

Minutes
Town of South Congaree
Board of Zoning Appeals Meeting
June 2, 2025, 6:00PM
Town of South Congaree Council Chambers

I. Statement of Matter to Be Heard

On March 28, 2025, Town of South Congaree resident William Glen Creech (Glen Creech), 169 West Berry Road, South Congaree, SC 29172, submitted a Zoning Permit Application for the construction of an Accessory Building with the following dimensions: A 108' x 30' concrete pad, with a 92' x 30' in-closed building and a 16' x 30' open porch. On April 22, 2025, Glen and Debra Creech received notice that their Zoning Permit Application had been denied. The denial was based on Town of South Congaree Ordinance 158.004, which requires that an Accessory Building should be secondary in size to the Principal Building. The dimensions of their Principal Building (their residence) was 1,560 square feet. The proposed Accessory Building would measure a total of 3,240 square feet - more than twice the size of their Principal Building. Additionally, before they applied for the Building Permit, the Town of South Congaree Town Clerk had advised them that there were no ordinances restricting the size of the proposed Accessory Building. They proceeded with the construction based on that information. On April 25, 2025, Debra Creech submitted a request for an Appeal based on governmental error and a Variance that would approve the project.

The following BZA members were present: James Galluzzo, Andrea McHugh, Joe Gilcrest, Vickie Wooten, and Larry Estes. A quorum was established.

The first order of business was to formally elect BZA Officers. All the BZA members unanimously elected James Galluzzo to be the Chairman, Andrea McHugh to be the Vice Chairman, and Larry Estes to be the Secretary.

II. Applicant Presentations

Debra Creech provided the following information:

Pertaining to their Request for a Variance, the proposed Accessory Building would be a five-bay garage. The garage would be located 49 feet behind their residence. There would be wooded areas that would partially obscure the view of the garage from neighboring homes. The garage would be in harmony with the neighborhood and not injurious to the neighborhood. It would be more attractive to store their vehicles and other items in a well-designed and landscaped building than having all their vehicles and other items out in the open. The property that is adjacent to them has a 1,394 square foot home with a six-bay detached garage, a two-bay detached garage, and a two-bay garage attached to the home. There are other South Congaree residents that have Accessory Buildings that are larger than their Principal Buildings.

Pertaining to an Appeal based on governmental error: The South Congaree Town Clerk was acting in the capacity of the Zoning Administrator. The Town Clerk had advised them on more than one occasion that there were no restrictions on the size of the garage, and that they did not need a permit to start grading the land. Based on this information they proceeded with the construction. The Town Clerk

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subsequently signed the Denial of their Zoning Permit Application. A denial of a variance would cause them to have an unnecessary hardship because they had already invested \$38,000 in the project. Debra Creech referred to the Estoppel Doctrine, stating that the Town Clerk should be held to her word. Debra Creech also provided a typed statement that will be saved in the file.

Glenn Creech provided the following additional information:

When they started grading the land, none of the neighbors questioned or complained about it. The Town Clerk had given them the wrong information concerning the proposed building.

III. Opponent Presentations

Erick McDowell, 173 West Berry Road, South Congaree:

The Creech's proposed Accessory Building would be in violation of the town ordinance. He has large Accessory buildings but they are grandfathered in because they were built before the ordinance went into effect. He opposes the Creech's proposed building because it would be very large. The Creech's building would have a negative effect on his property value. The land on the Creech's property had been graded and filled to a level much higher than it originally was.

Jim Lynch, 167 West Berry Road in South Congaree:

The Creech's proposed Accessory Building would be in violation of the town ordinance. The building would be too big. It would be an eye sore. It would have a negative effect on his property value.

Kitty Spires, 183 West Berry Road in South Congaree:

The Creech's proposed Accessory Building would be extremely large. It would be an eyesore and it would disrupt the peace and tranquility of their neighborhood. It would have a negative effect on all the neighbor's property values. The Creech's started grading the land without a land disturbance permit.

Janice Lynch, 167 West Berry Road, South Congaree:

She was very concerned about the impact that the Creech's Accessory Building would have on their property values. She had been in real estate. If any neighbor wanted to sell their property, the first thing that prospective buyers would notice would be the Creech's very large building. It would cause the neighbors to have to lower the price of their home to sell it.

Julie McDowell, 173 West Berry Road, South Congaree:

Their residence is adjacent to the Creech's proposed Accessory building. The building would be very noticeable to them. It would negatively effect their property value.

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IV. BZA Decisions:

Chairman Galluzzo made a motion that the Creech's proposed Accessory Building would be detrimental to neighboring properties, and against the public good and character of the neighborhood. BZA member Joe Gilcrest seconded the motion and all the other BZA members responded with "aye," and the motion was passed.

Chairman Galluzzo made a second motion that an appeal could not be granted because no substantiating evidence had been presented. Vice Chairman Andrea McHugh seconded the motion and all the other BZA members responded with "aye," and the motion was passed.

The meeting was concluded.

Signed/

BZA Chairman James Galluzzo

Date/

James Galluzzo
9/2/2025