

**City of Tega Cay**  
**Thursday, September 28, 2022**  
**Board of Zoning Appeals Meeting**  
**Council Chambers**  
**Glennon Center Lower Level**  
**~ 7:00 p.m. ~**

Attendees:

Amy Jo Denton, Chairman  
Mike Tullos, Vice Chairman  
Maureen Hurtik  
Amy Youngblood

Dirk Tanis Jr.  
Jim Andrus  
*Vacancy*  
Susan Britt, Staff/Secretary

**~ AGENDA ~**

<b>1.</b>	<b>Call to Order</b>	<p>Chairman Denton called the meeting to order at 7:00pm.</p> <p>Members Present: Amy Jo Denton, Mike Tullos, Dirk Tanis Jr., Jim Andrus, Maureen Hurtik, Amy Youngblood, Susan Britt (Staff)</p> <p>Members Absent: None</p>
<b>2.</b>	<b>Approval of Minutes</b> a. March 31, 2022	<p><b><u>ITEM A</u></b></p> <p>Ms. Denton Called for a Motion for Approval of the Minutes</p> <p>Motion by Maureen Hurtik Second by Amy Youngblood</p> <p><b>VOTES: AYES Unanimous</b></p>
<b>3.</b>	<b>Review the Following Statement to be Heard:</b> <i>Case No. 02-22:</i> Request for Variance to allow an encroachment of approximately 1 foot to the side setback for the partially completed pool construction located at 336 Golf View Crest due to a contractor error. a. Presentation of the Staff Findings of Fact	<p><b><u>ITEM A</u></b></p> <p>Ms. Denton briefed the public on the procedures for the public hearing before the Board of Zoning Appeals.</p> <p>Ms. Denton presented the case to the Board and referred to Susan Britt of staff to present the finding of facts to the Board.</p> <p>Ms. Britt reviewed the particulars of the case, reminded the Board of their prescribed duties, and conferred staff opinion of approval of the</p>

		<p>appeal due to the stated hardship. Demonstration of hardship results from the conflict between the foundation survey and the record plat by the mistaken measurement from the contractor which creates a reasonable need for a variance to make the structure a legal nonconformity.</p> <p>She also noted for the record that 10 property owners had been identified within 200' of the subject property and notices were sent by certified mail. Of those, there no responses objecting to the requested variance. Ms. Britt noted that these responses would be entered into the official record.</p>
<p><b>4.</b></p>	<p><b>Administer the Oath and Receive Testimony in the Above Case</b></p>	<p>Ms. Denton inquired if there were any persons present who wished to speak regarding the above case. She then proceeded to administer the oath to all who wished to provide testimony.</p> <p>Ms. Denton then asked if anyone wanted to speak in support of the applicant's appeal.</p> <p>Rich Glazewski (Applicant) proceeded to review the case for the Board, refencing the history of the construction project and the resulting error by the pool contractor.</p> <p>Mark Burger, 225 Forsythia Lane, spoke in support of the variance request.</p> <p>Ms. Denton asked if there was anyone who was in opposition and wished to speak. There were no objectors.</p>
<p><b>5.</b></p>	<p><b>Motion on Appeal, Discussion and Action by the Board</b></p>	<p>There being no further comments, Ms. Denton moved the Board into discussion and then voting on the appeal in accordance with the five-prong hardship test.</p> <p>The Board entered discussion on the item asking questions of staff and the applicant. Upon completion of this discussion the Board proceeded to vote.</p> <p><b><u>Question 1</u></b></p>

There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.

**Votes: AYES 5 NAYES 1. The Item Passes**

**QUESTION 2**

Such conditions are peculiar to this particular piece of property involved and do not generally apply to other property in the vicinity.

**Votes: AYES Unanimous. The Item Passes.**

**QUESTION 3**

Such conditions do not result from the applicant's actions.

**Votes: AYES Unanimous. The Item Passes.**

**QUESTION 4**

Because of these conditions, the application of this ordinance to this particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

**Votes: AYES Unanimous. The Item Passes.**

**QUESTION 5**

The authorization of a variance would not cause substantial detriment to the adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance.

**Votes: AYES Unanimous. The Item Passes.**

**MOTION TO APPROVE BY JIM**

**ANDRUS due to the five prongs of the hardship criteria passing with a two-thirds majority**

SECOND BY: DIRK TANIS

		<i>The variance is APPROVED.</i>
6.	<b>Election of Officers</b>	<p>Ms. Denton called for nominations for new officers.</p> <p><b><u>CHAIRPERSON</u></b>  Motion to Nominate Amy Jo Denton by Mike Tullos  Seconded by Jim Andrus</p> <p>VOTES: AYES Unanimous</p> <p><b><u>VICE-CHAIR</u></b>  Motion to nominate Amy Youngblood by Mike Tullos  Seconded by Amy Jo Denton</p> <p>VOTES: AYES Unanimous</p> <p><b><u>SECRETARY</u></b>  Motion to Nominate Susan Britt by Jim Andrus  Seconded by Maureen Hurtik</p> <p>VOTES: AYES Unanimous</p>
7.	<b>Adjournment</b>	<p>There being no further business, Ms. Denton called for a motion to adjourn.</p> <p>Motion by Mike Tullos  Second by Jim Andrus</p> <p><b>Votes; AYES Unanimous.</b></p>

  
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Chairman

Attest:   
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Secretary