

Chester County Zoning Board of Appeals
Minutes of November 13, 2018

The November 13, 2018 meeting of the Chester County Zoning Board of Appeals was held at 6:00 pm in council chambers at the R. Carlisle Roddey Government Building in Chester, SC.

Notice of Meeting: Notice of time, date, place and Agenda for this meeting were posted in the County Office Government Complex, Chester County Court House and published in the October 26, 2018 issue of the Chester News & Reporter. All properties listed on the agenda were properly posted.

Quorum Established: Vice Chairman Walley, Commissioners, Hayes, Jackson, Mosley and Spann were present.

Absent: Commissioners Mozingo and Gilchrist were absent.

Staff: Director Mike Levister, and Nicole Hutchins were present

Call to Order: Vice Chairman Walley called the meeting to order

Approval of Agenda: Vice Chairman Walley asked if there were any additions or amendments to the Agenda as presented by staff. There were none. Commissioner Mosley made the motion to approve the agenda as presented; seconded by Commissioner Hayes Vote was 5-0 to approve.

Resignation of Jerry Mozingo: Vice Chairman Walley thanked Commissioner Mozingo for the years he served on the Zoning Board of Appeals and wanted to state his resignation for the record.

Welcome new commissioner Erin Mosley: Vice Chairman Walley welcomed our new commissioner Erin Mosley to the Zoning Board of Appeals.

Appoint new chairman: Commissioner Jackson made the motion to nominate the current interim Chairman, Mickey Walley; seconded by Commissioner Hayes. Vote to 5-0 to elect Mickey Walley as the new Chairman.

Appoint new vice chairman: Commissioner Jackson made the motion to nominate Ms. Ella Spann as the new Vice Chairman; seconded by Commissioner Hayes. Vote to 5-0 to elect Ms. Ella Spann as the new Vice Chairman.

Approval of Prior Minutes: Vice Chairman Walley asked if there were any additions or amendments to the minutes of the October 9, 2018 meeting as presented by staff. There were none. Commissioner Jackson made the motion to approve the minutes as presented; seconded by Commissioner Hayes. Vote was 4 to 0 to approve. (Commissioner Mosley didn't participate in this vote due to the fact that she wasn't on the board at the October 9 meeting)

New Business:

Reference: CCV18-05
Applicant: Melissa Hocutt
Request: Approval of Variance from Chester County's Zoning Ordinance §4-428,
RIV River Preservation District Regulations: River Buffer
Location: 1590 Hinton Rd, Great Falls SC 29055
Tax Map #: 158-00-00-003-000

Chairman Walley called Melissa Hocutt to the podium. She stated her name as Melissa Hocutt of 1580 Hinton Rd, Great Falls SC. She stated that they're renting a lot with an old mobile home on it. They would like to replace the old home with a new singlewide. Due to the shape of the lot, they are unable to meet the one-hundred-foot setback from the river buffer. Their request is a thirty-foot variance from the river buffer. Chairman Walley asked are you proposing to do away with the old mobile home, which is twenty-four feet from the water, and replace it with a new one, seventy-seven feet from the water. Mr. Hocutt said about seventy-five feet is about the most they can go back with the home. Chairman Walley stated that you're also increasing the foot print by about thirty feet into the flood plain area. Chairman Walley asked Director Levister if they would have any setbacks with this being a rented lot. Director Levister said they would still be required to meet the setbacks. Director Levister also stated that if this is approved, the Hocutts' would still need an engineer approval for setup of the home in the flood zone. Mr. Hocutt stated they have that with them and presented it to the board.

Chairman Walley asked if the commissioners had any questions. There were none. He then asked if anyone was here to speak in opposition of this request. There were none.

Commissioner Hayes asked so basically, you're renting a lot with an old mobile home. You're going to continue renting and replace the old home with a new home on the same lot. Ms. Hocutt said the new home will be thirty feet behind the one that's there. Chairman Walley stated this will be thirty feet from the water. Mr. Hocutt said it's actually seventy feet from the water, and will be a foot above flood level, with the floor, per the surveyor.

Chairman Walley asked if there anymore questions. There were none.

Commissioner Jackson made the motion to accept the request for the variance; seconded by Commissioner Spann. Vote was 5-0 to approve.

Chairman Walley asked for any discussion. Commissioner Jackson asked if we would be meeting in December. Ms. Hutchins from staff said we do not have a December meeting.

Bina Walk, a citizen from the audience, asked if you're entertaining comments from the floor. Chairman Walley asked what she was speaking for. Ms. Walk approached the podium and stated her name as Bina Walk from Minter Road. She said they were here October 16 for the meeting and there was an issue with an easement to make a road on Butler Lake Road which is around the corner from us. She was confused, thinking the easement would have two readings before approval. Chairman Walley told Ms. Walk he wasn't sure because he didn't attend that meeting. Director Levister told Chairman Walley that was the Planning Commission Meeting. Ms. Walk stated she called the office today asking about the meeting and was told to come to the meeting tonight. Ms. Hutchins stated that she talked with Charlotte, told her the easement didn't require three readings from County Council, and the decision was final at the October 16th Planning Commission meeting. Ms. Walk said the community has some concerns about a purposed Hunting Lodge on the property.

Director Levister approached the podium and stated he's going to stop this now because we're presenting something that doesn't go to this board. He instructed Ms. Walk of the Freedom of Information Act if she would like to obtain the information from the last meeting and review the minutes.

Chairman Walley asked for 10 seconds – Commissioner Hayes made the motion to adjourn the meeting; seconded by Commissioner Mosley. Vote was 5-0 to adjourn.

This is a summary of proceedings at the November 13, 2018 meeting of the Zoning Board of Appeals; and not a verbatim transcript of the meeting. This summary, and an audio recording of the meeting is retained by the Chester County Building & Zoning department, and available if requested. This summary represents the facts of this meeting; not the opinion or interpretation of the Secretary.

