

**MINUTES
TOWN OF FORT MILL
BOARD OF ZONING APPEALS
APRIL 18, 2016
6:00 PM**

Present: Jim Thomas, Scott Couchenour, Charles Stec, Ryan Helms, Becky Campbell, Terri Murray, Assistant Planner Chris Pettit

Absent: Jody Stegall

Guests: Kevin Kuruc (402 Springs Street), Dana Wilson (402 Springs Street), Ismael Sierra & Daughter/Translator (103 Shamrock Court)

Chairman Thomas called the meeting to order at 6:00 p.m. and welcomed everyone in attendance.

APPROVAL OF MINUTES

Mr. Thomas requested that the fourth paragraph on page 3 of the agenda packet be revised to read "Chairman Thomas asked about the timing of the lights turning off when not being used," noting that he was making sure the lights would not be on when not being used.

Mr. Couchenour made a motion to approve the minutes of March 21, 2016 meeting as revised by Mr. Thomas. Mr. Helms seconded the motion. The motion was approved by a vote of 6-0.

PUBLIC HEARING ITEMS

- 1. Variance request from Ismael Sierra (103 Shamrock Court) Case #2016-248:**
Assistant Planner Pettit provided a brief overview of the variance request, the purpose of which was to allow a reduction in the side yard setback requirement from 5' to approximately 2' in order to install a carport over the existing driveway. Mr. Pettit gave a summary of the staff report, noting the requirements per Article II, Section 2(5)(E), which outlines the 5' side yard setback requirement for R-10 properties. Finally, Mr. Pettit noted that the board, pursuant to state law, has the authority to grant variances in cases of unnecessary hardship as defined by state law and noted on the application and in the staff report.

Chairman Thomas opened the public hearing and asked if the applicant was present and would like to speak to the application.

Mr. Sierra, speaking through his daughter who was translating from Spanish, noted that he was requesting the carport for two vehicles. Mr. Couchenour questioned what material the carport would be made of, to which Mr. Sierra noted that it would be wood. Ms. Murray questioned whether or not there was another place to put the carport, to which Mr. Sierra noted that due to topography and the drainage ditch that the proposed location was the only feasible location.

Mr. Helms noted that the requested location seemed to be the only feasible location given the features of the property.

Chairman Thomas asked if there were any others who wished to speak for or against the application. Hearing none, Chairman Thomas closed the public hearing.

Mr. Stec made a motion to approve the variance request as submitted, to allow a reduction in the side yard setback requirement from 5' to approximately 2'. Ms. Murray seconded the motion. Hearing no further discussion, Chairman Thomas called for a vote. The motion passed with a vote of 6-0.

- 2. Variance request from Kevin Kuruc (402 Springs Street) Case #2016-249:** Assistant Planner Pettit provided a brief overview of the variance request, the purpose of which was to allow a reduction in the front yard setback requirement from 35' to approximately 20' on the East Hill Street property line. Mr. Pettit gave a summary of the staff report, noting the requirements per Article II, Section 1(5)(D), which outlines the 35' front yard setback requirement for R-15 properties. Finally, Mr. Pettit noted that the board, pursuant to state law, has the authority to grant variances in cases of unnecessary hardship as defined by state law and noted on the application and in the staff report.

Chairman Thomas opened the public hearing and asked if the applicant was present and would like to speak to the application.

Mr. Kuruc and Ms. Wilson, the applicants for the 402 Springs Street request, noted that the addition was for a bathroom and that a sewer line runs along the side of the property, which forces the addition to be located on the rear of the home. Mr. Kuruc noted that East Hill Street used to be a dirt road and that it was likely the home was built appropriately set back off of the street at the time of construction.

Mr. Couchenour questioned whether the material would match, to which Mr. Kuruc noted that it would. Ms. Murray noted that the situation seemed unique to the property.

Chairman Thomas asked if there were any others who wished to speak for or against the application. Hearing none, Chairman Thomas closed the public hearing.

Mr. Helms made a motion to approve the variance request as submitted, to allow a reduction in the front yard setback requirement from 35' to approximately 20'. Mr. Couchenour seconded the motion. Hearing no further discussion, Chairman Thomas called for a vote. The motion passed with a vote of 6-0.

The meeting was adjourned at 6:18 p.m.

Respectfully submitted,

Chris Pettit, AICP
Planning Department
April 25, 2016