



**Minutes**  
**Zoning Board of Appeals Meeting**  
**City Council Chambers, City Hall**  
**100 East Carolina Avenue**  
**Tuesday, November 17, 2020 5:30p.m.**

**PURSUANT TO CITY OF HARTSVILLE EMERGENCY ORDINANCE 4403, DURING THE COVID-19 (CORONAVIRUS) PANDEMIC, COUNCIL CHAMBERS MAY BE OPEN, MAINTAINING SOCIAL DISTANCING, WITH FACE COVERINGS REQUIRED, AND FOLLOWING DHEC AND CDC GUIDELINES.**

**PURSUANT TO FREEDOM OF INFORMATION ACT SC CODE 30-4-80: WRITTEN NOTICE WAS DELIVERED TO THE PRESS BY EMAIL ON NOVEMBER 11, 2020 AND DULY POSTED AT CITY HALL.**

**Members present:** Chairman Tommy Goodson, Vice-Chairman Brian Meadows, and Kirk Askins. **Absent:** Thomasena Davis and Luann Jeffords Post **Guest:** Daniel Poaps, Macy Poaps and Marci Tuten. **Staff:** Brenda Kelley and Karine Thomas. **Press:** Absent.

**Call to Order/Welcome**

Chairman Brian Meadows called the meeting to order at 5:37pm.

**Approval of Minutes**

Chairman Meadows presented the June 24, 2020 minutes for approval. Tommy Goodson made a motion to approve the minutes as submitted; Second Askins; Carried: All in favor.

**Appeal Z – 2020 – 02: Request by Daniel & Macy Poaps to construct a guesthouse with a two (2) car garage five (5) feet from the right yard property line at 1804 West Home Avenue, Tax Map #035-13-02-012.**

**Staff member Brenda Kelley presented the staff report that provided background information about the variance application and the property.**

**Chairman Meadows swore in Daniel & Macy Poaps – applicants and Marci Tuten – neighborhood.**

**D. Poaps:** We spent a lot of time trying to figure out the best way to use the property. The one thing that is unique with the property is that the lot is about 95 feet from property line to property line where the house sits.

**M. Poaps:** The property is 92 feet wide at the location of the house. Our house is 63 feet wide taking up two thirds of that property space.

**D. Poaps:** When you look at 10 feet off set on either side, it kind of narrows down our buildability areas in the background of being able to put some form of garage, outside storage. We are also getting a bit cramped

inside. We are trying to get another guestroom. How to build something with a two-car garage, a guestroom and some storage is kind-of difficult to figure out how to do it with this piece of property because it is so narrow. The side of the house to the edge of the property is the driveway. There is not much room to the right of the driveway. A ten-foot buffer would be where the existing pump house is now. The right corner of the pump house is 10 feet off the property line. Abiding by the 10-foot buffer, we would have to start the garage there. There is not a whole lot of room from the back of the house and where that begins. You can get one car in if you go straight back but to get a second car in is the biggest hurdle. There is not enough room. If we had the building 10 feet off the property line and 24 feet wide which is the standard two-car garage width. To swing a second car we would get jammed by the building. That is the only place to put a garage. We would move it back but the 1:1 slope does not allow. Otherwise, we would have to build a suspended slab to park a car on. What we are looking at doing as you can see from our design is have a concrete slab on grade for the land that is flat. We plan on using the slope to give us a second tier a basement level underneath to store lawn care and other storage. To be on the same plane as the slab on grade we would essentially have to use decking. It would be a framed in building but the joist would have to be concrete supported. We would not be able to park a car on it. The only way to do it would be to build columns and walls to help support a concrete slab to hold a car. We cannot move it back because we have 24 to 26 feet.

**M. Poaps:** The average garage depth is about 24 feet. The garage would start 40 feet from the house. If you tried to pull a car out about 15 feet, you could not make the turn with the average vehicle. We cannot push it back because of the slope. We need to use on grade to have a two-car garage.

**D. Poaps:** It's hard to visualize on some of the pictures. When you look at the aerials, there is so much room so it's hard to say we don't have enough room in our backyard because it goes back about 400 yards. As Macy said, the usable space is how I would delineate the back yard that we would be able to enjoy or be able to park a car on or build on is only flat for a pretty short period. We spent a lot of time trying to capitalize on the lot. It is really unique, which has some disadvantages on trying to building. It also has given us an advantage. We have a single story, ranch style house. The detached structure cannot dominate the house. On a single story, our roof height is 19 feet. It will give us the ability to have a basement level for storage without making a taller roof. It has taken a lot of thought to get to this point and figure out how to utilize the slope. This is the best way to capitalize on it. If we were to have it ten feet off set we would choke ourselves down in the back yard. On top of being able to get another car in, we would choke ourselves down to where it got narrow. We would love to build on the property line at 0 feet would be a perfect world. We applied for five (5) foot variance, feeling that would be a bit more reputable or acceptable.

**M. Poaps:** All we are asking is for the garage to be built in straight alignment with the driveway. Right now, the pump house is off set from the driveway. At the ten-foot setback, when you look at our driveway and the garage it would be off set. If we got the five-foot variance, we would be able to drive directly into the garage. It would look a lot nicer and it would function. Otherwise, it would not function as a garage. Also, because our property line is about a foot from the tree line, we will not have to trim them to build the structure. We would not mess up any sound barrier or privacy line to Marci's property.

**D. Poaps:** It's really hard to see it all come together. That's probably the best way to encompass what we are up against. Do you guys have any questions or better information for what we are trying to accomplish.

**Goodson:** One of the reasons to grant a variance is the topography, an irregular lot. Personally, I think you all meet all of that. This is what this group is effective for so we can look at all the little particulars such as why don't you build it over there based on the whole deal and it won't align with the driveway. You all can't build it over there. I personally think they have reason to be here to request the variance.

**Meadows:** I think one of the options, which is not an option; I understand that with zoning you can't build in front of the house. This is your only option.

**Kelley:** Not without a variance. If you will remember, we had one that the only place they could do it. They had no access to their backyard at all. Fortunately, that is not the situation. The hardship is not about how far

it is or where it will line up. It cannot be about aesthetics. It is about a hardship because there is something unique about the property. A variance goes with the property.

**Tuten:** I came to say that we do not oppose it as neighbors.

**The board deliberated in public to decide whether to grant the variance.**

After consideration of the evidence and the arguments presented, Chairman Meadows presented the findings of facts and conclusions noting the following:

1. The applicant has a hardship because of the shape and topography of the lot.
2. The subject site has a unique shape and slope combination as compared to neighboring properties.
3. The proposed structure could not be constructed as a functional structure without the variance.
4. The variance would not be a detriment to adjacent property or to the adjacent property.
5. The proposed structure would require the requested five (5) foot variance.

Meadows, Askins, and Goodson voted in favor of the variance with no additional conditions.

**Adjournment**

There being no further business, the meeting was adjourned at 6:13p.m.

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Brian Meadows, Chairman

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Date