



**TOWN OF FORT MILL
BOARD OF ZONING APPEALS MEETING
September 18, 2023
6:00 PM**

AGENDA

CALL TO ORDER

APPROVAL OF MINUTES

Regular Meeting: August 21, 2023 [Pages 2-4]

INFORMATION / DISCUSSION ITEMS

- 1. Charlie Barrineau (Municipal Association of South Carolina) Presentation on Board of Zoning Appeals Process.**

ADJOURN

The following press was notified of the meeting by email or fax in accordance of the Freedom of Information Act: The Herald; CN2; WRHI, WSOC, and WBTV. The agenda was also posted at the entrance to Town Hall the required length of time and on the Town website.

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**MINUTES
TOWN OF FORT MILL
BOARD OF ZONING APPEALS
August 21, 2023
6:00 PM**

Present: Patrick Williams, Becky Campbell, Terri Murray, Amber Bryant, Jennifer Allan, Jody Stegall, Planner Zach Driggers, Planning Director Penelope Karagounis

Absent: Carolyn Blair

Guests: Mindy Izurieta (Applicant), James Paloiso, and Josh and Rachel Routin (York County Residents)

The meeting was called to order at 6:00 p.m. by Planning Director Penelope Karagounis and welcomed everyone in attendance.

ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON FOR 2023

Ms. Campbell was nominated by Jody Stegall. There being no further nominations, Ms. Murray seconded the motion. The motion was approved by a vote of 6-0.

Ms. Karagounis called for nominations for the position of Vice-chair. Mr. Stegall was nominated by Ms. Murray. There being no further nominations, Ms. Bryant seconded the motion. The motion was approved by a vote of 6-0.

APPROVAL OF MINUTES

Chairwoman Campbell called for a motion to approve the minutes of the January 19th, 2023 meeting as submitted by staff. Mr. Stegall made a motion to approve the minutes as submitted by staff. Ms. Bryant seconded the motion. The motion was approved by a vote of 6-0.

PUBLIC HEARING ITEMS

1. Case # 2023-452: Variance request from Case # 2023-452– 1170 Kimbrell Road:

Planner Driggers provided a brief overview of the variance request, the purpose of which was to allow a detached carport in front of a primary residence.

Mindy Izurieta (applicant) introduced herself and presented her case and the reasons for seeking the variance. Ms. Izurieta stated they has already built the carport and did not know that a permit and location requirements were needed. Ms. Izurieta stated that the carport was built over an existing concrete pad. Mr. Stegall clarified that the applicant was building over an existing concrete pad and noted his understanding of how a carport is defined to which the applicant concurred. Mr. Stegall additionally pointed out that the carport was built next to an existing detached garage to which the applicant clarified that it was a one car garage workshop.

Discussion occurred regard in the location. Ms. Campbell asked the application if they applied for a permit. The applicant responded that a permit was applied for after and that they did not know one was needed. Ms. Murray asked if there was any other location that the carport could be placed. Discussion occurred regarding corner lots and having two fronts.

Ms. Allan asked when the garage was built. The applicant and staff stated that there was no precise date and that the best estimate was from the 1989 survey. Discussion occurred again from the Board to understand corner lots to which staff explained and stated that an accessory structure cannot be in front of a principal structure. The applicant stated that due to being a corner lot, the location of a carport is difficult to place elsewhere. Discussion occurred about placement of the proposed carport.

Ms. Campbell opened the public hearing. Two citizens signed up to speak for an unrelated matter. Ms. Karagounis advised that the public hearing was for the current case only. There being no one wishing to speak, Chairwoman Campbell closed the public hearing.

Chairwoman Campbell called for voting on the four criteria required in granting a variance, specific to the applicant's request. Ms. Campbell called for a motion on whether or not there were extraordinary and exceptional conditions pertaining to the particular piece of property. Ms. Stegall made a motion that there were extraordinary and exceptional conditions pertaining to the particular piece of property. Mr. Williams seconded the motion. The motion passed by a vote of 5-1. Murray opposed.

Ms. Campbell called for a motion on whether the conditions apply to other property in the vicinity. Mr. Stegall made a motion that the conditions do not generally apply to other property in the vicinity. Ms. Bryant seconded the motion. The motion passed by a vote of 4-2. Murray and Campbell opposed.

Ms. Campbell called for a motion on whether the application of the ordinance effectively prohibits or unreasonably restricts the utilization of the property. Ms. Murray made a motion that the application of the ordinance would effectively prohibit or unreasonably restrict the utilization of the property. Ms. Stegall seconded the motion. The motion failed by a vote of 6-0.

Ms. Campbell called for a motion on whether the authorization of a variance would be of substantial detriment to adjacent property or to the public good, and whether the character of the district would be harmed by the granting of the variance. Ms. Murray made a motion that the authorization of a variance would not be of substantial detriment to adjacent property or to the public good, and that the character of the district would not be harmed by the granting of the variance. Ms. Bryant seconded the motion. The motion passed by a vote of 6-0.

Ms. Campbell called for a motion on whether to grant the variance. The variance request was denied by a vote of 6-0.

2. Discussion and Information

Planning Director Karagounis presented to the Board the proposed tentative date for upcoming training on Sept. 14th.

There being no further business, Ms. Campbell called for a motion to adjourn the meeting. Mr. Stegall made a motion to adjourn; Ms. Allan seconded. The meeting was adjourned at 6:38 p.m.

Respectfully submitted,

Zach Driggers
Planning Department
August 22, 2023