

The Dorchester County Board of Appeals met in regular session on Thursday, April 25, 2013 in Room 110 of the County Office Building at 7:00 PM. Present were Ed Howard, Vice-Chairman, Dwight Cromwell, Wendell Foxwell, Catherine McCulley, Chairperson, Elizabeth Hill, Walt Gunby, Attorney, Rodney Banks, Deputy Director of Planning, with Merris Hurley recording.

An introduction was made by Chairperson McCulley, explaining the procedures of this meeting to the audience. She then asked Mr. Banks to read the first case.

Case #2435 – Steve Mullaney

To request variances from the tidewater and expanded buffer to construct a house, garage, driveway and bermed infiltration pond. Property located at 4903 Indian Trail Acres Road and contains 5.9 acres. RC, Resource Conservation Zoning District.

Mr. Showalter, Mr. Whitten, and any other person who would be testifying in this case, were sworn in.

Mr. Banks read the case and all pertinent information into the record.

Ryan Showalter, attorney for the applicant, explained to the Board that the application stands on its own, but he will add a few points to the case. The wetlands permit that was issued for this property has expired but the applicant is in the process of obtaining a new permit. He also informed the Board that they (the Board) had approved similar variances to the adjoining lots in the recent past. He entered Applicant's Exhibit 1 and 2, approval letters from the two cases.

Steve Whitten, land surveyor, told the Board that there had been a house on the property approximately 25 years ago. The applicant is minimizing all disturbances. He explained that without a variance, the applicant would be denied use of the property.

Mr. Banks read agency comments into the record. The Department of Public Works had no comments. The Health Department had no objection. The Planning Commission had no problem with the request. The Critical Area Commission advised that if the variance was granted, applicant would have to mitigate for all disturbance to the Buffer.

No one spoke in favor of this request and no one was opposed.

Ms. McCulley announced the end of testimony and the Board began their deliberations.

At this time, each Board member explained his decisions regarding the criteria.

After all testimony, Ms. McCulley called for a motion regarding this case. Mr. Foxwell made a motion "to approve this request with the following stipulations: applicant must mitigate at a 3:1 ratio for all disturbances in the Buffer." Seconded by Mr. Cromwell and unanimously carried.

A motion was made by Mr. Howard to approve the minutes of the January 24, 2013 meeting. Seconded by Mr. Foxwell and unanimously carried. Mr. Cromwell abstained.

With no further business, a motion was made by Mr. Cromwell to adjourn. Seconded by Mr. Howard and unanimously carried. Time of adjournment: 7:50 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rodney Banks", with a large, stylized flourish at the end.

Rodney Banks  
Executive Secretary