

**MINUTES
TOWN OF FORT MILL
BOARD OF ZONING APPEALS
SPECIAL CALLED MEETING
July 20, 2015
6:00 PM**

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

Absent: Jody Stegall

Guests: Brian Collins (Pulte), Denise Bach (Resident)

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

APPROVAL OF MINUTES

Mr. Couchenour made a motion to approve the minutes of the June 30, 2015 meeting as submitted by staff. Ms. Murray seconded the motion. The motion was approved by a vote of 5-0, with Mr. Stec abstaining as he was not present at the June 30th meeting.

PUBLIC HEARING ITEMS

- 1. Variance request from Pulte Homes (Carolina Orchards Development):** Chairman Thomas provided a brief overview of the variance request, the purpose of which was to allow an increase in the 16' maximum lighting fixture height. Brian Collins, representing Pulte Homes, provided an additional overview of the request, which is to allow the use of 35' light fixtures along the proposed Carolina Orchards Boulevard to create a safe automobile and pedestrian realm. Mr. Stec noted that the lower height of lights in Springfield creates difficult driving situations at times. Ms. Murray concurred.

Denise Bach, a resident of Hammond Road adjacent to the proposed development, spoke in favor of the request as she believes that the road will be heavily travelled and will benefit from the taller lights due to safety concerns.

Mr. Collins provided the Board with a photograph showing similar lights that were placed in the Carolina Lakes development in Lancaster County. Mr. Couchenour noted that he rode through the development and felt like the trees eventually grow to block the taller lights.

Mr. Thomas questioned whether a full lighting plan had been prepared for the boulevard to speak to the need and to any conflict with the street trees. Mr. Collins noted that a full plan had not been completed, as the lighting type is currently pending due to the variance request. Other members of the Board concurred with the difficulty of making a decision without having a full lighting plan. Assistant Planner Pettit suggested going through the

state's requirements for granting a variance to see if a decision can be made without requiring a full lighting plan.

Mr. Thomas went through the four required findings for approving a variance, as required through the state legislation. Board members discussed the general location of the lights, noting that they would not be detrimental to adjacent property owners. Ms. Thomas called for a motion on the discussed finding. Mr. Murray made a motion that the variance would not be of substantial detriment to adjacent property or to the public good and not harmful to the character of the area. Mr. Stec seconded the motion. There being no further discussion, Chairman Thomas called for a vote. The motion was approved by a vote of 6-0.

Mr. Thomas brought up the next required finding, which is that the existing 16' height limit would effectively prohibit or unreasonably restrict the utilization of the property. Several Board members noted that a finding could not be made without the applicant attempting to create a lighting plan with 16' lights and providing expert testimony as to why the 16' lights were insufficient.

Mr. Stec made a motion to defer the application until the Board's August meeting to allow the applicant to explore the potential of the 16' lights and to provide expert testimony to show any need of the 35' lights. Ms. Murray seconded the motion, noting that the applicant should explore getting a note from SCDOT, York Electric, and/or a lighting engineer to further discuss the application in August. There being no further discussion, Mr. Thomas called for a vote. The motion was approved by a vote of 6-0.

There being no further business, the meeting was adjourned at 7:01 pm.

Respectfully submitted,

Chris Pettit, AICP
Planning Department