

Minutes
Regular Meeting of the Florence County Board of Zoning
Appeals Tuesday, September 19, 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
Vice-Chairman Brenda Deas
Daniel Jackson
Craig Floyd
Kenneth Muldrow
Louie Hopkins
Wesley Martin

Board Members Absent: Bryant Hollowell
James Cooper, Jr.

Staff Present: Mr. J. Shawn Brashear, Planning Director
Mr. Ethan Brown, Deputy Director
Derrick Singletary, Senior Planner
Holly Smith, Planner III
Lisa M. Becoat, Administrative Assistant

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

Prior to the review and motion of minutes by the Board, the Chairman Brian Casey introduced and welcomed the newest members to the Board, Mr. Louie Hopkins and Mr. Wesley Martin.

III. Review and motion of the minutes:

- **Meeting of February 21, 2023.**

Motion to approve the minutes as presented - Commissioner Daniel Jackson / **Second** – Vice-Chairman Brenda Deas/ Minutes of the February 21, 2023, meeting was unanimously approved 7 to 0.

IV. Public Hearing:

BZA#2023-02

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.

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

Mr. Brown indicated to the Board that the variance request was for the property at 351 N. Country Club Road, Lake City, in County Council District One. The owner of record for the property is Carolina Academy, and the Head Master Mr. Stevie Phillips is the applicant for the request. The property is approximately 43.76 acres and the approval of the variance request would allow the owner of record to exceed the maximum height requirements for fences established by the Florence County Code of Ordinances. Mr. Brown further stated that currently Section 20-246(3)(g) indicates that 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 applicant per Florence County Ordinance is allowed to have the fence, but they desire to exceed the maximum height limit of eight feet to a ten foot height fence. Typically, this request would be considered a special exception but the Florence County Ordinance provides for this under a variance request and as such it is being presented to the board for a variance request.

Mr. Brown went through some slides of the presentation and indicated that the property including the adjacent property is zoned R-1. He further stated that the R-1 zoning designation allowed for schools to be in the zoning designation and that it allowed schools to have fences around them. The issue is the height of the proposed fence per the Florence County Code of Ordinance. The ten foot fencing is proposed around the educational portion of buildings around the property and some of the recreational portions where the tennis courts, softball and footballs fields and presently unused portions of the property are. He further reviewed the slide diagram presented by the applicant indicating that the area outlined in blue was where they desired to place the ten foot fencing. Staff has reached out to South Lynches Fire Department and spoke to their Fire Marshall who ensured staff that they have spoken to the School Staff and ensured that all issues of life safety have been communicated. This would include egress and ensuring that fire apparatus can reach the school. This information is a condition of the building permit and would have to be resolved prior to the building permit being issued to construct the fencing. Before any of this process can begin the Board must first review and approve the variance request that is being presented to exceed the eight foot fencing. 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.

Mr. Brown provided the comments and inquiries received pertaining to the requested variance request BZA #2023-02. (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 were no questions by the Board and Chairman Brian Casey inquired if there was any public in attendance who desired to speak in favor of the proposed variance request.

There was no public in attendance who desired to speak in favor of the proposed variance request.

Mr. Shawn Brashear, Director of Planning and Building was present in the meeting and stated to the Board that the contractor for the proposed project was present in the meeting and was available to answer any questions that the Board had regarding the variance request.

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

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

There was 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 proposed variance request. The Board discussed information of the proposed type of fencing to be installed.

Mr Brown in response to the Board stated that the fencing would be chain link but he was uncertain of the type of material to be used.

Mr. Rodney Altman the contractor was present in the meeting and stated to the Board that the fencing would be chain link industrial fencing.

There was further discussion from the Board regarding the reason for the fencing.

Mr. Brown in response to the Board stated that the Head Master in the application indicated the fencing was for security and safety reasons.

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

Motion - Commissioner Louie Hopkins made a motion that BZA #2023-02 should be approved. / The motion was seconded by Vice Chairman Brenda Deas and Commissioner Kenneth Muldrow / Seven (7) Board members voted to approve the variance request.

Prior to moving the motion forward the Chairman Brian Casey indicated that he wanted to go back and review the answers and questions for the proposed variance request. The Board reviewed the questions and indicated that the exceptional conditions pertained to the particular piece of property was that it was a school. It was the only school within the vicinity or area. The conditions did not unreasonably restrict the utilization of the property and that the authorization of granting the variance would not be of substantial detriment to the adjacent properties or to the public good, and the character of the district would not be harmed by the granting of the variance request.

There was no further questions, comments and or discussion and Chairman Brian Casey then requested a motion from the Board.

Motion - Commissioner Louie Hopkins made a motion that BZA #2023-02 be approved / The motion was seconded by Vice Chairman Brenda Deas / The motion carried with a vote of 7 to 0 to approve the variance request BZA #2023-02

The Public Hearing was closed.

VI. Other Business

There was no further business and or discussion by the Board.

VII. Adjournment

There was no further business, discussion or questions by the Board and the Chairman Brian Casey declared the meeting adjourned at 6:44 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.