

**STAFF REPORT
TO THE
FLORENCE COUNTY BOARD OF ZONING APPEALS
TUESDAY, SEPTEMBER 19, 2023
BZA#2023-02**

SUBJECT: A variance requested by Carolina Academy from requirements of the Florence County Code of Ordinances, Chapter 30 - ZONING ORDINANCE ARTICLE VII. - GENERAL AND ANCILLARY REGULATIONS, Sec. 30-246(3)(g) – Accessory buildings and uses, for property located at 351 N Country Club Road, Lake City, SC 29560, as shown on Florence County Tax Map No. 00142, Block 31, Parcel 048

LOCATION: 351 N Country Club Road, Lake City, SC

TAX MAP NUMBER: 00142, Block 31, Parcel 048

COUNCIL DISTRICT(S): 1; County Council

OWNER OF RECORD: Carolina Academy

APPLICANT: Carolina Academy, Headmaster - Stevie Phillips

LAND AREA: Approximately 43.76 acres

VARIANCE REQUESTED: The variance requested would allow the owner to exceed the maximum height requirement for fences established by the Florence County Code of Ordinances.

STAFF ANALYSIS:

Existing Land Use and Zoning:

The subject property is zoned residential and currently educational.

Surrounding Land Use and Zoning:

North: Vacant/R-1/Florence County
South: Residential/R-1/Florence County
West: Residential, Vacant/R-1/Florence County
East: Vacant/R-1/Florence County

Background:

Sec. 30- 246(3)(g) Fences and walls. May be located in all required yards and along any property line. Fences and walls exceeding eight feet in height require a variance from the board of zoning appeals.

The request is for a variance that would allow the applicant to exceed the maximum height requirement for fences established by the Florence County Code of Ordinances. The applicant has

requested a certificate of zoning compliance to construct a ten foot fence. Per the Florence County Code of Ordinances, any fence exceeding eight feet in height must receive a variance from the Board of Zoning Appeals prior to a certificate of zoning compliance being issued. If the variance is granted, it would allow the zoning administrator to issue a certificate of zoning compliance for a ten foot fence to be constructed.

Access and Circulation:

The property is currently accessed by way of N. Country Club Road, Lake City, SC.

Sec. 30-293. – Board of zoning appeals (c)

Powers of board of appeals; variances; special exceptions; remand; stay; hearing; decisions and orders. The board of appeals has the following powers:

- (1) To hear and decide appeals where it is alleged there is error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning ordinance;
- (2) To hear and decide appeals for variance from the requirements of the zoning ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:
 - a. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
 - b. These conditions do not generally apply to other property in the vicinity;
 - 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
 - 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.

VARIANCE REQUEST:

1. Applicant hereby appeals to the Board of Zoning Appeals for a variance from the strict application to the property described in the Notice of Appeal [Form 1] of the following provisions of the Zoning Ordinance:

- a. **Applicant’s Response:**
Properties (Schools) are not allowed to put up fences above 8ft without the approval of the zoning board

so that a zoning permit may be issued to allow use of the property in a manner shown

on the attached plot plan, described as follows:

b. **Applicant's Response:**

The Carolina Academy School would like to construct a ten foot fence to secure the main school campus.

for which a permit has been denied by a zoning official on the grounds that the proposal would be in violation of the cited section(s) of the Zoning Ordinance.

2. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by state law and the ordinance are met by the following facts.

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows:

Applicant's response:

Without the new fencing the school would not be able to secure the campus.

b. These conditions do not generally apply to other property in the vicinity as shown by:

Applicant's response:

The school (Carolina Academy) needs the 10ft height to better protect the campus from intruders.

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 as follows:

Applicant's response:

The zoning ordinance will not allow us to construct a ten foot fence.

d. The authorization of the 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 for the following reasons:

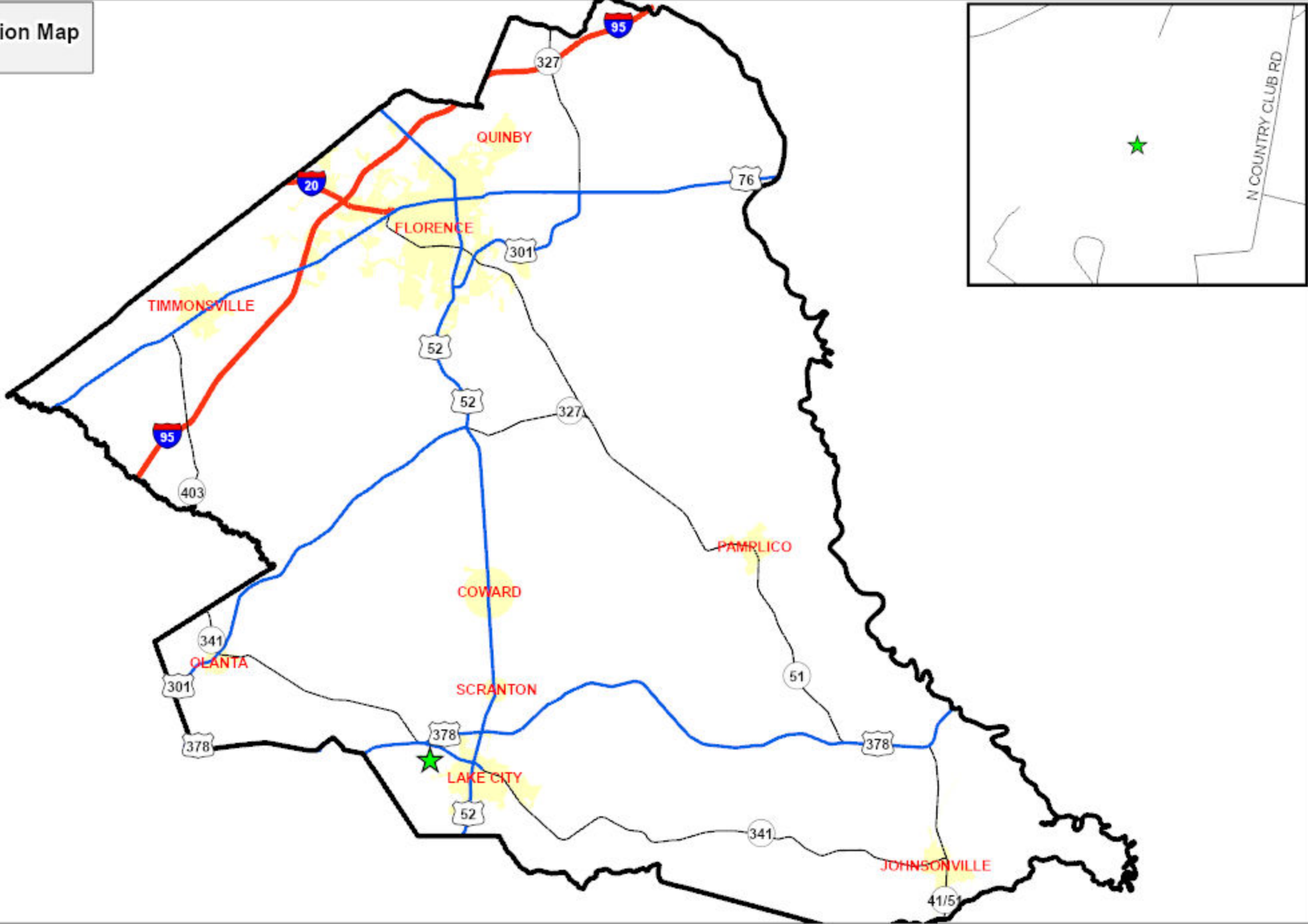
Applicant's response:

The fence would not be a detriment to any other adjacent properties.

ATTACHMENTS:

1. Location Map
2. Zoning Map
3. Aerial Map
4. Fence Layout

Location Map



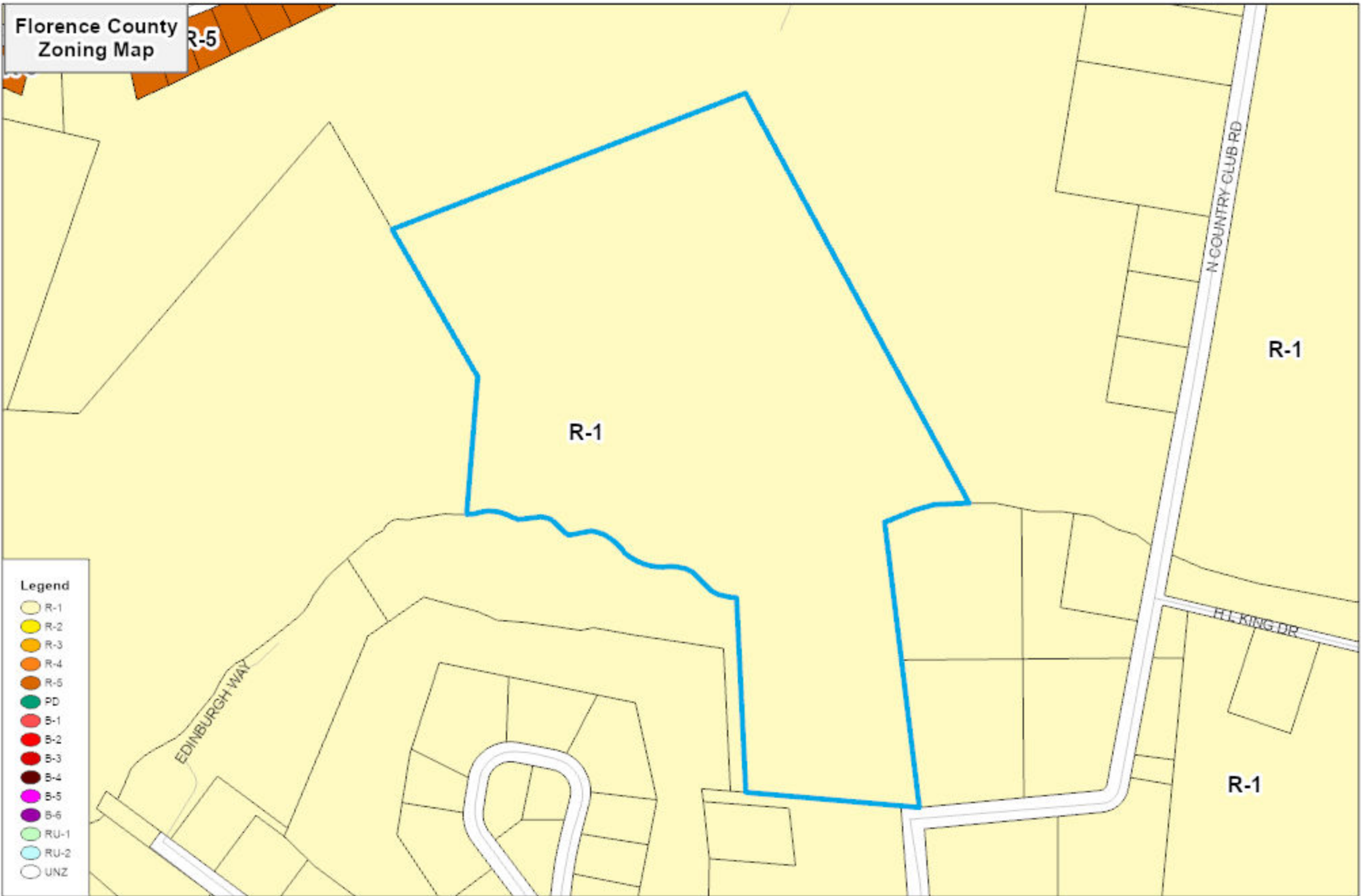
Florence County
Planning Department
Meeting Date:
9/19/23



Council District 1
BZA#2023-02

Florence County
Zoning Map

R-5



R-1

R-1

R-1

Legend

- R-1
- R-2
- R-3
- R-4
- R-5
- PD
- S-1
- S-2
- S-3
- S-4
- S-5
- S-6
- RU-1
- RU-2
- UNZ

0 195 390 780 Feet

Florence County
Planning Department
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Council District 1
BZA#2023-02

2021 Aerial



0 195 390 780 Feet

Florence County
Planning Department
Meeting Date:
9/19/23



Council District 1
BZA#2023-02

ArcGIS Web Map



8/30/2023, 10:54:06 AM

AGOL_Layers - Parcel_Data

Parcels

Addresses

Front Side of School (south) 8 ft. high commercial grade rail fence

A. 6ft. wide x 8ft. gate with panic bar

B. 4ft. wide x 8ft. gate with panic bar

C. 10ft. x 10ft double drive w/ lock latch - fence to connect to portable bldg.

Kindergarten/playground side of school (east side) 10ft. 6 gage core black fencing

D. 5ft. wide x 6 ft. high gate w/ panic bar

E. 20ft. x 10ft high double drive gate NOTE: fence to connect to portable bldg.

Back Tennis Court Side (north side)

F. 4ft. wide x 6ft high gate with panic bar

G. 4ft wide x 6ft. high gate with panic bar

H. 4ft. wide x 6ft. high gate with panic bar

New fence will connect with existing tennis court fencing

Gym/Weight Room (west side - Golf course side)

I. 20ft. wide Double drive fence

J. 5ft. wide x 6ft high double walkway gate

****NEW FENCING WILL CONNECT TO TENNIS COURTS, WEIGHT ROOM, AND GYM**

