

**MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF APPEALS**

**Monday, May 22, 2017
6:00 PM**

**Council Chamber
Manning City Hall**

Present:

Mark Bellamy
Jerome Kindell
James Zimmerman

Absent/ Excused (E):

Ted Gardner, Chairman (E)

Staff Present:

Mary Adger- Administrative Services Coordinator
Charmel Mack- Administrative Assistant Clerk

- I. Welcome / Introductory Remarks:** Mr. Zimmerman advised everyone that he will conduct the meeting in the absence of Mr. Gardner, Chairman. The meeting was called to order.
- II. Invocation:** Mr. Bellemy
- III. Approval of Minutes**

A **motion** was made by Mr. Bellamy and seconded by Mr. Kindell to approve the minutes of April 24, 2017 with any necessary corrections. All were in favor of the motion.
- IV. Request No 2017-E-02 by Mary Jo H. McCuthen/ Joe McCuthen to be allowed a Special Exception for Single Family Dwelling (In Group Housing) located at 213 South Brooks Street, Tax Map # 169-14-07-010-00 zoned Residential- 10 (RS-10).**

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PROPOSERS

Joe McCuthen, Representative

Mr. McCuthen spoke on behalf of his mother Mary Jo McCuthen who is the property owner of 213 South Brooks Street. Mr. McCuthen stated that he wanted to rezone the property from Residential-10 (RS-10) to Office Commercial (OC) for law firms and real estate offices. However, he mentioned that he was unable to rezone the property from Residential (RS-10) to Office Commercial (OC) due to the lot size being less than two acres. Mr. McCuthen stated that he was unsure of the type of homes that he wants to build on the property. He requested a special exception to allow Single Family Dwelling -In Group Housing first to ensure that the type of use will be permitted before taking any other actions.

Mr. Bellemy asked Mr. McCuthen the capacity of residents that will live in the homes.”

Mr. Kindell mentioned to Mr. McCuthen that the Board is unsure of the type of homes that they are making a decision on.

Mr. McCuthen mentioned that apartments will not be built on the property.

Mrs. Adger informed the Board that the City of Manning Zoning Ordinance provides information regarding the setback regulations. She reminded the Board that their obligation is to approve or deny the Special Exception request.

Mr. McCuthen mentioned that the property would have one structure due to the lot size.

OPONENTS

Arthur Lambert stated that he lives near 213 South Brooks Street. He asked how the Zoning Ordinance determines whether or not a type of use is permitted. Mr. Lambert stated that he prefers not to have apartment complexes built on the property. He requested that residents that live near 213 South Brooks Street are provided more information in regards to Mr. McCuthen proposal. Mr. Lambert asked the Board, “What will the City of Manning accomplish by allowing a Special Exception for the property located at 213 South Brooks Street.”

Mrs. Adger informed Mr. Lambert that the City of Manning Zoning Ordinance allows Single Family Dwelling – In Group Housing by a Special Exception for the Zoning District Residential- 10 (RS-10). She further mentioned that for the type of

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use to be allowed, the Board has to grant a Special Exception (Refer Article 6 Section 612 Table of Permitted Uses- Table 1). Mrs. Adger also mentioned that housing is a need for the City of Manning.

Terri Gregory stated that she resides at 201 South Brooks Street. Mrs. Gregory mentioned that Mr. McCuthen needs to provide residents in the area more information regarding his proposal. She indicated that she is against having affordable housing in the community. Mr. Gregory stated that the Drayton House had increased the neighborhood property value and she is concern Mr. McCuthen proposal could potentially decrease their property value.

Ervin Davis mentioned that Mr. McCuthen had made a lot of improvements to the City of Manning; however, he lacks enough information in regards to Mr. McCuthen's proposal. He stated that if the structure of the homes were built in compatibility of other homes near 213 South Brooks Street he would be for Mr. McCuthen's proposal.

Councilmember Clayton Pack stated that he agreed with Mr. Davis' concern that the structure should be built in compatibility of other homes near 213 South Brooks Street. Mr. Pack stated that duplexes would not be suitable for that area.

Mrs. Adger informed Councilmember Pack that duplexes are allowed in General Residential (GR-1) zoning districts and Single Family Dwelling- in group housing is allowed by Special Exception in residential zoning districts.

Rebuttal: Mr. McCuthen passed on his rebuttal.

Board Comments

Mr. Kindell stated that Mr. McCuthen hadn't provided the Board sufficient information of his proposal.

Mr. Bellamy stated that housing is a need in the City Of Manning; however, he values the community opinions. He also mentioned that it appears Mr. McCuthen's proposal is not suitable for the area. He further mentioned that he took into accountability information provided by residents that live in the area that their property value has increased due to decisions the Board has made in the past.

Mr. Zimmerman stated that he will adhere to the community concerns and the scale balance in odds of Mr. McCuthen's proposal. Mr. Zimmerman advised Mr. McCuthen's to pursue a project that is more compatible for the residents in the community.

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A **motion** was made by Mr. Bellamy and seconded by Mr. Kindell to deny Request No. 2017-E-02 by Mary Jo H. McCuthen/ Joe McCuthen to be allowed a Special Exception for Single Family Dwelling (In Group Housing) located at 213 South Brooks Street, Tax Map # 169-14-07-010-00 zoned Residential- 10 (RS-10).

V. Board Comments

There were no comments from the Board.

VI. Adjournment

A **motion** was made by Mr. Bellamy and seconded by Mr. Kindell to adjourn. All were in favor of the motion.

Time: **6:26 P.M**

Respectfully,

Charmel Mack
Administrative Assistant Clerk