

**MINUTES  
TOWN OF SUMMERSVILLE  
BOARD OF ZONING APPEALS  
January 13, 2015**

The Board of Zoning Appeals met in the Training Room at Town Hall on Tuesday, January 13, 2015 at 5:00 PM. Present were Denis Tsukalas; Lionel Lawson; and Don Nye. Staff present included Jessi Shuler, AICP, Zoning Administrator and Madelyn Robinson, AICP, Director of Planning & Economic Development.

The meeting was called to order at 5:00 PM by Mr. Tsukalas, Chairman. He asked for any comments or edits for the minutes from the December 9, 2014 meeting. Mr. Nye made a motion for approval with Mr. Lawson making the second. The motion carried approving the minutes as presented.

Ms. Shuler asked for the Board to elect a Chairman and Vice-Chairman for 2015. Mr. Nye nominated Denis Tsukalas as Chairman and Arthur DeHay as Vice-Chairman, and Mr. Lawson made the second. Hearing no additional nominations from the floor, the Board voted Mr. Tsukalas as Chairman and Mr. DeHay as Vice-Chairman for 2015.

**OLD BUSINESS:**

There were no items under Old Business.

**NEW BUSINESS:**

The first item under New Business was the variance request for TMS#137-16-01-003, 302 Comiskey Park Circle, zoned PUD, Planned Development District, owned by Carson E. Burgess – variance request for a decrease of two feet on the rear setback for a total rear setback of 13 feet; ordinance requires 15 feet rear setback for the primary structure per Section 32-125. The owner gave a brief overview of the request, and explained that he had gotten approval from his subdivision's ARB, and did not realize that such a small addition would need a building permit until he received a stop work notice from the Town almost two months ago. Mr. Tsukalas asked if the addition would remain yellow, and Mr. Burgess responded that it would be painted the same color as the house once it was finished.

Mr. Lawson made a motion to approve the variance as requested, and Mr. Nye made a second. The motion carried unanimously.

The next item under New Business was the variance request for TMS#137-10-09-019, 224 Sumter Avenue, zoned R-1, Single Family Residential, owned by William and Jennifer Price – variance request for an accessory structure to be built in the front yard of the parcel; ordinance only permits accessory structures in the rear and side yards of the parcel per Section 32-321. The owner provided a brief explanation of the request including that the design had already been approved by the BAR contingent on an approval of the variance and explained that the existing house sits back almost 300 feet from the front property line and there was no current covered area for them to park their cars. Dr. Price further stated that the location chosen was the most logical place for the carport to be sited without impacting any grand trees, and they were planning to move the driveway and relocate a stand of azaleas to further shield the structure from the road. Mr. Tsukalas questioned whether the structure would be enclosed, and Dr. Price stated that they did not intend on enclosing the carport. Mr. Tsukalas stated that we would like the variance approval to include the condition that the carport not be enclosed.

Mr. Nye made a motion to approve the variance as requested, and Mr. Lawson made a second. Mr. Tsukalas asked to amend the motion to include the condition that the carport not ever be enclosed, which Mr. Nye accepted. The motion carried unanimously.

The final item under New Business was the variance request for TMS#145-01-02-008, 1211 S. Main Street, zoned R-1, Single Family Residential, owned by Daniel Gotter – variance request for an accessory structure to be built in the front yard of the parcel; ordinance only permits accessory structures in the rear and side yards of the parcel per Section 32-321. The owner presented the application, and explained that the orientation of the house, the distance from the entry to their house, and the difficulty of backing a boat into a garage at any other location on the property necessitated the need for the garage to be in the requested location. Mr. Gotter further explained that his boat was currently stored uncovered in that location now, and that the garage would match the materials and colors of the house (wood siding and metal roof). Mr. Tsukalas asked if there would be any windows on the side facing the road. Ms. Gotter explained that they would rather add additional landscaping or possibly faux shutters than add windows because of the proximity to the road and them not being able to see that side of the garage from their house.

Mr. Nye made a motion to approve the variance as requested, and Mr. Lawson made a second. The motion passed with Mr. Tsukalas the lone vote in opposition.

**MISCELLANEOUS:**

There were no items under Miscellaneous.

**ADJOURN:**

Hearing no further business the meeting was adjourned at 5:18 PM with a motion by Mr. Nye and a second by Mr. Lawson.

Respectfully Submitted,



Jessi Shuler, AICP  
Zoning Administrator



Denis Tsukalas, Chairman; of,  
Arthur DeHay, Vice Chairman

**MINUTES  
TOWN OF SUMMERSVILLE  
BOARD OF ZONING APPEALS  
March 10, 2015**

The Board of Zoning Appeals met in the Training Room at Town Hall on Tuesday, March 10, 2015 at 5:00 PM. Present were Arthur DeHay; Lionel Lawson; Elise Richardson; and Don Nye. Staff present included Jessi Shuler, AICP, Zoning Administrator and Meredith Honeycutt, Town Planner.

The meeting was called to order at 5:02 PM by Mr. DeHay, Vice Chairman, as the Chairman was absent. He asked for any comments or edits for the minutes from the January 13, 2015 meeting. Mr. Nye made a motion for approval with Mr. Lawson making the second. The motion carried approving the minutes as presented.

**OLD BUSINESS:**

There were no items under Old Business.

**NEW BUSINESS:**

The first item under New Business was the variance request for TMS#221-00-00-127, 214 Azalea Square Boulevard, zoned B3, General Business, owned by Shoppes at Azalea, LLC: Request for a variance from Section 32-131 allowing an increased maximum impervious surface percentage of 83% for Phase I of the site once subdivided. Ordinance allows maximum of 80% impervious surface in this zoning classification. Ms. Shuler introduced the application and the applicant. Gary Berenyi and Kyle Hoyt with Hoyt+Berenyi gave a brief overview of the request, and explained that as a whole the two phases met all zoning requirements, but by subdividing the property, they needed the variance for the first phase as it was already built. Mr. DeHay asked for clarification on which phase needed the variance, and the Board asked if the plan for the second phase could be changed. The owner, Mark Cothran, explained that the contract for the property includes a deed restriction that requires both phases as a whole to meet all zoning requirements, and includes a stipulation that if the first phase is ever redeveloped, it would have to come into full compliance. He provided a copy of the document to staff, and agreed to send a recorded copy once it is available.

Mr. Nye made a motion to approve the variance as requested with the condition that the deed restriction be recorded as discussed and added to the file, and Ms. Richardson made the second. The motion carried unanimously.

**MISCELLANEOUS:**

Ms. Shuler introduced Meredith Honeycutt as a new planner with the Planning Department.

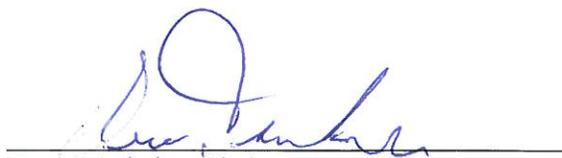
**ADJOURN:**

Hearing no further business the meeting was adjourned at 5:17 PM by Mr. DeHay on a motion by Mr. Lawson.

Respectfully Submitted,



Jessi Shuler, AICP  
Zoning Administrator

  
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Denis Tsukalas, Chairman; or,  
Arthur DeHay, Vice Chairman

**MINUTES  
TOWN OF SUMMERVILLE  
BOARD OF ZONING APPEALS  
May 12, 2015**

The Board of Zoning Appeals met in the Training Room at Town Hall on Tuesday, May 12, 2015 at 5:00 PM. Present were Denis Tsukalas; Elise Richardson; and Don Nye. Staff present included Jessi Shuler, AICP, Zoning Administrator and Meredith Honeycutt, Town Planner.

The meeting was called to order at 5:00 PM by Mr. Tsukalas, Chairman. He asked for any comments or edits for the minutes from the March 10, 2015 meeting. Mr. Nye made a motion for approval with Ms. Richardson making the second. The motion carried approving the minutes as presented.

**OLD BUSINESS:**

There were no items under Old Business.

**NEW BUSINESS:**

The first item under New Business was the variance request for TMS#137-14-05-006, 826 S. Main Street, zoned R1, Single Family Residential, owned by Leroy and Tammy Strickland, - variance request for a reduced side setback for the primary structure to 10' and increased maximum impervious surface to 32% from the ordinance minimum requirements of 15' for the side setback and 30% for the maximum impervious surface per Section 32- 122. Ms. Shuler introduced the application and the applicant. Roy Strickland, the property owner, gave a brief overview of the request and explained that this was an old, historic home that had no storage. They are wanting to add an attached garage to provide more storage, a laundry room, and a pantry, and because they have two street frontages, they wanted to mirror the look of other street front so that the addition looks natural. Kirsten Abrahamson with LeanToo Studios explained that some of the current impervious surface was going to be removed and that the new driveway would be pervious, but with the footprint of the addition they were still 2% over the 30% impervious surface allowance. Mr. Tsukalas asked exactly what impervious surface was being removed, and Mr. Strickland showed him on the proposed site plan.

Mr. Nye made a motion to approve the variance as requested, and Ms. Richardson made the second. The motion carried unanimously.

**MISCELLANEOUS:**

Ms. Shuler reminded the Board members about the upcoming three hour training at the County Services Building on May 21 from 9:00 am to 12:00 pm. Mr. Nye and Mr. Tsukalas stated that they would be attending the training. Ms. Richardson said that she would be unable to attend, and that she would not be able to attend the regularly scheduled meeting in June if one is needed.

**ADJOURN:**

Hearing no further business the meeting was adjourned at 5:11 PM by Mr. Tsukalas on a motion by Mr. Nye and a second by Ms. Richardson.

Respectfully Submitted,



Jessi Shuler, AICP  
Zoning Administrator



Denis Tsukalas, Chairman; or,  
Arthur DeHay, Vice Chairman

MINUTES  
TOWN OF SUMMERSVILLE  
BOARD OF ZONING APPEALS  
July 14, 2015

The Board of Zoning Appeals met in the Training Room at Town Hall on Tuesday, July 14, 2015 at 5:00 PM. Present were Denis Tsukalas, Chairman; Lionel Lawson; Don Nye; Elise Richardson; and Arthur DeHay, Jr. Staff present included Jessi Shuler, AICP, Zoning Administrator and Meredith Honeycutt, Town Planner.

The meeting was called to order at 5:00 PM by Mr. Tsukalas, Chairman. He asked for any comments or edits for the minutes from the May 12, 2015 meeting. Mr. DeHay made a motion for approval with Mr. Nye making the second. The motion carried approving the minutes as presented.

**OLD BUSINESS:**

There were no items under Old Business.

**NEW BUSINESS:**

The first item under New Business was the variance request for TMS# 379-00-00-253, 214 Angora Way, zoned PUD, Planned Development District, owned by H & H Homes - variance request for a reduced rear setback for the primary structure to 7 feet from the ordinance minimum requirement of 10 feet for the rear setback per Section 32- 125. Ms. Shuler introduced the request. Bill Marx, representing the owner, gave a brief overview of the request, and explained that the buyer of the house is an elderly woman who wanted to be able to have access to her back yard without having to navigate steps. He further explained that most of the homes in the subdivision have a back patio (which does not have to meet setback requirements), but with the grade change on this lot, the buyer requested a deck instead. Mr. Marx stated that the lot backed up to a pond, so the deck would not affect the neighbors. A representative from the subdivision's ARB stated that her only concern would be access to the pond if any work needed to be done to it. Mr. Marx explained that there is an existing drainage easement around the pond that takes that need for maintenance access into account.

Mr. Nye made a motion to approve the variance as requested, and Mr. DeHay made a second. The motion carried unanimously.

The next item under New Business was the variance request for TMS# 154-05-06-014, 121 Spring Meadows Drive, zoned PUD, Planned Development District, owned by Jed Blankenship - variance request for a reduced rear setback for the primary structure to 18 feet from the ordinance minimum requirement of 20 feet for the rear setback per Section 32- 125. Ms. Shuler introduced the request. The owner provided a brief explanation of the request and it explained it was a very small area of the proposed deck that required the variance because of the unique shape of the lot in the rear. Mr. Tsukalas asked if the shape of the lot was due to the lot being designed to skirt the wetland easement in the rear, and Mr. Blankenship confirmed that that was correct.

Ms. Richardson made a motion to approve the variance as requested, and Mr. Lawson made a second. The motion carried unanimously.

The final item under New Business was the variance request for TMS# 388-13-00-872, 145 Coosawatchie Street, zoned PUD, Planned Development District, owned by Jimmy Beckley - variance request for a reduced rear setback for the primary structure to 6 feet from the ordinance minimum requirement of 10 feet for the rear setback per Section 32- 125.. Ms. Shuler introduced the request and gave a brief explanation as the owner was not in attendance. She stated that it was a very similar request to the previous two requests. Ms. Shuler provided further explanation that there is an existing patio in the area, which does not have to meet setback requirements, but the owners

would like to install a screen porch and because of the angle of the rear of the lot, a variance would be required. This lot also backs up to a pond and HOA area.

Mr. DeHay made a motion to approve the variance as requested, and Mr. Nye made a second. The motion carried unanimously.

**MISCELLANEOUS:**

There were no items under Miscellaneous.

**ADJOURN:**

Hearing no further business the meeting was adjourned at 5:09 PM with a motion by Mr. DeHay and a second by Mr. Nye.

Respectfully Submitted,



Jessi Shuler, AICP  
Zoning Administrator



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Denis Tsukalas, Chairman; or,  
Arthur DeHay, Vice Chairman

**MINUTES  
TOWN OF SUMMERVILLE  
BOARD OF ZONING APPEALS  
September 8, 2015**

The Board of Zoning Appeals met in the Training Room at Town Hall on Tuesday, September 8, 2015 at 5:00 PM. Present were Denis Tsukalas, Chairman; Don Nye; and Elise Richardson. Staff present included Jessi Shuler, AICP, Zoning Administrator and Meredith Honeycutt, Town Planner.

The meeting was called to order at 5:10 PM by Mr. Tsukalas, Chairman. He asked for any comments or edits for the minutes from the July 14, 2015 meeting. Ms. Richardson made a motion for approval with Mr. Nye making the second. The motion carried approving the minutes as presented.

**OLD BUSINESS:**

There were no items under Old Business.

**NEW BUSINESS:**

The first item under New Business was the variance request for TMS# 129-09-11-004 and 129-09-11-005, 133 Amen Corner, zoned PUD, Planned Development District, owned by Gary E. & Kristy L. Turner, Jr. - variance request for an increased height allowance of 22 feet from the ordinance maximum allowance of 20 feet for an accessory structure per Section 32- 125. Ms. Shuler introduced the request. George Tupper, representing the owner, gave a brief overview of the request, and explained that the increased height is needed because the structural engineer determined that larger trusses would be needed given the size of the floor span. Charles Lund who lives at 103 Amen Corner asked if there was anything showing the renderings of the garage. Ms. Shuler stated that the renderings were included when the house was permitted, but that there were not revised renderings showing the increased height because the appearance was not changing. Mr. Tsukalas explained that the only thing the BZA was reviewing was the height of the accessory structure, not anything relating to the type of structure or its aesthetics. Richard Kerr Oliver at 116 Amen Corner asked if there was anything over the garage, and Ms. Shuler responded that it was just a FROG with a bathroom and bar cabinets. Mr. Tupper stated that the ceiling height in the FROG would be eight feet at the highest point. John Dahringer at 107 Amen Corner stated that he opposed the granting of the variance because it was approved by the HOA with no notice to the homeowners, and he was not in favor of a large garage in the middle of the lot. He did further state that he did not think the two feet in additional height would make a difference though. Lynn Oliver at 116 Amen Corner asked if HOA approval automatically meant plan approval. Ms. Shuler responded that staff could not issue a permit without the HOA approval, but all the zoning requirements still had to be met. Ms. Oliver further questioned whether the garage could be sold separately from the house and if it could be an accessory dwelling unit. Ms. Shuler explained that the garage could not be sold separately because the two lots had been combined into one lot and that the FROG did not have a kitchen to be considered an accessory dwelling unit, and the zoning in Pine Forest Country Club would not allow for accessory dwelling units.

Mr. Nye made a motion to approve the variance as requested, and Ms. Richardson made a second. The motion carried unanimously.

The next item under New Business was the variance request for TMS# 136-08-06-068 and 136-08-06-062, 403 and 415 Hemingway Circle, zoned R-3, Single Family Residential (attached buildings), owned by Rolina Homes, LLC - variance request for a reduced side setback for the primary structure to 13.5 feet from the ordinance minimum requirement of 15 feet for the side setback per Section 32- 124. Ms. Shuler introduced the request, and explained that the two end units only needed the variance because their eaves encroached into the side setback, and the building could

be built without eaves, but the owner wanted it to match the existing townhomes in the development. Jason Fabrizio with Rolina Homes provided a further brief explanation of the request and presented a rendering of the townhomes with the eaves highlighted. Georgann Gentry representing the HOA for Central Commons stated that they had no concerns with the request.

Ms. Richardson made a motion to approve the variance as requested, and Mr. Nye made a second. The motion carried unanimously.

**MISCELLANEOUS:**

Mr. Tsukalas asked about training opportunities for the Board members. Ms. Shuler stated that she was not aware of any at this time, but she would keep the Board members informed of any upcoming trainings.

**ADJOURN:**

Hearing no further business the meeting was adjourned at 5:32 PM with a motion by Mr. Nye and a second by Mr. Tsukalas.

Respectfully Submitted,



Jessi Shuler, AICP  
Zoning Administrator



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Denis Tsukalas, Chairman; or,  
Arthur DeHay, Vice Chairman

**MINUTES  
TOWN OF SUMMERSVILLE  
BOARD OF ZONING APPEALS  
October 12, 2015**

The Board of Zoning Appeals met in the Training Room at Town Hall on Tuesday, October 12, 2015 at 5:00 PM. Present were Denis Tsukalas, Chairman; Lionel Lawson; and Elise Richardson. Staff present included Jessi Shuler, AICP, Zoning Administrator and Meredith Honeycutt, Town Planner.

The meeting was called to order at 5:11 PM by Mr. Tsukalas, Chairman. He asked for any comments or edits for the minutes from the September 8, 2015 meeting. Ms. Richardson made a motion for approval with Mr. Lawson making the second. The motion carried approving the minutes as presented.

**OLD BUSINESS:**

There were no items under Old Business.

**NEW BUSINESS:**

The first item under New Business was the variance request for TMS# 137-00-00-004, 366 E. 5<sup>th</sup> North Street, Heritage Square - variance request for an increased height allowance of 22.5 feet from the ordinance maximum allowance of 15 feet for a freestanding sign per Section 32- 246. Ms. Shuler introduced the request. Rachel Burton with Swallowtail Architecture, representing the applicant, presented the variance request. She explained that by ordinance, the developer was allowed to have two signs but would rather have one taller sign to reduce the clutter on the site. She further stated that the design of the sign was not solid all the way up, so the mass of the sign would not seem as large, and the design of the top of the sign echoes the building architecture. Ms. Burton stated that the applicant did not feel that there would be any detriment to the adjacent properties as the sign would be at a busy commercial intersection. Mr. Tsukalas asked why the drawing showed the sign to be 10.8' thick. Ms. Burton explained that that was an error, and the sign was actually only 2.8' thick. Mr. Tsukalas asked if there would be any other signs on the property. Ms. Burton stated that the other tenants would have panels on this proposed sign and there would be building signage. Mr. Lawson stated that he felt this sign would be better than the previous Heritage Square sign that was removed, and Ms. Burton stated that the owners had chosen to take that monstrosity down. Ms. Richardson explained that she was personally opposed to the increased height because she felt that there would be plenty of other signage on the site, and she felt that it would set a precedent for other properties to request the same. Mr. Tsukalas asked again if there was any other signage on the site, and Ms. Shuler explained that the Spinx would have two freestanding signs, one facing each roadway as it was a separate parcel from the main shopping center. Mr. Lawson made a motion to approve the variance. Receiving no second, the motion died.

Mr. Tsukalas made a motion to deny the variance as requested, and Ms. Richardson made a second. Mr. Tsukalas explained that he was not opposed to anything shown on the sign, but that he felt it was too tall and could be proportioned down. Ms. Richardson agreed and reiterated that she did not want the Board to set a precedent. Ms. Burton asked if the Board might be amenable to approving something shorter but that was still over the 15' ordinance requirement, and the Board members stated that they would consider it as long as it was proportional. Following the discussion, the Chairman called for the vote, and the motion passed unanimously.

Ms. Burton asked if there was any limit on the width of the sign, and after checking the sign ordinance, Ms. Shuler stated that the ordinance did not have a specific limit on the width of the sign, but it did limit the square footage.

**MISCELLANEOUS:**

There were no items under Miscellaneous.

**ADJOURN:**

Hearing no further business the meeting was adjourned at 5:31 PM with a motion by Ms. Richardson and a second by Mr. Lawson.

Respectfully Submitted,



Jessi Shuler, AICP  
Zoning Administrator



Denis Tsukalas, Chairman; or,  
Arthur DeHay, Vice Chairman

**MINUTES  
TOWN OF SUMMERVILLE  
BOARD OF ZONING APPEALS  
November 10, 2015**

The Board of Zoning Appeals met in the Training Room at Town Hall on Tuesday, November 10, 2015 at 5:00 PM. Present were Denis Tsukalas, Chairman; Lionel Lawson; and Elise Richardson. Staff present included Jessi Shuler, AICP, Zoning Administrator and Meredith Honeycutt, Town Planner.

The meeting was called to order at 5:05 PM by Mr. Tsukalas, Chairman. He asked for any comments or edits for the minutes from the October 12, 2015 meeting. Mr. Lawson made a motion for approval with Ms. Richardson making the second. The motion carried approving the minutes as presented.

**OLD BUSINESS:**

There were no items under Old Business.

**NEW BUSINESS:**

The first item under New Business was the variance request for TMS# 232-00-02-047, 1101 N. Main Street, - variance request for an increased height allowance of 18.5 feet and an increased square footage of 185 square feet from the ordinance maximum allowance of 15 feet in height and 150 square feet in sign area for a freestanding sign per Section 32- 246. Ms. Shuler introduced the request. Earl Raymond with DeNyse Signs, representing the applicant, presented the variance request. He explained that as the sign now sits it is very difficult to see until you are right up on it because of the required ten foot setback and the trees planted in the front border. Mr. Tsukalas asked if the sign was all the way up to the setback, and Mr. Raymond stated that it was. Mr. Tsukalas then asked about the possibility of planting different trees or moving the sign. Mr. Raymond stated that it would be substantially cheaper to swap out the sign cabinet than to move the entire sign. Mr. Tsukalas reiterated that he believed swapping out the foliage in the front border would be better than granting a variance for a larger sign. Mr. Lawson agreed and stated that raising the sign three feet might help now, but would not do any good in the future as the trees grow. Ms. Richardson asked why the Home Depot panel was included on the sign, and Ms. Shuler explained that it was part of an agreement with the Home Depot and Earthfare to provide an access easement through their sites and that Earthfare now has a panel on Home Depot's sign on the Berlin G. Myers Parkway. Ms. Richardson agreed about moving the trees as she did not want to set a precedent for approving larger signs. Ms. Shuler explained that the applicant would not have to submit a separate variance request for changes to the landscaping in the front border, but that the changes would have to be approved by the Commercial Design Review Board (CDRB). Ms. Shuler stated that that option had previously been discussed with the developer, but it had not yet been pursued. Mr. Raymond stated that the applicant was hoping be granted the variance for the taller, larger sign and also pursue the changes to the landscaping as they felt a combination of both would be in their best interest.

Ms. Richardson made a motion to deny the variance as requested, and Mr. Lawson made a second. The Board members explained that they felt that a taller, larger sign would not solve the visibility problem and could set a precedent for future signs. They suggested pursuing changes to the front border landscaping through the CDRB instead. Following the discussion, the Chairman called for the vote, and the motion passed unanimously.

**MISCELLANEOUS:**

Ms. Shuler stated that only one member's term, Arthur DeHay's, was expiring at the end of December, and as he was unable to attend the meeting, she would contact him to see if he was interested in reapplying.

**ADJOURN:**

Hearing no further business the meeting was adjourned at 5:24 PM with a motion by Mr. Lawson and a second by Ms. Richardson.

Respectfully Submitted,



Jessi Shuler, AICP  
Zoning Administrator



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Denis Tsukalas, Chairman; or,  
Arthur DeHay, Vice Chairman

**MINUTES  
TOWN OF SUMMERSVILLE  
BOARD OF ZONING APPEALS  
December 8, 2015**

The Board of Zoning Appeals met in the Training Room at Town Hall on Tuesday, December 8, 2015 at 5:00 PM. Present were Denis Tsukalas, Chairman; Lionel Lawson; Don Nye; and Arthur DeHay. Staff present included Jessi Shuler, AICP, Zoning Administrator and Meredith Detsch, Town Planner.

The meeting was called to order at 5:00 PM by Mr. Tsukalas, Chairman. He asked for any comments or edits for the minutes from the November 10, 2015 meeting. Mr. Lawson made a motion for approval with Mr. Nye making the second. The motion carried approving the minutes as presented.

**OLD BUSINESS:**

There were no items under Old Business.

**NEW BUSINESS:**

The first item under New Business was the variance request for TMS#137-10-04-005, 311 Sumter Avenue, zoned R1, Single Family Residential, owned by Ronnie Givens, - variance request for a reduced front setback for the primary structure to 21' from the ordinance minimum requirement of 30' for the front setback per Section 32- 122. Ms. Shuler introduced the request. The owner Ronnie Givens presented the application. He explained that his plan was to replace the porch that was there on the original house back in the 1940s and believed that the porch would be about three or four feet into the front setback as the existing house is 33 or 34 feet and the porch will be eight feet deep. Ms. Shuler clarified that according to the submitted site plan, the front setback needed to be reduced to 21 feet because the setbacks are measured to the nearest portion of the structure above grade, which includes the steps. Mr. Givens stated that he was not sure when the porch was removed, possibly in the 1950s. He presented a picture of the original house with the porch on it. Mr. Tsukalas asked Mr. Givens if the porch would be in line with the porches on the two adjacent houses on either side, and Mr. Givens confirmed that it would be in line with them. Mr. DeHay stated that the porch must have been removed since the last survey was done on the house. Ricky Waring, contractor on the project, stated that that was correct as the porch had been gone since he could remember. He explained that the house was Jean Carroll's grandmother's house, and she was the one who remembered the porch and provided the picture of the house with the porch on it. Mr. Givens stated that Ms. Carroll was the reason he was adding the porch because she had asked him if he was putting one back on the house. Mr. Lawson asked if this porch would be the same size as the original porch, and Mr. Givens confirmed that it would be the same size.

Mr. Nye made a motion to approve the variance as requested, and Mr. DeHay made a second. The Chairman called for the vote, and the motion passed unanimously.

**MISCELLANEOUS:**

Ms. Shuler stated that the BZA schedule for 2016 would remain the same. They would continue to meet on the second Tuesday of each month.

**ADJOURN:**

Hearing no further business the meeting was adjourned at 5:07 PM with a motion by Mr. Nye and a second by Mr. Lawson.

Respectfully Submitted,



Jessi Shuler, AICP  
Zoning Administrator



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Denis Tsukalas, Chairman; or,  
Arthur DeHay, Vice Chairman