

Board of Zoning Appeals



Minutes for the Tuesday, March 1, 2022, Regular Meeting

Members of the Board of Zoning Appeals

Wesley Summers

Chairman

Bill Burkhalter

Kathie Stallworth

Jim Newman

Kevin Scaggs

CITIZEN ASSISTANCE: Individuals requiring special assistance or a sign interpreter to participate in the meeting are asked to please notify the Department of Planning and Development 48 hours prior to the meeting at 803-441-4221.

REGULAR MEETING

1. **Call to Order** – 6:00 p.m.
2. **Roll Call** Board members present were Chairman Wes Summers, Kevin Scaggs, Bill Burkhalter and Jim Newman.
3. **Approval of Minutes** – Minutes of the Regular Meeting of the January 4, 2022 meeting were unanimously approved.
4. **Confirmation of Agenda** Chairman Summers asked for a motion to hear agenda item four after agenda item one because the requests pertain to the same property. Mr. Scaggs made the motion and Mr. Burkhalter seconded the motion. It was approved unanimously.
5. **ZV22-001**- A request by S&H Enterprises represented by JLA for a variance from Section 3.8.5.8.5, Front Setback Landscaping of the North Augusta Development Code. The application affects a proposed car dealership on ±16.54 acres located at 5425 Jefferson Davis Highway, TPNs 013-15-02-001 and 013-20-03-004 zoned TC, Thoroughfare Commercial, and within the HC, Highway Corridor Overlay District.
 - a. **Public Hearing** – The purpose of the hearing is to receive public comment on the application.

Mr. Paradise stated the applicant is requesting a variance from planting small trees required and for a reduction in the buffer width required from 20 feet to 14.4 feet.

Alexandra Reynolds stated that the land is subject to 3 layers of landscape on the Jefferson Davis frontage: the type D buffer, street trees, and the perimeter parking lot landscaping. There is a lot of landscaping required between the road and parking lot. KIA is asking for a variance that the buffer width be reduced to 14.5 feet and that they put in the large trees but eliminate 22 small trees.

- b. **Consideration** – Consideration of Application ZV22-001 by the Board of Zoning Appeals.

Mr. Scaggs made the motion to approve the variance request and Mr. Burkhalter seconded the motion. It was approved unanimously with no conditions.

- 6. **ZV22-002**- A request by Carolyn Marie Anderson for a variance at 723 Indian Mound Drive, TPN 002-20-06-012 from Section 3.5.8, Dimensional Standards, Corner Side Yards of the North Augusta Development Code for a carport addition that does not meet the required setbacks. The application affects ±0.26 acres zoned R-14, Large Lot, Single-Family Residential.

- a. **Public Hearing** – The purpose of the hearing is to receive public comment on the application.

Mr. Paradise stated that it is .22 acre lot zoned R-14 and the applicant is requesting a setback variance. NADC Section 3.5.8 covers side yard setbacks and states when a side yard abuts a corner lot the minimum side yard has to be fifty percent of front yard for the lot. It is zoned R-14 and the front yard setback is 25ft so the side yard required is 12.5 ft. The applicant wants to add an attached carport.

Mrs. Anderson, the applicant, came forward to introduce herself and let the board know she wants to add a single carport.

No one else came forward to speak. Mr. Summers asked about having a door into the house off the garage and also if it would be attached to the house. Mrs. Anderson stated it would be attached and also have a door into the house.

- b. **Consideration** – Consideration of Application ZV22-002 by the Board of Zoning Appeals.

Mr. Summers explained that there were 10 items that they had to prove before they could approve the variance. After discussing the items, Mr. Scaggs made a motion to approve the variance request and Mr. Burkhalter seconded it. It was unanimously approved.

7. **ZV22-003**- A request by Matthew's Development, LLC for a front setback greater than the maximum permitted and a frontage buildout less than the minimum permitted in the HC, Highway Corridor Overlay District by North Augusta Development Code, Section 3.8.5.3, Table 3-9, Dimensional Standards. The request affects a proposed restaurant on ±2.01 acres located along Edgefield Road, a portion of TPN 011-07-01-003, zoned GC, General Commercial.

- a. **Public Hearing** – The purpose of the hearing is to receive public comment on the application.

Mr. Paradise stated the project is a proposed restaurant and will be beside the Quicktrip that is being built now. It is not an unusual request but because of the Highway Corridor overlay district, there are some additional requirements. The maximum setback allowed is 90-feet and the developer is requesting 115, and increase of 25ft. Also, the minimum frontage buildout is 30% and they are requesting 19% which is 11% under the minimum requirement. The primary purpose of the request is for public safety and traffic considerations.

Mr. Newman asked if it were square piece of property rather than triangle would they need this variance. Jonathan Aceves, real estate broker representing the developer, stated the property that Quiktrip bought included outparcels that they did not need, which is why they have bought this piece for a restaurant.

- b. **Consideration** – Consideration of Application ZV22-003 by the Board of Zoning Appeals.

Mr. Scaggs made a motion to approve the variance with the following conditions: the project must be developed in general conformance with the layout submitted, curb cuts on Edgefield Road/Highway 25 must be approved by SCDOT, and all other requirements of the Highway Corridor Overlay District must be met and approved by staff at the time of site plan review. The motion was seconded by Mr. Burkhalter. It was unanimously approved.

8. **ZV22-004**- A request by S&H Enterprises represented by JLA for a variance from Section 3.8.5.10.5, Permitted Materials with Limitations and Section 7.4, Table 7-2, Exterior Lighting Levels of the North Augusta Development Code. The application affects a proposed car dealership on ±16.54 acres located at 5425 Jefferson Davis Highway, TPNs 013-15-02-001 and 013-20-03-004 zoned TC, Thoroughfare Commercial, and within the HC, Highway Corridor Overlay District.

- a. **Public Hearing** – The purpose of the hearing is to receive public comment on the application.

Mr. Paradise stated the applicant is requesting for drainage-backed synthetic stucco (EIFS) to be applied to any wall surface at any wall height. The applicant is also requesting a maximum lighting level of 35-75 foot candles (fc) for parking lots and outdoor inventory. The average light levels for outdoor display of merchandise allowed by the NADC is 5 fc with a maximum of 15 fc.

Lee Dorn gave the board members color renderings of what the dealership will look like. The dealership will be the first of its type. This is a new design of the Kia Dealership.

Clay Blanta spoke regarding lighting. The maximum height for poles in North Augusta is 25ft and Kia is asking to have 20ft poles for lighting. The lights will be downward facing with shields on them. Light is aiming down and extremely uniformed now. They will use LED lighting and it is power saving. The designers used the International Lighting Engineering Society guidelines for industry standard lighting levels in the photometric plans.

- b. **Consideration** – Consideration of Application ZV22-004 by the Board of Zoning Appeals.

Chairman Summers read the 10 considerations for a variance and discussed each one to come to the decision. Mr. Scaggs gave made a motion to approve the variance request and Mr. Newman second the motion. The motion was approved unanimously.

9. **Adjourn** – The meeting was adjourned at 7:30 p.m.

Respectfully submitted,



Thomas L. Paradise
Director of Planning and Development
Secretary to the Board of Zoning Appeals