



MEMBERS OF LANCASTER COUNTY BOARD OF ZONING APPEALS

BEVERLY WILLIAMS, DISTRICT 1
KEMESHA LOWERY, DISTRICT 2
KEYE JONES, DISTRICT 3
GARY WAYNE ALDEN, DISTRICT 4
SHERESA INGRAM, DISTRICT 5
MIKE COUCH, DISTRICT 6
FRANCES LIU, DISTRICT 7

**MINUTES OF THE LANCASTER COUNTY BOARD OF ZONING APPEALS
REGULAR MEETING**

June 6, 2023 at 6:00 PM

1. Roll Call

Board Members present: Quorum is present (5 Board Members)
Frances Liu Keye Jones Kemesha Lowery
Sheresa Ingram Gary Alden

Absent: Mike Couch; Beverly Williams

Staff: Allison Hardin, Interim Planning Director
Jennifer Bryan, Administrative Assistant acted as Clerk and Recording Secretary

Others Present:
County Attorney G. Merck-DuPont Council Member Billy Mosteller

Members of the press were not present. All adjacent property owners were notified by mail. A notice was published in the local newspaper to include meeting place, date, time and the agenda and a copy is on file.

Chair Liu called for a motion to enter Executive Session to receive legal advice subject to attorney-client privilege relative to the Board of Zoning Appeals Rules of Procedure. So moved by Sheresa Ingram, seconded by Gary Alden. The motion was approved by unanimous consent. Board members removed to the Administration Conference Room for Executive Session.

Board members returned to Council Chambers at 6:45 pm. Chair Frances Liu called for a motion to adjourn Executive Session. So moved by Gary Alden; seconded by Kemesha Lowery. The motion was approved by unanimous consent.

Counsel Merck Dupont noted for the record that the Board received legal advice; no votes were taken and no items required a vote.

2. Call to Order

Chair Liu called the public meeting to order at 6:47 p.m.

3. Approval of Agenda

Sheresa Ingram moved to Approve the Agenda; 2nd by Gary Alden. The motion was approved by unanimous consent.

4. Approval of Minutes from May 2, 2023

Chair Frances Liu asked if there were any comments, changes or corrections to the Minutes of the May 2, 2023 meeting. Gary Alden noted the scrivener's error on date of previously approved minutes as November, 2022 not 2023. Kemesha Lowery moved to approve minutes as corrected, seconded by Gary Alden. The Board members voted unanimously to approve and adopt the May 2, 2023 meeting Minutes.

5. Public Hearing Items

Staff was sworn in under oath.

a. SE-2023-0595 David Cox/ Spirit 1st Ministries: Campground

Continued from May 2, 2023.

Application by Application by David Cox on behalf of Spirit 1st Ministries (property owner Adam Thomas), requesting a Special Exception pursuant to Unified Development Ordinance Section 2.5.3 and 5.5.3, to allow a Campground on a parcel of approximately 24 acres out of parent tract of 354 acres at 2878 Kendelwood Drive (TM # 0042-00-077.00) in the Rural Residential District.

Chair Liu asked for a motion regarding re-opening the Public Hearing on the above item. Motion to Re-open Public Hearing by Gary Alden; seconded by Sheresa Ingram. The motion was approved by unanimous consent.

The Applicants were recalled to the podium.

Applicant:

David Cox, Great Falls (builder)

Adam Thomas Lancaster (landowner): Thanks to Board for granting continuance. Thomas has a home located on the property. He has discussed plan with neighbors and they have been supportive. This will not be a public, KOA type campground; it will be a private campground with a specific target of youth groups. The campground will comprise only 24 acres out of 354. They are a non-profit, and do not intend to have year-round full-time activities. They are happy to work with staff to address any technical issues with the site plan.

Public Hearing:

See also email comments attached.

1. **Nancy Marcello** (Michael Drive): She has checked the website and there are drone photos showing a dock on Campbell Lake. This seems premature given that the use has not been approved. The site describes 350 wooded acres, not 24, and shows Campbell Lake being used for the camp, which raises concerns about neighborhood access.
Correction by Staff: Mr. Cox is a developer and builder, not the attorney for the applicant.
2. **Angela Campbell** (Lancaster, SC): The plan and description have changed several times during the course of the hearings. She is concerned that the plan is not fully developed and will keep changing and will destroy the quiet atmosphere of the neighborhood.
3. **Cole Capps** (Decole Drive) She has many concerns since the last meeting. Kendlewood Drive is in bad shape and cannot sustain the additional traffic; buses will not be able to navigate the second entrance. Maintenance responsibility for the road is a chief concern, as is the prospect of septic systems in clay soil. She is very concerned about the information on the camp's website, it indicates programs and plans that are not approved. She is very worried about the effect of this proposed project on the neighborhood.
4. **Frances Taylor** (Flat Creek Road): If this project fails, will a new owner be able to use the Special Exception designation? If there is a special event, how will that be policed? Will they prevent neighbors from accessing the lake, as they did previously with "No Trespassing" signs? Why would this project be allowed if Haile Gold Mine was turned down?

Chair Frances Liu: This is not a question and answer session, but I will speak to the last question: each project is considered on its own merits, and denial of another project has no bearing in this matter.

Rebuttal by Applicants:

Adam Thomas: He is not a developer; he has a vision for serving a particular need. This will not be a public campground, but only available for groups to reserve. We will do everything required by ordinance, and we will follow all rules for protecting the neighborhood.

Staff presentation: Allison Hardin, Interim Planning Director, presented the Staff Report.

On Particular questions raised:

- The location of the campground portion of the property is clearly designated on the site plan.
- The dock is on a pond close to the campground, not on Campbell Lake. The applicant has indicated that Campbell Lake will not be used by the campground.
- Special Exception approval is for the proposed use, it is not approval of a site plan.
- Some of the activities on the website are prohibited in the zoning district, whether they are on private property or on the campground.
- The septic area is on the campground site and does not abut any neighboring properties or the lake.
- Another owner would have to obtain Special Exception permission separately.

Questions and Discussion:

Sheresa Ingram: The website is concerning, I hope you plan to revise it soon. It is misleading.

Keye Jones: The statement that you were unaware of the process when you submitted the application in January is disingenuous. Regarding comments about future plans, do you plan on expanding beyond what is shown on the site plan?

County Attorney Merck-Dupont: The question is not appropriate to this consideration.

Gary Alden: Asked for clarification about the technical review on roads.

Allison Hardin: the road must have an all-weather surface approved by the Fire Marshall.

Frances Liu: It would appear that the forested area will act as a buffer from the public road.

Gary Alden: How do we assure the neighbors will be protected from the increase in traffic?

Allison Hardin: We don't regulate the use of public roads in that way.

Gary Alden: The neighbors specifically noted their desire for quiet to be maintained.

County Attorney Merck-Dupont: Our consideration must be based on evidence presented.

Keye Jones: The applicant has made reference to using parts of the larger property for activities.

Gary Alden: I'm looking for peace of mind. Is there a commitment to length-of-stay under 30 days, and tracking participants?

Adam Thomas: We will provide staff with a handbook including length-of-stay provisions and other rules.

Keye Jones: It must include the interim required after a stay.

Keye Jones: I want to note that one of the activities, clay pigeon shooting, is not allowed under this zoning district, nor is any other type of shooting range.

Keye Jones: The previous staff report stated that approval was not recommended because the site plan was not approvable.

Allison Hardin: The revised plan submitted still has some issues but is much closer to being "approvable" under technical review.

Vote on Findings of Fact: In addition to determining that the application meets all other requirements of this ordinance (no variances are permitted), the Board of Zoning Appeals must find the following:

- a. That the proposed special exception conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site;

Vote: 4: 1 KL: Yea KJ: Nay GA: Yea SI: Yea FL: Yea

- b. That adequate measures will be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads;

Vote: 5:0 KL: Yea KJ: Yea GA: Yea SI: Yea FL: Yea

- c. That adequate utilities (water, sewer, drainage, electric, etc.) are available for the proposed use;

Vote: 5:0 KL: Yea KJ: Yea GA: Yea SI: Yea FL: Yea

- d. That the proposed use will not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas;

Vote: 3:2 KL: Yea KJ: Nay GA: Nay SI: Yea FL: Yea

- e. That the establishment of the proposed use will not impede the orderly development and improvement of surrounding property for uses permitted within the land development district; and

Vote: 4:1 KL: Yea KJ: Nay GA: Yea SI: Yea FL: Yea

- f. That the establishment, maintenance and/or operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare.

Vote: 5:0 KL: Yea KJ: Yea GA: Yea SI: Yea FL: Yea

- g. That the establishment will be operated in compliance with all local, state and federal laws and will not become a nuisance by creating criminal activity or public disturbance.

Vote: 5:0 KL: Yea KJ: Yea GA: Yea SI: Yea FL: Yea

Motion to Approve the Special Exception request, **with stated staff conditions**, by Sheresa Ingram; second by Kemesha Lowery.

Staff Conditions:

1. That a site plan and matching survey be presented, and if subdivision is necessary, that the survey meet the requirements of Chapter 6 of the UDO;
2. That a utility plan be provided to and approved by the appropriate review bodies;
3. That an operations plan is provided, showing at the minimum:
 - The overall maximum length of stay be 30 days,
 - How the facility will comply with Section 5.3.3.C, and
 - Cleaning schedule for service buildings (addressing Section 5.3.3.D.3); and
4. That a final plan be prepared and submitted to the Planning Department which addresses any outstanding code conflicts and Technical Review Committee comments.

Vote: 5:0. **The motion is approved unanimously.**

6. Adjournment:

With there being no further business, Kemesha Lowery moved to adjourn; motion seconded by Gary Alden. The motion was approved by unanimous consent.



Board of Zoning Appeals Sign In Sheet

Item 5a: SE-2023-0595 David Cox/Spirit 1st Ministries: Campground

Application by David Cox on behalf of Spirit 1st Ministries (property owner Adam Thomas), requesting a Special Exception pursuant to Unified Development Ordinance Section 2.5.3 and 5.5.3, to allow a Campground on a parcel of approximately 354 acres at 2878 Kendelwood Drive (TM # 0042-00-077.00) in the Rural Residential District.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, June 6, 2023

Citizens are allowed 3 minutes per person to speak. Everyone speaking before the Board will be required to do so in a civil manner. The Board will not tolerate personal attacks on individual Board Members, County Staff or any person or group. Racial slurs will not be permitted. The Board's number one priority is to conduct business for the citizens of this county.

PLEASE PRINT

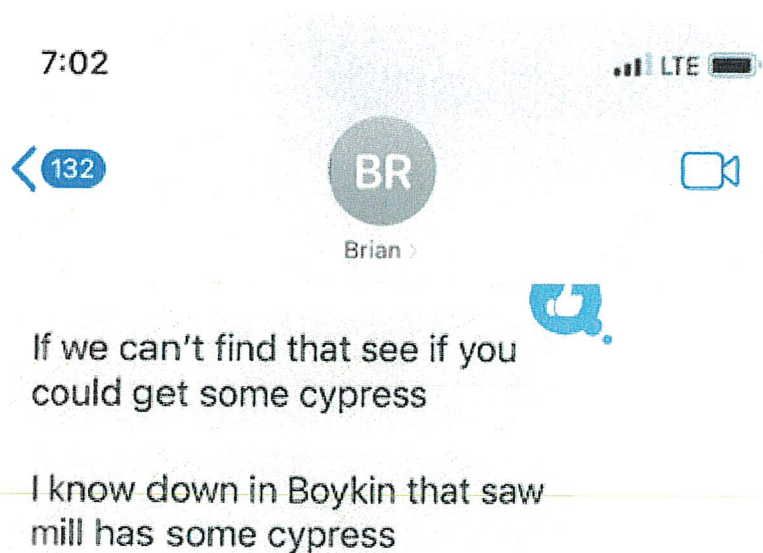
1.	Nancy Marcello
2.	Angela Campbell
3.	Cole Capps
4.	Frances Taylor

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Allison Hardin

From: Adam Thomas <adamthomas@carolina.rr.com>
Sent: Monday, June 5, 2023 7:04 AM
To: Allison Hardin
Subject: Neighbor response

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, lancastersc.supportsystem.com<<https://lancastersc.supportsystem.com>>



Yesterday 11:18 PM

Brian Richardson I'm the resident of 2598 Dudley Steele Rd . I have no problem with the camp ground that is going in that borders my property. I've spoken with Adam the owner and if you have any questions please contact me at [+18038040158](tel:+18038040158)

**This email has been dictated to my iPhone. Please excuse typos, abbreviations and auto-corrections.

3:41 ↗

LTE 

< 130



VANALLEN

Text Message
Today 2:28 PM

I am a neighbor that borders the parcel 2878 Kendlewood Drive. I have no concerns with the campground ministry as it has been proposed. Tim Van Allen, 2835 Kendlewood Drive. Lancaster SC

SECTION 9.2.13.B.5, FINDINGS OF FACT

1. Findings of Fact: In addition to determining that the application meets all other requirements of this ordinance (no variances are permitted), the Board of Zoning Appeals must find the following:

- a. That the proposed special exception conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site;
- b. That adequate measures will be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads;
- c. That adequate utilities (water, sewer, drainage, electric, etc.) are available for the proposed use;
- d. That the proposed use will not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas;
- e. That the establishment of the proposed use will not impede the orderly development and improvement of surrounding property for uses permitted within the land development district;
- f. That the establishment, maintenance and/or operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare; and
- g. That the establishment will be operated in compliance with all local, state and federal laws and will not become a nuisance by creating criminal activity or public disturbance.