

**MINUTES
TOWN OF FORT MILL
BOARD OF ZONING APPEALS
May 19, 2025
6:00 PM**

Present: Patrick Williams, Thomas Tretheway, Jennifer Allan, Derrick Murr, Roger Attanasio, Senior Planner Alex Moore, Planner II Lauren Hebert

Absent: Amber Bryant, Carolyn Blair

Guests: Monti Nortan (architect), Tom Carter (applicant), Maureen Carter (applicant)

Chairman Patrick Williams called the meeting to order at 6:00 p.m. and welcomed everyone in attendance and reminded attendees to sign in.

APPROVAL OF MINUTES

Chairman Williams provided an introduction of the Board members and staff in attendance.

Chairman Williams called for a motion to approve the minutes of the March 17, 2025, Board of Zoning Appeals meeting as submitted by staff. Jennifer Allan made a motion to approve the minutes as submitted by staff. Roger Attanasio seconded the motion. The motion was approved by a vote of 5-0.

Chairman Williams provided a brief overview of the Board of Zoning Appeals process. Prior to the first case being presented, Chairman Williams swore in anyone in attendance wishing to speak, including staff.

PUBLIC HEARING ITEMS

1. Variance request from Tom Carter – 1770 Still River Way

Planner II Lauren Hebert provided a brief overview of the request, the purpose of which was to allow for the construction of a screened porch, expanding a principal use, approximately 8.5' from the rear property line. She stated that the side yard setback requirement is 15' for principal structures in the R-5 Zoning District.

Ms. Hebert explained that the screened porch was proposed to go in the same location as the existing open-air deck. She also noted that the property behind the lot is owned and maintained by the Sutton Mill Homeowner's Association. The overall request was for a 6.5' variance to the rear yard setback requirement for principal structures.

Chairman Williams invited the applicant, Tom Carter, to speak. Mr. Carter provided the board with a summary of information pertaining to the case, including photos of the current conditions (attached to these minutes). He noted that, because the land behind the home

was owned by the HOA, it would not be developed and would be difficult to build on even if it was sold due to topographical concerns. Mr. Carter informed the board that his neighbor had received a variance for a similar screened porch project.

There being no questions at the time, Chairman Williams called for a motion to open the public hearing. Derrick Murr made a motion to open the public hearing. The motion was seconded by Ms. Allan. The motion passed with a 5-0 vote.

There being no one wishing to speak, Mr. Attanasio made a motion to close the public hearing. The motion was seconded by Mr. Murr. By a vote of 5-0 the motion passed.

Mr. Attanasio asked for clarification on where the property line begins. Mr. Carter confirmed that the property line is approximately in the location of the existing fence.

Mr. Murr asked for confirmation that the screened porch would not be any closer to the property line than the existing deck. Mr. Carter confirmed that was correct.

Mr. Murr asked staff how the board takes previous similar variance cases into consideration. Ms. Hebert explained that the board does not establish precedent, so it is up to the board to decide how they would like to take that into consideration.

There being no further questions, Chairman Williams asked for a motion on the first question. Mr. Murr made a motion that there were extraordinary and exceptional conditions pertaining to the particular piece of property. The motion was seconded by Ms. Allan. The motion passed with a 5-0 vote.

Chairman Williams further asked for a motion on the second question. Mr. Attanasio made a motion that the conditions do not generally apply to other property in the vicinity. The motion was seconded by Mr. Murr. The motion passed with a 5-0 vote.

Chairman Williams asked for a motion on the third question. Tom Tretheway made a motion that, because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property. The motion was seconded by Mr. Attanasio. The motion passed with a 5-0 vote.

Chairman Williams asked for a motion on the fourth question. Mr. Murr made a motion that the authorization of a variance would not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. The motion was seconded by Ms. Allan. The motion passed with a 5-0 vote.

Once all four questions had been voted on, Chairman Williams called for a final vote on the variance. Mr. Murr made a motion to approve the variance. The motion was seconded by Ms. Allan. The motion to approve the variance passed with a 5-0 vote.

INFORMATION / DISCUSSION ITEMS

1. Comprehensive Plan Rewrite Survey

Planner II Lauren Hebert informed the board of the ongoing public survey for the Comprehensive Plan Rewrite, noting that the survey would end on June 13th, 2025. Ms. Hebert noted that the next open house meeting for the Comprehensive Plan would be on June 11th, 2025, from 4:30-7:00 p.m.

There being no further business, Mr. Attanasio made a motion to adjourn. The motion was seconded by Mr. Murr. By a vote of 5-0, the meeting was adjourned at 6:21 p.m.

Respectfully submitted,

Lauren C. Hebert
Planner II
May 20, 2025

BOARD OF ZONING APPEALS MEETING

MAY 19, 2025

SIGN-IN SHEET

Name	Affiliation
Monty Norton	Architect
Tom Carter	Homeowner
Maureen Carter	" "

VARIANCE REQUEST FOR 1770 STILL RIVER WAY

Case # 2025 – 276 May 19, 2025

OPENING REMARKS

Thanks to the committee for the chance to present information relevant to this request for variance.

I am hopeful that after being made aware of the topographic constraints of the surrounding properties it will be granted.

NO-ONE CAN BUILD BEHIND MY HOUSE

- ❖ The land behind my house is owned by the Sutton Mill HOA
- ❖ It goes back approx. 150 feet



BEHIND MY HOUSE IS A VERY STEEP HILL

- ❖ Here is a view from the top looking down
- ❖ It is approx. a 50 foot drop
- ❖ It is approx. 50 feet to the tree line



OTHER VIEWS

From side

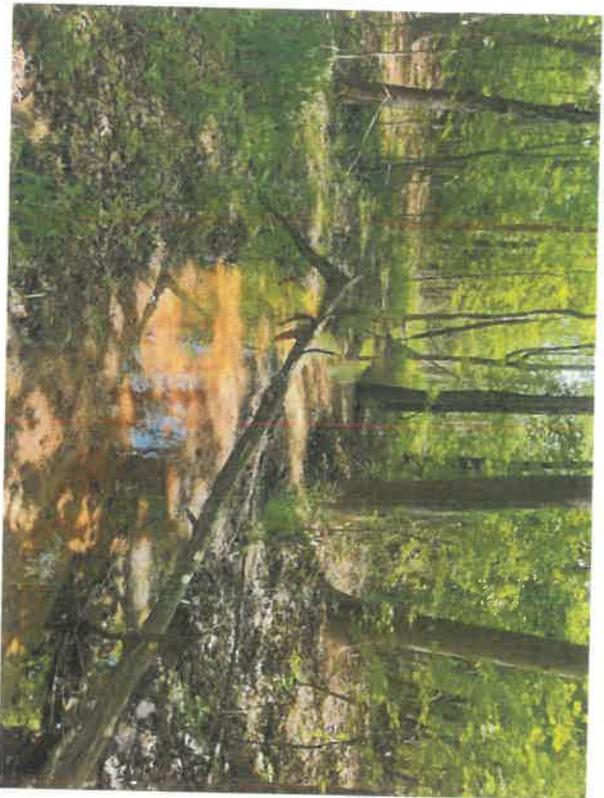


From bottom



AT THE BOTTOM OF THE HILL THERE IS A STREAM

When it rains hard it floods the area



JUST ONE MORE THING

- ❖ Back in January of 2018 my neighbor at 1766 Still River Way wanted to build a 12' x 20' screen room on top of his existing 12' x 20' deck
- ❖ He was required to request a variance and presented information about the HOA ownership and topography to the committee.
- ❖ The variance was granted



QUESTIONS AND DISCUSSION
