

Minutes
Florence County Board of Zoning Appeals Meeting
Tuesday, September 7, 2010 at 6:30 p.m.
City-County Complex, Council Chambers, Room 803
180 N. Irby Street, Florence, South Carolina 29501

The Florence County Planning Department staff posted the agenda for the meeting on the information boards at the main entrance and the back entrance of the City-County Complex and at the entrance of the Planning and Building Inspection Department building.

The agenda was also mailed to the media.

I. Call to Order:

Chairman Chuck Jacobs called the meeting to order at 6:30 p.m. and declared a quorum of members present.

II. Attendance:

Board Members Present: Chuck Jacobs, Chairman
Bill Garner, Vice-Chairman
James Cooper
Daniel Jackson
Clyde Moore
Ernie Smith

Board Members Absent: Marion McDowell

Staff Present: Pearlie D. McDaniel, Interim Planning Director
Derrick Singletary, Planner II
Tripp Ward, Planner II
Angela Thomas, Secretary

Public Attendance: See sign-in sheet on file at the Florence County Planning Department.

III. Election of Officers:

Mr. Bill Garner made a motion to re-appoint Mr. Chuck Jacobs as Chairman. Mr. Ernie Smith seconded the motion. There were no other nominations. The vote to re-appoint Mr. Jacobs as Chairman carried unanimously. Mr. Jacobs did not vote.

Mr. Daniel Jackson made a motion to re-appoint Mr. Bill Garner as Vice-Chairman. Mr. Ernie Smith seconded the motion. The vote to re-appoint Mr. Garner as Vice-Chairman carried unanimously. Mr. Garner did not vote.

IV. Review and motion of the minutes:

Mr. Clyde Moore made a motion to approve the May 11, 2010 minutes. Mr. Ernie Smith seconded the motion. The vote carried unanimously.

V. Public Hearings:

BZA#2010-04 A variance request by Frank McDougal on behalf of Ruby McDougal from the requirements of Section 30-244. of the Florence County Code of Ordinances to place a third manufactured home on the property located at 1531 Colin Rd., Lake City shown on Florence County Tax Map No. 140, Block 31, Parcel 117.

Ms. Pearl McDaniel presented the staff report to the Board.
(copy available at the Florence County Planning Department)

Chairman Jacobs asked is there anyone here to speak in favor of this request?

Mr. Frank McDougal spoke in favor of the request and his comments were as follows:

- The reason I originally bought the land was so when my sons grew up, if they wanted to move out there, they would have a place to move to; I also have an adopted daughter, when she grows up I'd like to have a place for her to move.

Chairman Jacobs asked the lender will not let you subdivide?

Mr. McDougal responded I'm not sure; I haven't even checked with them to see; I'm not planning on selling it.

Chairman Jacobs responded as much road frontage as you have, you probably wouldn't have to worry about any development cost yourself except putting the plat in place and getting permission from them to subdivide it.

Mr. Dan Jackson asked you have checked with no mortgage company?

Mr. McDougal responded I just assumed that if you had a mortgage on it, they wouldn't let you split it.

Chairman Jacobs asked the acreage has no bearing on how many structures can be on there?

Ms. McDaniel responded it has to meet our ordinance and if you subdivide it then you have to meet whatever the requirements are for that zoning district; the acreage wouldn't make a difference, it's the number that's going on the property; I would just like to interject something; we have a stipulation in our ordinance that someone can place a home temporarily for temporary holding for sixty days; they cannot set it up; this home is not set up; it is there for a temporary hold and he does have the proper permit for that.

Chairman Jacobs asked is there anyone else in favor of this request?

There was no response.

Chairman Jacobs asked is there anyone opposed to this request?

Ms. Kathy Lewis spoke in opposition to this request. Her comments were as follows:

- I'm representing five land owners that are within less than five miles from where he wants to put the mobile home.
- We have one land owner that is putting multiple manufactured homes on 5.9 acres.
- It would be more of a security for us that it would not turn into a mobile home park where you would rent the homes out.
- I understand his reasoning and he has family; we sympathize and we would love for his family to be able to stay there; if it was deeded to the individuals, then there would be a little more guarantee.

Vice-Chairman Garner responded let's say it's subdivided into three lots, then theoretically they could put two on each lot and then there could be six mobile homes.

Chairman Jacobs responded he's saying that if they separated it into three tracts of land at approximately two acres per tract, they could put three more mobile homes out there so you could end up with six instead of the three.

Mr. Moore responded and that could be done without him coming to the Board.

Mr. Jackson asked we can give him more time to leave that one mobile home there until he could arrange for different financing?

Ms. McDaniel responded the initial permit application he has is for 60 days; he can come back within that time period or by the end of the 60 days and request an extension; you only get one additional extension.

Ms. Lewis asked is this variance just a one-time thing?

Ms. McDaniel responded if this is approved it stays with that property; if it's denied then he can't come back for another year.

Chairman Jacobs asked is there anyone else opposed to this request?

Mr. Charlie Purvis came forward to speak. His comments were as follows:

- I built a house approximately 11 years ago; I refinanced in the last year to do some additions.
- My property value has gone down and some of that is the economy but I know that some of that can be attributed to more manufactured homes being brought in closer to my house.

Chairman Jacobs responded being in real estate for the last 23 years, you have a lot of different influences and what happens is, if there are not any sales out there when they come out to do the appraisal, that's what affects your property values more than anything.

Mr. Smith responded what we're trying to say is, we can't stop him from putting a third mobile home out there; we can stop him from doing it the way its deeded now but all he's got to do is subdivide it.

Chairman Jacobs asked is there anyone else that would like to speak in opposition?

There was no response.

Chairman Jacobs declared the public hearing portion of the meeting closed.

Mr. Garner asked if we approve this and later on he decides he wants to sell two acres, can he do that?

Chairman Jacobs responded he can do it.

Mr. Bill Garner made a motion to deny the request.

Mr. Daniel Jackson seconded the motion.

The vote was 3 to 2 to deny the request with Mr. Ernie Smith and Mr. Clyde Moore voting in opposition of denying the request.

Chairman Jacobs did not vote.

Request is denied.

VI. Other Business:

None

VII. Adjournment:

Chairman Chuck Jacobs declared the meeting adjourned at 7:24 p.m.

Respectfully submitted,

Angela C. Thomas
Secretary

Approved by:

Pearlie D. McDaniel, Interim Planning Director

*These minutes reflect only actions taken and do not represent a true verbatim transcript of the meeting.