



City of Clemson
PLANNING & CODES ADMINISTRATION

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

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

Members Absent: Cynthia Robinson and Elaine Richardson

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:** None
3. **Adoption of Minutes: August 20, 2015 Meeting:** Ray Brown moved the Minutes be adopted as presented. Marvin Dixon seconded the motion. Motion approved unanimously by show of hands.
4. **Advisory/Action Items:**
 - a. **2015-SE-06:** A Special Exception request to allow a new Bed and Breakfast on parcels number 4063-06-29-5259 and 4063-06-29-6313, once combined, which is zoned R-20 and located at 539-541 Issaqueena Trail.

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.

Staff Report: Todd Steadman reported that all postings and mailings had been sent to property owners within 200 feet of the proposed location. Mr. Steadman did inform the Board that there were 2 property owners that were missed in the mailing for an unknown reason, but staff has communicated with them. Mr. Steadman responded to letters/emails from 3 concerned citizens regarding concerns and forwarded these responses to the Board members.

Mr. Steadman informed the Board that the Applicant did a title search and found that there were no covenants in relation to this parcel.

Mr. Steadman showed the Board what the parcels look like at this time and then showed a conceptual photo of the tone the Applicant wishes to have.

Mr. Steadman confirmed that the parcel is large enough and that there are no issues as it relates to the City.

Mr. Steadman listed some but not all concerns expressed:

- Will B & B connect to sewer system? Yes

- Impact on homes on Issaqueena Trail that have septic systems. None
- What meals will be served? Only breakfast
- Concern was expressed about the increase in traffic. Staff spoke with City Engineer and he does not feel this a concern. Single Family homes have 9.8 trips per day. Mr. Steadman researched other communities, Napa Valley, Lake Tahoe and Sacramento and found that there trip number is 9.5 and these communities are more active than Clemson.

Marvin Dixon moved that the Board approve an additional 5 minutes. Ray Brown seconded the motion. Motion approved unanimously by show of hands.

- Concern was expressed about the sale of beer, wine and alcohol. This does not qualify for this type of approval from ABC.
- Question was asked about the existing structure. It will be torn down.

Applicant Report: Regina Porter, Clemson is requesting the Board's approval to have a Bed and Breakfast on Issaqueena Trail.

Ms. Porter described the B & B as her hobby and she would make this her home. Ms. Porter plans to build the house in the middle of the 1 acre lot, providing privacy to the neighbors with landscaping. She described the B & B as only having 4 bedrooms. Ms. Porter said that the location has a nice restaurant and a boutique hotel nearby.

Factual Testimony Session open:

Barbara Rogers, 533 Issaqueena Trail expressed concern about having strangers around and she would have to stay inside. Ms. Rogers also explained that this is a single family neighborhood and now there would be a business.

Factual Testimony Session closed

Public Comment Session open:

Shelby Merck, 527 Issaqueena Trail, also expressed concern about having a business in a residential neighborhood. Ms. Merck doesn't understand why the people would want to be with older people. Also expressed concern because the B & B would be located where there is a curve.

John Porter, Jr, the Applicant's step son, spoke of Ms. Porter's character. That she's a very trustworthy, responsible person that would not do anything to harm to the Clemson area and would stop anything that was inappropriate.

Public Comment Session closed

The Board members expressed concern about the storm water plan. Mr. Steadman said that Nathan Hinkle is the city's storm water manager and will require a plan for the runoff.

Mr. Steadman said that the parking would be screened from the street with vegetation and the house. Parking would be behind the principle structure. In lieu of paving, pea gravel or a green product would be used to help with erosion.

Marvin Dixon told the Board that they travel a lot and stay in bed and breakfasts. Mr. Dixon said that the owners maintain their property and takes pride in their property. Mr. Dixon says that if the bed and breakfast is run property, they are a better neighbor that someone who lets their house rundown.

There is a S C Bed & Breakfast Act the Bed and Breakfasts must meet these requirements. There will be 6 parking spaces behind the house.

Regarding the lighting, there is a dark sky requirement which makes sure that there is no spillover onto other properties, light fixtures are pointed down.

The question was asked if the Bed and Breakfast will be inspected and the response was that this is a state requirement.

Marvin Dixon moved the request for a Special Exception be approved to allow a Bed & Breakfast be located at 539-541 Issaqueena Trail provided the following conditions be met:

- Requirements of the South Carolina Bed & Breakfast Act/Law
- The 10 Clemson Conditional Use Standards
- Have an annual inspection by the City Fire Marshal
- Allow a minimum of 6 parking spaces covered with pervious material behind the B & B
- Site lighting to meet the Clemson Lighting Code

Jon Silkworth seconded the motion. Motion approved unanimously by show of hands.

5. Reports: None.

6. Other Items: None

7. Adjourn – 7:01 p.m.

Respectfully submitted,

Beth Connor
Recording Secretary

Note: Proceedings of this meeting have been recorded.