



**APPROVED MINUTES
ZONING BOARD OF APPEALS
Monday, April 19, 2021 at 6:00 PM
Cayce City Hall is currently closed to the public.
Please use the following method to attend the Public Hearing:**

Telephone: 1 929-205-6099

Meeting ID: 835 9669 2601

Password: 324165

caycesc.gov

or

Join Zoom Meeting

<https://us02web.zoom.us/j/83596692601?pwd=dEY0TGVMXQrMU90djBRaGFpbHpwdz09>

I. CALL TO ORDER

The meeting was called to order at 6:00 PM by Chair, Robert McLeod. Members present were Bob McArver, Jason Simpson, Russ Vickery, and Robin DiPietro. Staff present were Monique Ocean, Wade Luther, and Jamie Beckham.

II. APPROVAL OF MINUTES

Robin DiPietro made a motion to approve the minutes from the January 4, 2021, meeting. Jason Simpson seconded the motion. All were in favor.

III. STATEMENT OF NOTIFICATION

Monique Ocean confirmed that the public and the media had been made aware of the meeting and public hearings.

IV. PUBLIC HEARING

Variance Request No. 002-21

A request, by the owner, for a variance from the *Zoning Ordinance Section 5.6-3 Fences and Walls* to construct a wooden privacy fence that will exceed the allowable fence height (4 feet) in the required front yard by 4 feet. The property is located at 1045 Oakland Avenue (TMS 005749-10-001).

a. Opening Statement

Mr. Des Latham came before the Board as the applicant to discuss his request for the variance. Mr. Latham stated that he needs a fence of 8 feet in height in order to screen his property from undesirable views directly behind him and the auto repair shop across the street. Mr. Latham stated a shorter fence would not block the unattractive views.

b. Public Testimony

Mrs. Mary Safko, of 1100 Oakland Avenue, came before the Board to speak in support of the variance. Mrs. Burnette, of 1040 Michaelmas Avenue, spoke in support of the variance. Monique Ocean read a statement from Katie Wynn in support of the variance.

c. Adjourn Public Hearing

With no further discussion, the public hearing was adjourned.

d. Motion

Jason Simpson made a motion to grant the variance. Russ Vickery seconded the motion. The motion to grant the variance for 1045 Oakland Avenue was passed by a vote of 4 to 1. Robin DiPietro opposed the motion to grant variance request.

V. PUBLIC HEARING

Administrative Appeal No. 001-21

A request by the aggrieved party, pertaining to *Section 6.12 Residential Infill Development Design Standards*, to appeal the decision of the Planning and Development Department Committee to approve issuance of a building permit for a residential building. The property is located at 1028 Michaelmas Avenue (TMS 004650-09-017).

a. Opening Statement

Mr. Danny Creamer, aggrieved party, came before the Board to discuss the appeal. Mr. Creamer stated that he and his wife have lived there since 1975. Mr. Creamer stated the residents of the Avenues appeal the issuance of the permit for the structure at 1028 Michaelmas Avenue. Mr. Creamer stated he believes zoning regulations were not properly followed by staff. Mr. Creamer stated he requests the permit be rescinded and the building moved. Monique Ocean came before the Board, as a member of staff, to read a statement pertaining to the issuance of the building permit for 1028 Michaelmas Avenue. Ms. Ocean stated that issuance of the permit for 1028 Michaelmas Avenue was followed by what staff believes to be the correct process. Ms. Ocean stated the infill development criteria was agreed on by the owner, Mr. Best, so the permit was issued. Mr. Best came before the Board as the property owner to discuss the appeal. Mr. Best stated he relocated the house onto the lot after the permit was issued by the City of Cayce. Mr. Best stated that staff had gone through the itemization of infill development and he agreed to the specifications. Mr. Best stated a call from the City of Cayce told him to stop all work because of the appeal by Mr. Creamer. Mr. Best stated he spoke with Mr. Creamer about making changes to the home. Mr. Best stated the changes that Mr. Best suggested would make it cost prohibitive. Mr. Creamer came before the Board to rebut statements by City Staff and Mr. Best. Mr. Creamer stated he believes City Staff dropped the ball and did not follow the Zoning Ordinance. Mr. Creamer stated the house does not meet the standards of the infill design development ordinance.

b. Public Testimony

The floor was opened for Public testimony. 16 people spoke in opposition to the permit for 1028 Michaelmas Avenue:

Cynthia Edwards
Katie Wynn
Ms. Burnette
Jessica Johnston
Michael Apple
Rich Vasquez
Miranda Vasquez
Trey Brae
Christopher Kinney
Nancy Drew
Moultrie Roberts
Ed Fuson
Laura Drew
Des Natham
Randy Sharpe Sr.
Mrs. Riley

c. Adjourn Public Hearing

With no further discussion, the public hearing was adjourned.

d. Motion

Robin DiPietro made a motion to overturn the permit for 1028 Michaelmas Avenue. Jason Simpson seconded the motion. By a vote of 4 to 1, the motion to overturn the permit for 1028 Michaelmas Avenue was passed. Russ Vickery opposed the motion to overturn the permit.

VI. NEW BUSINESS

There was no new business.

VII. OTHER BUSINESS

There was no other business.

VIII. ADJOURNMENT

Robin DiPietro made a motion to adjourn. Bob McArver seconded the motion. All were in favor.