

Board of Zoning Appeals



**Minutes for the Tuesday, October 3, 2023, Regular Meeting
6:00 p.m., Council Chambers, 100 Georgia Avenue**

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 board members Kathie Stallworth, Jim Newman, Kevin Scaggs, and Chairman Wesley Summers.
3. **Approval of Minutes** – Minutes of the Regular Meeting of June 6, 2023.

Minutes were approved unanimously with changes to page 5, listing the reasoning for denial of internal illumination and typo correction on page 6.

4. **Confirmation of Agenda** No changes to agenda.
5. **ZV23-010** - A request by CSRA Development Co. for a variance from the minimum lot width in Table 3-3, Dimensional Standards of Article 3, Zoning Districts in the North Augusta Development Code. The application affects a future townhome development on an approximately 9.84 acre parcel off East Buena Vista Avenue, TPN 007-15-03-002, proposed to be zoned R-7, Small Lot, Single-Family Residential.
 - a. **Public Hearing** – The purpose of the hearing to receive public comment on the application.

Mr. Paradise explained the applicant desires to request a variance in order to build townhomes and prohibit allowing the building apartments in the case of development does

not proceed. Mr. Paradise continued by saying the variance request is not uncommon and the development will offer connectivity.

Kathie Stallworth questioned if the development would include a particular parcel that the City of North Augusta previously owned at the end of Riverside Blvd (Parcel: 007-15-03-001).

Mr. Paradise stated the parcel is not included in the development.

Chairman Wesley Summers asked about zoning of parcel 007-15-03-001 at the end of Riverside Blvd.

Mr. Paradise stated the parcel is zoned Public Use and explained if there is future development for single family detached dwellings on the parcel 007-15-03-001, it will need to be rezoned.

Chairman Wesley Summers questioned the method of granting a variance before the property is rezoned.

Mr. Paradise explained that granting the variance before the rezoning reduces the time for developers to complete their projects.

Kathie Stallworth asked if the 40ft wide lot requirement is in the new Development Code.

Mr. Paradise answered by explaining that the new Development Code does address a reduce lot frontage for attached housing, however the new Development Code hasn't been adopted as of yet.

Developer Keith Lawrence of 211 Dixon Ct was sworn in. Mr. Lawrence spoke about future development plans for parcel 007-15-03-011 that Kathie Stallworth mentioned previously. He continued by stating the variance would allow a reduction in the minimum lot requirement to 24ft and allow a feasible project in the location. The townhomes would be priced at \$280,000 and would not be cut close to the golf course.

Kathie Stallworth asked if the point of entry would be adjacent to Sikes Avenue.

Mr. Lawrence answered by explaining the point of entry for the development and Sikes Avenue is not adjacent and has a 200ft offset. He confirmed that all townhomes will be built on a slab and will have a garage. There would also not be a connection to the North Augusta Greenway but would include sidewalks to the interior and exterior of the development.

Chairman Wesley Summers questioned if the townhomes garages would be connected to each other and in efforts to provide isolation to each townhome.

Developer Keith Lawrence stated that the builders typically like to design the townhomes with the garages on the outside of the townhomes, but foresees no push back with redesigning the townhomes to be group the garages and providing more isolation.

Tommy Paradise spoke about ensuring the design still abides by the Development Code.

Jim Newman inquired about the maintenance of the development and if each owner would be responsible for the upkeep of their own property and if they would be adequate street lighting.

Mr. Keith Lawrence stated that the development would have a H.O.A in place and they will maintain the entire property including the pond, hedges and sidewalks. The development will also follow the Development Code requirements to ensure adequate street lighting in provided. Lawrence ensure that the sign for the development would fit the Development Code as well and will not be requesting a variance.

Kathie Stallworth expressed concern about if there were any complaints or concerns from the neighboring citizens about increased traffic.

Mr. Keith Lawrence stated that there were no known complaints or concerns over the last period of nine months.

Tommy Paradise spoke to confirm that there were no known calls or questions. He stated that letters were sent out to neighboring citizens and signage was posted. There was no feedback from the public regarding the development.

b. Consideration – Consideration of Application ZV23-010 by the Board of Zoning Appeals.

Kevin Scaggs made the first motion be granted with the following conditions: The variance will apply only to this property. The variance will only apply if the property is successfully rezoned from R-10 to R-7 by City Council. The submitted plan will be consistent with the conceptual plan shown in the variance. Jim Newman made the second motion. It passed unanimously.

6. **ZV23-011-** A request by North Augusta Jiffy Lube for a variance from the minimum lot frontage requirement of Table 3-3, Dimensional Standards of Article 3, Zoning Districts in the North Augusta Development Code. The application affects the subdivision of an

existing automobile service and repair station located at 140 Laurel Lake Drive, TPN 010-18-08-001, approximately 0.42 acres zoned GC, General Commercial, and within the HC, Highway Corridor Overlay District.

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

M. Paradise stated the parcel is being split into two parcels. One parcel has street frontage while the other parcel has no street frontage, which will require a variance due to the Development Code requirement to have a 50ft street frontage. Mr. Paradise also explained that the access to parcel is an easement and there will need to be an agreement from one property owner to give ingress and egress access the other property owner. Mr. Paradise continued by stating that if the parcel is to be split, it will create an offsite sign which is prohibited by the Development Code.

Cranston Engineer, Meuhdi Chu of 452 Ellis Street from, stated the driveway is private driveway but will need to do further research to discover who actually owns the driveway.

Cranston Engineer Lauren Alexander of 341 Landing Dr, stated that the driveway is an access easement. The Jiffy Lube Corporation is asking that their franchisee have Jiffy Lube on its own parcel, which has generated the need to split the parcel. Alexander stated that there is an interest to keep the driveway as an access easement for both parcels.

Mr. Paradise explained if there is not a variance granted now, when the applicant submits a plat for the parcel, it would be denied due to the parcel split resulting in one parcel to not have street frontage.

Chairman Wesley Summers suggested seeking legal advice ensure the authority to grant Jiffy Lube to grant access to the other parcels.

Mr. Paradise suggested continuing the variance and allow the applicant bring back a copy of the agreement providing ingress and egress on the Laurel Lake Drive and also an agreement that would give access to the Jiff Lube Parcel through the vacant parcel for the future owner.

Chairman Wesley Summers suggested tabling the variance and allowing them 30 days to provide more information on ownership of access driveway.

Kevin Scaggs made a motion to continue until next discussion. Kathie Stallworth seconded the motion. Motion was unanimous.

Adjourn 7:16pm

Respectfully Submitted,



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