

OCONEE COUNTY BOARD OF ZONING APPEALS

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MINUTES

BOARD OF ZONING APPEALS

6:00 PM, MONDAY, MARCH 25, 2019

COUNTY COUNCIL CHAMBERS

OCONEE COUNTY ADMINISTRATIVE COMPLEX

The Oconee County Board of Zoning Appeals held a meeting on March 25, 2019 at 6:00 PM in Council Chambers at the Oconee County Administrative Building, 415 S. Pine St., Walhalla, SC 29691.

Members Present: Mrs. Fowler
Mr. McKee
Mr. Codner
Mr. Honea
Mr. Morgan
Mr. Eagar

Staff Present: Adam Chapman, Planning Director

Media present: None

ITEM 1- Call to Order

Mr. McKee, Vice-Chairman, called the meeting to order at 6:00 p.m.

ITEM 2- **Approval of Minutes of January 28, 2019**

Several amendments were made to the minutes of January 28, 2019 meeting. Mr. Codner is added to the list of members present. Also, Mr. McKee's name is misspelled in the draft minutes. The minutes were approved unanimously with amendments. Motion by Mr. Codner, seconded by Mr. Honea.

ITEM 3- Public Comment (Non-Agenda)
No one from the public signed up to address the Board or make comments.

ITEM 4- Staff Update

Comprehensive Plan

Mr. Chapman updated the Board members on the status of the Comprehensive Plan update process.

Member Training

Mr. Chapman explained that the County is hoping to utilize a continuing education training program that the City of Clemson is currently working on. Mr. Huggins is working to put together an Orientation training program for our members and staff and for any others in the two or three county area who might be interested.

ITEM 5- Variance request for Application #VA19-000001- Request for a variance of five feet from the side property line setback requirement for two parcels on Dodgins Lane in the Seneca area to construct single family homes on each lot.

Mr. McKee explained that the applicant was not able to attend this meeting due to a sudden work related event. A motion was made by Mr. Eagar, seconded by Mr. Codner, to table the request until the April Board meeting. The motion was approved 6-0.

ITEM 6- Variance request for Application VA19-000002 of 25 feet from the front setback requirement of 25' for Tax Parcel #240-00-04-117 on Owens Road in the Seneca area to place a manufactured home.

Staff Presentation

Mr. Huggins presented the case facts regarding the request.

Applicant Comments

Mr. Jon Gardner explained that the property line of the site in question runs to the center line of Owens Road. A letter from the closest property owner indicated that the owners have no issue with the requested variance. He added that he's elevated above the right of way and ditch line. Mr. Gardner also described the poor appearance of the area in question and his efforts to purchase properties and clean them up.

Mr Gardner continued by stating that the proposed location of the unit would not block any right of way, trail or other access.

Board Comments and Questions

Staff next showed some of the photos that had been taken of the site. The mobile home has already been placed in the position requested. Mr. Gardner also responded to a question that septic has already been approved for that location. Mr. Eagar asked if the unit could be placed parallel to the road. Mr. Gardner explained that he would still need the setback variance and would

remove a good many trees. Mr. Eagar also asked if he could remove the property line between the subject property and adjoining lot, which he also owns. Mr. Gardner stated that to do so would block fire access to a mini storage facility. He also stated that he is giving the unit to an employee, who will be a on site security person. Mr. McKee asked how the septic system was approved in advance of this request.

Statement of Criteria for Board Action

Mr. McKee next stated the four findings that the Board must consider in acting upon a variance request. These are contained in Article 7, Section 38-7.1 of the Oconee County Code of Ordinances.

The board voted unanimously to consider each finding separately.

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

Under discussion, Ms. Fowler stated she did not feel this condition/finding is met.

Mr. Gardner called for a motion in the affirmative. No motion was made. Therefore, the request is denied.

ITEM 7- Old Business

None

ITEM 8- New Business

Mr. Eagar asked if the Board should consider swearing in case applicants and others presenting testimony. Mr. McKee stated that this had not come up during his tenure on the Board. This Board had not used that process in the past. Mr. Chapman stated that the staff would do some research on the issue and report back to the Board.

ITEM 9- Adjourn

A motion was made by Mr. Codner and seconded by and seconded by Mr. Honea to adjourn. The motion was approved unanimously. The Board adjourned at approximately 6:38 p.m.

DRAFT