

Minutes
Regular Meeting of the Florence County Board of Zoning Appeals
Tuesday, November 21, 2023 at 6:30 p.m.
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 lobby of the County Complex and on the information board in the lobby of the Planning and Building Inspection Department building.

The agenda was also mailed to the media.

I. Call to Order

Chairman Brian Casey called the meeting to order at 6:30 p.m.

II. Attendance:

Board Members Present: Chairman Brian Casey
Craig Floyd
Kenneth Muldrow
Wesley Martin
James Cooper, Jr.
Daniel Jackson

Board Members Absent: Vice-Chairman Brenda Deas
Louie Hopkins
Jessica Wright

Staff Present: Mr. J. Shawn Brashear, Planning Director
Mr. Ethan Brown, Deputy Director
Holly Smith, Planner II

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

III. Review and motion of the minutes:

- **Meeting of October 17, 2023.**

Motion to approve the minutes as presented – Commissioner Wesley Martin / **Second** – Commissioner Craig Floyd/ Minutes of the October 17, 2023, meeting were unanimously approved 5 to 0.

IV. Public Hearing:

BZA#2023-06

A variance requested by Misty Pfefferkorn from requirements of the Florence County Code of Ordinances, Chapter 30 - ZONING ORDINANCE ARTICLE VII. – GENERAL AND ANCILLARY REGULATIONS, Sec. 30-246. – Accessory buildings and uses, for property located at 311 Laurel Lane, Florence, SC 29506, as shown on Florence County Tax Map No. 01731, Block 01, Parcel 043.

Mr. Ethan Brown presented the staff report to the Board. A copy of the staff report and presentation is available at the Florence County Planning Department and on the Florence County website at: <http://florenceco.org/planning/bza/archives.php/>.

Commissioner Kenneth Muldrow entered the meeting and took his seat on the Board.

Mr. Brown stated to the Board that the variance request was for the property at 311 Laurel Lane, Florence SC. The requested variance requested would allow an accessory structure to be placed in the front yard setback area. The approval of the variance request would allow the owner of record to place an accessory structure in the front yard setback established by the Florence County Code of Ordinances. The unzoned property is located off of TV road in the northern part of Florence County. The owner and applicant of record for the property is Misty Pfefferkorn.

Mr. Brown went through some slides of the presentation and indicated that although the property is currently unzoned there are still required to comply with the development standards per Florence County Ordinance. Across the road from the property the land has a significant drop off and that property is in the flood zone. Mr. Brown further mentioned that the applicant had submitted a plat per Florence County Code of Ordinances and that other than the requested variance the applicant did meet all setback requirements. Within the submitted plat it shows to the east the accessory structure is approximately fifteen (15) feet from the property line and staff verified that information when they went out to the subject property. Mr. Brown stated for the purpose of the meeting tonight the location of the building was the concern and not the setbacks. The primary structure is about one hundred and thirty-six (136) feet, and the proposed structure is about ninety-four (94) feet from the road. The accessory structure would be roughly forty (40) feet in front of the primary structure. Based on resources available to staff the property does not appear to be in the flood zone or wetlands. Public notice of the variance request was posted on the property, letters sent to adjacent property owners and posted in public places per the Florence County Ordinance. The property owner has already poured a cement slab and contacted the office to obtain a building permit. It was at that time they were informed of the need for a variance for the project.

Mr. Brown provided the comments and inquiries received by staff from the public. A copy of the comments and inquiries are maintained at the Florence County Planning and Building Department.

Chairman Brian Casey inquired if there were any questions and or comments from the Board.

There was discussion by the Board regarding whether the property was in the wetlands or flood zone for the requested variance.

Mr. Brown stated the property was not in any wetlands or in the flood zone.

There were no further questions and or discussion from the Board and Chairman Brian Casey inquired if there was any public in attendance who desired to speak in favor of the requested variance request.

Ms. Misty Pfefferkorn owner of the property located at 311 Laurel Lane, Florence SC was present in the meeting and spoke in favor of the requested variance request. Ms. Pfefferkorn stated that there was one additional place they could build the structure but at the current time it was swamp. She was not sure how they could bring in enough dirt to make that spot work. She further stated they recently moved to the subject property and someone had put cement blocks to try and prevent the neighbor's yard from flooding onto their property. Ms. Pfefferkorn provided additional pictures to the Board for review. She stated that one image showed the car hauler and during the last rain they had to pull the car out of the car hauler because it sunk into the ground. Another image showed the big sink hole in their back yard. The remaining images showed the different layout views of the proposed shed.

There was some discussion between Ms. Pfefferkorn and the Board pertaining to flooding issues and the relationship of the structure to the primary residence and the road. Ms. Pfefferkorn stated they were going to try and get the wooded area cleaned out but presently it was very wet back there. They just moved into the house in July and was unsure of exactly what all was their property until they had a surveyor come out and survey their lot

Chairman Brian Casey inquired if there was any public in attendance who desired to speak opposed to the requested variance request.

There was no public in attendance who desire to speak opposed to the requested variance request.

There were no further questions, comments from the public and the Chairman and the Board reviewed the application and comments submitted by the applicant in reference to the requested variance request.

There was further discussion from the Board regarding the proposed structure's height.

Mr. Brown stated staff asked for the proposed height and at the time the applicant was not able to provide it.

There were no further questions, comments and or discussion by the Board.

Motion - Commissioner Kenneth Muldrow made a motion that BZA #2023-06 be approved. / Commissioner James Cooper Jr. seconded the motion to approve. After the vote a Commissioner raised a concern about the effects of the approval. Chairman Brian Casey called the Board back into discussions.

Mr. Brashear then informed the board since the previous motion had carried and a vote was taken that the commission would need to introduce a motion to reconsider the item.

Motion – Chairman Brian Casey made a motion to reconsider the item. / Commissioner Wesley Martin second the motion to reconsider. / The Board voted 6 to 0 to reconsider the motion.

There was further discussion by the Board regarding the effects of approving the proposed variance request.

Motion - Commissioner Kenneth Muldrow made a motion that BZA #2023-06 be approved. / The motion was seconded by Commissioner James Cooper Jr. / The motion carried with a vote of 4 to 2 to approve the variance request BZA #2023-06.

The Public Hearing was closed.

VI. Other Business

Motion - Commissioner Wesley Martin made a motion to approve the 2024 meeting schedule. / Commissioner James Cooper Jr. seconded the motion to approve. The motion carried with a vote of 6 to 0 to adopt the BZA 2024 meeting schedule.

VII. Adjournment

Motion - Commissioner Wesley Martin made a motion that the meeting be adjourned / Commissioner Dan Jackson seconded the motion to adjourn. / The motion carried with a vote of 6 to 0 to adjourn the Board of Zoning Appeals Meeting.

Chairman Brian Casey declared the meeting adjourned at 7:05 p.m.

Holly Smith, Secretary

Approved by:

Ethan Brown, Deputy Director

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