

The Dorchester County Board of Appeals met in regular session on Thursday, September 25, 2014 in Room 110 of the County Office Building at 7:00 PM. Present were Wendell Foxwell, Catherine McCulley, Chairperson, Edward Howard, Walt Gunby, Attorney, Steve Dodd, Director of Planning, and Janice Henderson, Environmental Planner. Absent were Mr. Cromwell and Ms. Hill.

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

Case #2563 – Waqar Ahmed

To request a variance from the setback requirements for poultry houses to allow the construction of four poultry houses within the required setback area. Property located at 6848 North Tara Road and contains 82.35 acres. AC – Agricultural Conservation Zoning District

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

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

Mr. Waqar Ahmed introduced himself to the Board, his brother Sheraz Chaudhry also addressed Board, they explained locations of poultry houses and reasons for variance request. Mr. Ahmed stated that most of the parcel is irrigated for crops and did not want to locate poultry houses within the irrigated area. Ms. McCulley asked questions about the stormwater pond location.

Mr. Dodd read agency comments into the record. The Health Department had no objection. The Department of Public Works had no comment or objection, however, a stormwater management plan and erosion and sediment control plan will need to be submitted for review and approval for disturbances greater than 5,000 square feet. The Planning Commission, based on the information presented, gave a favorable recommendation provided the variance hardship standards are met.

Ms. McCulley asked if anyone in the audience had any comments. Ms. Yvonne Mercer, 6828 North Tara Road opposed request and asked that landscaping screening be provided if variance is approved. Dave Mercer, 6828 North Tara Rd asked questions of the applicants concerning location of houses.

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

At this time, each Board member read their decisions regarding the criteria.

After all testimony and deliberation by the Board, Ms. McCulley called for a motion regarding this case. Mr. Howard made a motion “to not approve this variance request.” Seconded by Ms. McCulley, Mr. Foxwell voted against. The variance was denied. Ms. McCulley informed the applicant that they may appeal the denial to circuit court within 30 days.

Case #2564– Mr. Sheraz Chaudhry

To request a variance from the setback requirement to allow the construction of two poultry houses within the required setback area. Property located at 6950 Reliance Road and contains 67.11 acres. AC – Agricultural Conservation Zoning District.

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

Mr. Dodd read the case and all pertinent information into the record. Mr. Dodd said he spoke with the surveyor, Andy Wilkens, he said that layout is not based on field survey. Setbacks are not based on a field survey on plan.

Mr. Chaudhry introduced himself to the Board and explained setback variance request to construct two additional poultry houses. The daughter of a neighbor, William & Jessie Henry, 6970 Reliance Road, spoke in opposition of variance representing her parents. Phillip Wright, neighbor at 6958 Reliance Rd spoke in opposition to variance.

Mr. Dodd read agency comments into the record. The Health Department had no objection. The Department of Public Works had no comment or objection, however, a stormwater management plan and erosion and sediment control plan will need to be submitted for review and approval for disturbances greater than 5,000 square feet. The Planning Commission, based on the information presented, gave a favorable recommendation provided the variance hardship standards are met.

Ms. McCulley asked if anyone in the audience had any comments. Mr. Frank Adams at 6962 Reliance Road opposed request. Mr. Terry Ayers 6926 Reliance Road spoke in opposition to the variance.

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

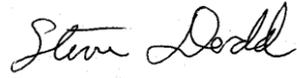
At this time, each Board member read their decisions regarding the criteria.

A motion was made by Mr. Howard to “not approve the variance request as presented”, seconded by Ms. McCulley. Mr. Foxwell voted against. The variance was denied. Ms. McCulley informed the applicant that they may appeal the denial to circuit court within 30 days.

Minutes of the August 21, 2014 meeting were not available for approval at time of this meeting.

With no further business, a motion was made by Mr. Foxwell to adjourn. Seconded by Ms. McCulley and unanimously carried. Time of adjournment: 8:20 PM.

Respectfully submitted,

A handwritten signature in black ink that reads "Steve Dodd". The signature is written in a cursive style with a prominent loop at the end of the last name.

Steve Dodd  
Executive Secretary