



MINUTES

Board of Zoning Appeals Regular Meeting
Tuesday, June 11th, 2024 at 6:00 pm
2909 Platt Springs Road, Springdale, SC 29170

The media and public were duly notified of the date, time, and place of this meeting. A quorum was present.

BOARD MEMBERS PRESENT: Chair Ed Davis, Member Richard Gadsden, and Member Jan Shaw.

BOARD MEMBERS ABSENT: None.

STAFF PRESENT: Municipal Clerk Leeann Kelly and Chief of Police Andrew “Bear” Richbourg.

1. Call to Order

A. Chair Davis called the meeting to order at 6:00 pm.

2. Consent Agenda

A. Approval of Agenda

B. Approval of Minutes

- May 14th, 2024 Regular Meeting

The consent agenda was unanimously approved.

3. Open Public Hearing

Chair Davis opened the Public Hearing at 6:01 pm.

4. Public Hearing

A. **BZA 24-04;** Variance Request for TMS# 005632-03-001 for relief from parking restrictions. Chad Owens, applicant and owner of The Dales Biergarten was in attendance along with Co-owner Chris Faircloth.

5. Public Comment

Public Comment was given by George Reeley Jr, Mary Anne Reeley, Becky Parker, Paul Sinnott, Viki Fecas, Margaret Hook, Kevin Reeley, Connie Gardner, Matthew Fecas, and Kay Ornelas.

6. Adjourn Public Hearing and Return to Regular Meeting

Chair Davis adjourned the Public Hearing and returned to the Regular Meeting at 6:22 pm.

7. New Business

A. Variance Request for TMS# 005632-03-001 for relief from parking restrictions. Chair Davis opened the floor for Mr. Owens. Mr. Owens stated his reasoning for requesting the variance is to alleviate on-street parking, which had become a significant complaint with residents. He discussed plans for overflow parking on the property, including placement, lighting, and signage. The parcel would not be paved. He stated that an approximately 40ft buffer would remain at the back of the parcel, separating the overflow parking from the residential parcel behind it. Member Gadsden inquired about ingress and egress. Mr. Owens stated Platt Springs Road will be utilized for ingress and egress. Member Gadsden confirmed that access to Pond Drive would be blocked. Mr. Owens discussed the positive impact of The Dales Biergarten on surrounding property values. Chair Davis asked why the applicant has not applied for a rezoning of the property. Mr. Reeley stated he did

not wish to rezone due to taxes and income generation. Chair Davis stated that rezoning would open the possibility of future commercial use, whereas maintaining the residential zoning would be in Springdale's best interest. Member Shaw shared concerns about foot traffic and pedestrian safety. Chair Davis stated that most of the opponent comments were based on Sightler Drive Traffic, and felt that granting the variance would alleviate the issue. He referred to Chief of Police Andrew "Bear" Richbourg for comments on the parking complaints. Chief Richbourg stated that a viable solution is needed due to liability and safety concerns. Chair Davis motioned to approve the variance request, with a second from Member Gadsden. Chair Davis stated he felt this is a viable option for overflow parking, and is safer for the public. Member Gadsden requested that access to Pond Drive be blocked as a condition of approval for the variance request. Member Shaw expressed her appreciation for the applicant's presentation, and for those who provided public comment. She stated she favors a resolution but could not vote in support of the variance request. Member Davis amended his original motion to approve the variance with the condition that access to Pond Drive be excluded. The motion passed with Chair Davis and Member Gadsden voting in favor and Member Shaw voting in opposition.

8. Adjourn

The Board adjourned the meeting at 6:57 pm.

Ed Davis, Chair

Attest:

Leeann Kelly, Municipal Clerk

This decision was overturned by Lexington County Court of Common Pleas, Case # 2024CP3202933. The order is attached to these minutes. LK