



Board of Zoning Appeals Meeting
December 14th, 2021

Call to Order

The meeting of the Board of Zoning Appeals was called to order at 6:01pm by Chairperson John Wells.

FOIA

The Codes Enforcement Officer read the Freedom of Information Act. Notice of the meeting with an agenda was publicly posted, published and forwarded to the media no less than 24 hours prior to adjournment.

Roll Call

Conducted by Codes Enforcement Officer and quorum was present.

Present

John Wells
Jeremy McKinney
Cecil Hutcherson
Tony Axsom

Absent

Jerry Allen Taylor

Review and Approval of Minutes

Chairperson Wells, asked for a motion on the minutes of November 23rd, 2021, to be approved. Cecil Hutcherson made a motion and was seconded by Jeremy McKinney and the board voted unanimously to approve the previous minutes.

New Business

Mr. Purchase introduced Brandy Blake as the new Planning & Zoning Administrator to the board.

Public Hearing on Variance Application

Variance application 2021-11-10

Steven M. Hisker requested a variance from the side yard setback requirement of 15' in an R-15 Zoning Classification (Single-Family Low Density Residential District). The property is located at 203 Woodland St, Lyman, SC. Tax Map No.5-15-07-126.02. Mr. Purchase presented the staff report to the board. He stated that the owner is requesting a variance from the side yard setback requirement of 15' to 6'. Spartanburg County Assessor's records showed the residence was built in 1945 which was prior to the existence of the Town of Lyman's Zoning Ordinance and as such, the location of the structure in relation to the side yard setback requirements did not meet the zoning requirements for the R-15 zoning district. Mr. Purchase also stated that the variance as it relates to a reduction in the required side yard setback would have an impact on the adjacent residential property, as the addition to the home would enlarge the existing nonconforming structure.

Chairperson Wells asked if the applicant or representative was in the audience. Chairperson Wells swore in Mr. Hisker. made a presentation to the board. He stated that the request for the variance was needed due to the fact there is no storage areas in the house and that there was nowhere else to construct the addition with the existing driveway and carport on the opposite side of the house and a historic 200-year-old tree at the rear of the house.

Chairperson Wells opened the public hearing. Eunell Eubanks, adjacent property owner came forward and addressed the board. Mr. Eubanks stated that he wanted to clarify the setbacks of the proposed addition and that he would be able to plant trees between his property and Mr. Hisker's property. Chairperson Wells closed the public hearing.

Chairperson Wells asked Mr. Hisker how far his neighbor's house (Mr. Eubanks) was from the proposed addition. Mr. Hisker replied that the neighbor's house was approximately forty to fifty feet from the proposed addition. Mr. Purchase read the Town of Lyman's Zoning Code referencing the four criteria required for granting a variance.

Chairperson Wells called for a motion on the variance. Cecil Hutcherson made a motion to approve the variance and was seconded by Tony Axsom. The motion carried with a vote of 4 to 0, approved.

Adjourn

Chairperson Wells asked for a motion to adjourn. Cecil Hutcherson made a motion and was seconded by Tony Axsom. Meeting adjourned at 6:25PM.