



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 17, 2014 – 6:00 P.M.
CITY COUNCIL CHAMBER

Members Present: David Senn, Jon Silkworth, Marvin Dixon, Mindy Spearman and Brian Roberts

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 6:00 P.M.
- 2. Board Business: Election of Officers:** David Senn nominated Mindy Spearman as Chairman and Brian Roberts seconded the nomination. Ms. Spearman elected unanimously.

Mindy Spearman nominated David Senn as Vice Chairman and Jon Silkworth seconded the nomination. Mr. Senn elected unanimously.

- 3. Adoption of Minutes: November 21, 2013 Meeting:** David Senn moved that Minutes of the June 19, 2014 meeting be approved with 2 typo corrections. Curtis Arnold seconded the motion. Minutes adopted.

4. Advisory/Action Items:

- a. 2014-V-02:** A Special Exception approval to allow a parcel of property zoned R-20 to be used for religious use.

Ms. Spearman asked who would be presenting this request. Father Dan McLellan is the Applicant. Ms. Spearman also asked if there was anyone in the audience that would be speaking in regards to the matter before the Board. Mr. Jim London presented himself. Ms. Spearman then asked them to raise their right hand and swear that they would be telling the truth.

Applicant: Father Dan McLellan, 123 Folger Street, explained that their request for a Special Exception does meet the necessary criteria outlined in Section 19-302-(d)-5-(c) of the Zoning Ordinance.

Father Dan informed the Board that other than renovating the carport of 116 Wigington into an additional meeting room with access in the rear, the church will only be maintaining the existing buildings as necessary.

Father Dan also said that the exception is requested to serve an existing population, that there would not be any increase in vehicular or pedestrian traffic. While the aggregate number of vehicles coming to and from the church campus on a Sunday morning will not be reduced, the exception will allow us to schedule religious education in a manner that will space out the traffic over the course of the morning. This should reduce the amount of traffic around the 10:00 a.m. hour.

Father Dan explained that the significant usage of these building will take place on Sunday mornings. Families will already be attending church as they currently do, parking in the church lot, accessible from Edgewood and Sloan, and entering the buildings facing Wigington through the rear entrances.

Father Dan said that whatever parking is permitted/required by the exception on the parcel will be accessed by currently existing driveways.

Father Dan said that the only additional lighting will be on the back doors of the buildings to facilitate safety.

Mindy Spearman asked for clarification of parcel.

David Senn asked about the buffers required on the rear, which abuts the church and sides. There is a 10' A type buffer yard required, which entails 3 upper story trees, 2 under story trees, 20 shrubs per 100 lineal feet. Mr. Steadman explained buffer yard A. The driveway on Edgewood would be taken out.

Ms. Spearman asked about the link and brick fence. Mr. Steadman explained that it was a section of chain link fence and a wall. Ms. Spearman said that another project decided to have a more aggressive buffer zone instead of the fence and wall. Mr. Steadman informed the Board that there was a mandatory 10' buffer, but the Board can request an increase in size of buffer or other requirements.

Brian Roberts verified that the intent is not to change the character of the property.

Jon Silkworth asked if the Applicant has met with the Building Official. Father Dan said that they hadn't personally, but the contractors have met with them.

Mr. Senn asked if the property would be used as a day care center during the week. Father Dan replied that it would not.

Staff Report: Todd Steadman reported to the Board that this property was located in the R-20 Zoning District. The Applicant had combined 5 parcels into 1. This request is an allowed use.

Mr. Steadman informed the Board that the property was posted and mailings sent to all property owners within 200 feet. Mr. Steadman has not received any comments.

Mr. Steadman said that the long term intention is to view the parcel as a whole, using the structures for Religious Education. The Applicant intends to use homes as they exist.

Mr. Steadman discussed the criteria the church must meet in order to have this approved and stated that all criteria has been met.

Mr. Steadman reminded the Board that they would only be approving the existing homes for religious use and that in order for the church to develop a full master plan which utilizes the R-20 property and their adjoining RM-4 property further action would be required.

Public Session Open:

Jim London, 135 Wigington Street, told the Board that they own property across the street and want St Andrew Church downtown. Mr. London feels that the use is satisfactory and complimented the Applicant. Mr. London said he would like to keep the four houses on Wigington, maintaining the look of the front and providing access to the properties from the rear.

Mr. London suggested a concrete barrier to direct traffic. Mr. London's main concern was the increased traffic on Wigington, which he feels should be avoided. Mr. London would like to see the Master Plan when it is developed.

Public Session Closed

Father Dan explained that the growth project begins with the Special Exception. They have talked of developing a Master Plan for this site, keeping the Wigington face as a link to the neighborhood. This site works to the church's advantage and is an important part of what the church wants to do. Father Dan said that this grounds the church.

Mr. Steadman reported that the church is talking about putting 20 parking spaces behind Wigington with access from Wigington or Edgewood. 10 spaces are allowed and the Board can grant an additional 10. Father Dan interjected that access from the parking lot to these spaces is not possible due to code.

Mr. Steadman said that there would be minimal traffic into these properties from Wigington.

David Senn asked if the action taken tonight by the BZA would have any bearing on the future. Mr. Steadman responded that the Board's charge tonight was solely in regard to the use of the buildings in the R-20 property.

Mr. Steadman gave a brief description of bufferyards.

Jim London asked if an exception is possible regarding the parking. Mr. London feels that access from the main parking lot would tie the properties together. Mr. Steadman agreed and said he felt that ultimately that would be the outcome but under current zoning and property configuration the only way this could happen would be to have a variance granted.

Tal Slann, Slann Property Management on College Ave, reported that they manage Courtyard on Sloan. Mr. Slann would like to request a board on board fence to help eliminate cut through. The problem, Mr. Slann feels is the front to back with St. Andrew to new buildings.

Mr. Slann expressed concern about storm water, noise, impervious surfaces and the houses going away in the future. Mr. Slann thinks that the setback need to be changed.

Mr. Steadman responded that the houses are in an R-20 zoning district and the setback standards have been established and are being applied. Mr. Steadman said that the Church is considering a Master Plan for the future. Mr. Steadman said he did not think there would be much support for any plan that resulted in a major change to Wigington and that nothing the church has said or done would indicate that this is what they want to do.

Margaret Douglas, 139 Folger Street is the backyard neighbor to the rectory and stated that they have never had a problem with anything.

Ms. Spearman reminded the Board that they can approve an increase of 10 parking spaces and that the church has not asked for any other use other than those approved in the Code. Ms. Spearman also reminded the Board that they may ask for additional buffers as a condition.

Mr. Senn asked for clarification that the current code requires a 10 foot A buffer and that the Board can add to that if they feel it's necessary. Mr. Steadman told him this was accurate.

Marvin Dixon moved that St. Andrew be granted the exception to the R-20 parcel for religious education and 20 parking spaces be granted with no more than 20 cars exiting onto Wigington.

David Senn seconded the motion.

Discussion followed with Brian Roberts expressing concern over the traffic impact.

Ms. Spearman pointed out that it would be 4 parking spaces per building.

Mr. Steadman reminded the Board that the plan would result in a parking lot for 20 vehicles that would not be connected to main Church parking lot. 10 parking spaces are allowed now with an additional 10 more if the Board approves. Father Dan said there was talk of connecting the main parking lot with a sidewalk to the homes.

Ms. Spearman stated that the Board has no control over where the parking spaces are located.

Jon Silkworth pointed out that the church would be losing one driveway on Edgewood. Mr. Silkworth feels that a single entrance is safer than 4.

Mr. Dixon said that there would be 10 additional cars on Wigington. He feels that they don't want to restrict the Church.

The motion approved unanimously.

5. **Reports:** None
6. **Other Items:** By-Law changes. Discussion followed about adjusting some language in the By-Laws with corrections and clarification being made.
7. **Adjourn** – 8:15 p.m.

Respectfully submitted,

Beth Connor
Recording Secretary

Note: Proceedings of this meeting have been recorded on audio tape.