

TOWN OF YEMASSEE ZONING BOARD OF APPEALS AGENDA

Wednesday, June 28, 2023 - 6:30PM

Yemassee Municipal Complex, 101 Town Cir, Yemassee SC 29945-3363

Mr. Tyshawn Shaw, Zone A	Mr. Robert Jackson, Zone B
Ms. Janice Foster, Zone C Ms. Garey Gibbs, At-Large	Mr. Stephen Henson, Zone D Ms. Caroline Koger, Staff Liaison

- I. Call to Order
- II. Roll Call
- III. Determination of Quorum
- IV. Adoption of the Agenda
 - Consent of the Agenda for the Wednesday, June 21, 2023, Zoning Board of Appeals Meeting
- V. Old Business
 - a. Approval of the March 15, 2023, Zoning Board of Appeals meeting minutes.
- VI. New Business
 - a. Appointment of Board Chairman
 - b. Review of Application for Variance for 35 Connely Street. VARI-05-23-1047

VII. Public Comment

a. Public Comment must be submitted to the Committee secretary at least five minutes prior to the start of the meeting. Public Comment shall be limited to Agenda items. Address all Committee Members and Staff with respect and state your name and address for the record prior to addressing the Committee.

VIII. Adjournment

Town of Yemassee Zoning Board of Appeals Minutes March 15, 2023 / 6:00PM Yemassee Municipal Complex, 101 Town Cir, Yemassee, SC 29945-3363

<u>Present:</u> Mr. Tyshawn Shaw, Mr. Robert Jackson, Mr. Stephen Henson

Staff Present: Ms. Caroline Koger

Absent: Ms. Janice Foster, Ms. Stefania McDaniel

Media Present:

Call to Order:

The Town of Yemassee Zoning Board of Appeals was called to order at 6:15 PM.

Roll Call:

In attendance were Mr. Tyshawn Shaw, Mr. Robert Jackson and Mr. Stephen Henson. Absent were Ms. Janice Foster and Ms. Stefania McDaniel.

Determination of Quorum:

Ouorum satisfied.

Old Business:

None.

New Business:

- a. Staff and member introductions.
- b. Appointment of Board Chairman. After discussion it was decided to wait on voting for the Chairman position. Two members are absent, and the other members wanted to make sure the entire committee was in attendance to determine the Chairman.
- c. Discussion regarding monthly meeting schedule. After discussion it was decided future meetings will be held on the 3rd Wednesday of each month at 6:30 p.m. Ms. Stefania McDaniel had indicated she would not be able to attend meetings after 3:00 p.m. She will be contacted and informed of the decided schedule. If she is not able to attend, we will ask for her resignation and ask for the board to appoint another at-large representative.

<u>Adjournment</u> - Mr. Tyshawn Shaw made the motion to adjourn. Second by Mr. Robert Jackson. All in favor, motion passed.

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Colin J Moore
Mayor
Peggy Bing-O'Banner
Mayor Pro Tempore
Matthew Garnes

Town Administrator



Council Members
Alfred Washington
Stacy Pinckney
David Paul Murray

Zoning Verification

May 30, 2023

Caroline Koger Staff Liaison to Zoning Board of Appeals 101 Town Cir Yemassee, SC 29945-3363

Ref: Zoning Verification Letter

Tax Map Number(s): 204-02-05-002

Address(es): 35 Connelly St Jurisdiction: Town of Yemassee

Zoning Designation: Residential 1/2 Acre

Dear Ms. Koger,

This is to certify that the referenced property located at 35 Connelly Street, Yemassee, and bearing Hampton County Tax Map Number: 204-02-05-002, is within the Town of Yemassee with a zoning classification of Residential ½ Acre. Additionally, at the time of certification, this property or portions of this property fall within the Town of Yemassee Highway Corridor Overlay District and is subject to the provisions outlined in Section 5.17 of the Town of Yemassee Zoning Ordinance.

Should you have any additional questions, please contact me.

Respectfully Submitted,

Matthew E. Garnes Town Administrator

Town of Yemassee

Approved by: ______ File: <u>VAR1-05-23-1047</u>

Date: _____ Date Received: <u>\$\sqrt{30/23}\$</u>



APPLICATION for VARIANCE

Town of Yemassee

Applicant:	Property Owner:					
Name: Christopher Lyons	Name: Burbage + Eileen Lyons					
Telephone: (843) 908-0732 Fax:	Telephone (843) 589-3681 Fax:					
Mailing Address: 33 Braddy St.	Mailing Address: Po Box 158					
Yemassee, SC 29945	Yemassee, SC 29945					
Signature: Chri 4	Signature: L. B. Tywn					
Description of Property under consideration: Street Address: 35 Connely S+ Zoning Ordinance: County Tax Map No.: 204-02-05-002	Single Family Residential Regional Commercial 1 Acre 1/2 Acre Office Commercial 1/3 Acre 1/4 Acre Transitional General Residential Mixed Use Village Commercial Agriculture Light Industrial Hwy Corridor Overlay Conservation Preservation General Residential Townhouse Planned Unit Development					
	Historic Preservation Overlay					

Please submit the following to complete your application.

- A signed statement demonstrating how your request meets the following criteria for granting a variance.
 - a. What special conditions and circumstances exist which are peculiar to your land, structure or buildings, which are not applicable to other lands, structures, or buildings in the same district?
 - b. How does the literal interpretation of the provisions of the Town of Yemassee Zoning Ordinance deprive the applicant of rights commonly enjoyed by other properties in the same district?
 - c. Do the special conditions and circumstances result from the actions of the applicant?
 - d. If the variance is granted, will it confer on the applicant any special privilege, which is denied by the Town of Yemassee Zoning Ordinance to owner of the lands, structure, or buildings in the same district?
- A scaled drawing of the property which shows: (a) property lines and existing buildings and other
 site improvements (b) the extent of the proposed variance(s) on the property, (c) the nearest building
 on adjacent lots, and (d) any topographic or other features which may cause a hardship.

VARI-05-23-1047

Christopher B Lyons 33 Braddy ST. Yemassee, SC. 29945 (843)908-0732

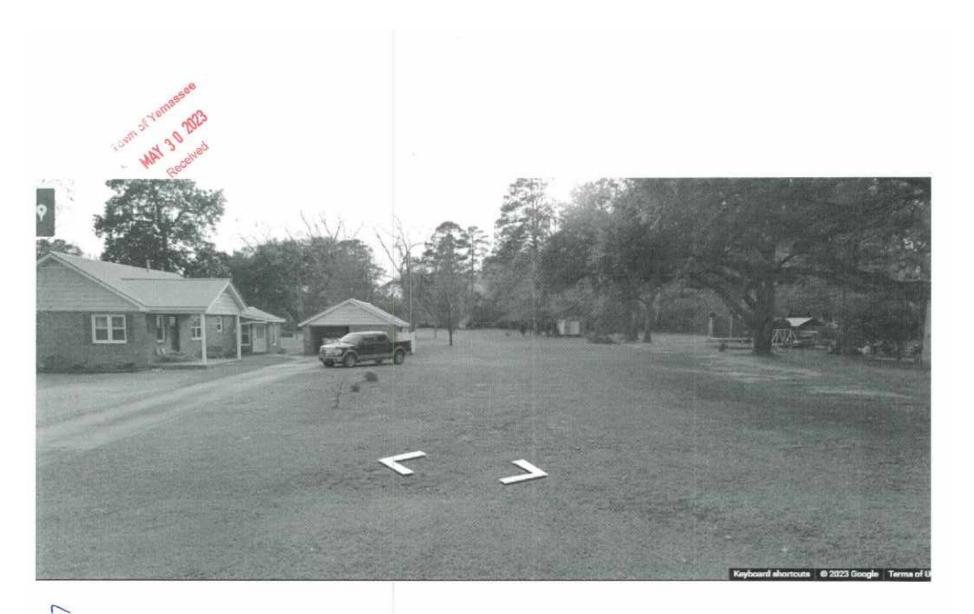


To whom it may concern,

I am asking for a variance on the property of 35 Connely ST. The property is owned by my parents Burbage and Eileen Lyons. I currently live at 33 Braddy st. which is owned by my cousin Michael Lyons. He is currently in the stages of listing the property for sale. At this time I am unable to afford the purchase of this land and will have to vacate my mobile home. The ideal spot would be at the back of my parents property, which has water and sewer hook ups that were provided by the town of Yemassee for my grandmother several years ago before the new zoning laws.

I am a single father raising two children and have no other means for a suitable spot to relocate. The mobile home would be set back off of Connely ST. 100 to 150 yards and will have a lay out to blend in with the surrounding area. In closing, I am respectfully asking for this variance to place the mobile home on my parents property, to allow a life long resident of Yemassee to remain close to his family. Thank you for your consideration.

With regards, Christopher Lyons



MP1-05-23-1047

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5/31/2023, 8:34 AM

5 of 30

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Town of Yemassee Attn: Administration Department Yemassee Municipal Complex 101 Town Cir Yemassee, SC 29945-3363 P: (843) 589-2565 Ext. 3 www.townofyemassee.org

Invoice

Date	Invoice #			
05/30/2023	2023YEM4428			

Bill To

Christopher T. Lyons 33 Braddy St Yemassee, SC 29945-7008 United States of America

PAID 5-30-23 CK 178

Description		Amount
VARI-05-23-1047 / 35 CONNELLY ST / TMS; 204-02-05-002 VARIANCE APPLICATION		\$250.00
Please make checks payable to: Town of Yemassee		
	Total	\$250.00

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qPublic.net - Hampton County, SC - Report: 204-02-05-002.

Summary

Parcel Number 204-02-05-002. Tax District County (District N) Location Address 35 CONNELLY

Town Code

Class Code (NOTE: Not Zoning info) 100-Single Family Res. Owner Occupied

Acres

Description Record Type Residential Town Code / Neighborhood Owner Occupied

Note: Acres will not display correctly if any or all of the parcel is classed as exempt. (Exempt acreage will not calculate in total acreage.)

Owners

LYONS LEUR & MARIE EILEEN

PO BOX 158 YEMASSEE SC 29945

2022 Value Information

Land Market Value \$21,100 Improvement Market Value \$94,400 Total Market Value \$115,500 Taxable Value Total Assessment Market

Note: Values will not display correctly if any or all of the parcel is classed as exempt. (Exempt building values will not display nor calculate in totals.)

Building Information

Heated Square Footage 1711

Sales Information

Sale Date	Price	Deed Book	Plat Book	Grantor
12/2/2013	\$10	402 200		LYONS LOUIE BURBAGE JR
12/8/1969	Not Available	58 384	Not Available	Not Available

No data available for the following modules: Lot Size Information (Dimensions in Feet).

Hampton County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

User Privacy Policy GDPR Privacy Notice

Last Data Upload: 5/29/2023 9:03:08 PM

Version 3,1,11

Developed by

Schneider

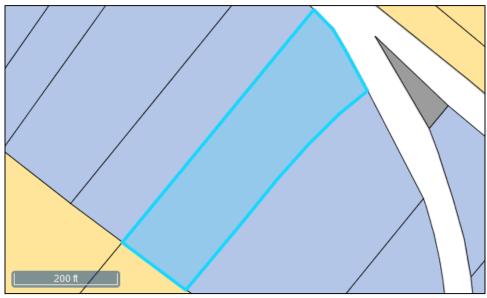
https://qpublic.schneidercorp.com/Application.aspx?AppID=902&L...

1 of 1 5/30/2023, 11:59 AM

Town of Yemassee

Property Zoning Report - Hampton

30 May 2023



Parcels Hampton

TMS: 204-02-05-002.

Owner City State ZIP Code: YEMASSEE SC 29945

Owner: LYONS L B JR & MARIE EILEEN SURVIVORSHIP TITLE

Owner Street Address: PO BOX 158 YEMASSEE SC

Parcel Street Address: 35 CONNELLY

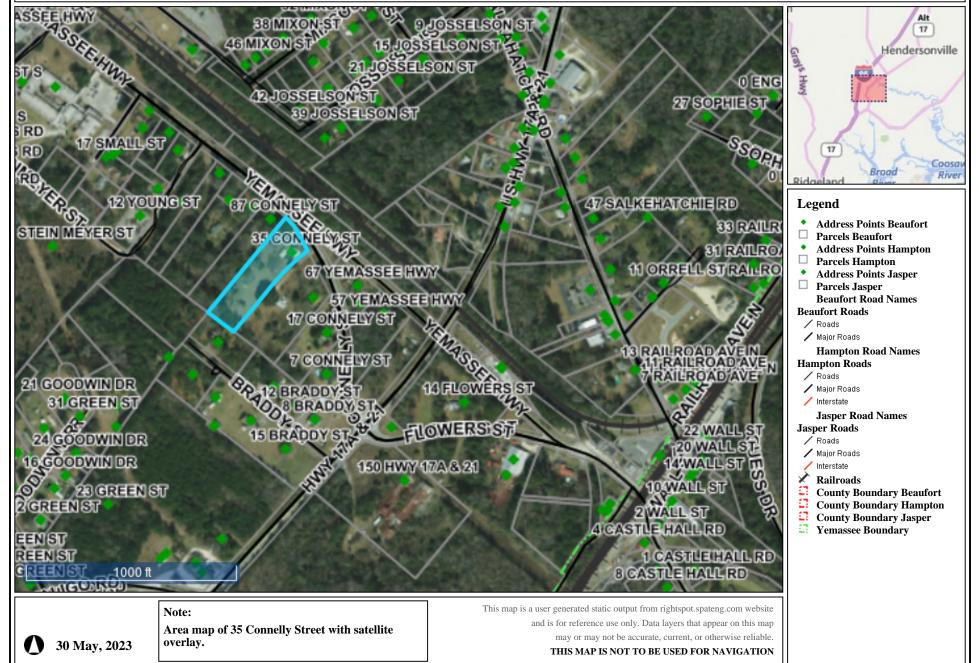
Zoning

Count Zoning Description1 Residential 1/2 Acre

Overlapping Quantities 88,237.23sf (2.03acres)

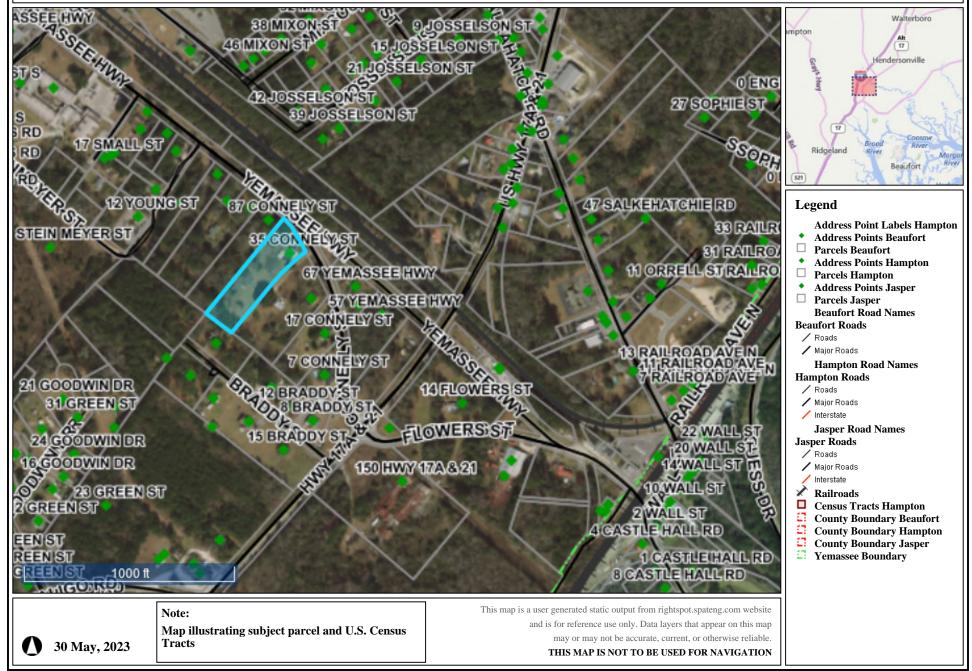








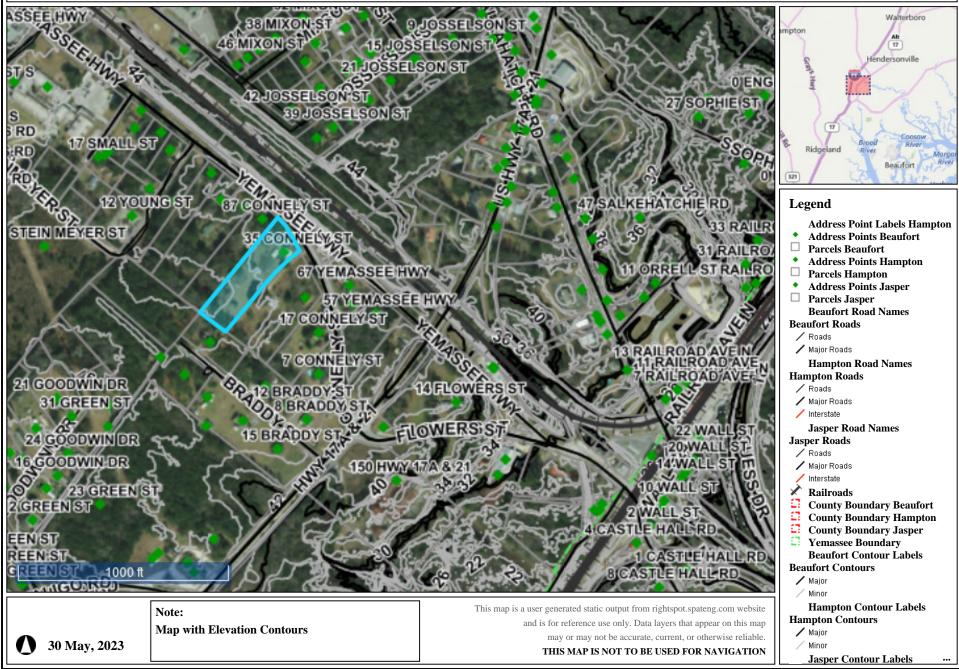






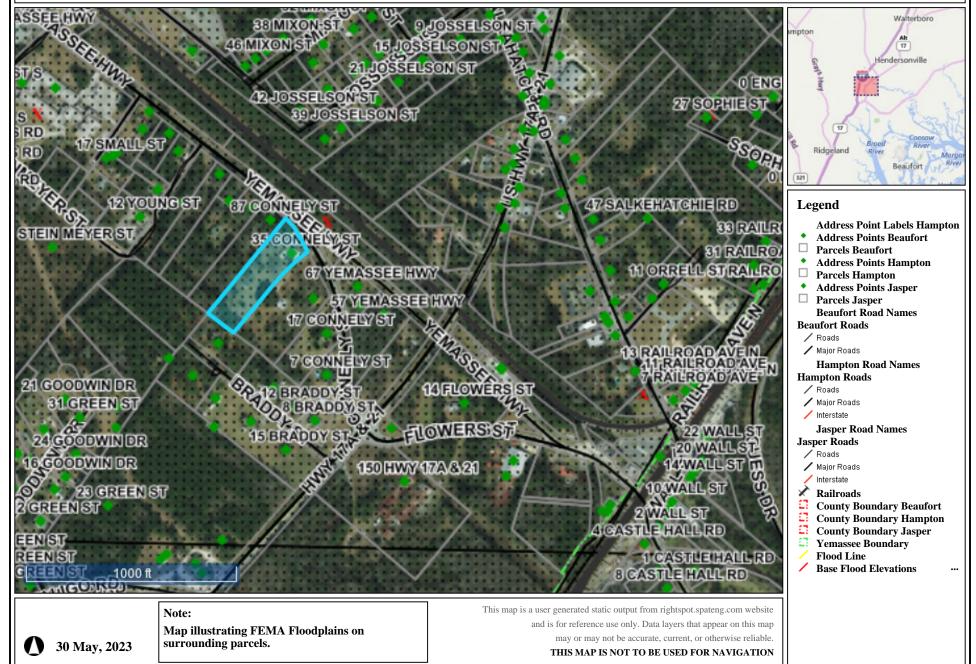
Town of Yemassee





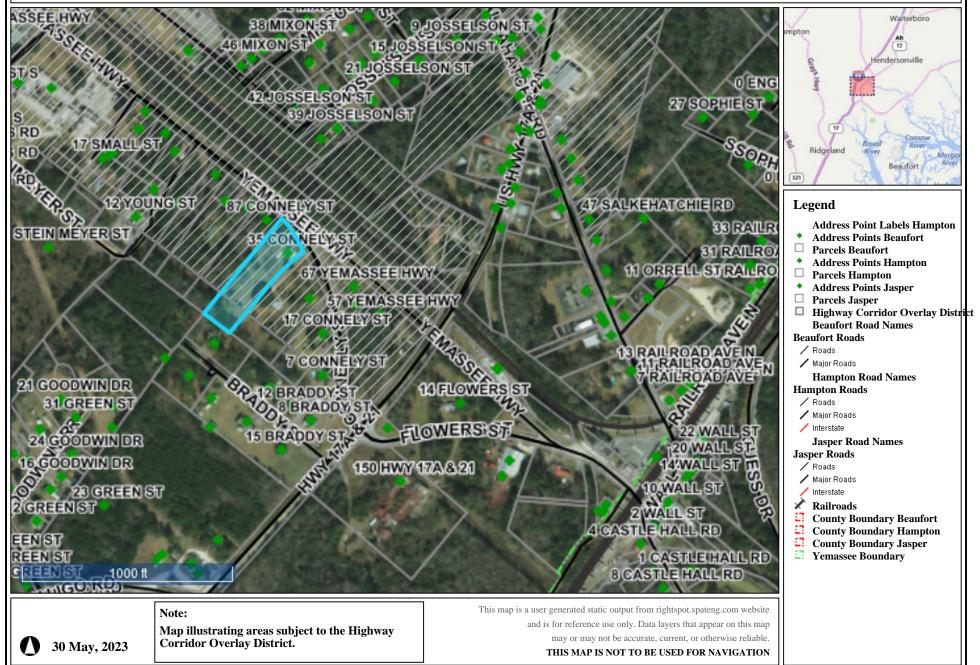






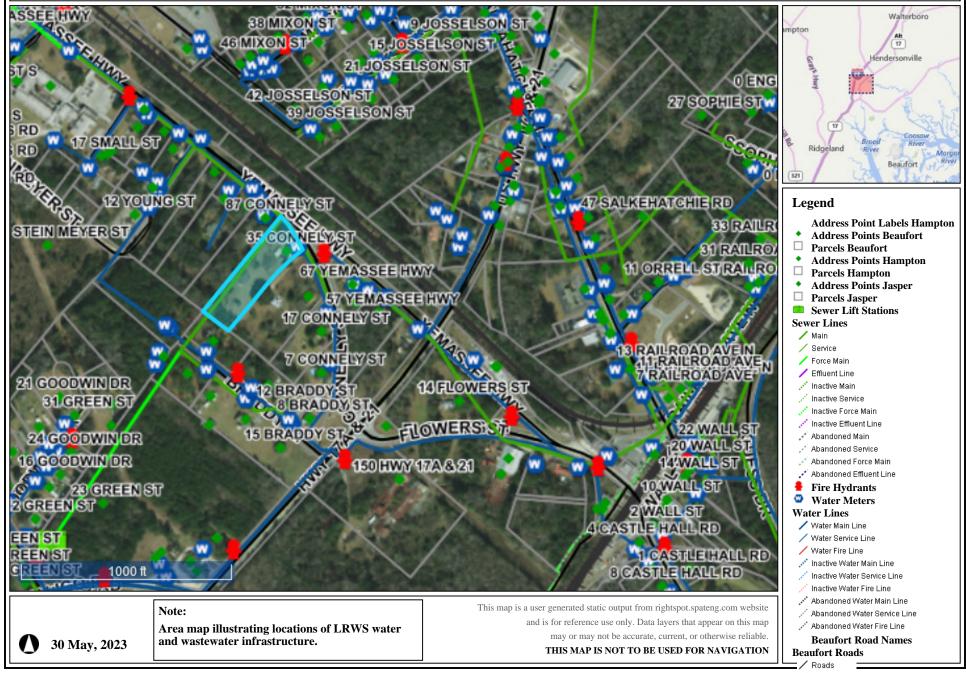










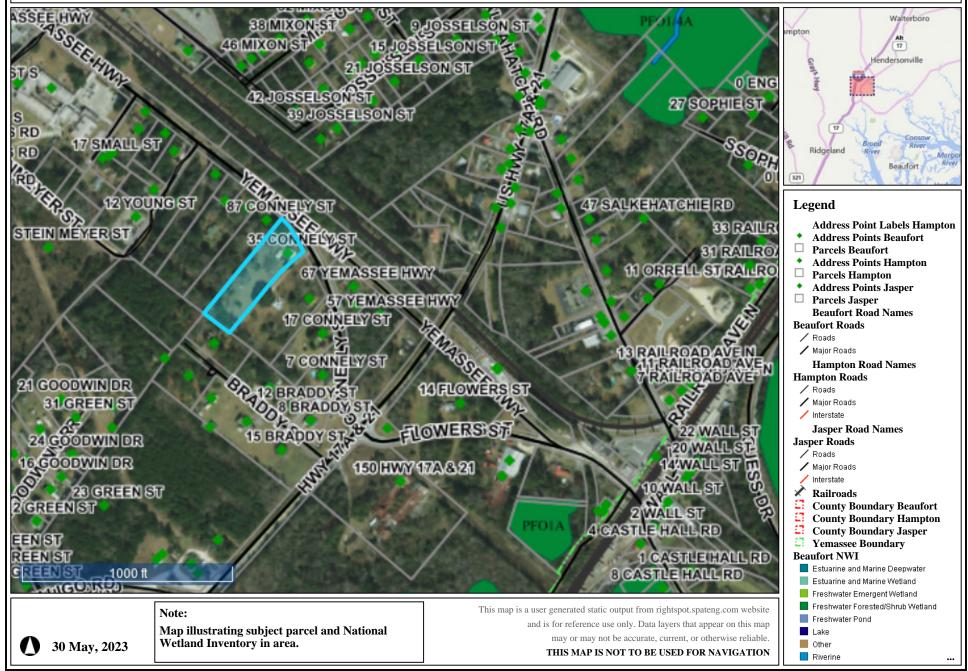


/ Major Roads

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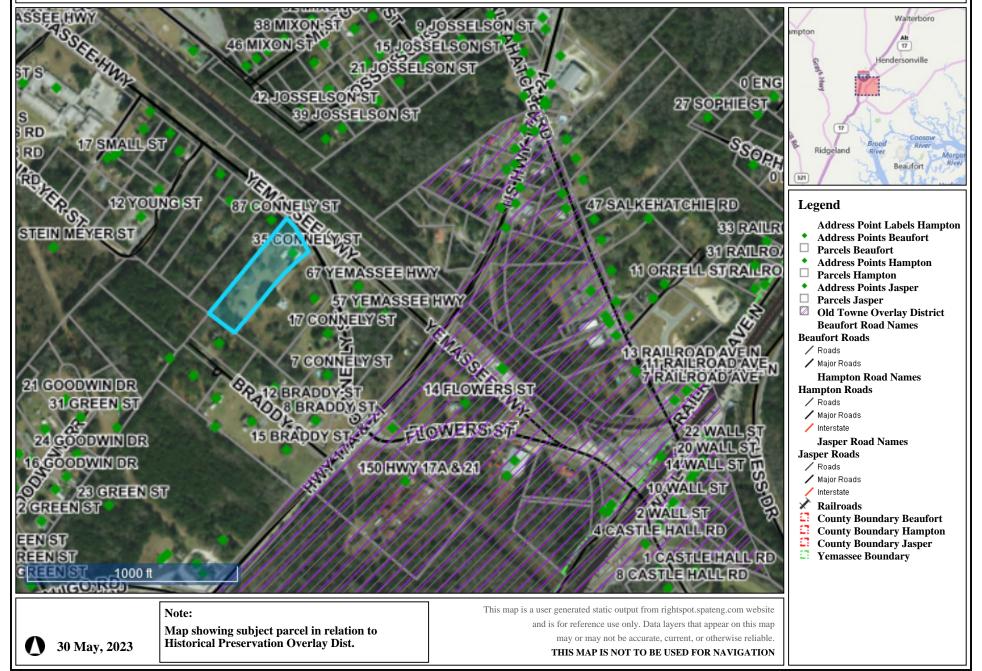






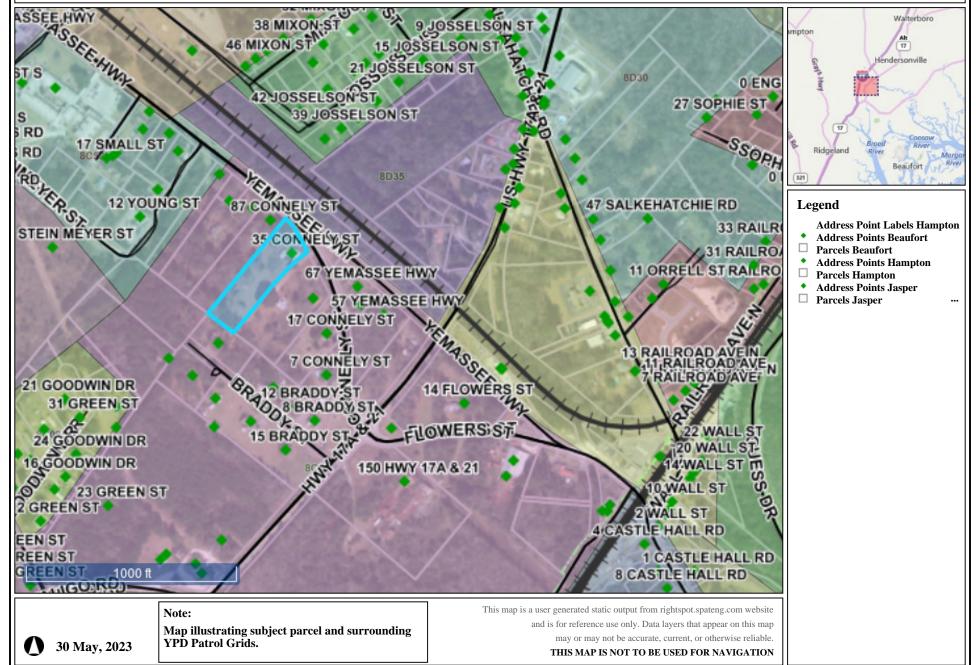






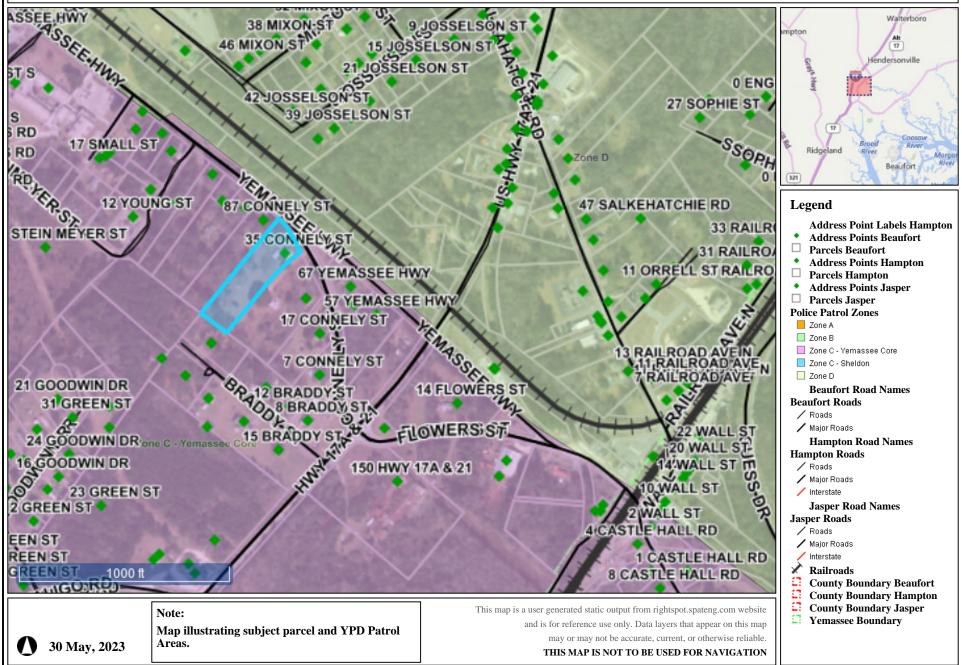






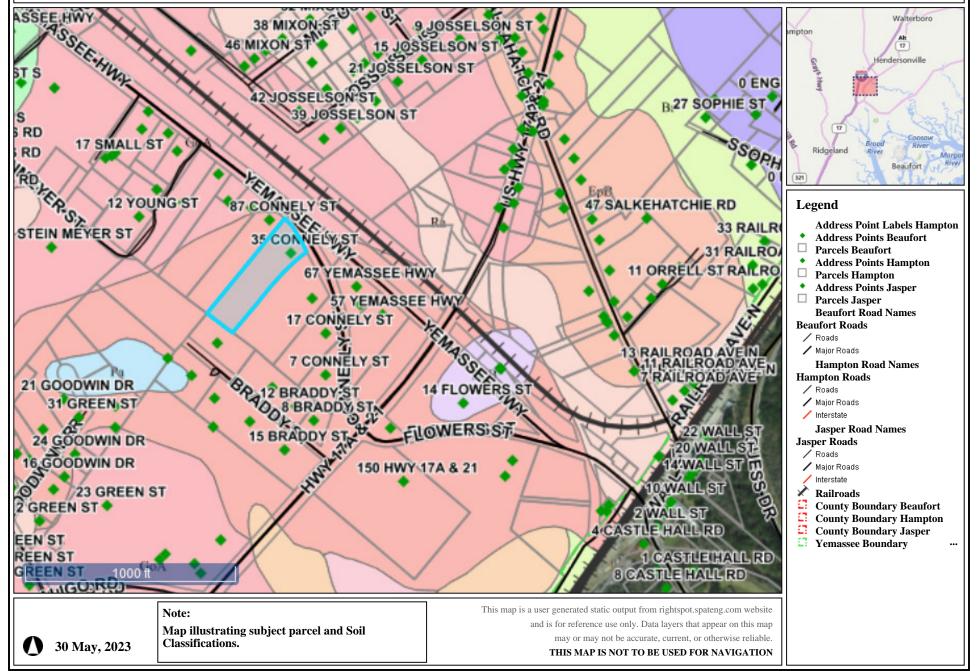






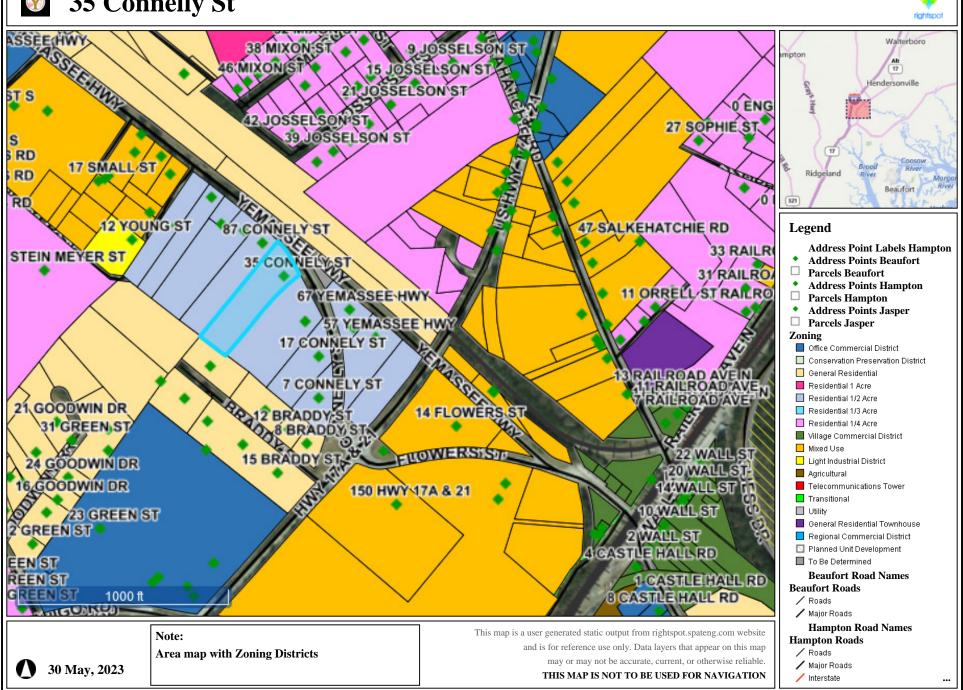




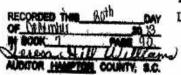








ASSESSOR'S OFFICE TN_2015-10977 4 0978 DATE_1430-13 CLERK_YCB



201300002011
Filed for Record in
HAMPTON COUNTY SC
MYLINDA NETTLES, COUNTY CLERK
12-19-2013 At 10:15 am.
0-DEED 10.00
Book 402 Page 200 - 203

Instrument 201300002011 800k Pase 402 200

STATE OF SOUTH CAROLINA)
COUNTY OF HAMPTON)

DEED

KNOW ALL MEN BY THESE PRESENTS, THAT I, L.B. LYONS JR. AKA
LOUIE BURBAGE LYONS JR., (hereinafter the "Grantor"), in the State
aforesaid, for and in consideration of the sum of TEN 4NO/100
(\$10.00) DOLLARS to me in hand paid at and before the sealing of
L. B. LYONS JR. And MARIE EILEEN LYONS, P.O. Box 158, Yemassee, SC
29945, the receipt whereof is hereby acknowledged, have granted,
bargained, sold and released, and by these Presents do grant,
bargain, sell and release unto the said L. B. LYONS JR. And MARIE
EILEEN LYONS, as joint tenants with rights of survivorship and not
as tenants in common, their heirs and assigns forever, the
following described property, to-wit:

All that certain piece, parcel or tract of land situate, lying and being in the Town of Yemassee, County of Hampton, and State of South Carolina, containing two and three tenths (2.3) acres, more or less, and bounded as follows, to-wit: on the North by the right of way of S. C. Highway #68; on the East by lands of M.V. Connelly; on the South by lands of Gregorie; and on the West by lands of B. F. Youmans, Jr.

See plat recorded in Clerk of Court office in Hampton County, South Carolina in Plat Book 10 at Page 890

This being the same property conveyed to the Grantor by Deed of Evelyn Y. Lyons, recorded in the office of the Clerk of Court for Hampton County, South Carolina in Deed Book 58 at page 384.

Tax map No. 204-02-05-002

201300002011 EXEMPT MYLINDA NETTLES COUNTY CLERK HAMPTON COUNTY SC 12-19-2013 10:15 am. REC FEE: 10.00

201300002011 ANGELA D GOODING

Instrument 201300002011

Book Page 402 201

ALSO

All that certain piece, parcel or lot fo land, together with improvements thereon, situate, lying and being located in Yemassee, Hampton County, South Carolina, containing 1.663 acres, more or less, shown a plat made by David S. Youmans, RLS #9765, dated November 3, 2000 and recorded in the office in the office of the Clerk of Court for Hampton County in Plat Book 22 at Page 40. According to said plat, said property is generally bounded as follows: On the NORTHEAST by properties, now or formerly, of Orrell and of Heape; on the SOUTHEAST by properties, now or formerly, of Heape, Crosby, Powell and Grayson; on the SOUTHWEST by Old Salkehatchie Road; and on the NORTHWEST by property, now or formerly, of Taylor.

This being the same property conveyed to the Grantor by Deed of Distribution from the Estate of Evelyn Youmans Lyons (Hampton County Probate File No. 2001-ES-25-19) recorded in the office of the Clerk of Court for Hampton County in Deed Book 263 at Page 181.

Tax Map No.: 204-02-09-016

This Deed was prepared in the Law Offices of Angela Daniels Gooding, P. A., Post Office Box 387, Hampton, South Carolina 29924, without benefit of a title examination with information provided by Grantee.

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said L. B. LYONS JR. And MARIE EILEEN LYONS, as joint tenants with rights of survivorship and not as tenants in common, their heirs and assigns forever.

Instrument 201300002011 Book Pase 402 202

AND Grantor does hereby bind Grantor and Grantor's heirs, assigns, executors and administrators, to warrant and forever defend, all and singular, the said Premises unto the said L. B. LYONS JR. And MARIE EILEEN LYONS OWENS, their heirs and assigns, against Grantor and Grantor's heirs, and all persons whomsoever lawfully claiming or to claim the same, or any part thereof.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed this 22 day of beworth, 2013.

WITNESSES:

Witness #1

L.B. LYONS, JR., AKA
LOUIE BURBAGE LYONS JR.

Notary Public

Instrument 201300002011 Book Page 402 203

STATE OF SOUTH CAROLINA

COUNTY OF HAMPTON

ACKNOWLEDGMENT

I HEREBY CERTIFY, that on this 2 day of betober 2013, before me, the undersigned Notary Public of the State and County aforesaid, personally appeared L.B. Lyons Jr. AKA Louie Burbage Lyons Jr., known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Deed, who acknowledged the due execution of the foregoing Deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above mentioned.

THE CAR

COMMISSION Expires: 7/31/18

HAMPTON COUNTY TREASURER

HAMPTON COUNTY, S.C.

Receipt Numb 009540-22-3	oer		,	PROPERTY ASSESSMENT	TAX LEVY	PROPERTY TAX	LOST	LESS EXEMPTION	NET TAX
HAMPTON CO	UNTY			4620	528.35	2440.98	123.34	589.30	1728.34
CITY OF				4620	74.00	341.88	70.41	148.00	123.47
DISTRICT	NO. ACRES	NO. LOTS	NO. BLDGS	FIEAL ASSESSMENT	PERSONAL ASSESSMENT	r	schoo	L TAX CREDIT	- 1079.69
NF	0	1	2	4620	PROPERTY CONTRACTOR	M. Alanha	TOTAL	PAID	772.12

COUNTY TAX	FIRE PROTECTION	FIRE BONDS	FIRE CAPITAL RESERVE	SCHOOL TAX	SCHOOL BONDS
446.51	54.76	2.62	2.75	1079.69	

NAME AND ADDRESS OF PROPERTY OWNER(S)

LYONS L B JR & MARIE EILEEN SURVIVORSHIP TITLE PO BOX 158

PROPERTY LOCATION / DESCRIPTION

MAP#204-02-05-002.

HAMPTON COUNTY TREASURER PO BOX 67 HAMPTON, SC 29924-0087



Payment Date:

Scan this code with your mobile phone to view this bill!

12/15/2022

25 of 30

HAMPTON COUNTY TREASURER

HAMPTON COUNTY, S.C.

Receipt Numb 009470-21-3	er			PROPERTY ASSESSMENT	TAX LEVY	PROPERTY TAX	LOST	LESS EXEMPTION	NET TAX
HAMPTON CO	UNTY			4620	505.29	2334.44	125.04	568.58	1640.82
CITY OF				4620	71.00	328.02	70.41	142.00	115.61
DISTRICT	NO. ACRES	NO. LOTS	NO. BLDGS	REAL ASSESSMENT	PERSONAL ASSESSMEN		SCHOO	L TAX CREDIT	- 1021.02
NF	0	1	2	4620	Manager William St. and Control William Science	dec a	TOTAL	PAID	735.41

COUNTY TAX	PROTECTION	FIRE BONDS	FIRE CAPITAL RESERVE	SCHOOL TAX	SCHOOL BONDS
420.16	52.40	2.62	2.62	1021.02	

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PROPERTY LOCATION / DESCRIPTION

MAP#204-02-05-002.

HAMPTON COUNTY TREASURER PO BOX 67 HAMPTON, SC 28924-0087



Payment Date:

Scan this code with your mobile phone to visw this bill!

1/8/2022

HAMPTON COUNTY TREASURER

HAMPTON COUNTY, S.C.

Receipt Numb 009490-20-3	oer			PROPERTY ASSESSMENT	TAX LEVY	PROPERTY TAX	LOST	LESS EXEMPTION	NET TAX
HAMPTON CO	YTNU	·		4530	460.80	2087.42	74.00	525.60	1487.82
CITY OF				4530	71.00	321.63	68.05	142.00	111.58
DISTRICT	NO. ACRES	NO. LOTS	NO. BLDGS	REAL ASSESSMENT	PERSONAL ASSESSMEN		всноо	L TAX CREDIT	- 896.94
NF	0	1	2	4530	and a history of several brokening		TOTAL	PAID	702.46

COUNTY TAX	FIRE PROTECTION	FIRE BONDS	FIRE CAPITAL RESERVE	SCHOOLTAX	SCHOOL BONDS
423.90	50.60	12.65	2.53	896.94	15-74

NAME AND ADDRESS OF PROPERTY OWNER(S)

LYONS L B JR & MARIE EILEEN SURVIVORSHIP TITLE PO BOX 158

PROPERTY LOCATION / DESCRIPTION

MAP#204-02-05-002.

HAMPTON COUNTY TREASURER PO BOX 87 HAMPTON, SC 29924-0087



Payment Date:

Scan this code with your mobile phone to view this bill!

12/11/2020

Section 5.2 Single-Family Residential 1/2 Acre [SF]

The Single-Family Residential District ½ acre is designed to provide for, homogeneous residential purposes. The intent of the District is to provide areas primarily for single-family detached dwellings, and to discourage any encroachment by uses which may be incompatible with such residential use.

5.2.1 Standards for the SF District

Maximum density: Two (2) dwelling units per acre.

- A. Minimum lot size: 21,780 square feet per dwelling unit.
- B. Maximum building height: Thirty Five (35') feet or three (3) stories, whichever is less; excluding church spires, belfries, cupolas, monuments, chimneys, flag poles.
- C. Minimum front yard setback: Thirty (30) feet from the street right-of-way line.
- D. Minimum side yard setbacks: Twenty Five (25) feet from lot lines.
- E. Minimum rear yard set back: Thirty (30) feet from rear property line.

5.2.2 Permitted Uses for the SF District

- A. Single-family detached dwelling.
- B. Civic provided that:
 - 1. The proposed use would not appreciably increase or detrimentally alter traffic patterns in the area;
 - 2. The use provides for adequate access and off-street parking arrangements in accordance with the *Development Standards Ordinance* and any other regulations relating to parking; and
 - 3. The use meets the following site, building, and setback requirements:

- a. Development of the site shall not exceed the surface coverage ratio of sixty-five (65) percent impervious to thirty-five (35) percent pervious. No more than sixty-five (65) percent of the lot area may be used for structures, parking, or otherwise be paved; minimum of thirty-five (35) percent of the lot area must be landscaped or otherwise maintained in landscaped natural vegetation;
- b. Maximum building height: Thirty-five (35) feet; and
- c. Minimum rear and side yard setbacks: Fifty (50) feet from lot line, except where the use abuts a residential District or residential use not separated by a right-of-way, a landscaped buffer at least ten (10) feet in width and including a visually solid screening device at least six (6) feet in height which extends across the length of the property is required.

C. Home occupation, provided:

- 1. There is no exterior evidence of the home occupation, with the exception of the provision of up to one (1) parking space for clients;
- 2. This parking space is sufficient to handle any home occupation-related parking needs;
- 3. There are no full-time associates or employees who are not members of the household;
- 4. No signs associated with the home occupation are displayed; and
- 5. The home occupation does not constitute a nuisance.

Section 5.3 Single-Family Residential 1/3 Acre [SF]

The Single-Family Residential District 1/3 Acre is designed to provide for, homogeneous residential purposes. The intent of the District is to provide areas primarily for single-family detached dwellings, and to discourage any encroachment by uses which may be incompatible with such residential use.

Town of Yemassee Zoning Ordinance, Revised 5/9/2023



Section 5.2 Single-Family Residential 1/2 Acre [SF]

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Town of Yemassee Zoning Ordinance, Revised 5/9/2023

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