

OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street - Walhalla, SC



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MINUTES

6:00 PM, MONDAY, JANUARY 23, 2017

COUNTY COUNCIL CHAMBERS

OCONEE COUNTY ADMINISTRATIVE COMPLEX

The Oconee County Board of Zoning Appeals held a meeting on January 23, 2017 at 6:00 PM in Council Chambers at the Oconee County Administrative Building, 415 S. Pine St., Walhalla, SC 29691.

Members Present: Mr. Lee
Mr. Lusk
Mr. Menzies
Mr. Gilster
Mr. Morgan

Staff Present: Mr. Gregory Gordos, Senior Planner
Mr. David Root, Attorney

Media present: None

ITEM 1- Call to Order

Mr. Medford called the meeting to order. 6:00 p.m.

ITEM 2- Approval of Minutes from October 24, 2016

Mr. Menzies noted that he had not received a mailed copy of the minutes. Mr. Lee noted that they were also sent via email. Mr. Root introduced himself to the Board and noted that Mr. Lusk, as a new member of the Board, could not vote on approving minutes where Mr. Lusk was not present. Board members then took several minutes to review the minutes provided.

Mr. Gilster motioned to approve the minutes.

Mr. Menzies seconded the motion.

The motion was passed unanimously.

ITEM 3- Public Comment (Non-Agenda)

None provided. Two members from the public noted that they would wait until Item 6 was presented.

ITEM 4- Election of Officers

Mr. Lee made a motion to table the Election of Officers until the next scheduled meeting. Mr. Menzies seconded the motion. The motion passed unanimously.

ITEM 5- Special Exception Hearing for Application SE17-000001 (Whetstone Academy – Group Residential Facility Expansion)

Mr. Gordos stated the matter before the Board. The request is a Special Exception under Chapter 32 of the Oconee County, South Carolina – Board of Ordinances and that it is specific to Group Residential expansion under Article 5 of that chapter.

Mr. John Singleton, on behalf of Whetstone Academy, requested a Continuance for their request in order to work with nearby residents concerns. Mr. Singleton requested either a Special Hearing three weeks from January 23 or the next regularly scheduled hearing.

Mr. Menzies asked if this application for expansion of Whetstone Academy had been brought to the Board before; Mr. Gilster confirmed.

Mr. Singleton stated that he is a new owner, that the modular units are not for new residents and that units requested in the application are already on site.

Mr. Gilster made a motion to delay the Whetstone Academy hearing until the next meeting of the Board. Mr. Menzies seconded the motion. The motion passed unanimously.

ITEM 6- Variance Hearing for Application VA17-000001 (Sharpe Manufacturing Inc. - Setbacks)

Mr. Gordos stated the matter before the Board – specifically which this require is for relief from a portion of the twenty-five foot front yard setback as required in the Control Free District (CFD). Mr. Gordos read aloud the basis of decision for variance requests and showed the Board the location of a proposed expansion for Sharpe Manufacturing.

Mr. Menzies asked if a staff recommendation would be presented. Mr. Gordos confirmed there would none, showing staff is neither for nor against this request.

Mr. Jeff Sharpe, SMI, was sworn in and explained the reasoning behind the request for relief from the required setback and the details of business.

Staff commented on intersection safety at the request of Mr. Menzies. Mr. Gordos noted that Linhart Road does not meet West Union Road at a right-angle, however, that the proposed expansion would not further impact safety of the intersection.

Mr. Henry Winkler asked the applicant about the validity of the property lines shown on the exhibit plat stated that employees of Sharpe Manufacturing often park near or right up to his existing property line. Mr. Sharpe responded by stating he had already spoken to his employees about parking near Winkler Drive.

Ms. Tracy Johnson asked the applicant about how the proposed expansion would impact the existing gas line.

Mr. Jose Espanosa asked the Board to consider speeding on Linhart Road.

Mr. Menzies asked the applicant if the property lines are in fact correct. Mr. Sharpe responded that a recent survey had been done of the property. Discussion on the topic followed by members sitting in the audience; Mr. Lee stated that the matter before the Board is in regards to setback lines, not property line disputes.

Mr. Lusk inquired about the view from Linhart Road to West Union Road. Mr. Sharpe responded that the building expansion would not affect visibility.

Mr. Lee asked Mr. Gordos on the relief that could be granted from the applicant request. Mr. Gordos replied that relief could either be applied for 4.8' at one point and 9.83' at a second point, or, that relief of 9.83' could be applied for the front yard setback requirement of 25' as a whole. Upon discussion it was the pleasure of the board to select the latter.

Mr. Lee read aloud the following criteria:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;

Mr. Gilster motioned to approve the first criteria, noting that the road conditions were in place prior to this request. Mr. Menzies seconded the motion. The motion carried 5-0.

2. These conditions do not generally apply to other property in the vicinity;

Mr. Gilster motioned to approve the first criteria, noting that the facility is the only industrial use in the immediate area. Mr. Menzies seconded the motion. The motion carried 5-0.

3. Because of these conditions, the application of this chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;

Mr. Gilster motioned to approve the third criteria, noting that the existing road configuration impacts the size and geometry of the lot. Mr. Menzies seconded the motion. The motion carried 5-0.

4. The authorization of a variance will not be of substantial detriment to adjacent uses or to the public good, and the character of the district will not be harmed by the granting of the variance.

Mr. Gilster motioned to approve the fourth criteria, noting that the public would not be harmed by this proposal. Mr. Menzies seconded the motion. The motion carried 5-0.

Mr. Menzies motioned to approve the Board Order with Mr. Gilster seconding the motion. The motion passed unanimously.

ITEM 7- Old Business

There was no old business.

ITEM 8- New Business

Mr. Menzies asked Mr. Gordos about the status of the Comprehensive Plan update. Mr. Gordos noted that due to personnel losses the project needs to be revived but that he would be glad to work with the Board throughout the process.

ITEM 9- Adjourn

Meeting was adjourned at 7:15 p.m.