

Board of Zoning Appeals



Minutes for the Tuesday, August 2, 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 – Members present were Chairman Wes Summers, Kevin Scaggs and Bill Burkhalter
3. Approval of Minutes – Minutes of the Regular Meeting of the July 12, 2022. The minutes were approved unanimously.
4. Confirmation of Agenda - There were no changes to the agenda.
5. ZV22-010- A request by Larry Meister to allow for front and side setbacks that exceed the maximum allowed by the Georgia Avenue Overlay District Standards for the D, Downtown Mixed Use Zoning District. The application affects a proposed townhome development on ±0.17 acres zoned D, Downtown Mixed Use located at 231 West Avenue, TPN 007-14-10-011.

Mr. Paradise stated that this property is in mixed use district which this property is located in. In this district it requires all buildings to conform to design standards established for the Georgia Ave overlay district or the neighborhood Preservation overlay district. In order to do this the designer has to choose which one to do. The designer has chosen to build to the Georgia Ave overlay guide lines however in choosing those. He has a zero front setback and a maximum of 5 ft. setback. The designer is requesting a variance for 20 ft. and 0 to 5 ft. setback. This is to build townhouses.

There will be no onsite parking and it is not required because of buildings in Georgia Ave Overlay districts are not required to have onsite parking.

Chuck Burns with EMC engineering firm. He stated he could build without variance but they are trying to save the trees and keep a buffer between them and a daycare. The building would also conform to other buildings in that area. Mr. Summer stated that this variance has nothing to do with traffic. Also that it does not have to require parking for these apartments.

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

William Maddox came forward to make a comment on this development. He is concerned about increase in traffic and the parking on the road.

Robert London states that saving trees is great idea. He also thinks this will be a good added building to the area.

- b. **Consideration** – Consideration of Application ZV22-010 by the Board of Zoning Appeals.

Mr. Scaggs made the first motion and Mr. Burkhalter the second. It was passed unanimously with the condition that the project be as shown on the concept plan submitted to the BZA.

6. **ZV22-011**- A request by Panther Residential Management, LLC and Integra Land Company for a variance from the maximum building height allowed by the Hamrick Farms PD and sections of the Zoning & Development Standards Ordinance referenced therein. The application affects a proposed multifamily development located along West Martintown Road, a ±24.1 acre portion of TPN 005-17-01-012, zoned PD, Planned Development.

Mr. Paradise gave some information on this project. He stated that this is the multi-family part of Hamrick Farms. The planned development between Exit 1 and Knobcone. It is 24.1 acres for the multifamily proportion. The developer is asking for a variance for height of building to be 51ft to the midpoint of roof and it would be 56ft to the peak of the roof. The maximum for roof height is 45ft in multifamily district but that is not measured to the peak of the roof. The current development code the height would be 65ft but the because regulated by the preexisting code the height is limited to 45ft.

Eric Worldrop with Panther Residential presented for applicant. He talked about the current design and that they just need the additional height to capture the 6 x12 roof pitch that is consist with what is in the area now. The flat part of roof will have the a/c units on them. The pitched roof will be a better look. The building will sit lower than the main grade. There will be a total of 7 buildings and 343 units. So from the road you want see but 3 stories because of the grade. They will save what trees they can. There

are 3 parcels and 3 different groups own them. The access road will be built by all 3 groups. Mr. Paradise stated that we just received a new traffic study for this development. The infrastructure needs to be in place before construction begins. There is still stuff that needs to be done. Mr. Paradise explained how the road would be changed to help with the access to the development. There are 2 holdups which is what DOT is working on and also a traffic signal.

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

William Maddox just spoke about wetlands and roads.

- a. **Consideration** – Consideration of Application ZV22-011 by the Board of Zoning Appeals.

Mr. Scaggs made a motion to approve with the conditions that the development plan for the project be as shown on the concept plan submitted to BZA. That any other plans submitted will be required to meet all other requirements for the general development of Hamrick Farms of the code reference their in. Mr. Burkhalter made the second motion. It was approved unanimously.

7. **ZV22-012**- A request by N.A. Project, LLC for a variance from the average and maximum light levels required by Section 7.4, Table 7-2, Exterior Lighting Levels of the North Augusta Development Code. The application affects a proposed car dealership on ±9.58 acres located at 5585 Jefferson Davis Highway, TPN 013-19-02-001, zoned TC, Thoroughfare Commercial, and within the HC, Highway Corridor Overlay District.

Mr. Paradise stated that this Hyundai Dealership is located on Aiken Augusta Hwy and they are requesting to have more lighting levels. They are requesting to have higher lighting levels to see the cars on lot which is what other lots use.

Mr. Blanton is a lighting engineer and is speaking in regards to the lighting needed. The lighting levels are lower like 15 per square foot. The lights are programmed to go down if the lighting level is too high.

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

- b. **Consideration** – Consideration of Application ZV22-012 by the Board of Zoning

Mr. Scaggs made the motion with the condition that the development plan for the project be shown on the concept plan as it was submitted to the BZA. Mr. Burkhalter seconded the motion. It was approved unanimously.

8. Adjourn Meeting was adjourned at 7:30.

As Approved September 6, 2022

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "T. L. Paradise".

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