



City of Clemson
PLANNING & CODES ADMINISTRATION

1250 Tiger Blvd., Suite 4 • Clemson, SC 29631-2662 • (864) 653-2050 • Fax (864) 653-2057 • www.cityofclemson.org

BOARD OF ZONING APPEALS
July 16, 2015 – 6:00 P.M.
CITY COUNCIL CHAMBER

Members Present: Jon Silkworth, Brian Roberts, Marvin Dixon, Mindy Spearman, Elaine Richardson and Ray Brown

Members Absent: Cynthia Robinson

Staff Present: Todd Steadman, Zoning and Codes Administrator and Beth Connor, Recording Secretary

1. **Call to order:** Chairman Mindy Spearman called the meeting to order at 6:01 P.M.
2. **Board Business:**
3. **Adoption of Minutes: April 16, 2015 Meeting:** Ray Brown moved the Minutes be adopted as presented. Elaine Richardson seconded the motion. Motion approved with show of hands.
4. **Advisory/Action Items:**

- a. **2015-V-01:** The Wescott Homeowners Association is requesting a Variance to allow a piece of property currently zoned R-20 to be subdivided in order to create two parcels. One parcel will be 19,326 square feet and the other will be 345 square feet. The purpose of this subdivision is to deed the land surrounding the entry sign to the Homeowners' Association.

Ms. Spearman proceeded to explain the process for the Public Comment section of the meeting including the swearing in for sworn testimony. Ms. Spearman informed the audience that the factual testimony is limited to 10 minutes with the Board members able to extend the time by 5 minute increments. Ms. Spearman also told the audience that the Public Comment portion is limited to 5 minutes with no extension of time. Ms. Spearman asked for a show of hands of those wishing to speak. Ms. Spearman proceeded to conduct a swearing in ceremony.

Applicant: Jack Davis, Secretary for The Wescott Homeowners' Association gave a brief history of the parcel, indicating that the original survey done in 1948 had errors that were never corrected. Mr. Davis said that the right-of-way on Issaqueena Trail was indicated on the original plat to be 50' wide. In 1949 the right-of-way that was deeded to SC DOT was 66'. Mr. Davis said that the brick walls at the entrance were built on someone else's property by the builder.

Staff Report: Todd Steadman apologized to Mr. Davis for last month's meeting where there was not a quorum and therefore, the Board was unable to have a meeting.

Mr. Steadman explained the size of the 2 parcels if the variance is granted. The lot that will be 19,326 square feet is already a non-conforming lot. Mr. Steadman said that the granting of the variance request will make this lot more non-conforming.

Mr. Steadman said that the other lot, which is 345 square feet, will also be a non-conforming lot and this was the reason for the variance.

The property is located at the entrance to Wescott subdivision. On either side of the road leading into the subdivision there is a brick wall with a sign marking the entrance.

Mr. Steadman explained that the current sign is on private property and the other is on Wescott Property Owners' Association land. The purpose for requesting this variance is to create the smaller parcel so that the land surrounding both signs are deeded to the Wescott Property Owners' Association and to remove the private property owner from responsibility and liability.

Mr. Steadman said that these types of properties are typical and customary in subdivision.

Factual Testimony Session open: No one wished to comment.

Factual Testimony Session closed

Public Comment Session open: No one wished to comment.

Public Comment Session closed

Marvin Dixon moved that the request be approved, taking into account that nothing will change physically, and it eases liability of the current property owner.

Jon Silkworth seconded the motion and added that the square footage of the smaller parcel is 345, not the indicated 350 square feet. Motion approved unanimously by a show of hands.

5. **Reports:** None.
6. **Other Items:** Mr. Steadman asked the Board to consider correcting the by-laws to require that applications be made 21-days prior to a meeting versus 28-days (as it is currently stated). The Board agreed to vote on this matter at their next meeting.
7. **Adjourn** – 6:17 p.m.

Respectfully submitted,

Beth Connor
Recording Secretary

Note: Proceedings of this meeting have been recorded.