. He stated that there would not be any parts left outside the building and any extra motor parts would be carried off of the property. He stated that this would be similar to the Boiling Springs Small Engine Shop.

There was no one else present to speak against the variance request.

Gerald Lawson closed the public hearing.

Joan Holliday stated that the property was restricted due to a Duke Power right of way. David Long asked the owner could the building be shifted further to the left or right so that the required buffer yard would work. Mr. Lee stated that due to the topography of the property that shifting the building would not work.

Kyle Atkins made a motion to grant the variance as requested. David Long seconded the motion. The vote carried unanimously.

Inman Animal Hospital – Albert Lee, Land Use Inspector, still under oath. He presented the background information to the Board:

M Dr. John W. Warner, applicant, is requesting a variance from the Unified Land Management Ordinance Sections 4.06-5 Change of Nonconforming Use; Section 2.02-2 Buffer yards; and Section 2.02-1 Dimensional Standards, Table 3, Set-backs for Commercial Kennels. The definition for kennels as stated in the ULMO is “any building(s), facility/facilities, or land that is used for the care or housing of dogs, cats, or other household pets for the purpose of breeding, boarding, training, show grooming, or sale and where profit or reward is the intended end purpose. Uses that do not involve outdoor facilities for housing, boarding, training or exercise are exempt from this definition. (Amended 5/15/2000)

The applicant is proposing to construct an addition to the rear of his existing animal hospital. The parcel is adjoined by commercial use and a single family dwelling on the right side property line.

The ordinance requires a Class five (5) buffer yard along any side or rear lot line when an animal hospital or kennel is developed next to existing single family dwellings.

The request is to first reduce the building set back along the right side lot line from the required fifteen (15) feet to eight and one half (8.5) feet a variance of six one half (6.5) feet, and secondly to reduce the required Class five (5) buffer yard to a Class two (2) buffer yard.

Albert Lee presented a slide show presentation to the Board. He stated that the home next door was for sale and no one would see the addition from the Highway. In addition, they have existing natural growth on the property.

Gerald Lawson opened the public hearing.

Gerome Hall, applicant, was sworn in. He stated that he agreed with Mr. Lee’s staff report. He also asked the Board to exempt the 30-day waiting period for the permit, since this was carried over from last month.

Dr. Warner, property owner, was sworn in. He also agreed with Mr. Lee’s staff report.

Gerald Lawson closed the public hearing.

Les Green made a motion to grant the variance as requested. David Long seconded the motion. The vote carried unanimously.

Les Green made a motion to waive the 30-day waiting period for the permit. David Long seconded the motion. The vote carried unanimously.

Home Source Funding Group – Albert Lee, Land Use Inspector, still under oath. He presented the background information to the Board:

Mr. T.Jerome Hall, applicant, is requesting a variance from the Unified Land Management Ordinance Section 2.02-2 Table 4 (Buffer yards) and Section 4.04 Conversion of Residential Property.

The applicant is proposing to convert the use of a lot from single family residential to office use on the parcel addressed as 156 S. Blackstock Road, SC. The parcel is adjoined by single family dwellings along the left, right and rear property lines.

The ordinance requires , “when a conversion of a house to a commercial use is proposed, the house shall be made to meet all applicable codes for commercial buildings....All parking, landscaping, buffering, and other requirements of this Ordinance for the commercial use of the property shall be met.”

The request is to reduce the Class four (4) buffer yard to a Class one (1) buffer yard along the left, right and rear property lines.

Albert Lee presented a slide show presentation of the surrounding properties to the Board. He stated that the home was never completed and the existing trees on the property were a good buffer. There was also an existing fence on the right hand side of the property.

Gerald Lawson opened the public hearing.

Gerome Hall, applicant, was sworn in. He presented a new site plan to the Board which was entered into the record as Exhibit #1. He stated that the home had been in foreclosure and they would like to add parking to the rear and tear the garage down. He stated that the adjoining property owners were not present at the meeting and were not against the variance request.

Gerald Lawson closed the public hearing.

Gerald Lawson asked Mr. Lee if the area was transitioning into commercial. Mr. Lee stated that the area was transitioning into commercial.

The Board agreed that there was no room for a class 4 buffer yard. There are existing huge trees and an existing fence on the property.

Kyle Atkins made a motion to grant the variance as requested. He stated that the area was transitioning into commercial, there were existing trees on the property as a natural buffer, and there was no opposition present at the meeting. Les Green seconded the motion. The vote carried unanimously.

Kyle Atkins amended the motion to include the buffer be a class 3d which was a 6' privacy fence. David Long seconded the motion. The vote carried unanimously.

Dave Edwards Toyota- Albert Lee, Land Use Inspector, still under oath. He presented the background information to the Board:

Mr. Dave Edwards, applicant, is requesting a variance from the Unified Land Management Ordinance Section 2.02-2 Table 4 (Buffer yards)

The applicant is proposing to demolish his existing auto sales and repair and reconstruct it toward the rear of his property. Mr. Edwards has purchased several lots at the rear of his existing property for his expansion. The grading required for the construction of the new building will leave a 2:1 slope at the left and rear of property resulting in an approximately forty-five (45) foot difference in elevation with Quiet Acres Drive.

The ordinance requires a Class five (5) buffer yard along any side or rear lot line when auto sales and repair is developed next to existing single family dwellings

The request is to reduce the required Class five (5) buffer yard on the left and right sides of property lines to a Class two (2) b, and on the rear property line. Mr. Edwards is requesting that the Board grant a change to an eight (8) foot fence like the one granted around the Food Lion Store adjacent to the dealership.

Albert Lee presented a slide show presentation to the Board.

Gerald Lawson opened the public hearing. He stated that the owner was in the process of buying two more lots and they plan to extend the buffer down further to buffer against the residential homes.

Gerald Lawson opened the public hearing.

Dean Anderson, representing Dave Edwards Toyota, was sworn in. He stated that they were in the process of closing on the purchase of two lots that adjoined that property.

They plan to extend the buffer yard across and down the property line. In addition they plan to buffer the right property line with a class 2 buffer with a coated chain link fence.

William Pierce, 325 Quiet Acres Drive, was sworn in. He requested that the applicant put in a fence similar to Food Lion to buffer against noise and traffic coming thru the neighborhood. He did not want bushes or shrubs as the buffer yard against these residential homes.

Mr. Anderson agreed to place a gate up to keep traffic from entering the neighborhood and he would install a drive off Augusta Road.

Jerry Noe asked if the new site plan reflected the two new lots that were in the process of being purchased. Mr. Anderson stated that the new site plan did reflect the two new purchases. Mr. Anderson showed the Board the drawing of the shrubs and bushes on the new site plan.

David Long agreed that a class 3d buffer would cover both the fence and the shrub.

Mancel George, 230 Augusta Road, was sworn in. He stated that due to his wife's illness he was requesting that a fence be placed as a buffer against his property.

Todd Young, 230 Augusta Road, was sworn in. He presented several photos to the Board which was entered into the record as Exhibit #1. He was requesting that a solid fence similar to Food Lion be placed as a buffer yard against the homes off of Augusta Road. He stated that the traffic from the Mobile Home Park was using Augusta Road as a cut thru drive.

William Pierce agreed with Mr. Young to place a fence as a buffer yard along Augusta Road.

There was some discussion on the private drive and whether it is legal. The Board agreed that this was an existing drive way and that there was nothing in the Land Use Ordinance that prevented the dealership from using this as an access drive.

Gerald Lawson closed the public hearing.

The Board agreed that the applicant was asking for a buffer yard 2b which were trees and shrubs and would have to be maintained.

David Long made a motion to grant the variance as requested. Les Green seconded the motion. The vote carried unanimously.

Fish & Tackle - Albert Lee asked the Board to carry this variance request over until the December meeting.

Kyle Atkins made a motion to table the variance for Fish & Tackle over until the December meeting. Les Green seconded the motion. The vote carried unanimously.

5. Other Business

None

6. Adjourn

Kyle Atkins made a motion to adjourn. Les Green seconded the motion. The meeting adjourned at 5:48 p.m.

