

**STAFF REPORT
FOR THE
FLORENCE COUNTY BOARD OF ZONING APPEALS
April 5, 2011
BZA#2011-02**

Subject: An appeal requested by Billy Fowler of the interpretation made by the Zoning Administrator concerning the storage and use of campers or recreational vehicles in residential zones in Section 30-228 of the Florence County Code of Ordinances.

Issue:

The applicant is requesting an appeal to the interpretation of the Zoning Ordinance for the storage and use of campers or recreational vehicles in residential zones.

Background:

The applicant is currently building a residential home on the property. He is requesting that a recreational vehicle be placed on the parcel for storage equipment until his home is completed.

Appeal:

The following information is included as submitted by the actual application:

1. Applicant hereby appeals to the Board of Zoning Appeals from the action of the Zoning Official affecting the property located at **206 Ansel Street** on the grounds that:

Sec. 30-228. Storage and use of campers or recreational vehicles in residential zones was erroneous and contrary to provisions of the Zoning Ordinance in Section **30-228**.

2. Applicant is aggrieved by the action or decision in that:

It keeps me from working on my house with a peace of mind to the complete the house.

3. Applicant contends that the correct interpretation of the Zoning Ordinance as applied to the property is:

Zone B-3. In a B-3 zone it can be used for commercial or as a resident in which I applied to build my resident on the lot.

4. Applicant requests the following relief:

That I be allowed to complete my house and as to Sec. 30-228 as I will be allowed to comply as to the interpretation of this section.

Staff Analysis:

1. A complaint by the Town of Timmonsville was submitted to the department concerning the use of the camper on the property located at 206 Ansel Street shown on Florence County Tax Map 70007, Block 01, Parcel 004 located in the Town of Timmonsville and zoned B-3, General Commercial District.
2. After a site review based on the complaint, staff determined that the use of the camper in the manner that the applicant presently utilizes was in violation of Chapter 30 – Zoning Ordinance-Section 30-99(b)(3) which states the following:

(b) Type and location. The following temporary uses and no others may be permitted by the zoning administrator, subject to the conditions herein.

(3) Contractor's office and equipment shed, in any district for a period covering construction phase of a project not to exceed one year unless repermited; provided that such office be placed on property to which it is appurtenant .

3. The applicant maintains that his camper is an allowable based on Chapter 30 – Zoning Ordinance - Section 30-228. Storage and use of campers or recreational vehicles in residential zones that reads as follows:

No recreational vehicle or boat in excess of 17 feet shall be parked or storage in any required front or side yard setback area or within five feet of the back property line in a residential district; however, such use may be parked anywhere on a residential lot for a period not to exceed 24 hours during loading or unloading, and recreational vehicles may be used for temporary lodging, up to seven days.

4. The subject property being zoned B-3, General Commercial District does allow the construction of single-family homes but this would not change the zoning designation of the property.
5. Chapter 30-Zoning Ordinance contains two definitions for a camper and/or recreational vehicle. The definitions are as follows:

Recreational vehicle:

A vehicle which is (a) build on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; (d) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

Travel trailer or recreational vehicle:

A structure that (1) is intended to be transported over the street and highways (either as a motor vehicle or attached to or hauled by a motor vehicle), and (2) is designed for temporary use as sleeping quarters, but that does not satisfy one or more of the definitional criteria of a mobile or manufactured home or modular unit.

Attachments:

1. Location map
2. Zoning map
3. Aerial map
4. Site plan
5. Copy of Chapter 30-Zoning Ordinance –Sec. 30-99
6. Copy of Chapter 30-Zoning Ordinance –Sec. 30-228
7. Copy of Chapter 30-Zoning Ordinance-Sec. 30-311(portion of Definitions)