

OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

Minutes

6:00 PM – April 25, 2022

Members in Attendance

Tim Mays

Bill Gilster

Marty Mckee

Jim Codner

John Eagar

Staff

David Root, County Attorney

James Coley, Planning Director

Vivian Kompier, Senior Planner

Kyle Reid, Roads and Bridges

Media

Lauren Pierce, The Journal

ITEM 1 – Call to order – Mr. Codner called the meeting to order at 6:00 PM.

ITEM 2 – Brief statement about rules and procedures – Mr. Codner outlined the proceedings of the meeting going forward:

- Applicant will provide a presentation to state their request (5 minutes).
- Staff will be asked to make any comments regarding the request.
- The public is allowed to voice their approval or opposition to the proposed. Please do not repeat opinions that have already been stated into the record (3-5 minutes).
- Applicant rebuttal
- Board members will discuss in detail.
- Voting

ITEM 3 – Approval of minutes from February 28, 2022 – Mr. Eagar made a motion to approve the minutes from February 28th; seconded by Mr. Mays Discussion – none. Mr. Codner called for a vote. The motion passed 5/0,

ITEM 4 – Special exception application #SE22-003 – Faulk & Foster – Victoria Farmer is requesting a special exception to construct a 172' monopole telecommunications tower (182' top of lightning rod) TMS#285-00-05-001 an

unaddressed parcel with the closest address of 315 Hopewell Church Rd. Westminster, SC 29693.

Applicant’s opening statement and provision of evidence:

Ms. Farmer addressed the need for the tower, as there is limited service in the area.

Staff comments:

- Mr. Coley confirmed the is required for all communication towers, and there were no variances requested in addition to this application. The requirements for tower had been met in the design.

Public comment:

- Rod Lense- in favor, lack of service in the area

Applicant rebuttal:

NA.

Board Questions:

NA

Board discussion:

NA

1. In accordance with the comprehensive plan and is consistent with the spirit, purposes, and the intent and specific requirements of this chapter, to include the definition and intent of the district in which the special exception is being requested:
 - a. Motion – Mr. Eagar made a motion in the affirmative, seconded by Mr. Mays. A brief discussion followed.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

2. In the best interests of the County, the convenience of the community and the public welfare:
 - a. Motion – Mr. Eagar made a motion in the affirmative, seconded by Mr. Mckee.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion failed.

3. Suitable for the property in question, and designed, constructed, operated, and maintained so as to be in harmony with appropriate in appearance to the existing or intended character of the general vicinity:
 - a. Motion – Mr. Eagar made a motion in the affirmative, seconded by Mr. Mays. A brief discussion followed.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

4. Suitable in terms of effects on highway traffic, parking and safety with adequate access arrangements to protect streets from undue congestion and hazards.
 - a. Motion – Mr. Eagar made a motion in the affirmative; seconded by Mr. Mckee. A brief discussion followed.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

5. Mr. Codner asked – Based on the evidence presented to the Board, do I hear a motion that the proposed special exception be **approved with the following condition: No Outside Boarding, pet runs, outside kennels, pet daycare.**
 - a. Motion – Mr. Eagar made a motion; seconded by Mr. Mays. No discussion.
 - b. Vote

In-favor	Opposed
5	0

ITEM 5 – Variance application #VA 21-011-Continuation from 1/24/2022 BZA hearing postponement: Ridgewater Engineering and Surveying – Joe Meaders is requesting an 18.1’ variance from the 50’ Right of Way for the entrance of the subdivision due to the end of the existing road not making full access into the property and only having a prescriptive ditch to ditch right-of-way. TMS # 150-00-01-459 an unaddressed parcel with the closest address of 599 Ellenburg Rd, Seneca, SC 29672.

Applicant’s opening statement and provision of evidence: Ms. Smith noted that the applicant has made attempts to reach a resolution with the Ratliff’s, and have reached an been unable to resolve the issue, and are coming back to the board for a decision. She believes that they meet the criteria for the variance. The geography and topography

limit the development of the property. The lake is an additional factor limiting the applicant's ability to develop the property. It is the applicant's position that the ordinance is overly restrictive and granting of the variance will not negatively impact the adjacent property owners. Ms. Smith detailed the applicant's roadway design.

Staff comments and Board questions:

- Mr. Root stated the County position that the road is under a prescriptive easement based on institutional knowledge, but that the affidavits presented call that into question.
- Mr. Reid explained the road surface area, and the right-of-way. Right-of-way is additional space for maintenance, utility, drainage, widening. Mr. Reid explained that there is no record that the property was ever turned over to the property owners. To the best knowledge of the County staff, the road was originally a state road, that the County assumed responsibility for after the creation of the lake. Neither the state nor the County have documentation relating to Ellenburg Road. Mr. Reid also contacted Crescent to see if they had any documentation, and they did not.

Public Comment:

- Rick McDuff- The BZA does not have authority to make this decision. The Ratliff family has paved and maintained the end of the road. There is no evidence of County maintenance on the road. Institutional knowledge is not the basis for changing the proposed course of the road.
- Ken Charles- concerned about fire safety, against the variance
- Jay Ratliff- Mr. Ratliff stated his qualifications, he showed a drawing he overlaid with boats, trucks, and use of the property. Mr. Ratliff showed his revised right-of-way drawings. The family believes there will be a negative impact on the family business. The board asked about usage of the road for the business and discussion about the impacts of the variance. Mr. Ratliff confirmed that they have not been able to reach resolution. Mr. Ratliff is concerned the board is using economic interests as justification.
- Larry Brandt- The Ratliff plats and deeds show public right-of-way. Ellenburg is a public road and cannot be abandoned without following proper procedures. The applicant is willing to deed property to the Ratliff's to maintain access to the road.
- John Richardson- against, the unique property should be protected.
- Doug Cooper- Mr. Cooper thanked the board for allowing additional public comment. The developer has placed filled on the site. Mr. Cooper believes the developer has indicated they have permission from Duke, but they actually have not. Mr. Cooper believes the County does not maintain the end of the road. Mr. Cooper believes the 50' right-of-way was in effect when the property was purchased.
- Bruce Dew- against, variance is a problem for the business.

- Serena Richardson- road is dangerous and narrow. Ms. Richardson believes illegal fill has been added to the property. Ms. Richardson believes emergency services will not be able to access the property. Ms. Richardson is concerned that locals are not being looked after, and that investors are being prioritized.
- Chris Leonard- against
- Lucretia Morgan- Ms. Morgan stated issues with statements made by Mr. Johnson at the November 2021 meeting regarding this variance. Ms. Morgan provided copies of minutes from a 2006 County Council meeting where 50' right-of-way requirements for subdivisions were in place (see exhibit 2). Ms. Morgan stated in addition, dating back to 2000, Ordinance 99-14 Section 6.7.3 Private Roads, the 50' ROW was in place. On August 1, 2000 John Hamrick attended the county council meeting to discuss proposed changes to Ordinance 99-14 and was in opposition to the way property would have to be divided under the proposed subdivision regulations (Exhibit 1). Ms. Morgan provided the deeds proving the home size statements made by the developer were inaccurate. Ms. Morgan stated the developer needs the Ratliff's in order to make their plan work. Ms. Morgan stated that a variance cannot be approved based on only profitability per Oconee County Code of Ordinances Section 32-5. Ms. Morgan is opposed to granting the variance.

Applicant rebuttal: Mr. Andy Lee stated the plats along Ellenburg show the right-of-way. Mr. Lee stated the road standards have changed over the years and that roads have widened as standards have improved. Mr. Lee stated the County repaved the bad part of the road and left the remainder due to where the previous construction took place. Mr. Lee stated the portion at the end of the road could not have been abandonment as described opposition. Mr. Lee stated he does not need Duke's permission to develop. Mr. Lee reviewed the need for the variance.

Board questions for Staff:

- Mr. Root clarified that the board has the ability to make a decision.
- Mr. Reid clarified that the 200 average daily trips number was not an official estimation, and was a general statement to a question. He confirmed that a professional traffic study would be required for this development. Mr. Reid stated the work on the upper section of the road was done after construction and was a large patch job where the road was crumbling.
- Mr. Coley confirmed that Emergency Management will review turn abounds
- Mr. Reid confirmed that the Road paving on Ellenburg was at the direction of the County Engineer.

Mr. Codner made a Motion to take a 10-minute break seconded by Mr. Mays, motion passed 5-0

Mr. Codner called the meeting back to order at 7:55 pm

Board Discussion:

- Mr. Eagar the board should make a decision
- Mr. Mays the applicant still has a lot of other requirements
- Mr. Codner, the narrow point in on the applicant's property
- Mr. Mckee who will do the work on the road- the developer will be responsible to road construction
- Mr. Root discussed road abandonment
- A traffic study is required for road width determination
- Safety is paramount
- Mr. Codner everyone wants John's Marine to stay
- Discussion of use of the road as part of the business
- Discussion of if there is more space for John's Marine after the new road is constructed.
- Duke power issues are not applicable to this discussion
- County roads are not built to accommodate pedestrian traffic
- This is not being evaluated based on economic impacts
- Safety is the primary review criteria
- Mr. Coley reviewed the applicant had reached out for a decision by the Board after attempting to reach a resolution
- Discussion regarding conditions

Consideration of VA21-011:

1. There **are** extraordinary and exceptional conditions pertaining to the particular piece of property:
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. Mays. No discussion.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

2. These conditions **do not** generally apply to other property in the vicinity:
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. McKee. No discussion.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

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; and
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. May. Brief discussion followed.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

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.
 - a. Motion – Mr. Eagar made a motion; seconded by Mr. May. Discussion- does this harm John’s Marine? Will the impact have severe impacts? Discussion- does this harm John’s Marine? Will the impact have severe impacts?
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

5. Mr. Codner asked – Based on the evidence presented to the Board, do I hear a motion that the proposed variance be **Approved**.
 - a. Motion – Mr. Eagar made a motion; seconded by Mr. Mays. Vote. No Discussion

In-favor	Opposed
5	0

Mr. Codner noted that variance request was **approved** with the following conditions:

Order approved subject to proper abandonment procedures, compliance with all ordinances and state law on acceptance into the County roadway system. Developer grant/ deed John’s Marine property so that there is reasonable, unimpeded access to the new road.

Item 6 Adjourn – Mr. Eagar made a motion to adjourn; seconded by Mays. Mr. Codner called for a vote. Motion passed unanimously 5/0.



Meeting agenda
Monday, April 25, 2022 6:00pm

1. Call to order
2. Approval of minutes: 03/28/2022
3. Brief statement about rules and procedures
4. Special exception application #SE22-003 – Faulk & Foster – Victoria Farmer is requesting a special exception to construct a 172' monopole telecommunications tower (182' top of lightning rod) TMS#285-00-05-001 an unaddressed parcel with the closest address of 315 Hopewell Church Rd. Westminster, SC 29693.
5. Variance application #VA 21-011-Continuation from 1/24/2022 BZA hearing postponement: Ridgewater Engineering and Surveying – Joe Meaders is requesting an 18.1' variance from the 50' Right of Way for the entrance of the subdivision due to the end of the existing road not making full access into the property and only having a prescriptive ditch to ditch right-of-way. TMS # 150-00-01-459 an unaddressed parcel with the closest address of 599 Ellenburg Rd, Seneca, SC 29672.
6. Adjourn

**Oconee County
Board of Zoning
Appeals**

Council Chambers
415 South Pine Street
Walhalla, S.C. 29691

www.oconeesc.com

YouTube: "YourOconee"

Staff contact

846-638-4218
planninginfo@oconeesc.com

BOARD MEMBERS

Jim Codner, Chairman, District I	Marty McKee, District IV
Gwen Fowler, District II	Bill Gilster, District III
John Eager, Vice Chairman, At-Large	Tim Mays, District V
Bill Decker, At-Large	

OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

Minutes

6:00 PM – March 28, 2022

Members in Attendance

Gwen Fowler
Marty Mckee
John Eagar

Tim Mays
Jim Codner
Bill Gilster

Staff

James Coley, Planning Director
Vivian Kompier, Senior Planner

Media

None

ITEM 1 – Call to order – Mr. Codner called the meeting to order at 6:00 PM.

ITEM 2 – Approval of minutes from February 28, 2022 – Mr. Eagar made a motion to approve the minutes from February 28th; seconded by Mr. Mays Discussion – none. Mr. Codner called for a vote. The motion passed 6/0,

ITEM 3 – Brief statement about rules and procedures – Mr. Codner outlined the proceedings of the meeting going forward:

- Applicant will provide a presentation to state their request (5 minutes).
- Staff will be asked to make any comments regarding the request.
- The public is allowed to voice their approval or opposition to the proposed. Please do not repeat opinions that have already been stated into the record (3-5 minutes).
- Applicant rebuttal
- Board members will discuss in detail.
- Voting

ITEM 4 – 4. Special exception application #SE22-002: Keowee Animal Hospital – Monica Parker is requesting to change the commercial use of the building from financial services to a veterinary hospital while keeping the current functional ATM in place. TMS# 124-00-02-004, 8233 Rochester Highway, Salem, SC, 29676.

Applicant's opening statement and provision of evidence:

Dr. Parker presented her case. She stated the building is inside the Lake Overlay district, and requires a change of use from financial services to agricultural support. She is requesting an additional combined usage to keep the ATM in its current location active. Dr. Parker presented that she believed there is a need for an animal hospital in this area, and that there is a 10-mile and 12-mile gap from this location to the next nearest animal hospital. Dr. Parker presented that she believes the exemption is in the best interest of the County. Dr. Parker explained that there will be no outside access, outside kennels, no dogs outside on their own. Dr. Parker explained that the traffic flow will not be impacted by the change of use.

Staff comments:

- Mr. Coley confirmed the application is required due to the location in the lake overlay, and changing the CCD use from financial services to agricultural support, and an additional change from single use to combined use, of agricultural support and financial services, by leaving the ATM in use on site. Mr. Coley confirmed that any additional building on the parcel will require an additional BZA hearing.

Public comment:

- Hugh Pearson- Dr. Parker is a good neighbor and good vet, in favor
- Harry Toupet- SC Dog Therapy Group, thinks there is a need for vet in this location
- Rhonda Grant- personal friend for 45yrs. in favor.
- Doug Hettinger- in favor with requirement that no outdoor kennels, pens, or boarding now, or in the future.
- Kevin McCracken- General manager KKPOA, the utility provider is satisfied, provided there are no outdoor runs or kennels, animal waste is collected due to proximity to the lake, and would like the lighting to be addressed with shielding, or vegetation planted on the back of the property to block
- Scott Sanders- in favor of the exception
- Jim Hamby- from Pickens County, but would be traveling to Dr. Parker for services
- Ron Cilensek- concerned about crematory services if they are provided
- Peter Brandt- listing agent of property, feels that this is the best use of the property
- Laura Kenimore- is the boarding facility that Dr. Parker will be referring clients
- Sheryl Matthews- would like assurances that if another vet takes over the facility, any restrictions would remain in place

Applicant rebuttal:

Dr. Parker would like to define boarding, in reference to sick animals and animals being treated. Would like to express that kennels will be indoor for animals being treated. They will not have crematory services. Will have people to pick up animal poop. Dr. Parker would be willing to look into the shielding the lights. The board chairman discussed a working definition of boarding, no outdoor kennels, runs, dog day cares.

Board Questions:

Dealing with waste, medical waste is treated separately by a specialized company.
Normal waste is disposed normally
Is this a clinic or animal hospital, this is hospital

Board discussion:

Do the restrictions remain after sale of the property, yes
The chairman discussed the email comments that were received, that generally follow the in person comments
Discussion to come up with the restrictions:
“No outside boarding, pet runs, outside kennels, pet daycare”

1. In accordance with the comprehensive plan and is consistent with the spirit, purposes, and the intent and specific requirements of this chapter, to include the definition and intent of the district in which the special exception is being requested:
 - a. Motion – Mr. Eagar made a motion in the affirmative, seconded by Mr. Mays. A brief discussion followed.
 - b. Vote

In-favor	Opposed
6	0

Mr. Codner noted that the criterion passed.

2. In the best interests of the County, the convenience of the community and the public welfare:
 - a. Motion – Mr. Eagar made a motion in the affirmative, seconded by Mr. Mckee.
 - b. Vote

In-favor	Opposed
6	0

Mr. Codner noted that the criterion failed.

3. Suitable for the property in question, and designed, constructed, operated, and maintained so as to be in harmony with appropriate in appearance to the existing or intended character of the general vicinity:

- a. Motion – Mr. Eagar made a motion in the affirmative, seconded by Mr. Mays. A brief discussion followed.
- b. Vote

In-favor	Opposed
6	0

Mr. Codner noted that the criterion passed.

- 4. Suitable in terms of effects on highway traffic, parking and safety with adequate access arrangements to protect streets from undue congestion and hazards.
 - a. Motion – Mr. Eagar made a motion in the affirmative; seconded by Mr. Mays. A brief discussion followed.
 - b. Vote

In-favor	Opposed
6	0

Mr. Codner noted that the criterion passed.

- 5. Mr. Codner asked – Based on the evidence presented to the Board, do I hear a motion that the proposed special exception be **approved with the following condition: No Outside Boarding, pet runs, outside kennels, pet daycare.**
 - a. Motion – Mr. Eagar made a motion; seconded by Ms. Fowler. No discussion.
 - b. Vote

In-favor	Opposed
6	0

Mr. Codner noted that the special exception was approved with the following conditions: **No outside boarding, pet runs, outside kennels, pet daycare.**

Item 5 Adjourn – Mr. Eagar made a motion to adjourn; seconded by Mays. Mr. Codner called for a vote. Motion passed unanimously 6/0.

1) Special exception application #SE22-003 – Faulk & Foster – Victoria Farmer is requesting a special exception to construct a 172' monopole telecommunications tower (182' top of lightning rod) TMS#285-00-05-001 an unaddressed parcel with the closest address of 315 Hopewell Church Rd. Westminster, SC 29693.



Verizon Wireless
8921 Research Drive
Charlotte, North Carolina 28262
Phone 704 510-8500

Vivian Kompier
Planning Director
Oconee County Planning Department
415 S. Pine Street Room 212
Walhalla, SC 29691
Direct line (864) 364-5109

Subject: Application for Special Exception Oconee County
Verizon Wireless Site #682871 Toccoa Hwy
Hopewell Church Rd, Westminster
Parcel ID: 285-00-05-001

Enclosed in support of Verizon Wireless's request for special exception are the signed and stamped site plans as well as the following required documents and reports:

- Completed Special Exception Application Form
- Fully Executed Lease Agreement representing Owner Approval
- Airspace Aeronautical Study
- FCC Licensing Detail
- Balloon Test Photo Sims and Line of Sight Mapping
- Proof of Liability Insurance
- Verizon Exemption Request from Stealth Design Letter

Also enclosed is a check in the amount of \$6,000.00 representing the fees involved with this request. Thank you for your assistance. Please contact me if there is anything else you need.

Sincerely,

Victoria M. Farmer

Zoning Specialist, Faulk & Foster
Representatives for Verizon Wireless
(423) 802-7847



8921 RESEARCH DRIVE
CHARLOTTE, NC 28262

TOCCOA HWY

SITE ADDRESS (E-911 TBD)

HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY
LATITUDE: 34°37' 5.24"N
LONGITUDE: 83° 09' 53.44"W
TAX/PIN #: 285-00-05-001
ZONING: CFD

OCONEE SHERIFF'S DEPARTMENT
300 S CHURCH ST
WALHALLA, SC 29691
PHONE: (864) 638-4111
ATTN.: CUSTOMER SERVICE

CLEVELAND RURAL FIRE DEPARTMENT
684 CLEVELAND PIKE RD
WESTMINSTER, SC 29693
PHONE: (864) 647-0088
ATTN.: CUSTOMER SERVICE



VICINITY MAP

FROM CHARLOTTE OFFICE: GET ON I-85 S FROM RESEARCH DR (1.2MI); FOLLOW I-85 S TO SC-11 N IN OCONEE COUNTY. TAKE EXIT 1 FROM I-85 S (150MI); CONTINUE ON SC-11 N. TAKE STATE RD S-37-168, BLACKJACK RD/STATE RD S-37-67 AND TABOR RD TO HOPEWELL CHURCH RD (15.8MI); MERGE ONTO SC-11 N. TURN LEFT ONTO FIRE STATION RD/STATE RD S-37-168, TURN LEFT ONTO BLACKJACK RD/STATE RD S-37-67, TURN RIGHT ONTO DR JOHNS RD/STATE RD S-37-20, TURN LEFT ONTO STATE RD S-37-179/TABOR RD, TURN LEFT TOWARD US-123 S, TURN LEFT ONTO US-123 S. TURN RIGHT ONTO HOPEWELL CHURCH RD. DESTINATION WILL BE ON YOUR LEFT.

DRIVING DIRECTIONS

JURISDICTION:
OCONEE COUNTY

STATE:
SOUTH CAROLINA

TOWER TYPE:
MONOPOLE TOWER

TOWER HEIGHT:
172' (182' TO HIGHEST APPURTENANCE)

NUMBER OF CARRIERS:
0 EXISTING, 1 PROPOSED

USE:
PROPOSED TELECOMMUNICATIONS TOWER
AND UNMANNED EQUIPMENT

FLOOD INFO
SITE IS LOCATED WITHIN FEMA FLOOD MAP
AREA 45073C0385C DATED 09/11/2009 WITHIN
FLOOD ZONE X.

PROJECT SUMMARY

DEVELOPER
VERIZON WIRELESS
8921 RESEARCH DRIVE
CHARLOTTE, NC 28262
PHONE: (704) 577-8785
ATTN: MICHAEL HAVEN

POWER COMPANY
DUKE ENERGY PROGRESS
PHONE: (800) 452-2777
ATTN.: CUSTOMER SERVICE

PROPERTY OWNER
KBM PROPERTY HOLDING RLNB
4250 BAKERS FARM PLACE SE
ATLANTA, GA
PHONE: (404) 992-8812
ATTN.: KATHERINE MAXWELL

CONSULTANT
KIMLEY-HORN AND ASSOCIATES, INC.
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GEORGIA 30009
PHONE: (770) 545-6105
ATTN.: DAVID FRANKLIN

CONTACTS

SHEET NO.	SHEET TITLE
T1	COVER SHEET
--	SITE SURVEY (SHEET 1 OF 3)
--	SITE SURVEY (SHEET 2 OF 3)
--	SITE SURVEY (SHEET 3 OF 3)
N1	GENERAL NOTES
C1	OVERALL SITE PLAN
C2	SITE PLAN
C3	EQUIPMENT PAD LAYOUT
C4	EQUIPMENT RACK DETAIL - FRONT
C5	EQUIPMENT RACK DETAIL - REAR
C6	CONCRETE PAD FOUNDATION DETAILS
C7	FENCE, GATE, AND COMPOUND DETAILS
C8	GRADING AND EROSION CONTROL PLAN
C9	GRADING AND EROSION CONTROL DETAILS
C10	ACCESS ROAD DETAILS
C11	SITE SIGNAGE DETAILS
C12	WAVEGUIDE BRIDGE DETAILS
C13	ANTENNA AND TOWER ELEVATION DETAILS
L1	LANDSCAPING PLAN
E1	ELECTRICAL NOTES
E2	UTILITY SERVICE ROUTING PLAN
E3	OVERALL UTILITY ROUTING PLAN
E4	METER RACK DETAILS
E5	ELECTRICAL SINGLE LINE DIAGRAM
E6	PANEL SCHEDULE
E7	ELECTRICAL DETAILS
E8	GROUNDING NOTES
E9	GROUNDING PLAN
E10	GROUNDING SINGLE LINE DIAGRAM
E11	GROUNDING DETAILS
E12	GROUNDING DETAILS

SHEET INDEX

OCONEE COUNTY PLANNING & ZONING
415 S. PINE ST
WALHALLA, SC 29691
PHONE: (864) 364-5115
ATTN.: CUSTOMER SERVICE

PERMIT INFORMATION



8921 RESEARCH DRIVE
CHARLOTTE, NORTH CAROLINA 28262

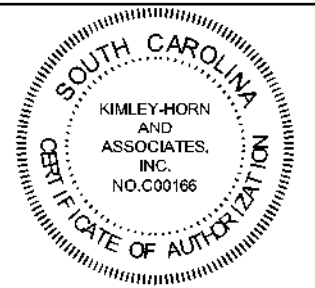
PROJECT INFORMATION:

SITE NAME:
TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY

PLANS PREPARED BY:



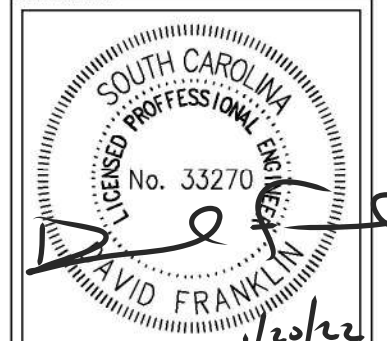
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-545-6105
WWW.KIMLEY-HORN.COM
SC License C00166



REV. DATE ISSUED FOR BY:

REV.	DATE	ISSUED FOR	BY
8			
7			
6			
5			
4			
3			
2	01/20/22	CONSTRUCTION	DMF
1	12/20/21	CONSTRUCTION	DMF
0	08/30/21	CONSTRUCTION	DMF

LICENSER:



KHA PROJECT NUMBER:

013509328

DRAWN BY: CHECKED BY:

JAR

DMF

SHEET TITLE:

COVER SHEET

SHEET NUMBER:

T1

TITLE EXCEPTIONS

THIS SURVEY WAS COMPLETED WITH THE AID OF TITLE WORK PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, ISSUE DATE OF JUNE 29, 2021, SEARCH START DATE OF MAY 28, 1877, END DATE OF MAY 25, 2021, BEING ORDER NO. 34773964, FOR THE PARENT PARCEL, TO DETERMINE THE IMPACTS OF EXISTING TITLE EXCEPTIONS.

2. RIGHT-OF-WAY EASEMENT IN FAVOR OF BLUE RIDGE ELECTRIC COOPERATIVE, INC., SET FORTH IN INSTRUMENT RECORDED ON FEBRUARY 22, 1990 IN DEED BOOK 607, PAGE 222.

[THIS ITEM IS NOT APPLICABLE TO THE PARENT PARCEL.]

3. COMPLAINT IN FAVOR OF JAMES P. MILLS, FILED AGAINST VASCOE W. HARBIN, MARJORIE H. SMITH, PAUL SMITH, MINNIE S. CLEVELAND, JESSIE S. MILLS, MARY S. THOMPSON, HILIA C. SMITH, MILDRED F. RAITALA, RUTH WHITE, CORA GOULDELICK, CLYDE KEN HIGHTOWER, JOHN HIGHTOWER, MAX HIGHTOWER, JERRY HIGHTOWER, JAMES DONALD HIGHTOWER, CHARLES L. VAN AVERY DOROTHY D. HARBIN, MARGARET VAN K. HARBIN, CLYDE H. MARETT, LOIS MACGREGOR, JOHN DOE AND CHARLES G. BARRETT RECORDED ON JANUARY 21, 1993 IN CASE NO. 93-CP-37-38.

[THIS ITEM IS NOT APPLICABLE TO THE PARENT PARCEL.]

4. MATTERS AS SHOWN AND NOTED ON PLAT RECORDED IN PLAT BOOK A217, PAGE 5.

[THIS ITEM IS APPLICABLE TO THE PARENT PARCEL AND IS PLOTTED HEREON AS SUCH.]

5. CONTRACT OF SALE OF REAL ESTATE DATED JULY 5, 1996, BY AND BETWEEN CHARLES G. BARRETT AND WALTER B. SHOOK AND THELMA C. SHOOK RECORDED ON JULY 26, 1996 IN DEED BOOK 873, PAGE 59.

[THIS ITEM IS NOT APPLICABLE TO THE PARENT PARCEL.]

PARENT PARCEL

OWNER: KBM PROPERTY HOLDINGS, LLC

SITE ADDRESS: HOPEWELL CHURCH RD, WESTMINSTER, SC 29693

PARCEL ID: 285-00-05-001

AREA: 25.51 ACRES (PER TAX ASSESSOR)

ZONING: CFD (CONTROL FREE)

ALL ZONING INFORMATION SHOULD BE VERIFIED WITH THE PROPER ZONING OFFICIALS

REFERENCE: DEED BOOK 1724 PAGE 261; PLAT BOOK A217 PAGE 5

GPS NOTES

THE FOLLOWING GPS STATISTICS UPON WHICH THIS SURVEY IS BASED HAVE BEEN PRODUCED AT THE 95% CONFIDENCE LEVEL:

POSITIONAL ACCURACY: 0.03 FEET (HORZ) 0.25 FEET (VERT)
 TYPE OF EQUIPMENT: GEOMAX ZENITH35 PRO BASE AND ROVER, DUAL FREQUENCY
 TYPE OF GPS FIELD PROCEDURE: ONLINE POSITION USER INTERFACE
 DATES OF SURVEY: 06/01/2021
 DATUM / EPOCH: NAD_83(2011)EPOCH:2010.0000
 PUBLISHED / FIXED CONTROL USE: N/A
 GEOID MODEL: 18
 COMBINED GRID FACTOR(S): 0.99989995
 CONVERGENCE ANGLE: -1.19839056"
 BENCHMARKS USED: DM6192, DH3874, DG4257



VICINITY MAP
NOT TO SCALE

GENERAL NOTES

* THIS SPECIFIC PURPOSE SURVEY IS FOR THE LESSEE PREMISES AND EASEMENTS ONLY. THIS SPECIFIC PURPOSE SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS AND EXCLUSIVELY FOR THE TRANSFERAL OF THE LESSEE PREMISES AND THE RIGHTS OF EASEMENT SHOWN HEREON AND SHALL NOT BE USED AS AN EXHIBIT OR EVIDENCE IN THE FEE SIMPLE TRANSFERAL OF THE PARENT PARCEL NOR ANY PORTION OR PORTIONS THEREOF. BOUNDARY INFORMATION SHOWN HEREON HAS BEEN COMPILED FROM TAX MAPS AND DEED DESCRIPTIONS ONLY. NO BOUNDARY SURVEY OF THE PARENT PARCEL WAS PERFORMED.

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY.

EQUIPMENT USED FOR ANGULAR & LINEAR MEASUREMENTS: LEICA TPS 1200 ROBOTIC & GEOMAX ZENITH 35. (DATE OF LAST FIELD VISIT: 06/01/2021)

THE 1' CONTOURS AND SPOT ELEVATIONS SHOWN ON THIS SPECIFIC PURPOSE SURVEY ARE ADJUSTED TO NAVD 88 DATUM (COMPUTED USING GEOID18) AND HAVE A VERTICAL ACCURACY OF ± 0.5'. CONTOURS OUTSIDE THE IMMEDIATE SITE AREA ARE APPROXIMATE.

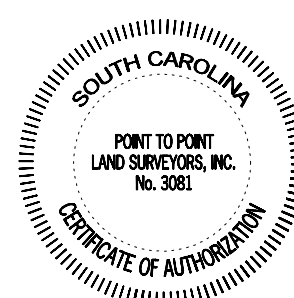
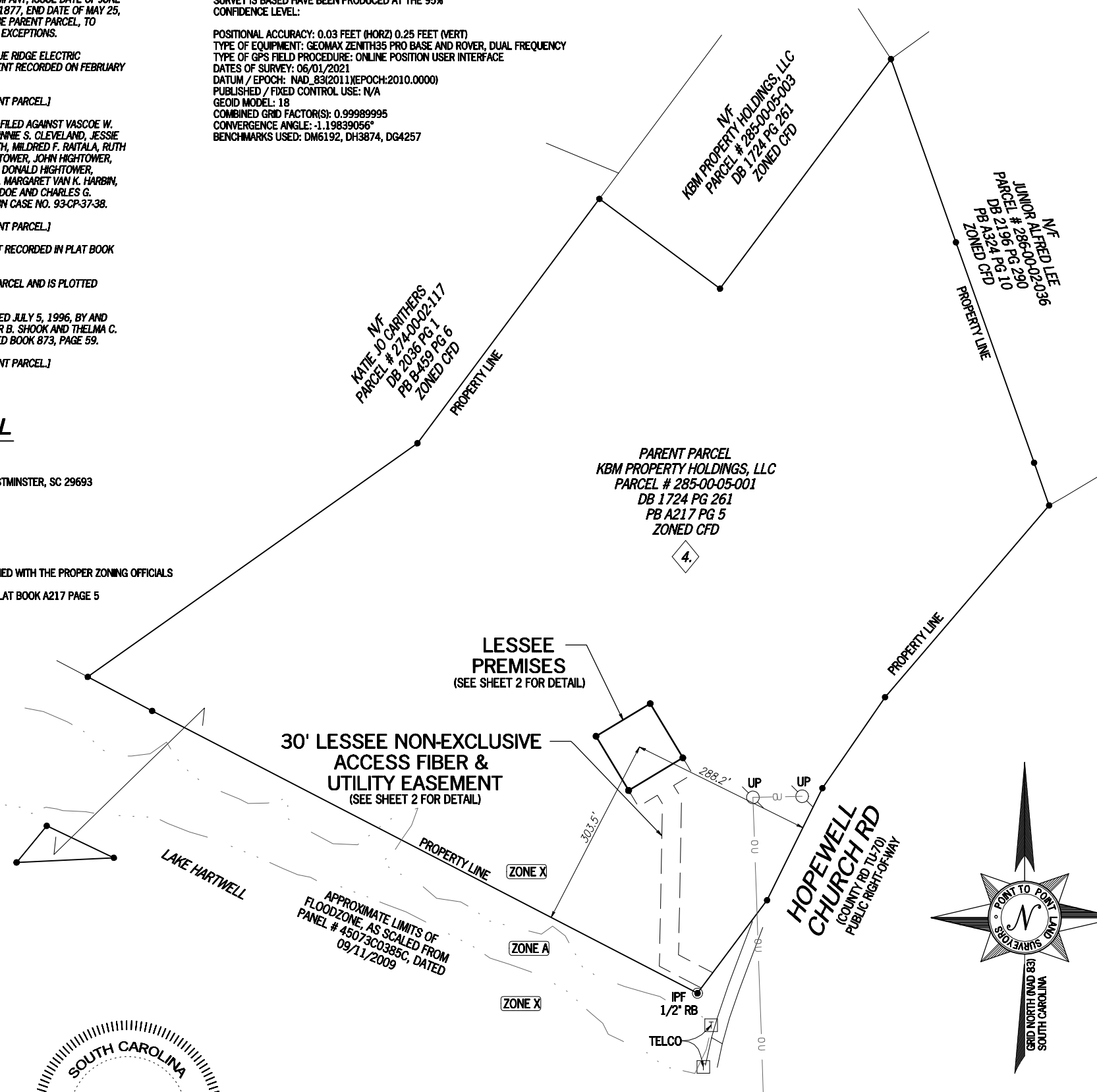
BEARINGS SHOWN ON THIS SPECIFIC PURPOSE SURVEY ARE BASED ON GRID NORTH (NAD 83) SOUTH CAROLINA ZONE.

PER THE FEMA FLOODPLAIN MAPS, THE SITE IS LOCATED IN AN AREA DESIGNATED AS ZONE X (AREA OF MINIMAL FLOOD HAZARD). COMMUNITY PANEL NO. : 45073C0385C DATED: 09/11/2009.

NO WETLAND AREAS HAVE BEEN INVESTIGATED BY THIS SPECIFIC PURPOSE SURVEY.

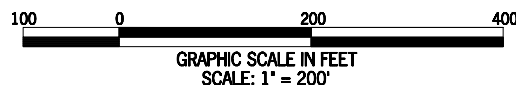
ALL ZONING INFORMATION SHOULD BE VERIFIED WITH THE PROPER ZONING OFFICIALS.

ANY UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM ABOVE GROUND FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEES THAT ANY UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT ANY UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ANY UNDERGROUND UTILITIES.



LEGEND

- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- IPF IRON PIN FOUND
- RB REBAR
- N/F NOW OR FORMERLY
- C/L CENTERLINE
- UP UTILITY POLE
- OU OVERHEAD UTILITY
- TBM TEMPORARY BENCHMARK



SURVEYOR CERTIFICATION

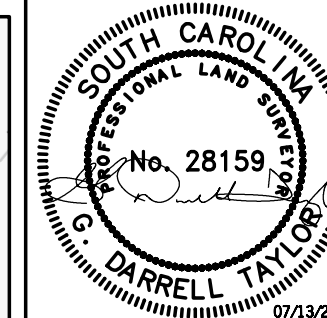
I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY SPECIFIED THEREIN.

THIS SURVEY IS NOT FOR RECORDATION PURPOSES.

SURVEY NOT VALID WITHOUT SHEET 2 OF 2

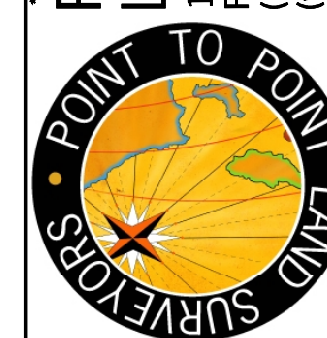


Know what's below.
Call before you dig.



NO.	DATE	REVISION
1.	07/13/2021	ADDED TITLE - AJT

POINT TO POINT LAND SURVEYORS
 100 Governors Trace, Ste. 103
 Peachtree City, GA 30269
 (p) 678.565.4440 (f) 678.565.4497
 (w) pointtopointsurvey.com



SPECIFIC PURPOSE SURVEY PREPARED FOR:

CELLCO PARTNERSHIP
 d/b/a/
 VERIZON WIRELESS
 1 VERIZON WAY,
 BASKING RIDGE,
 NEW JERSEY 07920

TOCCOA HWY
 LOCATION CODE:
 682871
 TUGALOO TOWNSHIP,
 OCONEE COUNTY,
 SOUTH CAROLINA

DRAWN BY: AJT
 CHECKED BY: JKL
 APPROVED: D. MILLER
 DATE: JUNE 17, 2021
 P2P JOB #: 210833SC

SHEET:
1
 OF 2

30' LESSEE NON-EXCLUSIVE ACCESS, FIBER & UTILITY EASEMENT

TOGETHER WITH A 30-FOOT LESSEE NON-EXCLUSIVE ACCESS, FIBER AND UTILITY EASEMENT LYING AND BEING IN TUGALOO TOWNSHIP, OCONEE COUNTY, SOUTH CAROLINA, AND BEING A PORTION OF THE LANDS OF KBM PROPERTY HOLDINGS, LLC, AS RECORDED IN DEED BOOK 1724, PAGE 261, OCONEE COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A 1/2-INCH REBAR FOUND AT THE SOUTHERNMOST PROPERTY CORNER OF SAID LANDS, LYING ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HOPEWELL CHURCH ROAD, AND HAVING A SOUTH CAROLINA GRID NORTH, NAD 83, SINGLE ZONE VALUE OF N: 1019675.7156 E: 1348810.4760; THENCE RUNNING ALONG SAID RIGHT-OF-WAY LINE, NORTH 36°47'22" EAST, 10.13 FEET TO A POINT AND THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND RUNNING, NORTH 62°31'32" WEST, 74.83 FEET TO A POINT; THENCE, NORTH 01°06'12" EAST, 257.09 FEET TO A POINT; THENCE, NORTH 31°01'46" WEST, 15.68 FEET TO A POINT; THENCE, SOUTH 58°58'14" WEST, 35.00 FEET TO A POINT; THENCE, NORTH 31°01'46" WEST, 30.00 FEET TO A POINT ON THE LESSEE PREMISES HAVING A SOUTH CAROLINA GRID NORTH, NAD 83, SINGLE ZONE VALUE OF N: 1019996.4926 E: 1348701.5617; THENCE RUNNING ALONG SAID LESSEE PREMISES, NORTH 58°58'14" EAST, 100.00 FEET TO A POINT; THENCE LEAVING SAID LESSEE PREMISES, SOUTH 31°01'46" EAST, 30.00 FEET TO A POINT; THENCE, SOUTH 58°58'14" WEST, 35.00 FEET TO A POINT; THENCE, SOUTH 31°01'46" EAST, 24.32 FEET TO A POINT; THENCE, SOUTH 01°06'12" WEST, 247.12 FEET TO A POINT; THENCE, SOUTH 62°31'32" EAST, 61.14 FEET TO A POINT ON SAID RIGHT-OF-WAY LINE; THENCE RUNNING ALONG SAID RIGHT-OF-WAY LINE, SOUTH 36°47'22" WEST, 30.40 FEET TO A POINT AND THE POINT OF BEGINNING.

BEARINGS BASED ON SOUTH CAROLINA GRID NORTH, NAD 83, SINGLE ZONE.

SAID EASEMENT CONTAINS 0.3031 ACRES (13,203 SQUARE FEET), MORE OR LESS.

PARENT PARCEL

(PER ORDER NO. 34773964)

PARCEL 1:

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND LYING AND BEING IN OCONEE COUNTY, SOUTH CAROLINA, CONTAINING APPROXIMATELY 23.51 ACRES AS SHOWN ON PLAT OF JERRY E. BYRD, RLS #8097, DATED JUNE 18, 1992, AND RECORDED SEPTEMBER 17, 1993 IN PLAT BOOK A217, PAGE 5, RECORDS OF OCONEE COUNTY, SOUTH CAROLINA.

LESS AND EXCEPT:

ALL THAT CERTAIN PLACE, PARCEL OR LOT OF LAND SITUATE, LYING AND BEING IN THE STATE AND COUNTY AFORESAID WEST OF THE TOWN OF WESTMINSTER ON WILLARD KING ROAD AND LOT #3 OF HARBIN'S HARBORS; BEGINNING AT NORTHWEST CORNER OF LOT #3 AND RUNNING EAST +/- 501.5 FEET TO IRON PIN ON LEE LINE, HENCE SOUTH ALONG LEE LINE +/- 180 FEET TO IRON PIN, HENCE WEST +/- 492 FEET TO IRON PIN, HENCE NORTH +/- 180 FEET TO IRON PIN AND POINT OF BEGINNING AND CONTAINING +/- 2 ACRES.

PARCEL 2:

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND LYING AND BEING SITUATE IN THE STATE OF SOUTH CAROLINA, COUNTY OF OCONEE, AND BEGINNING AT AN IRON PIN ON SOUTHWEST CORNER AND RUNNING NORTH 74.9 FEET TO AN IRON PIN, THENCE SOUTH 117.46 FEET TO AN IRON PIN; THENCE SOUTHWEST 154.15 FEET TO AN IRON PIN AND POINT OF BEGINNING AND CONTAINING, MORE OR LESS, .10 ACRES SHOWN BY PLAT RECORDED SEPTEMBER 17, 1993 IN VOLUME A217, PAGE 5 AND CERTIFIED.

PARCEL 3:

ALL THAT CERTAIN PIECE, PARCEL OR TRACT LYING AND BEING IN OCONEE COUNTY, SOUTH CAROLINA, AND CONTAINING FOUR (4) ACRES, MORE OR LESS, AND BEING DESCRIBED, TO WIT:

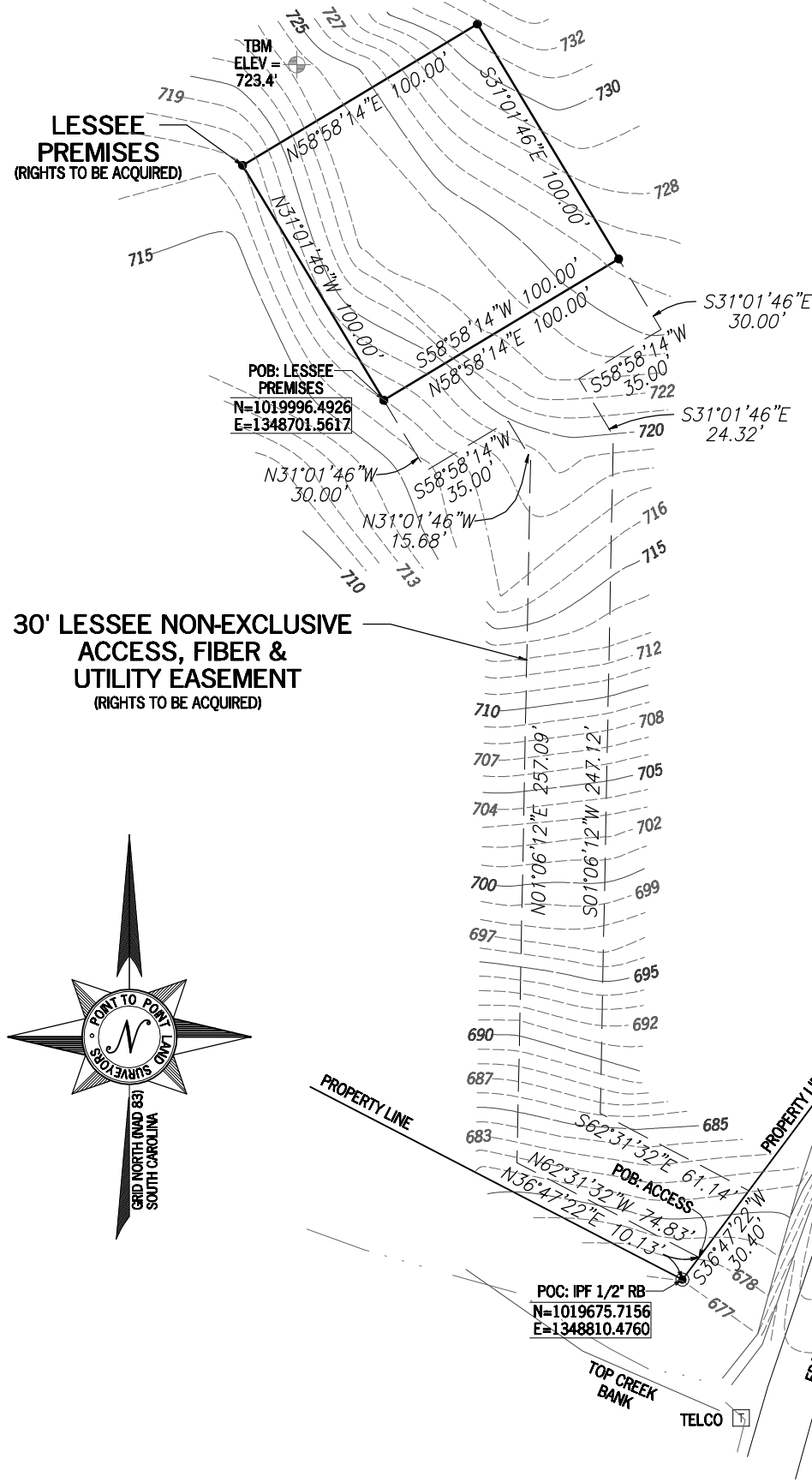
BEGINNING AT THE SOUTHEASTERN MOST CORNER OF AN APPROXIMATELY 33.7 ACRE TRACT ON OR NEAR CHAUGA RIVER, NOW OR FORMERLY OF TITLED IN THE NAME OF W. J. HARBIN, ET AL, AT A POINT ON, IN OR ADJACENT TO SC HIGHWAY 68; THENCE IN A NORTHWESTERLY DIRECTION ALONG THE NORTHERN MOST BOUNDARY OF THE 33.7 ACRE TRACT, A DISTANCE OF 417 FEET; THENCE TURNING NINETY DEGREES (90 DEGREES) IN A SOUTHWESTERLY DIRECTION AND CONTINUING IN A STRAIGHT LINE A DISTANCE OF 417 FEET; THENCE TURNING NINETY DEGREES (90 DEGREES) IN A SOUTHEASTERLY DIRECTION AND CONTINUING IN A STRAIGHT LINE A DISTANCE OF 417 FEET TO A POINT ON, IN OR ADJACENT TO SC HIGHWAY 68; THENCE IN A NORTHEASTERLY DIRECTION ALONG SC HIGHWAY 68 TO POINT OF BEGINNING. THE PROPERTY BEING CONVEYED HEREIN CONTAINS APPROXIMATELY FOUR (4) ACRES AND LIES IN THE EASTERNMOST CORNER OF THAT PARCEL OF LAND DENOTED ON THE TAX MAPS OF OCONEE COUNTY AS PARCEL #285-05-001.

AND BEING A PORTION OF THE PROPERTY CONVEYED TO KBM PROPERTY HOLDINGS, LLC, FROM KATHERINE BARRET MAXWELL BY TITLE TO REAL ESTATE DATED JUNE 17, 2009 AND RECORDED JUNE 23, 2009 IN DEED BOOK 1724, PAGE 261.

TAX PARCEL NO. 285-00-05-001

LEGEND

POB POINT OF BEGINNING
 POC POINT OF COMMENCEMENT
 IPF IRON PIN FOUND
 RB REBAR
 N/F NOW OR FORMERLY
 C/L CENTERLINE
 UP UTILITY POLE
 OU OVERHEAD UTILITY
 TBM TEMPORARY BENCHMARK



SITE INFORMATION

LESSEE PREMISES = 10,000 SQUARE FEET (0.2296 ACRES)

LATITUDE = 34°37'05.37" (NAD 83) (34.618158°)
 LONGITUDE = -83°09'53.46" (NAD 83) (-83.164850°)
 AT CENTER LESSEE PREMISES

ELEVATION AT CENTER OF LESSEE PREMISES = 723.9' A.M.S.L.

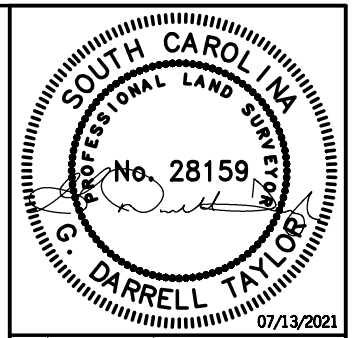
LESSEE PREMISES

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN TUGALOO TOWNSHIP, OCONEE COUNTY, SOUTH CAROLINA, AND BEING A PORTION OF THE LANDS OF KBM PROPERTY HOLDINGS, LLC, AS RECORDED IN DEED BOOK 1724, PAGE 261, OCONEE COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A 1/2-INCH REBAR FOUND AT THE SOUTHERNMOST PROPERTY CORNER OF SAID LANDS, LYING ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HOPEWELL CHURCH ROAD, AND HAVING A SOUTH CAROLINA GRID NORTH, NAD 83, SINGLE ZONE VALUE OF N: 1019675.7156 E: 1348810.4760; THENCE RUNNING ALONG SAID RIGHT-OF-WAY LINE, NORTH 36°47'22" EAST, 10.13 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND RUNNING, NORTH 62°31'32" WEST, 74.83 FEET TO A POINT; THENCE, NORTH 01°06'12" EAST, 257.09 FEET TO A POINT; THENCE, NORTH 31°01'46" WEST, 15.68 FEET TO A POINT; THENCE, SOUTH 58°58'14" WEST, 35.00 FEET TO A POINT; THENCE, NORTH 31°01'46" WEST, 30.00 FEET TO A POINT HAVING A SOUTH CAROLINA GRID NORTH, NAD 83, SINGLE ZONE VALUE OF N: 1019996.4926 E: 1348701.5617, AND BEING THE TRUE POINT OF BEGINNING; THENCE, NORTH 31°01'46" WEST, 100.00 FEET TO A POINT; THENCE, NORTH 58°58'14" EAST, 100.00 FEET TO A POINT; THENCE, SOUTH 31°01'46" EAST, 100.00 FEET TO A POINT; THENCE, SOUTH 58°58'14" WEST, 100.00 FEET TO A POINT AND THE POINT OF BEGINNING.

BEARINGS BASED ON SOUTH CAROLINA GRID NORTH, NAD 83, SINGLE ZONE.

SAID TRACT CONTAINS 0.2296 ACRES (10,000 SQUARE FEET), MORE OR LESS.



NO.	DATE	REVISION
1.	07/13/2021	ADDED TITLE - AJT

POINT TO POINT LAND SURVEYORS
 100 Governors Trace, Ste. 103
 Peachtree City, GA 30269
 (p) 678.565.4440 (f) 678.565.4497
 (w) pointtopointsurvey.com



SPECIFIC PURPOSE SURVEY PREPARED FOR:

CELLCO PARTNERSHIP
 d/b/a/
 VERIZON WIRELESS
 1 VERIZON WAY,
 BASKING RIDGE,
 NEW JERSEY 07920

TOCCOA HWY
 LOCATION CODE:
 682871
 TUGALOO TOWNSHIP,
 OCONEE COUNTY,
 SOUTH CAROLINA

DRAWN BY: AJT
 CHECKED BY: JKL
 APPROVED: D. MILLER
 DATE: JUNE 17, 2021
 P2P JOB #: 210833SC

SHEET:
2
 OF 2



SURVEY NOT VALID WITHOUT SHEET 1 OF 2

E:\topos\Point To Point\2021\210833SC\Facces Hwy210833SC.dwg

1.00 GENERAL NOTES

- 1.01 ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE DRAWINGS AND SPECIFICATIONS. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE STATE, LOCAL AND NATIONAL CODES, ORDINANCES AND OR REGULATIONS APPLICABLE TO THIS PROJECT.
- 1.02 THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE WORK OF ALL TRADES AND SHALL CHECK ALL DIMENSIONS. ALL DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE PROJECT MANAGER AND/OR ENGINEER AND BE RESOLVED BEFORE PROCEEDING WITH WORK. WHERE THERE IS A CONFLICT BETWEEN DRAWING AND VERIZON SPECIFICATIONS, THE VERIZON PROJECT ENGINEER SHOULD BE CONTACTED FOR CLARIFICATION.
- 1.03 ALL INFORMATION SHOWN ON THE DRAWINGS RELATIVE TO EXISTING CONDITIONS IS GIVEN AS THE BEST PRESENT KNOWLEDGE, BUT WITHOUT GUARANTEE OF ACCURACY. WHERE ACTUAL CONDITIONS CONFLICT WITH THE DRAWINGS, THEY SHALL BE REPORTED TO THE PROJECT MANAGER AND/OR ENGINEER SO THAT PROPER REVISIONS MAY BE MADE. MODIFICATION OF DETAILS OF CONSTRUCTION SHALL NOT BE MADE WITHOUT WRITTEN APPROVAL OF THE PROJECT MANAGER AND/OR ENGINEER.
- 1.04 CONTRACTOR SHALL REVIEW AND BE FAMILIAR WITH SITE CONDITIONS AS SHOWN ON THE ATTACHED SITE PLAN AND/OR SURVEY DRAWINGS.
- 1.05 WAVEGUIDE BRIDGE AND EQUIPMENT CABINETS ARE SHOWN FOR REFERENCE ONLY. REFER TO SEPARATE DRAWINGS FOR SPECIFIC INFORMATION.
- 1.06 ALL FINISHED GRADES SHALL SLOPE MINIMUM 1/4 IN./FT. AWAY FROM EQUIPMENT IN ALL DIRECTIONS. CONTRACTOR SHALL SLOPE SWALES AS REQUIRED ALONG EXISTING TERRAIN TO DRAIN AWAY FROM COMPOUND AND ACCESS DRIVE.
- 1.07 THE PROPOSED TOWER AND TOWER FOUNDATIONS WERE DESIGNED BY OTHERS. TOWER INFORMATION PROVIDED ON THESE PLANS ARE PROVIDED FOR REFERENCE PURPOSES ONLY. NOTIFY ENGINEER OR PROJECT MANAGER OF ANY CONFLICTS OR DISCREPANCIES. CONTRACTOR TO OBTAIN COPY OF TOWER DESIGN DRAWINGS, IF AVAILABLE, FROM VERIZON PROJECT MANAGER TO CONFIRM COAX ROUTING AND ANTENNA MOUNT INFORMATION.
- 1.08 THE CONTRACTOR SHALL PROVIDE ADEQUATE EXCAVATION SLOPING, SHORING, BRACING, AND GUYS IN ACCORDANCE WITH ALL NATIONAL, STATE, AND LOCAL SAFETY ORDINANCES.
- 1.09 UPON COMPLETION OF CONSTRUCTION, CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE CAUSED BY CONSTRUCTION ACTIVITIES TO THE EXISTING ACCESS ROAD AND COMPOUND GRAVEL AREAS. ANY NEW FILL MATERIALS SHALL BE COMPACTED.
- 1.10 THE CONTRACTOR IS HEREBY NOTIFIED THAT PRIOR TO COMMENCING CONSTRUCTION, HE IS RESPONSIBLE FOR CONTACTING THE UTILITY COMPANIES INVOLVED AND SHALL REQUEST A VERIFICATION AT THE CONSTRUCTION SITE OF THE LOCATIONS OF THEIR UNDERGROUND UTILITIES AND WHERE THEY MAY POSSIBLY CONFLICT WITH THE PLACEMENT OF IMPROVEMENTS AS SHOWN ON THESE PLANS. THE CONTRACTOR OR ANY SUBCONTRACTOR FOR THIS CONTRACT WILL BE REQUIRED TO NOTIFY "SOUTH CAROLINA 811" 72 HOURS IN ADVANCE OF PERFORMING ANY WORK BY CALLING THE TOLL FREE NUMBER (888) 721-7877 (OR 811). ANY UTILITIES DAMAGED BY CONSTRUCTION ACTIVITIES SHALL BE REPAIRED BY THE CONTRACTOR, AT NO EXPENSE TO THE OWNER.
- 1.11 CONTRACTOR TO PROVIDE DUMPSTER AND PORTABLE TOILET FACILITY DURING CONSTRUCTION.
- 1.12 CONTRACTOR TO PROVIDE STYMIE LOCK OR EQUIVALENT AS APPROVED BY VERIZON PROJECT MANAGER.
- 1.13 CONTRACTOR TO PROVIDE ANY NECESSARY SIGNAGE PER VERIZON PROJECT MANAGER'S INSTRUCTIONS. SEE DETAIL ON SHEET C11.

2.00 EQUIPMENT FOUNDATION NOTES

- 2.01 FOUNDATIONS ARE DESIGNED FOR A PRESUMPTIVE ALLOWABLE SOIL BEARING CAPACITY OF 2,000 PSF. CONTRACTOR SHALL VERIFY SOIL CONDITIONS AND BEARING CAPACITY PRIOR TO CONSTRUCTION.
- 2.02 EXCAVATE A MINIMUM 18" BELOW PROPOSED EQUIPMENT FOUNDATIONS OF EXPANSIVE, ORGANIC, UNCONSOLIDATED OR OTHERWISE UNACCEPTABLE MATERIAL AND REPLACE WITH WELL-COMPACTED MATERIAL ACCEPTABLE TO VERIZON.
- 2.03 CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING, PROTECTING, AND RELOCATING AS REQUIRED ALL SERVICE AND UTILITY LINES IN VICINITY OF THE WORK SITE. ALL EXCAVATIONS NEAR THESE LINES TO BE CARRIED OUT WITH EXTREME CAUTION. COORDINATE ALL RELOCATIONS WITH THE PROPERTY OWNER.
- 2.04 CONTRACTOR TO CUT/FILL EXISTING COMPOUND SUBSOIL TO PROVIDE AN AREA AS LEVEL AS POSSIBLE FOR THE EQUIPMENT FOUNDATIONS. ALL FILL AREAS ARE TO BE FILLED WITH SUITABLE MATERIALS. FILL MATERIALS ARE TO BE PLACED, COMPACTED, AND TESTED IN MAXIMUM LAYERS OF 8". COMPACTION OF ALL FILL MATERIAL SHALL ACHIEVE 95 PERCENT OF MAXIMUM DRY DENSITY AT OPTIMUM MOISTURE CONTENT IN ACCORDANCE WITH ASTM D 698. ALL TESTS MUST MEET THE MINIMUM SPECIFIED SOIL BEARING CAPACITY. COMPACTION TESTING IS BY THE GEOTECHNICAL TESTING COMPANY DESIGNATED FOR THE PROJECT. SCHEDULING AND COORDINATION IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. REPORTS OF ALL TESTING ARE TO BE PROMPTLY DELIVERED OR FAXED TO THE VERIZON WIRELESS PROJECT MANAGER.
- 2.05 CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS AND SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST REVISION TO ACI-318 BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE.
- 2.06 CONCRETE SHALL HAVE A SLUMP BETWEEN 3" AND 6".
- 2.07 FIBERS FOR CONCRETE SHALL BE FIBERMESH 650, 100 PERCENT VIRGIN POLYPROPYLENE FIBRILLATED FIBERS, e3 PATENTED TECHNOLOGY PATENTED TECHNOLOGY, CONTAINING NO REPROCESSED OLEFIN MATERIALS. THE FIBERS SHALL CONFORM TO ASTM C1116 TYPE III AND MANUFACTURED SPECIFICALLY FOR THE SECONDARY REINFORCEMENT OF CONCRETE.
- 2.08 THE FIBERS SHALL BE MANUFACTURED IN AN ISO 9001:2008 CERTIFIED MANUFACTURING FACILITY. UNLESS OTHERWISE STATED, FIBERMESH 650 MACRO-SYNTHETIC FIBERS SHALL BE ADDED TO THE CONCRETE AT THE BATCHING PLANT AT THE RECOMMENDED APPLICATION RATE OF 3 LBS/YD³ AND MIXED FOR A SUFFICIENT TIME (MINIMUM 5 MINUTES AT FULL MIXING SPEED) TO ENSURE UNIFORM DISTRIBUTION OF THE FIBERS THROUGHOUT THE CONCRETE. FIBROUS CONCRETE REINFORCEMENT SHALL BE MANUFACTURED BY FIBERMESH, 4019 INDUSTRY DRIVE, CHATTANOOGA, TN 37416 USA, TEL: 800 621-1273, WEBSITE: WWW.FIBERMESH.COM
- 2.09 AT THE REQUEST OF THE VERIZON WIRELESS PROJECT MANAGER, TEST CYLINDERS SHALL BE MOLDED AND LABORATORY CURED IN ACCORDANCE WITH ASTM C31. THREE CYLINDERS SHALL BE TAKEN FOR EACH DAY'S CONCRETE PLACEMENT. CYLINDERS SHALL BE TESTED IN ACCORDANCE WITH THE LATEST REVISION TO ASTM C39.
- 2.10 CHAMFER ALL EXPOSED EXTERNAL CORNERS OF CONCRETE WITH 3/4" x 45° CHAMFER, UNLESS OTHERWISE NOTED.
- 2.11 CONCRETE FORMWORK IS TO BE STRIPPED WITHIN 48 HOURS. VIBRATION OF THE CONCRETE MUST ASSURE THAT HONEYCOMBING WILL BE AT A MINIMUM. MECHANICAL VIBRATION OF ALL CONCRETE IS REQUIRED UNLESS OTHERWISE DIRECTED BY VERIZON WIRELESS' PROJECT MANAGER. ABOVE GRADE CONCRETE IS TO BE RUBBED AND PATCHED TO ASSURE SMOOTH FINISH AT TIME OF FORMS REMOVAL. CONTRACTOR SHALL PROVIDE A BROOM FINISH ON THE TOP SURFACE OF THE EQUIPMENT FOUNDATION UNLESS OTHERWISE DIRECTED BY VERIZON WIRELESS' PROJECT MANAGER.
- 2.12 TOPS OF CONCRETE FOUNDATION MUST BE WITHIN 0.02' OF ELEVATION REQUIRED.
- 2.13 TOP OF FOUNDATION FINISH TO BE LEVEL ±1/8" IN 10'.
- 2.14 TOP OF FOUNDATION TO HAVE MEDIUM BROOM FINISH.
- 2.15 CONTRACTOR SHALL REFER TO DRAWINGS OF OTHER TRADES AND VENDOR DRAWINGS FOR EMBEDDED ITEMS AND RECESSES NOT SHOWN ON THE STRUCTURAL DRAWINGS. CONTRACTOR SHALL VERIFY PLACEMENT OF EQUIPMENT AND LOCATION OF CONDUIT FOR MANUFACTURER'S AND VENDORS SPECIFICATIONS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL OPENINGS AND SLEEVES FOR PROPER DISTRIBUTION OF ALL UTILITIES.



8921 RESEARCH DRIVE
CHARLOTTE, NORTH CAROLINA 28262

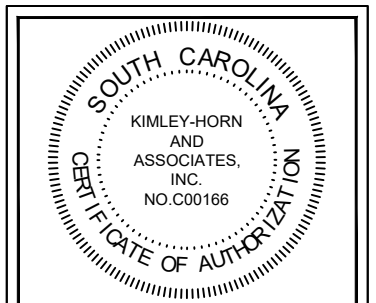
PROJECT INFORMATION:

SITE NAME:
TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY

PLANS PREPARED BY:



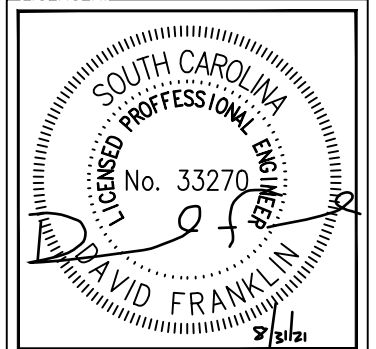
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-619-4280
WWW.KIMLEY-HORN.COM
SC License C00166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2			
1			
0	08/30/21	CONSTRUCTION	DMF

LICENSER:



KHA PROJECT NUMBER:

013509328

DRAWN BY: CHECKED BY:

JAR DMF

SHEET TITLE:

GENERAL NOTES

SHEET NUMBER:

N1

K:\ATL_Wireless\000_Verizon\2021_Sites\Toccoa Hwy\CAD\GB\ECor-GB.dwg 08/30/21 1:29 PM by: Paul.Gennett

1.00 GENERAL NOTES

- 1.01 ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE DRAWINGS AND SPECIFICATIONS. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE STATE, LOCAL AND NATIONAL CODES, ORDINANCES AND OR REGULATIONS APPLICABLE TO THIS PROJECT.
- 1.02 THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE WORK OF ALL TRADES AND SHALL CHECK ALL DIMENSIONS. ALL DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE PROJECT MANAGER AND/OR ENGINEER AND BE RESOLVED BEFORE PROCEEDING WITH WORK. WHERE THERE IS A CONFLICT BETWEEN DRAWING AND VERIZON SPECIFICATIONS, THE VERIZON PROJECT ENGINEER SHOULD BE CONTACTED FOR CLARIFICATION.
- 1.03 ALL INFORMATION SHOWN ON THE DRAWINGS RELATIVE TO EXISTING CONDITIONS IS GIVEN AS THE BEST PRESENT KNOWLEDGE, BUT WITHOUT GUARANTEE OF ACCURACY. WHERE ACTUAL CONDITIONS CONFLICT WITH THE DRAWINGS, THEY SHALL BE REPORTED TO THE PROJECT MANAGER AND/OR ENGINEER SO THAT PROPER REVISIONS MAY BE MADE. MODIFICATION OF DETAILS OF CONSTRUCTION SHALL NOT BE MADE WITHOUT WRITTEN APPROVAL OF THE PROJECT MANAGER AND/OR ENGINEER.
- 1.04 CONTRACTOR SHALL REVIEW AND BE FAMILIAR WITH SITE CONDITIONS AS SHOWN ON THE ATTACHED SITE PLAN AND/OR SURVEY DRAWINGS.
- 1.05 WAVEGUIDE BRIDGE AND EQUIPMENT CABINETS ARE SHOWN FOR REFERENCE ONLY. REFER TO SEPARATE DRAWINGS FOR SPECIFIC INFORMATION.
- 1.06 ALL FINISHED GRADES SHALL SLOPE MINIMUM 1/4 IN./FT. AWAY FROM EQUIPMENT IN ALL DIRECTIONS. CONTRACTOR SHALL SLOPE SWALES AS REQUIRED ALONG EXISTING TERRAIN TO DRAIN AWAY FROM COMPOUND AND ACCESS DRIVE.
- 1.07 THE PROPOSED TOWER AND TOWER FOUNDATIONS WERE DESIGNED BY OTHERS. TOWER INFORMATION PROVIDED ON THESE PLANS ARE PROVIDED FOR REFERENCE PURPOSES ONLY. NOTIFY ENGINEER OR PROJECT MANAGER OF ANY CONFLICTS OR DISCREPANCIES. CONTRACTOR TO OBTAIN COPY OF TOWER DESIGN DRAWINGS, IF AVAILABLE, FROM VERIZON PROJECT MANAGER TO CONFIRM COAX ROUTING AND ANTENNA MOUNT INFORMATION.
- 1.08 THE CONTRACTOR SHALL PROVIDE ADEQUATE EXCAVATION SLOPING, SHORING, BRACING, AND GUYS IN ACCORDANCE WITH ALL NATIONAL, STATE, AND LOCAL SAFETY ORDINANCES.
- 1.09 UPON COMPLETION OF CONSTRUCTION, CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE CAUSED BY CONSTRUCTION ACTIVITIES TO THE EXISTING ACCESS ROAD AND COMPOUND GRAVEL AREAS. ANY NEW FILL MATERIALS SHALL BE COMPACTED.
- 1.10 THE CONTRACTOR IS HEREBY NOTIFIED THAT PRIOR TO COMMENCING CONSTRUCTION, HE IS RESPONSIBLE FOR CONTACTING THE UTILITY COMPANIES INVOLVED AND SHALL REQUEST A VERIFICATION AT THE CONSTRUCTION SITE OF THE LOCATIONS OF THEIR UNDERGROUND UTILITIES AND WHERE THEY MAY POSSIBLY CONFLICT WITH THE PLACEMENT OF IMPROVEMENTS AS SHOWN ON THESE PLANS. THE CONTRACTOR OR ANY SUBCONTRACTOR FOR THIS CONTRACT WILL BE REQUIRED TO NOTIFY "SOUTH CAROLINA 811" 72 HOURS IN ADVANCE OF PERFORMING ANY WORK BY CALLING THE TOLL FREE NUMBER (888) 721-7877 (OR 811). ANY UTILITIES DAMAGED BY CONSTRUCTION ACTIVITIES SHALL BE REPAIRED BY THE CONTRACTOR, AT NO EXPENSE TO THE OWNER.
- 1.11 CONTRACTOR TO PROVIDE DUMPSTER AND PORTABLE TOILET FACILITY DURING CONSTRUCTION.
- 1.12 CONTRACTOR TO PROVIDE STYMIE LOCK OR EQUIVALENT AS APPROVED BY VERIZON PROJECT MANAGER.
- 1.13 CONTRACTOR TO PROVIDE ANY NECESSARY SIGNAGE PER VERIZON PROJECT MANAGER'S INSTRUCTIONS. SEE DETAIL ON SHEET C11.

2.00 EQUIPMENT FOUNDATION NOTES

- 2.01 FOUNDATIONS ARE DESIGNED FOR A PRESUMPTIVE ALLOWABLE SOIL BEARING CAPACITY OF 2,000 PSF. CONTRACTOR SHALL VERIFY SOIL CONDITIONS AND BEARING CAPACITY PRIOR TO CONSTRUCTION.
- 2.02 EXCAVATE A MINIMUM 18" BELOW PROPOSED EQUIPMENT FOUNDATIONS OF EXPANSIVE, ORGANIC, UNCONSOLIDATED OR OTHERWISE UNACCEPTABLE MATERIAL AND REPLACE WITH WELL-COMPACTED MATERIAL ACCEPTABLE TO VERIZON.
- 2.03 CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING, PROTECTING, AND RELOCATING AS REQUIRED ALL SERVICE AND UTILITY LINES IN VICINITY OF THE WORK SITE. ALL EXCAVATIONS NEAR THESE LINES TO BE CARRIED OUT WITH EXTREME CAUTION. COORDINATE ALL RELOCATIONS WITH THE PROPERTY OWNER.
- 2.04 CONTRACTOR TO CUT/FILL EXISTING COMPOUND SUBSOIL TO PROVIDE AN AREA AS LEVEL AS POSSIBLE FOR THE EQUIPMENT FOUNDATIONS. ALL FILL AREAS ARE TO BE FILLED WITH SUITABLE MATERIALS. FILL MATERIALS ARE TO BE PLACED, COMPACTED, AND TESTED IN MAXIMUM LAYERS OF 8". COMPACTION OF ALL FILL MATERIAL SHALL ACHIEVE 95 PERCENT OF MAXIMUM DRY DENSITY AT OPTIMUM MOISTURE CONTENT IN ACCORDANCE WITH ASTM D 698. ALL TESTS MUST MEET THE MINIMUM SPECIFIED SOIL BEARING CAPACITY. COMPACTION TESTING IS BY THE GEOTECHNICAL TESTING COMPANY DESIGNATED FOR THE PROJECT. SCHEDULING AND COORDINATION IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. REPORTS OF ALL TESTING ARE TO BE PROMPTLY DELIVERED OR FAXED TO THE VERIZON WIRELESS PROJECT MANAGER.
- 2.05 CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS AND SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST REVISION TO ACI-318 BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE.
- 2.06 CONCRETE SHALL HAVE A SLUMP BETWEEN 3" AND 6".
- 2.07 FIBERS FOR CONCRETE SHALL BE FIBERMESH 650, 100 PERCENT VIRGIN POLYPROPYLENE FIBRILLATED FIBERS, e3 PATENTED TECHNOLOGY PATENTED TECHNOLOGY, CONTAINING NO REPROCESSED OLEFIN MATERIALS. THE FIBERS SHALL CONFORM TO ASTM C1116 TYPE III AND MANUFACTURED SPECIFICALLY FOR THE SECONDARY REINFORCEMENT OF CONCRETE.
- 2.08 THE FIBERS SHALL BE MANUFACTURED IN AN ISO 9001:2008 CERTIFIED MANUFACTURING FACILITY. UNLESS OTHERWISE STATED, FIBERMESH 650 MACRO-SYNTHETIC FIBERS SHALL BE ADDED TO THE CONCRETE AT THE BATCHING PLANT AT THE RECOMMENDED APPLICATION RATE OF 3 LBS/YD³ AND MIXED FOR A SUFFICIENT TIME (MINIMUM 5 MINUTES AT FULL MIXING SPEED) TO ENSURE UNIFORM DISTRIBUTION OF THE FIBERS THROUGHOUT THE CONCRETE. FIBROUS CONCRETE REINFORCEMENT SHALL BE MANUFACTURED BY FIBERMESH, 4019 INDUSTRY DRIVE, CHATTANOOGA, TN 37416 USA, TEL: 800 621-1273, WEBSITE: WWW.FIBERMESH.COM
- 2.09 AT THE REQUEST OF THE VERIZON WIRELESS PROJECT MANAGER, TEST CYLINDERS SHALL BE MOLDED AND LABORATORY CURED IN ACCORDANCE WITH ASTM C31. THREE CYLINDERS SHALL BE TAKEN FOR EACH DAY'S CONCRETE PLACEMENT. CYLINDERS SHALL BE TESTED IN ACCORDANCE WITH THE LATEST REVISION TO ASTM C39.
- 2.10 CHAMFER ALL EXPOSED EXTERNAL CORNERS OF CONCRETE WITH 3/4" x 45° CHAMFER, UNLESS OTHERWISE NOTED.
- 2.11 CONCRETE FORMWORK IS TO BE STRIPPED WITHIN 48 HOURS. VIBRATION OF THE CONCRETE MUST ASSURE THAT HONEYCOMBING WILL BE AT A MINIMUM. MECHANICAL VIBRATION OF ALL CONCRETE IS REQUIRED UNLESS OTHERWISE DIRECTED BY VERIZON WIRELESS' PROJECT MANAGER. ABOVE GRADE CONCRETE IS TO BE RUBBED AND PATCHED TO ASSURE SMOOTH FINISH AT TIME OF FORMS REMOVAL. CONTRACTOR SHALL PROVIDE A BROOM FINISH ON THE TOP SURFACE OF THE EQUIPMENT FOUNDATION UNLESS OTHERWISE DIRECTED BY VERIZON WIRELESS' PROJECT MANAGER.
- 2.12 TOPS OF CONCRETE FOUNDATION MUST BE WITHIN 0.02' OF ELEVATION REQUIRED.
- 2.13 TOP OF FOUNDATION FINISH TO BE LEVEL ±1/8" IN 10'.
- 2.14 TOP OF FOUNDATION TO HAVE MEDIUM BROOM FINISH.
- 2.15 CONTRACTOR SHALL REFER TO DRAWINGS OF OTHER TRADES AND VENDOR DRAWINGS FOR EMBEDDED ITEMS AND RECESSES NOT SHOWN ON THE STRUCTURAL DRAWINGS. CONTRACTOR SHALL VERIFY PLACEMENT OF EQUIPMENT AND LOCATION OF CONDUIT FOR MANUFACTURER'S AND VENDORS SPECIFICATIONS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL OPENINGS AND SLEEVES FOR PROPER DISTRIBUTION OF ALL UTILITIES.



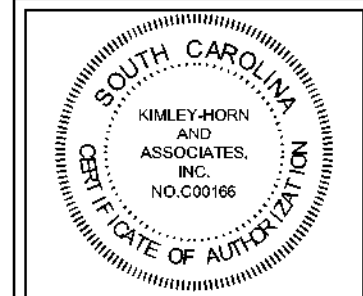
PROJECT INFORMATION:

SITE NAME:
TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY

PLANS PREPARED BY:



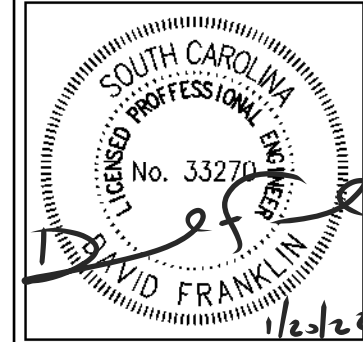
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-619-4280
WWW.KIMLEY-HORN.COM
SC License C00166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2	01/20/22	CONSTRUCTION	DMF
1	12/20/21	CONSTRUCTION	DMF
0	08/30/21	CONSTRUCTION	DMF

LICENSER:



KHA PROJECT NUMBER:

013509328

DRAWN BY: CHECKED BY:

JAR DMF

SHEET TITLE:

GENERAL NOTES

SHEET NUMBER:

N1

K:\ATL_Wireless\000_Verizon\2021_Sites\Toccoa\Verizon\CAD\GB\ECor-GB.dwg 01/19/22 5:05 PM by: William Brigger

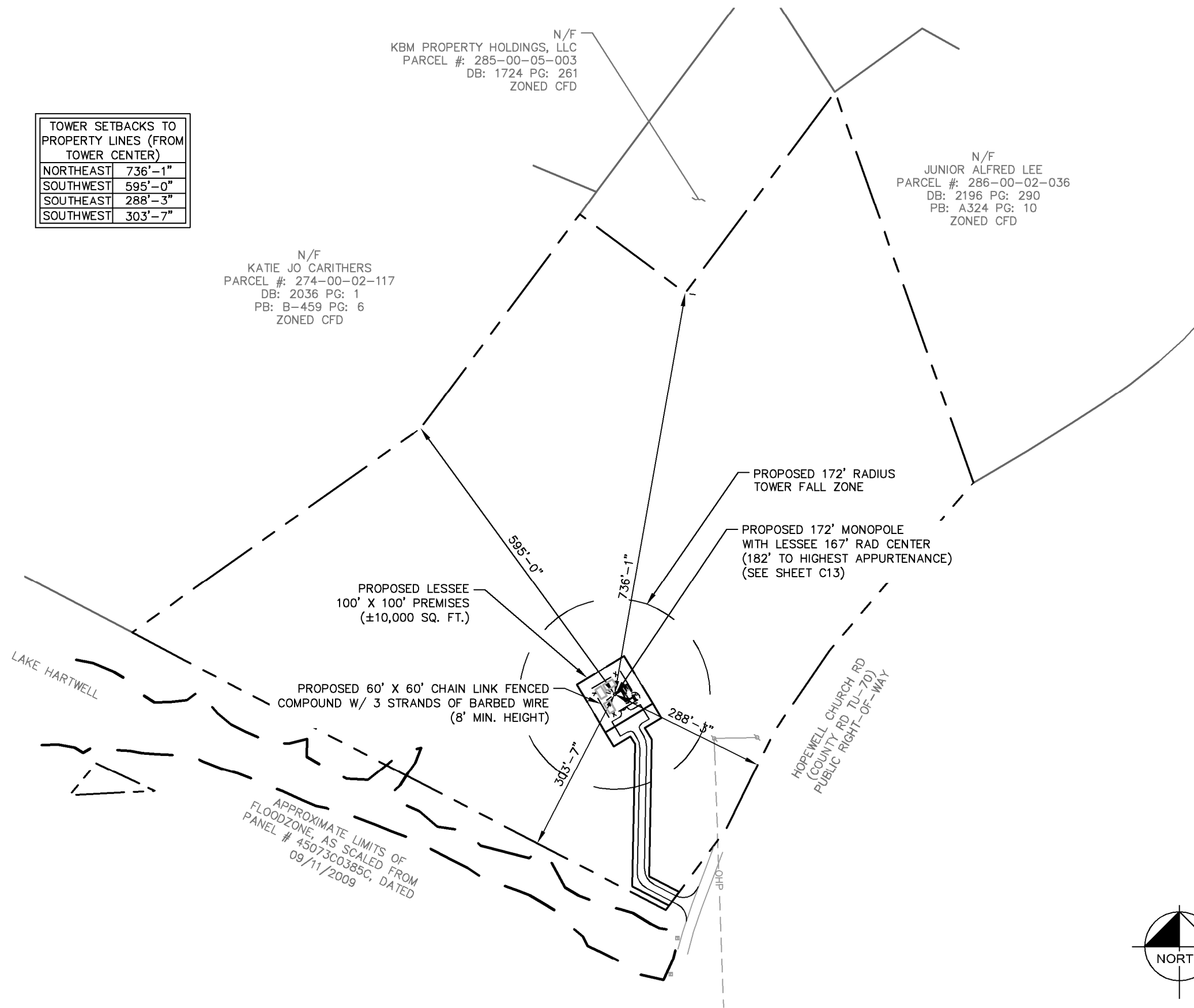
K:\ATL_Wireless\000_Verizon\2021_Sites\Toccoa Hwy\CAD\GB\ECar-GB.dwg 01/19/22 5:05 PM by: William.Bridger

TOWER SETBACKS TO PROPERTY LINES (FROM TOWER CENTER)	
NORTHEAST	736'-1"
SOUTHWEST	595'-0"
SOUTHEAST	288'-3"
SOUTHWEST	303'-7"

N/F
KBM PROPERTY HOLDINGS, LLC
PARCEL #: 285-00-05-003
DB: 1724 PG: 261
ZONED CFD

N/F
JUNIOR ALFRED LEE
PARCEL #: 286-00-02-036
DB: 2196 PG: 290
PB: A324 PG: 10
ZONED CFD

N/F
KATIE JO CARITHERS
PARCEL #: 274-00-02-117
DB: 2036 PG: 1
PB: B-459 PG: 6
ZONED CFD

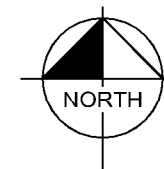


APPROXIMATE LIMITS OF FLOODZONE, AS SCALED FROM PANEL # 45073C0385C, DATED 09/11/2009

SURVEY NOTE:

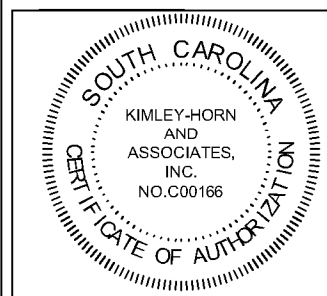
1. VERIZON WIRELESS STAFF SHALL COORDINATE WITH THE PROPERTY OWNER TO OBTAIN THE PROPER EASEMENT AGREEMENTS TO CONSTRUCT AND MAINTAIN EQUIPMENT IN AND AROUND THE TOWER COMPOUND.
2. PROPOSED COMPOUND LAYOUT BASED ON SURVEY PROVIDED BY G. DARRELL TAYLOR DATED 07/13/21 AND SITE VISIT ON 06/01/21.

1
C1 OVERALL SITE PLAN
SCALE: 1" = 200'

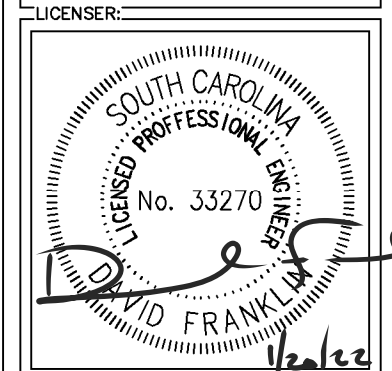


PROJECT INFORMATION:
SITE NAME:
TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY

PLANS PREPARED BY:
Kimley»Horn
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-619-4280
WWW.KIMLEY-HORN.COM
SC License CD0166



REV.	DATE	ISSUED FOR	BY
8			
7			
6			
5			
4			
3			
2	01/20/22	CONSTRUCTION	DMF
1	12/20/21	CONSTRUCTION	DMF
0	08/30/21	CONSTRUCTION	DMF



KHA PROJECT NUMBER:
013509328

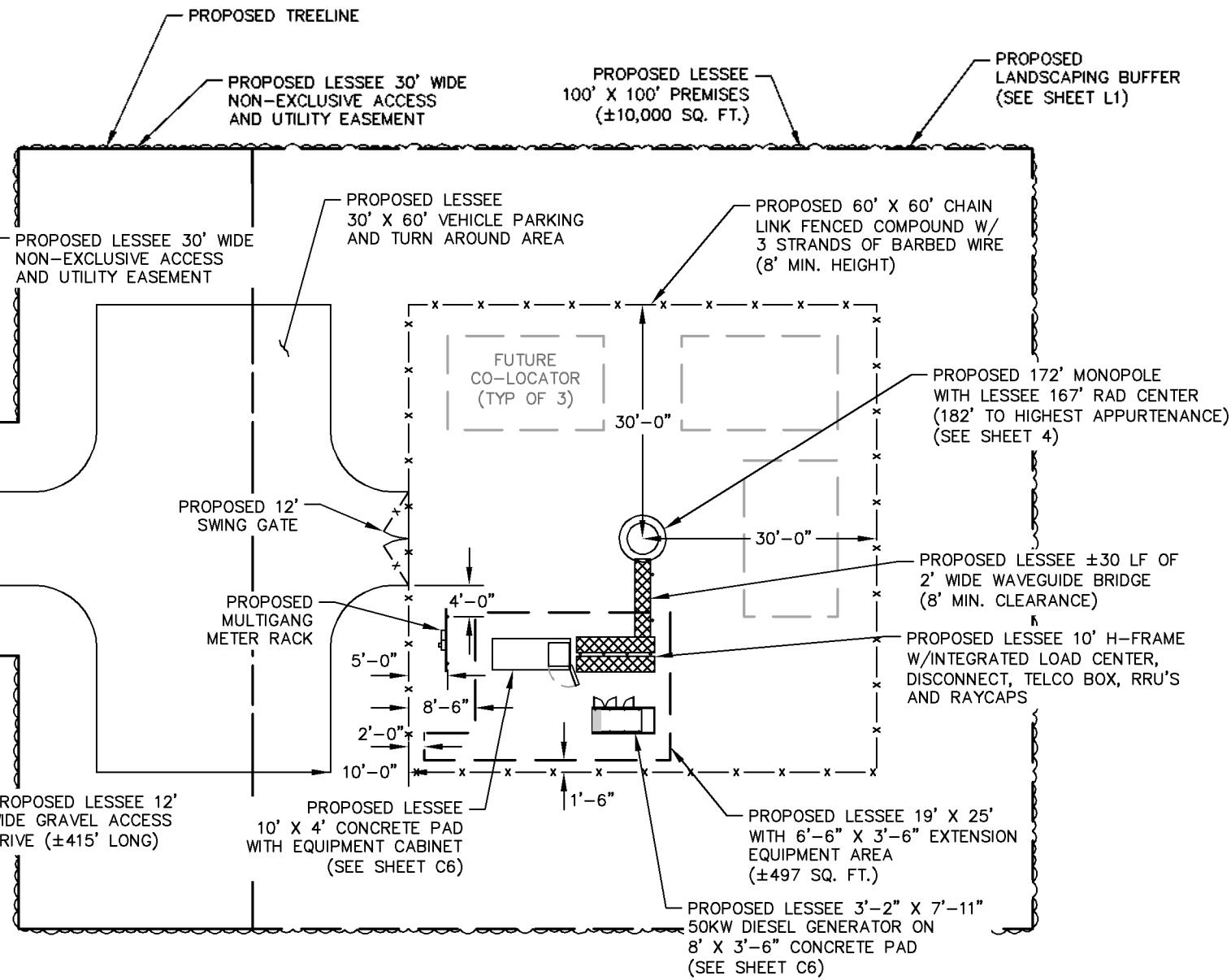
DRAWN BY: JAR CHECKED BY: DMF

SHEET TITLE:

OVERALL SITE PLAN

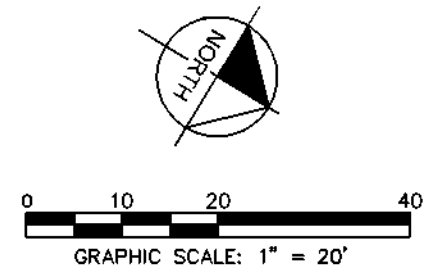
SHEET NUMBER:
C1

K:\ATL_Wireless\000_Verizon\2021_Sites\Toccoo Hwy\CAD\GB\ECor-GB.dwg 01/19/22 5:05 PM by: William.Bridger



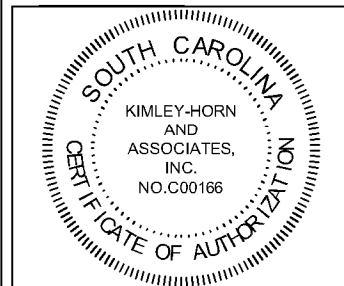
1 SITE PLAN
C2 SCALE: 1" = 20'

- SITE NOTES:**
1. VERIZON WIRELESS STAFF SHALL COORDINATE WITH THE PROPERTY OWNER AND/OR TOWER OWNER TO OBTAIN THE PROPER EASEMENT AGREEMENTS TO CONSTRUCT AND MAINTAIN EQUIPMENT IN AND AROUND THE TOWER COMPOUND.
 2. PROPOSED COMPOUND LAYOUT BASED ON SURVEY PROVIDED BY G. DARRELL TAYLOR DATED 07/13/21 AND SITE VISIT ON 06/01/21.
 3. CONTRACTOR TO CONFIRM WITH VERIZON CONSTRUCTION MANAGER THAT THE SHELTER/EQUIPMENT SHOWN HAS BEEN ORDERED/SCHEDULED FOR DELIVERY TO THIS SITE.
 4. THE BASIS OF EQUIPMENT DESIGN INCLUDES ONE (1) RF CABINET, ONE (1) FUTURE BATTERY CABINET, AND ONE (1) FUTURE EXPANSION CABINET.
 5. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING AND MODIFYING SCOPE OF WORK TO ACCOMMODATE ANY CHANGES IN THE EXACT EQUIPMENT PROCURED BY VERIZON WIRELESS. COORDINATE ANY CHANGES WITH VERIZON WIRELESS CONSTRUCTION MANAGER.
 6. ROUTE COAX/FIBER UP TOWER PER STRUCTURAL ANALYSIS BY TOWER OWNER.
 7. TOWER DIMENSIONS SHOWN ON THIS PLAN ARE FOR TOWER CENTER LOCATION. CONTRACTOR TO OBTAIN COPY OF TOWER ERECTION DRAWINGS FROM VERIZON CONSTRUCTION MANAGER PRIOR TO DRILLING TOWER FOUNDATIONS. CASSIONS AND TOWER SHOWN ON THIS PLAN ARE ILLUSTRATIVE, SEE DESIGN DRAWING BY OTHERS. DO NOT SCALE.



PROJECT INFORMATION:
 SITE NAME:
 TOCCOA HWY
 SITE No.: 682871
 PROJECT #: 20212231136
 HOPEWELL CHURCH RD
 WESTMINSTER, SC
 OCONEE COUNTY

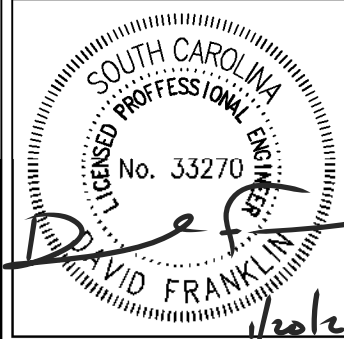
PLANS PREPARED BY:
Kimley»Horn
 11720 AMBER PARK DRIVE, SUITE 600
 ALPHARETTA, GA 30009
 PHONE: 770-619-4280
 WWW.KIMLEY-HORN.COM
 SC License C00166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2	01/20/22	CONSTRUCTION	DMF
1	12/20/21	CONSTRUCTION	DMF
0	08/30/21	CONSTRUCTION	DMF

LICENSER:



KHA PROJECT NUMBER:
013509328

DRAWN BY: JAR CHECKED BY: DMF

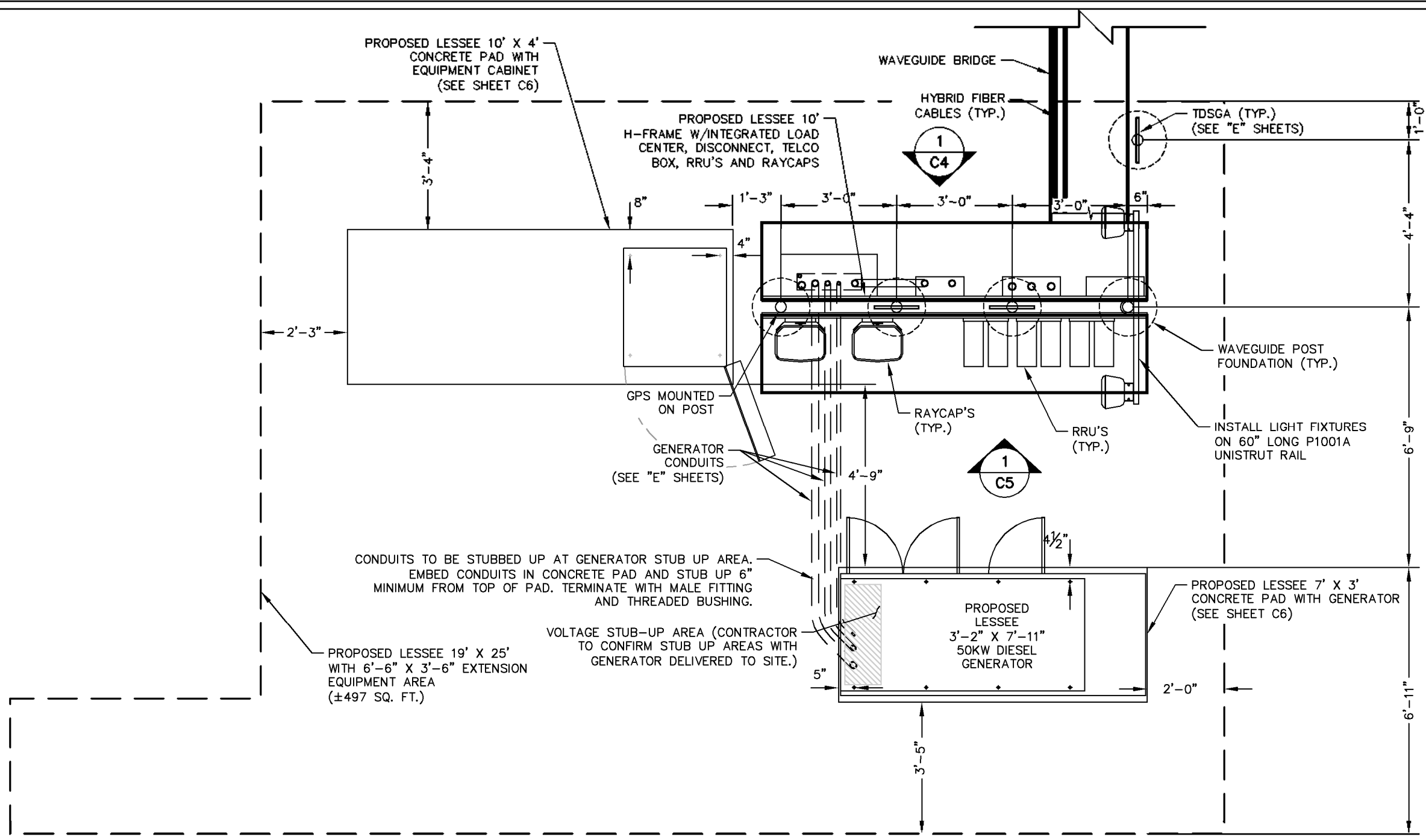
SHEET TITLE:

SITE PLAN

SHEET NUMBER:

C2

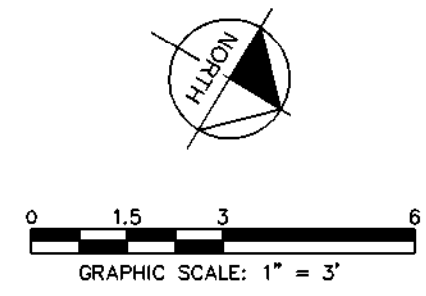
K:\ATL_Wireless\000_Verizon\2021_Sites\Toccoa\Hwy\CAD\GB\ECor-GB.dwg 01/19/22 5:05 PM by: William.Bridger



1
C3 **EQUIPMENT PAD LAYOUT**
SCALE: 1" = 3'

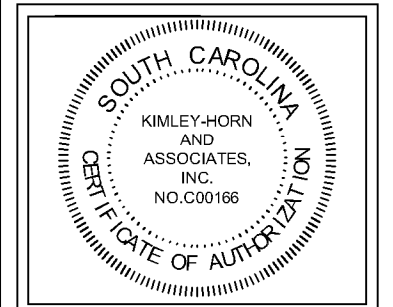
EQUIPMENT PAD/ROUTING NOTES:

- REFER TO THE SITE PLAN FOR EQUIPMENT PAD LOCATION AND ORIENTATION.
- RUN 2" FLEX TELCO CONDUIT FROM BOTTOM OF TELCO BOX TO SIDE OF RF CABINET WITH CHASE NIPPLE THROUGH FACTORY KNOCKOUT.
- RUN (2) 2" FLEX POWER CONDUIT AND (1) 1" ALARM CONDUIT FROM BOTTOM OF ILC TO SIDE OF RF CABINET WITH CHASE NIPPLES THROUGH FACTORY KNOCKOUTS.
- RUN 2" FLEX FIBER CONDUIT FROM BOTTOM OF OVP TO SIDE OF RF CABINET WITH CHASE NIPPLE THROUGH FACTORY KNOCKOUT.
- RUN (1) 1½" FLEX POWER CONDUIT FOR EVERY (6) RRU CIRCUITS FROM BOTTOM OF OVP TO SIDE OF RF CABINET WITH CHASE NIPPLE THROUGH FACTORY KNOCKOUT.
- SUPPORT FLEX CONDUIT ON HORIZONTAL H-FRAME RAILS OR ON VERTICAL SITE STRUT SNT10 RAILS ADDED TO H-FRAME FOR CONDUIT/CABLE MANAGEMENT.
- RUN HYBRID CABLE FOR TOWER MOUNTED RRU'S OVERHEAD ON TRAPEZE SUSPENDED FROM WAVE GUIDE BRIDGE. SWEEP DOWN ONTO H-FRAME RAILS, THEN LOOP UNDER OVP AND CONNECT TO BOTTOM OF OVP. ATTACH GROUND KITS TO HYBRID CABLE BEFORE LOOPING UNDER OVP, AND BOND TO TDSGA GROUND BAR AT BASE OF H-FRAME.
- RUN COAX CABLE FOR GROUND MOUNTED RRU'S (IF USED) OVERHEAD ON TRAPEZE SUSPENDED FROM WAVE GUIDE BRIDGE. TERMINATE COAX ON ICE BRIDGE AND TRANSITION TO JUMPERS JUST BEFORE REACHING H-FRAME. ATTACH GROUND KITS TO COAX CABLE ON TOWER SIDE OF LAST ICE BRIDGE POST AND BOND TO TDSGA GROUND BAR NEAR TOP OF POST.
- GPS ANTENNA TO BE MOUNTED TO STANDARD HEIGHT POST WITH EXTENDED MOUNTING PIPE, USING COMMSCOPE GPS-U MOUNTING KIT. MOUNT AS NEAR AS PRACTICAL TO RBA84 CABINET.
- BOLT CABINETS AND GENERATOR TO SLAB USING FASTENERS SPECIFIED BY EQUIPMENT MANUFACTURER IN FACTORY PROVIDED MOUNTING HOLES.



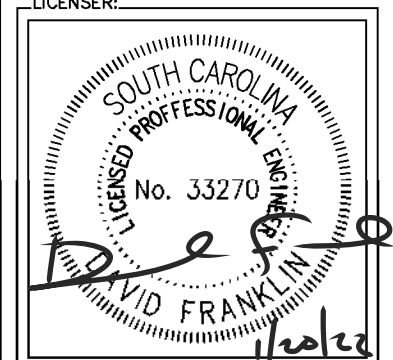
PROJECT INFORMATION:
 SITE NAME:
 TOCCOA HWY
 SITE No.: 682871
 PROJECT #: 20212231136
 HOPEWELL CHURCH RD
 WESTMINSTER, SC
 OCONEE COUNTY

PLANS PREPARED BY:
Kimley»Horn
 11720 AMBER PARK DRIVE, SUITE 600
 ALPHARETTA, GA 30009
 PHONE: 770-619-4280
 WWW.KIMLEY-HORN.COM
 SC License CD0166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2	01/20/22	CONSTRUCTION	DMF
1	12/20/21	CONSTRUCTION	DMF
0	08/30/21	CONSTRUCTION	DMF



KHA PROJECT NUMBER:
013509328

DRAWN BY: JAR CHECKED BY: DMF

SHEET TITLE:
EQUIPMENT PAD LAYOUT

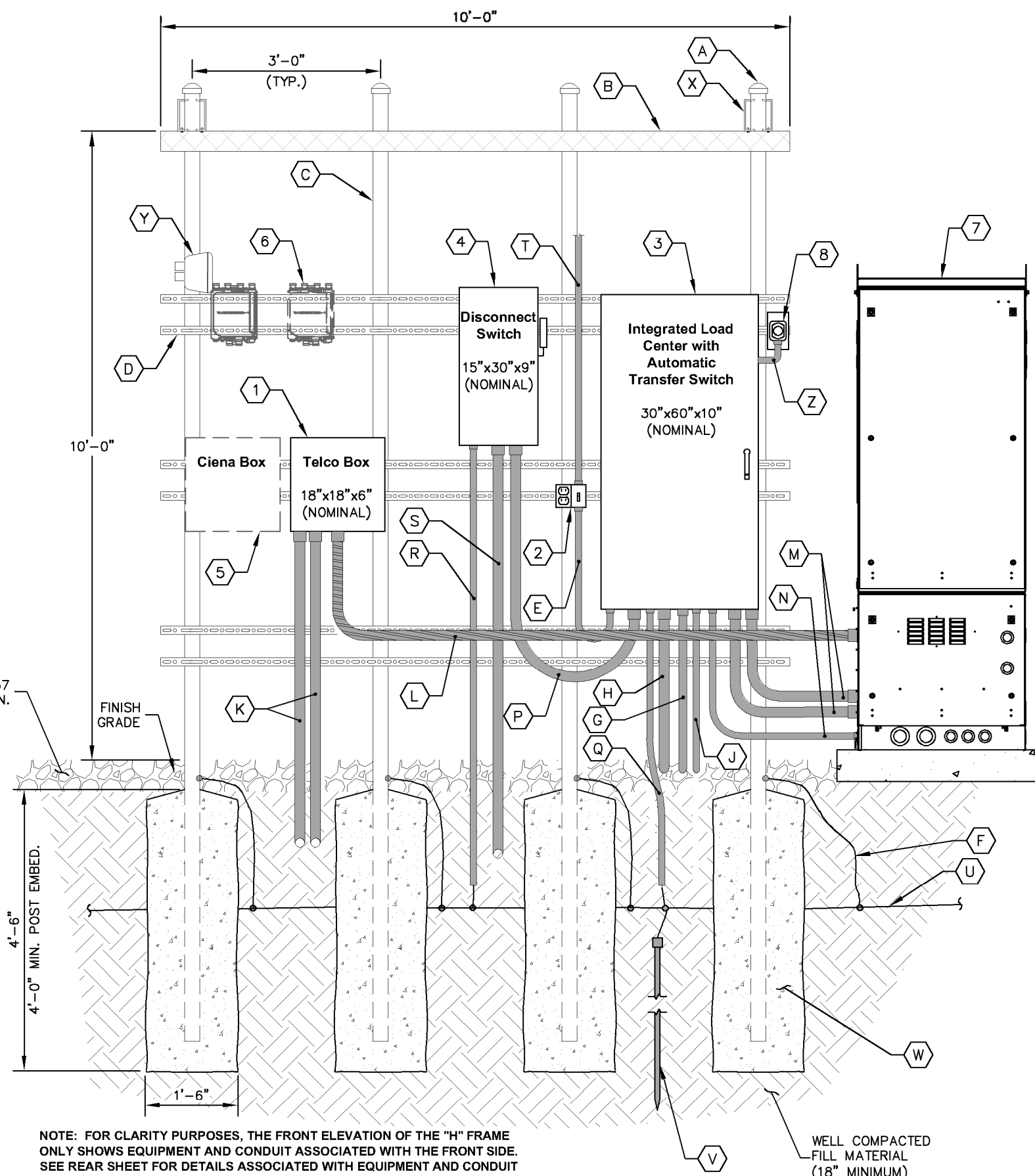
SHEET NUMBER:
C3

KEY NOTES - CONDUIT, CONDUCTORS, & MISC

- (A) GALVANIZED RIGID STEEL CAP, TYPICAL.
- (B) ICE BRIDGE, SEE CIVIL SHEETS FOR ADDITIONAL DETAILS.
- (C) 3" GALVANIZED RIGID STEEL PIPE, TYPICAL.
- (D) 1 5/8" X 1 5/8" GALVANIZED STEEL CHANNEL (UNISTRUT #P1000) WITH PLASTIC END CAP (UNISTRUT #P2860), TYPICAL.
- (E) 1" PVC CONDUIT FOR ROUTING POWER CONDUCTORS TO LIGHTS/DUPLEX OUTLET.
- (F) ONE (1) #2 AWG BARE SOLID TINNED COPPER BONDING CONDUCTOR (BC) FROM H-FRAME VERTICAL PIPE TO GROUND RING, EXOTHERMIC WELD BOTH ENDS.
- (G) 1" PVC CONDUIT FOR ROUTING GENERATOR CONTROL AND ALARM SIGNAL CABLES TO THE GENERATOR.
- (H) 2" PVC CONDUIT FOR ROUTING POWER CONDUCTORS TO THE GENERATOR.
- (J) 1" PVC CONDUIT FOR ROUTING POWER CONDUCTORS TO THE GENERATOR BATTERY CHARGER AND THE GENERATOR BLOCK HEATER.
- (K) TWO (2) 2" PVC TELCO CONDUITS, WITH TWO (2) PULL ROPES EACH.
- (L) 2" FLEX CONDUIT FOR TELCO CABLES TO RF CABINET. REFER TO ROUTING NOTES ON EQUIPMENT PAD LAYOUT.
- (M) (2) 2" PVC CONDUIT FOR ROUTING POWER CONDUCTORS TO RF CABINET. REFER TO ROUTING NOTES ON EQUIPMENT PAD LAYOUT.
- (N) 1" PVC CONDUIT FROM INTEGRATED LOAD CENTER (ILC) TO RF CABINET FOR ALARM SIGNAL CABLE. REFER TO ROUTING NOTES ON EQUIPMENT PAD LAYOUT.
- (P) 2" PVC CONDUIT FOR ROUTING POWER CONDUCTORS FROM THE DISCONNECT SWITCH TO THE UTILITY BREAKER IN THE ILC.
- (Q) 3/4" PVC CONDUIT WITH ONE (1) - #2 AWG BARE TINNED COPPER FROM GROUNDING LUG IN ILC TO GROUND ROD, EXOTHERMIC WELD TO GROUND ROD.
- (R) 3/4" PVC CONDUIT WITH ONE (1) - #2 AWG BARE TINNED COPPER FROM GROUNDING LUG IN DISCONNECT SWITCH TO GROUND RING, EXOTHERMIC WELD TO GROUND RING.
- (S) 2" PVC CONDUIT FOR ROUTING POWER CONDUCTORS FROM THE UTILITY COMPANY METER TO THE DISCONNECT SWITCH.
- (T) 1" PVC CONDUIT FOR ROUTING POWER CONDUCTORS TO AREA LIGHTS.
- (U) GROUND RING (SEE "E" SHEETS).
- (V) GROUND ROD, EXOTHERMIC WELD TO GROUND RING (SEE "E" SHEETS).
- (W) CONCRETE FOUNDATION FOR H-FRAME VERTICAL PIPE. CONCRETE SHALL HAVE A 28 DAY COMPRESSIVE STRENGTH OF 4,000 PSI. AND INCLUDE FIBERMESH 650.
- (X) WB-K210-B15 HORSEHEAD SUPPORT BRACKET (SEE "WAVEGUIDE BRIDGE DETAILS" SHEET). THRU BOLTS REQUIRED FOR ATTACHMENT IN LIEU OF FACTORY PROVIDED U-BOLTS.
- (Y) INSTALL LIGHT FIXTURES ON 60" LONG P1001A UNISTRUT RAIL (SEE "EQUIPMENT PAD LAYOUT" SHEET). ATTACH P1001A TO H-FRAME POST USING TWO (2) UB3 UNISTRUT CLAMPS. LIGHTS TO BE INSTALLED 7"-6" ABOVE GRADE.
- (Z) 1" PVC CONDUIT FOR ROUTING POWER CONDUCTORS FROM THE ILC TO THE EMERGENCY GENERATOR STOP SWITCH.

KEY NOTES - ELECTRICAL EQUIPMENT

- (1) NEMA 3R ENCLOSURE TELCO BOX WITH REMOVABLE FRONT PANEL, PVC, (18" X 18" X 6" NOMINAL).
- (2) 20 AMP GFCI DUPLEX RECEPTACLE AND TIMER SWITCH, ENERLITES HET06 SERIES (OR APPROVED EQUIVALENT) IN LOCKABLE NEMA 3R ENCLOSURE, 2 GANG BOX WITH RED DOT 2CKPM-W COVER.
- (3) 200 AMP, 120/240 VOLT, INTEGRATED LOAD CENTER WITH 42 SPACE PANEL AND AUTOMATIC TRANSFER SWITCH (30" X 60" X 10" NOMINAL).
- (4) SE RATED, 240 V, 200 AMP, 2-POLE, NON-FUSED DISCONNECT IN NEMA 3R ENCLOSURE.
- (5) CIENA ETHERNET IF REQUIRED (COORDINATE WITH VERIZON CONSTRUCTION MANAGER FOR ADDITIONAL CONDUIT AND WIRING REQUIREMENTS).
- (6) DIPLEXERS "AS NEEDED".
- (7) VERIZON RF CABINET-REAR VIEW.
- (8) EMERGENCY SHUTOFF SWITCH FOR GENERATOR MOUNTED ON 4" X 7" GALVANIZED J-BOX COVER PLATE



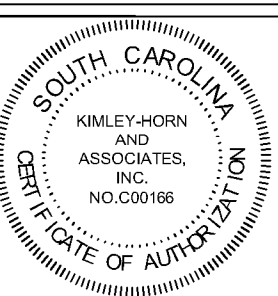
NOTE: FOR CLARITY PURPOSES, THE FRONT ELEVATION OF THE "H" FRAME ONLY SHOWS EQUIPMENT AND CONDUIT ASSOCIATED WITH THE FRONT SIDE. SEE REAR SHEET FOR DETAILS ASSOCIATED WITH EQUIPMENT AND CONDUIT MOUNTED ON THE REAR SIDE OF THE "H" FRAME.

1 EQUIPMENT RACK DETAILS - FRONT
C4 NOT TO SCALE



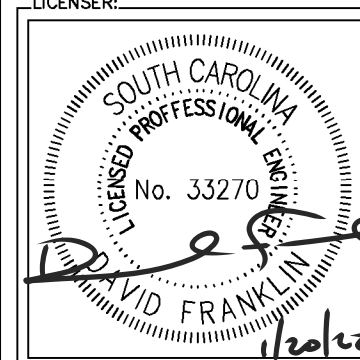
PROJECT INFORMATION:
 SITE NAME:
 TOCCOA HWY
 SITE No.: 682871
 PROJECT #: 20212231136
 HOPEWELL CHURCH RD
 WESTMINSTER, SC
 OCONEE COUNTY

PLANS PREPARED BY:
Kimley»Horn
 11720 AMBER PARK DRIVE, SUITE 600
 ALPHARETTA, GA 30009
 PHONE: 770-619-4280
 WWW.KIMLEY-HORN.COM
 SC License C00166



REV: _____ DATE: _____ ISSUED FOR: _____ BY: _____

8			
7			
6			
5			
4			
3			
2	01/20/22	CONSTRUCTION	DMF
1	12/20/21	CONSTRUCTION	DMF
0	08/30/21	CONSTRUCTION	DMF



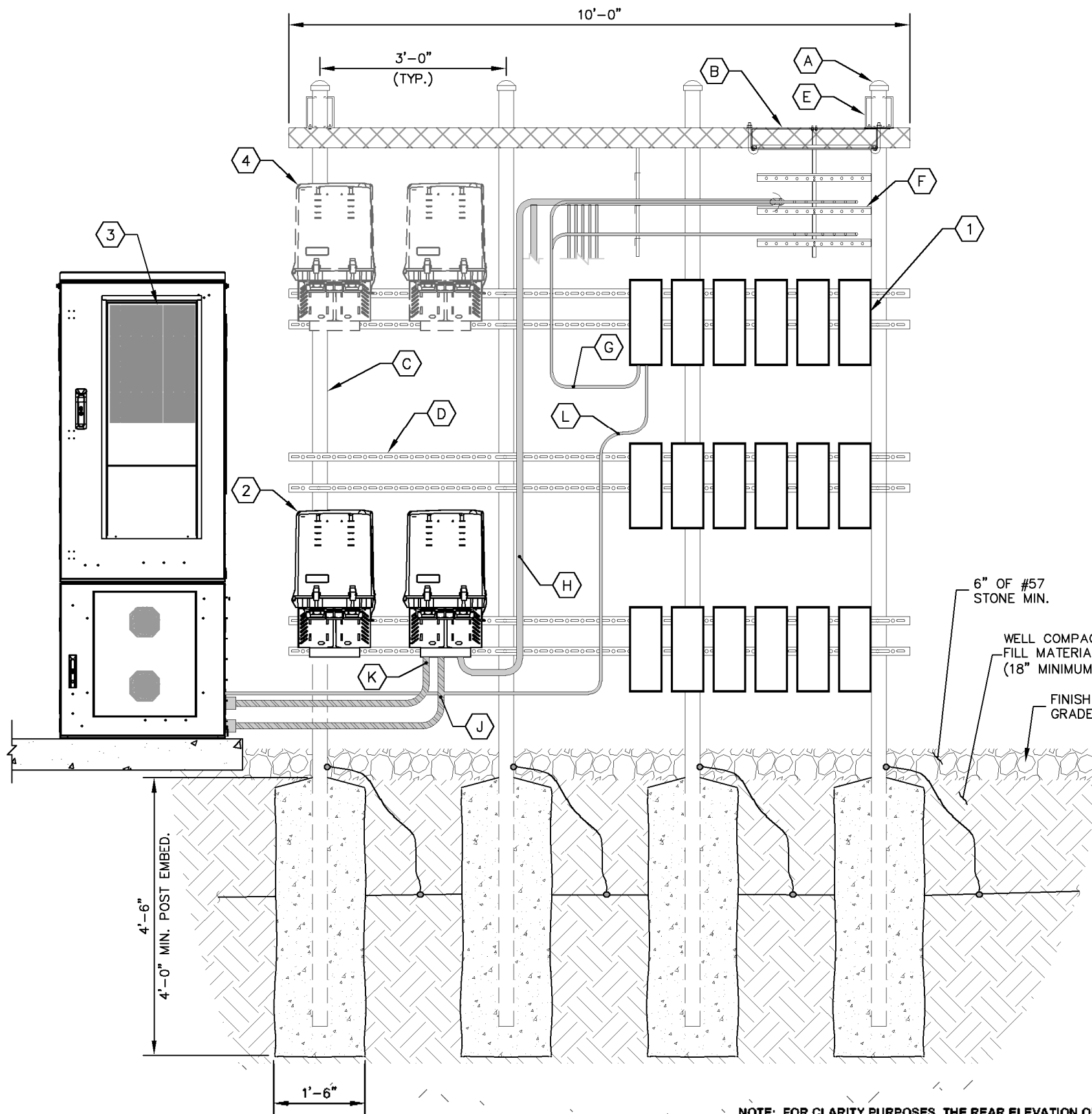
LICENSER:
 KHA PROJECT NUMBER:
 013509328
 DRAWN BY: _____ CHECKED BY: _____
 JAR DMF

SHEET TITLE:
**EQUIPMENT RACK
 DETAIL - FRONT**

SHEET NUMBER:
C4

K:\ATL_Wireless\000_Verizon\2021_Sites\Toccoa Hwy\CAD\GB\ECor-GB.dwg 01/19/22 5:06 PM by: William Bridger

K:\ATL_Wireless\000_Verizon\2021_Sites\Toccoa\Hwy\CAD\GB\ECar-GB.dwg ----- 01/19/22 5:06 PM by: William.Bridger



KEY NOTES - CONDUIT, CONDUCTORS, & MISC

- (A) GALVANIZED RIGID STEEL CAP, TYPICAL.
- (B) ICE BRIDGE, SEE CIVIL SHEETS FOR ADDITIONAL DETAILS.
- (C) 3" GALVANIZED RIGID STEEL PIPE, TYPICAL.
- (D) 1 1/2" X 1 1/2" GALVANIZED STEEL CHANNEL (UNISTRUT #P1000) WITH PLASTIC END CAP (UNISTRUT #P2860), TYPICAL.
- (E) WB-K210-B15 HORSEHEAD SUPPORT BRACKET (SEE "WAVEGUIDE BRIDGE DETAILS" SHEET). THRU BOLTS REQUIRED FOR ATTACHMENT IN LIEU OF FACTORY PROVIDED U-BOLTS.
- (F) ICE BRIDGE RUNNING TOWARDS TOWER (SEE "EQUIPMENT PAD LAYOUT" SHEET).
- (G) COAX JUMPER CABLES INTO BOTTOM OF RRU'S, TYPICAL.
- (H) HYBRID CABLES RUNNING INTO BOTTOM OF RAYCAPS, TYPICAL (SEE NOTE 7 ON "EQUIPMENT PAD LAYOUT" SHEET).
- (J) 1 1/2" POWER FLEX CONDUIT RUNNING FROM BOTTOM OF RAYCAPS TO CABINET, TYPICAL (SEE "EQUIPMENT PAD LAYOUT" SHEET).
- (K) 2" FIBER FLEX CONDUIT RUNNING FROM BOTTOM OF RAYCAPS TO CABINET, TYPICAL (SEE "EQUIPMENT PAD LAYOUT" SHEET).
- (L) FIBER/POWER JUMPER TO RRU (TYP. FOR EACH RRU).

KEY NOTES - ELECTRICAL EQUIPMENT

- (1) VERIZON RF RRU'S (MODEL, QUANTITY OF, AND CONFIGURATION DETERMINED BY RF DESIGN).
- (2) VERIZON RAYCAPS (MODEL, QUANTITY OF, AND CONFIGURATION DETERMINED BY RF DESIGN).
- (3) VERIZON RF CABINET-FRONT VIEW.
- (4) FUTURE VERIZON RAYCAPS.

NOTE: FOR CLARITY PURPOSES, THE REAR ELEVATION OF THE "H" FRAME ONLY SHOWS EQUIPMENT AND CONDUIT ASSOCIATED WITH THE REAR SIDE. SEE FRONT SHEET FOR DETAILS ASSOCIATED WITH EQUIPMENT AND CONDUIT MOUNTED ON THE FRONT SIDE OF THE "H" FRAME.

1 EQUIPMENT RACK DETAILS - REAR
C5 NOT TO SCALE



8821 RESEARCH DRIVE
 CHARLOTTE, NORTH CAROLINA 28262

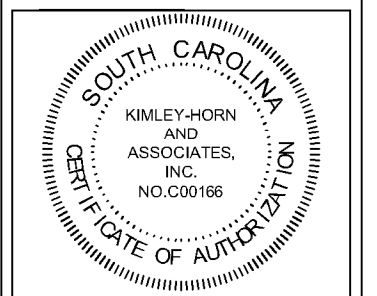
PROJECT INFORMATION:

SITE NAME:
 TOCCOA HWY
 SITE No.: 682871
 PROJECT #: 20212231136
 HOPEWELL CHURCH RD
 WESTMINSTER, SC
 OCONEE COUNTY

PLANS PREPARED BY:



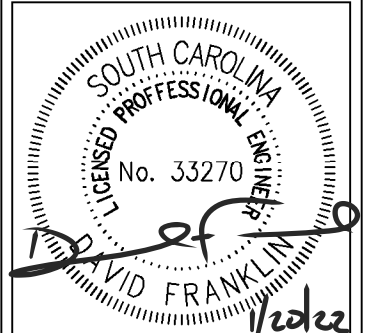
11720 AMBER PARK DRIVE, SUITE 600
 ALPHARETTA, GA 30009
 PHONE: 770-619-4280
 WWW.KIMLEY-HORN.COM
 SC License CD0166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2	01/20/22	CONSTRUCTION	DMF
1	12/20/21	CONSTRUCTION	DMF
0	08/30/21	CONSTRUCTION	DMF

LICENSER:



KHA PROJECT NUMBER:

013509328

DRAWN BY: CHECKED BY:

JAR DMF

SHEET TITLE:

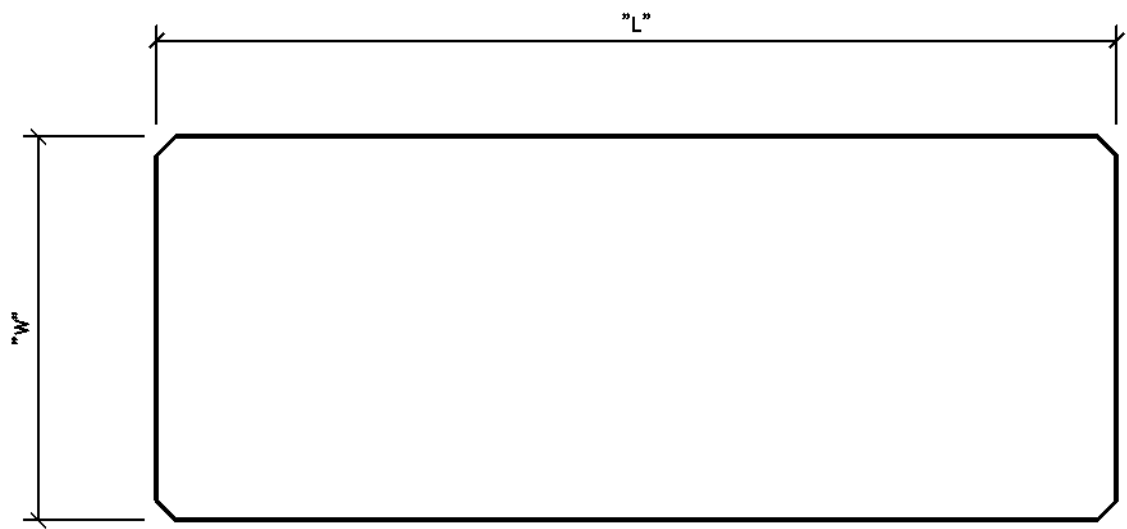
**EQUIPMENT RACK
 DETAIL - REAR**

SHEET NUMBER:

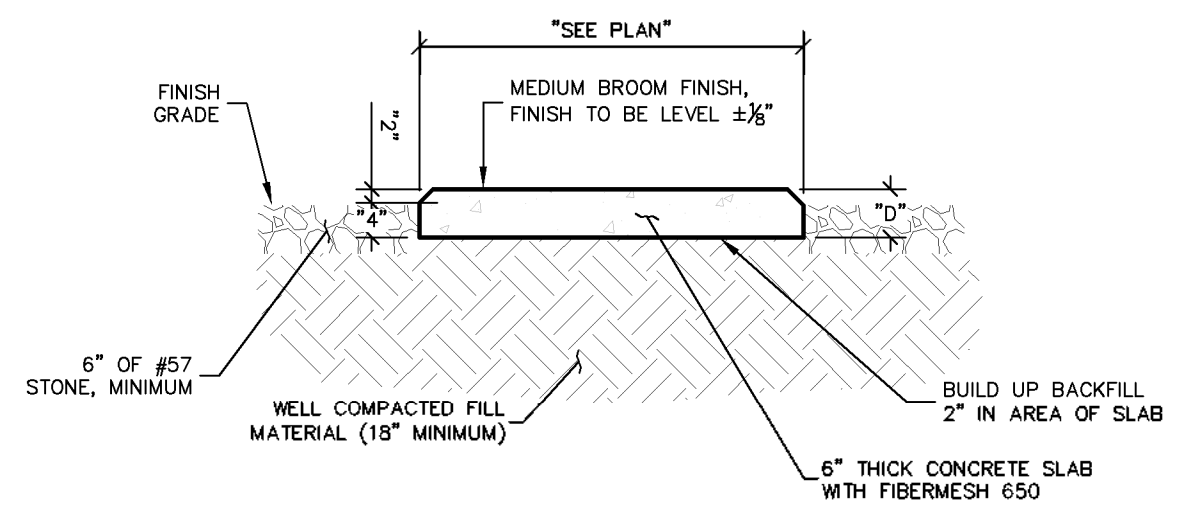
C5

K:\ATL_Wireless\000_Verizon\2021 Sites\Toccoa Hwy\CAD\GB\ECar-GB.dwg ----- 01/19/22 5:06 PM by: William Bröjger

CONCRETE PAD SCHEDULE				
PAD TYPE	"L"	"W"	"D"	REINFORCEMENT
EQUIPMENT PAD	10'-0"	4'-0"	6"	SEE DETAIL 2/C6
GENERATOR PAD	8'-0"	3'-6"	6"	SEE DETAIL 2/C6



1 CONCRETE PAD PLAN
C6 NOT TO SCALE

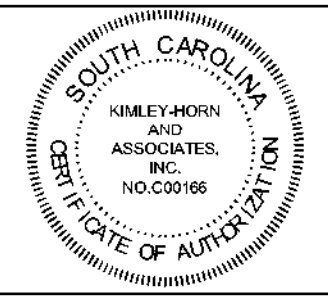


2 CONCRETE PAD FOUNDATION SECTION
C6 NOT TO SCALE



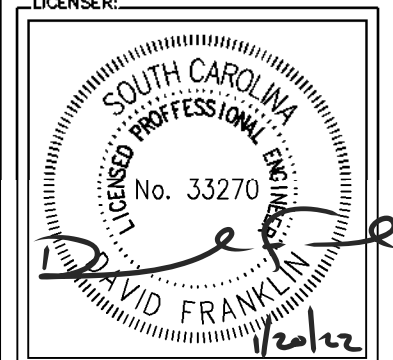
PROJECT INFORMATION:
 SITE NAME:
 TOCCOA HWY
 SITE No.: 682871
 PROJECT #: 20212231136
 HOPEWELL CHURCH RD
 WESTMINSTER, SC
 OCONEE COUNTY

PLANS PREPARED BY:
Kimley»Horn
 11720 AMBER PARK DRIVE, SUITE 600
 ALPHARETTA, GA 30009
 PHONE: 770-819-4280
 WWW.KIMLEY-HORN.COM
 SC License CD0166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2	01/20/22	CONSTRUCTION	DMF
1	12/20/21	CONSTRUCTION	DMF
0	08/30/21	CONSTRUCTION	DMF

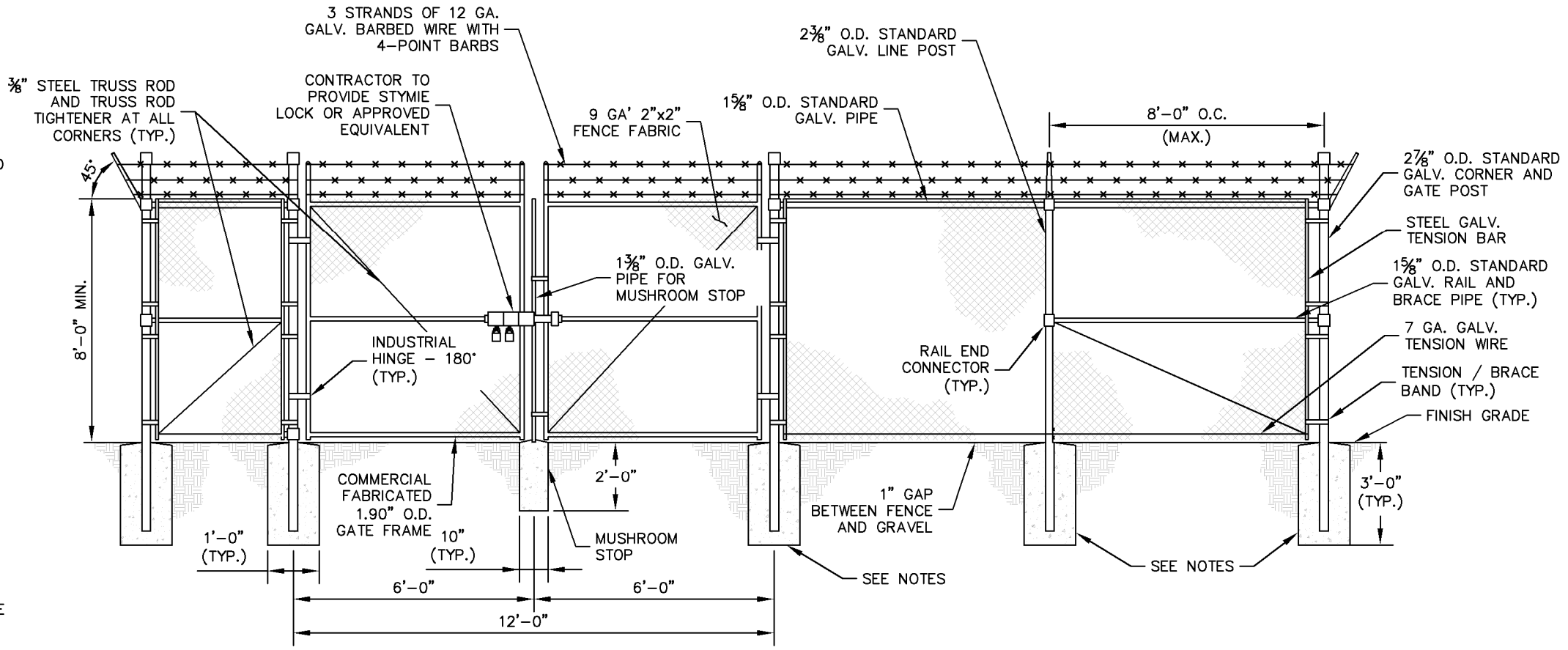


KHA PROJECT NUMBER:
 013509328
 DRAWN BY: JAR CHECKED BY: DMF

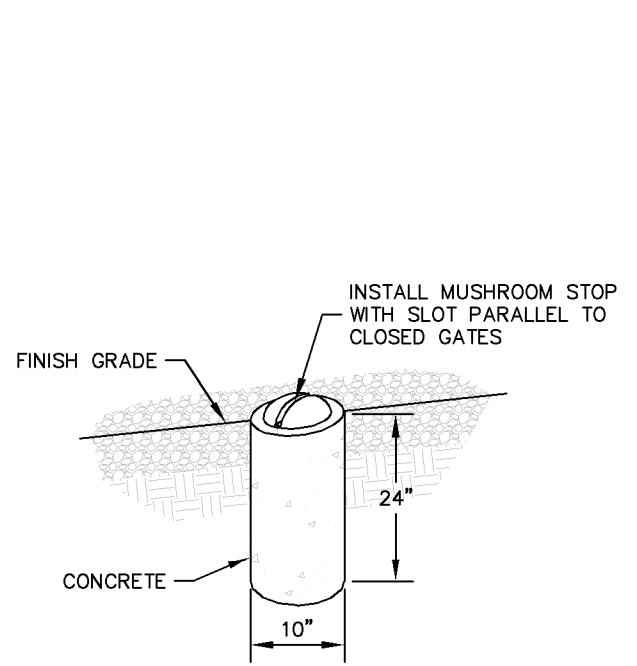
SHEET TITLE:
**CONCRETE PAD
 FOUNDATION
 DETAILS**

SHEET NUMBER:
 C6

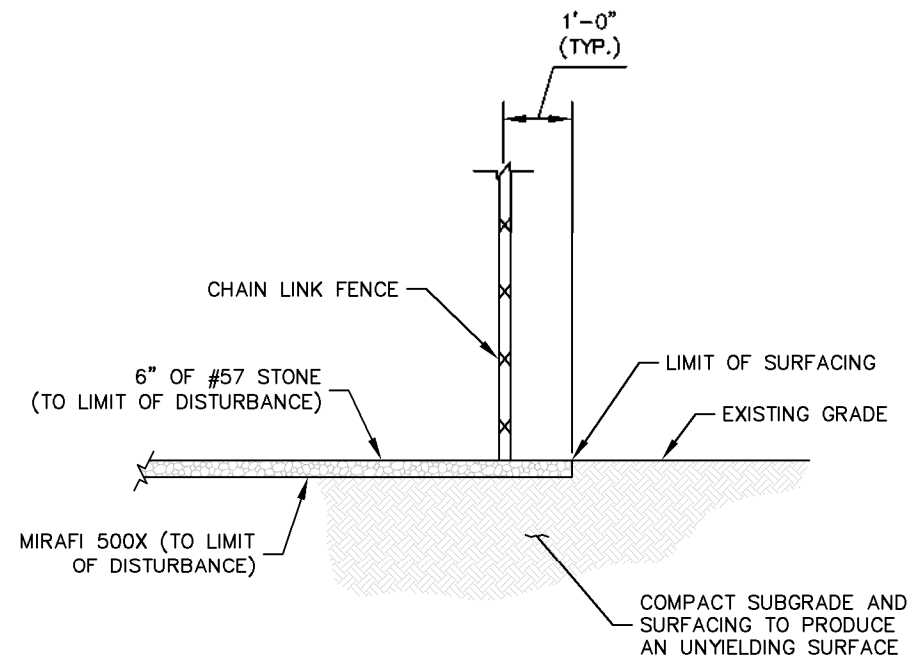
- FENCE NOTES:**
- USE 3,000-PSI CONCRETE, FULLY CONSOLIDATED AROUND THE POST.
 - WHERE THE POST IS SET IN ROCK OR CONCRETE, CORE A HOLE 12" DEEP AND 1" LARGER IN DIAMETER THAN THE POST. SET THE POST AND GROUT IN PLACE USING NON-SHRINK GROUT.
 - ALL POSTS MUST BE PLUMB AND ALIGNED WITH ONE ANOTHER IN BOTH HORIZONTAL AND VERTICAL PLANES.
 - CORNERS AND GATEPOSTS FOR CHAIN LINK FENCES SHALL EXTEND ABOVE THE TOP STRAND OF BARBED WIRE TO PROVIDE TENSIONING FOR THE BARBED WIRE.
 - PROVIDE MIDRAILS AND BRACING AT ALL CORNER POSTS WHERE THE FENCE CHANGES DIRECTION BY MORE THAN 30 DEGREES.
 - THE GRADE OF THE SITE AND INSTALLATION OF THE FENCE SHALL PROVIDE FOR NO MORE THAN A 1" GAP BETWEEN THE BOTTOM OF THE FENCE MATERIAL AND FINISH GRADE.
 - CONTRACTOR SHALL PROVIDE HOLD OPEN DEVICES FOR ALL GATES AT THE SPECIFIED OPEN POSITIONS, DRIVEN PIPE TYPE RECEIVERS ARE NOT AUTHORIZED.
 - CONTRACTOR SHALL ALSO PROVIDE A MUSHROOM TYPE RECEIVER AT THE CLOSE POSITION.



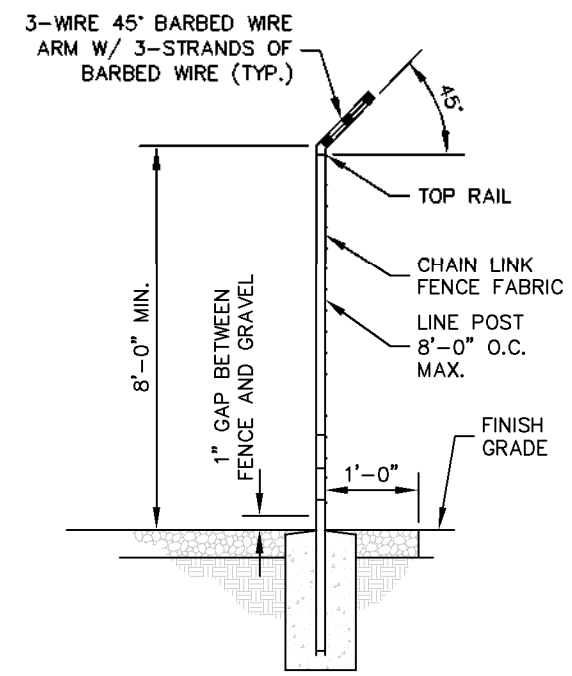
1 CHAIN LINK FENCE AND GATE ELEVATION
C7 NOT TO SCALE



2 MUSHROOM STOP
C7 NOT TO SCALE



3 SITE COMPOUND SURFACE DETAIL
C7 NOT TO SCALE

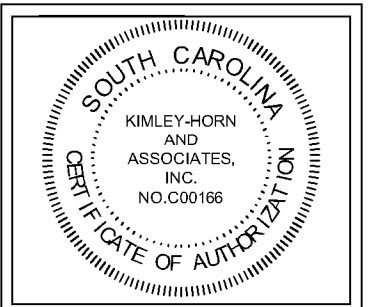


4 SECTION AT FENCE
C7 NOT TO SCALE

verizon
8821 RESEARCH DRIVE
CHARLOTTE, NORTH CAROLINA 28262

PROJECT INFORMATION:
SITE NAME:
TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY

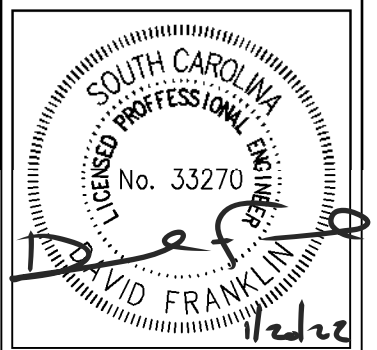
PLANS PREPARED BY:
Kimley»Horn
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-619-4280
WWW.KIMLEY-HORN.COM
SC License CD0166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2	01/20/22	CONSTRUCTION	DMF
1	12/20/21	CONSTRUCTION	DMF
0	08/30/21	CONSTRUCTION	DMF

LICENSER:



KHA PROJECT NUMBER:
013509328

DRAWN BY: JAR CHECKED BY: DMF

SHEET TITLE:
FENCE, GATE, AND COMPOUND DETAILS

SHEET NUMBER:
C7

K:\ATL_Wireless\000_Verizon\2021_Sites\Toccoa Hwy\CAD\GB\ECar-GB.dwg 01/19/22 5:06 PM by: Wilton.Bridger

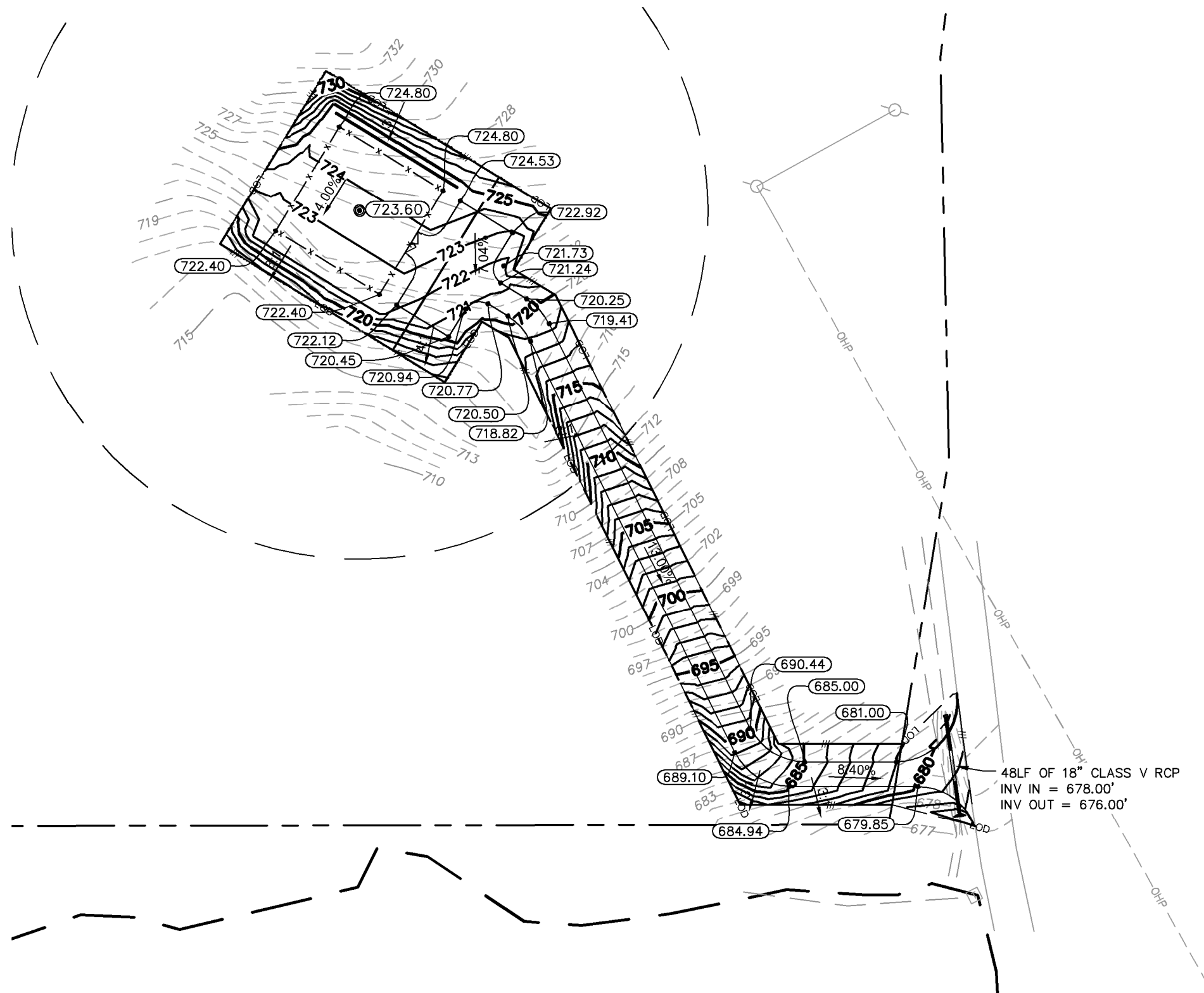
NOTE:
 CURRENT DESIGN ANTICIPATES APPROXIMATELY 24,865± SQ. FT. (0.57 ACRES) OF CLEARING AND GRADING FOR THE PROPOSED PROJECT. IF ADDITIONAL CLEARING IS REQUIRED BEYOND WHAT IS SHOWN IN THE PLANS THE CONTRACTOR SHALL NOTIFY THE ENGINEER AND/OR PROJECT MANAGER. IF DURING THE BID WALK OR CONSTRUCTION IT IS DETERMINED THAT MORE THAN (1) ACRE OF LAND IS TO BE DISTURBED FOR CONSTRUCTION AN EROSION AND SEDIMENTATION CONTROL PLAN MUST BE FILED 30 DAYS PRIOR TO CONSTRUCTION.

GRADING NOTES:

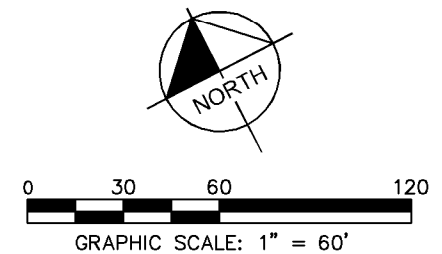
1. THE CONTRACTOR SHALL CLEAR AND GRUB THE SITE AND PLACE, COMPACT, AND MOISTURE CONDITION ALL FILL PER THE PROJECT GEOTECHNICAL ENGINEERS SPECIFICATIONS. FILL MATERIAL SHALL BE APPROVED BY THE GEOTECHNICAL ENGINEER PRIOR TO PLACEMENT.
2. ALL PROPOSED CONTOURS AND SPOT ELEVATIONS REFLECT FINISHED GRADES.
3. CONTRACTOR SHALL BLEND EARTHWORK SMOOTHLY TO TRANSITION BACK TO EXISTING GRADE.
4. PORTIONS OF THE SITE NOT SPECIFICALLY MENTIONED WITHIN THE GEOTECHNICAL REPORT SHALL BE COMPACTED TO 95 PERCENT OF THE MATERIALS MAXIMUM DRY DENSITY WITHIN 3 PERCENT OF OPTIMUM MOISTURE CONTENT.
5. FILL SHALL BE PLACED IN MAXIMUM 8 INCH LOOSE LIFTS.
6. UNDISTURBED AREAS WITHIN 30' INGRESS/EGRESS EASEMENT NOT NEEDED FOR UTILITY ROUTING TO BE LEFT UNDISTURBED.
7. GROUND WATER SHOULD BE REASONABLY EXPECTED. ANY DE-WATERING OR MOISTURE CONDITIONING IS THE RESPONSIBILITY OF THE CONTRACTOR AND SHOULD BE INCLUDED IN THE CONTRACT PRICE.
8. SEED ALL DISTURBED AREAS NOT TOPPED WITH GRAVEL PER SEEDING SCHEDULE ON DETAIL ON SHEET C9.
9. MAXIMUM CUT SLOPE = 2H:1V UNLESS OTHERWISE NOTED.
10. MAXIMUM FILL SLOPE = 3H:1V UNLESS OTHERWISE NOTED.

LEGEND

- EXISTING CONTOURS ————
- PROPOSED CONTOURS ————
- LOD/SILT FENCE ———— LOD ———— ///
- TPF ———— TPF ———— TPF ————
- EXISTING SPOT ELEVATION x XXX
- PROPOSED SPOT ELEVATION ● XXX



1 GRADING & EROSION CONTROL PLAN
C8 SCALE: 1" = 60'



8821 RESEARCH DRIVE
 CHARLOTTE, NORTH CAROLINA 28262

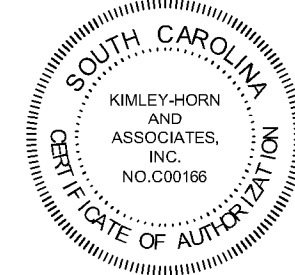
PROJECT INFORMATION:

SITE NAME:
 TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
 HOPEWELL CHURCH RD
 WESTMINSTER, SC
 OCONEE COUNTY

PLANS PREPARED BY:



11720 AMBER PARK DRIVE, SUITE 600
 ALPHARETTA, GA 30009
 PHONE: 770-619-4280
 WWW.KIMLEY-HORN.COM
 SC License C00166



REV. DATE ISSUED FOR BY:

8			
7			
6			
5			
4			
3			
2	01/20/22	CONSTRUCTION	DMF
1	12/20/21	CONSTRUCTION	DMF
0	08/30/21	CONSTRUCTION	DMF

LICENSER:



KHA PROJECT NUMBER:

013509328

DRAWN BY: CHECKED BY:

JAR DMF

SHEET TITLE:

GRADING AND EROSION CONTROL PLAN

SHEET NUMBER:

C8

K:\ATL_Wireless\000_Verizon\2021_Sites\Toccoa Hwy\CAD\GB\ECor-GB.dwg 01/19/22 5:06 PM by: William.Bridger

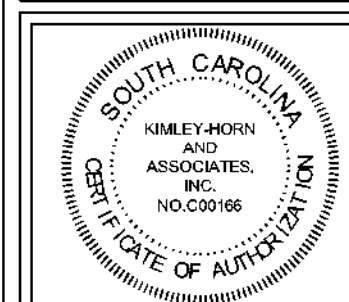
PROJECT INFORMATION:

SITE NAME:
TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY

PLANS PREPARED BY:

Kimley»Horn

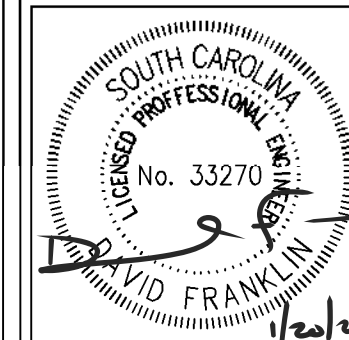
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-819-4280
WWW.KIMLEY-HORN.COM
SC License C00166



REV. DATE ISSUED FOR BY:

8			
7			
6			
5			
4			
3			
2	01/20/22	CONSTRUCTION	DMF
1	12/20/21	CONSTRUCTION	DMF
0	08/30/21	CONSTRUCTION	DMF

LICENSER:



KHA PROJECT NUMBER:

013509328

DRAWN BY: CHECKED BY:

JAR DMF

SHEET TITLE:

**GRADING AND
EROSION
CONTROL DETAILS**

SHEET NUMBER:

C9

EROSION CONTROL NOTES:

1. EROSION CONTROLS SHALL BE INSTALLED PRIOR TO CONSTRUCTION AND SHALL BE ADEQUATE TO MAINTAIN SEDIMENT ON SITE.
2. ALL EXCAVATED SOILS NOT NEEDED ON SITE FOR BACKFILL OPERATIONS SHALL BECOME PROPERTY OF THE CONTRACTOR AND SHALL BE TAKEN OFF SITE AND LEGALLY DISPOSED OF.
3. SOIL REMAINING ON SITE SHALL HAVE SILT FENCE TIGHTLY PLACED AROUND THE ENTIRE CIRCUMFERENCE OF THE PILE.
4. PROVIDE EROSION CONTROLS AS NECESSARY TO PREVENT EXISTING SOILS FROM DRAINING OFF SITE OR INTO EXISTING DRAINAGE STRUCTURES.
5. ERECTION OF EROSION CONTROLS SHALL BE IN ACCORDANCE WITH STATE AND LOCAL EROSION CONTROL REGULATIONS.

SEEDING SCHEDULE FOR WINTER / SPRING CONSTRUCTION ACTIVITIES

SEEDING MIXTURE

Species	Rate (lb/acre)
Rye (grain)	120
Annual lespedeza (Kobe in Piedmont and Coastal Plain, Korean in Mountains)	50

Omit annual lespedeza when duration of temporary cover is not to extend beyond June.

SEEDING DATES

Mountains-- Above 2500 ft:	Feb 15 - May 15
Below 2500 ft.:	Feb. 1 - May 1
Piedmont--Jan. 1 - May 1	
Coastal Plain--Dec. 1 - Apr. 15	

SOIL AMENDMENTS

Follow recommendations of soil tests or apply 2,000 lb/acre ground agricultural limestone and 750 lb/acre 10-10-10 fertilizer.

MULCH

Apply 4,000 lb/acre straw. Anchor straw by tacking with asphalt, netting, or a mulch anchoring tool. A disk with blades set nearly straight can be used as a mulch anchoring tool.

MAINTENANCE

Refertilize if growth is not fully adequate. Reseed, refertilize and mulch immediately following erosion or other damage.

SEEDING SCHEDULE FOR SUMMER CONSTRUCTION ACTIVITIES

SEEDING MIXTURE

Species	Rate (lb/acre)
Common Bermudagrass	40-80 (1-2 lb/1,000 sq. ft.)

SEEDING DATES

Coastal Plain--Apr. 1 - July
Piedmont--Apr. 15 - June 30

SOIL AMENDMENTS

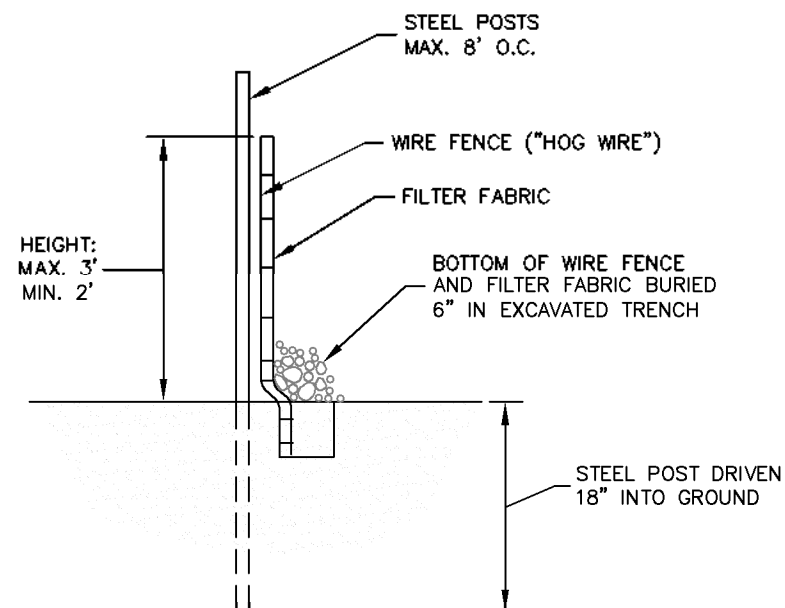
Apply lime and fertilizer according to soil tests, or apply 3,000 lb/acre ground agricultural limestone and 500 lb/acre 10-10-10 fertilizer.

MULCH

Use jute, excelsior matting, or other effective channel lining material to cover the bottom of channels and ditches. The lining should extend above the highest calculated depth of flow. On channel side slopes above this height, and in drainages not requiring temporary lining, apply 4,000 lb/acre grain straw and anchor straw by stapling netting over the top.

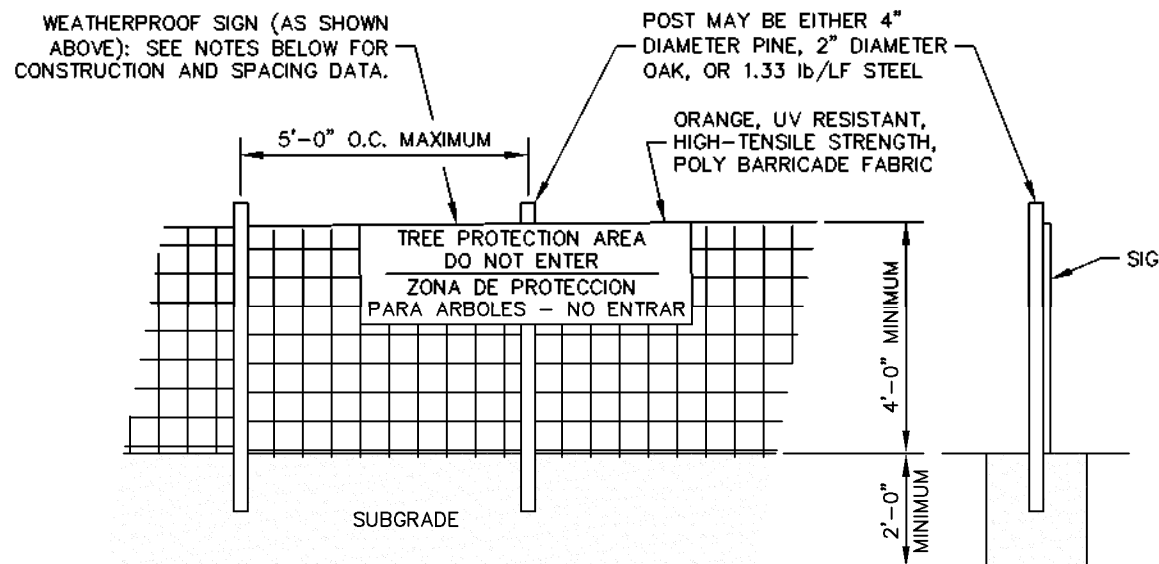
MAINTENANCE

A minimum of 3 weeks is required for establishment. Inspect and repair mulch frequently. Refertilize the following Apr. with 50 lb/acre nitrogen.



SECTION

1 SEDIMENT FENCE (SILT FENCE)
C9 NOT TO SCALE



NOTES

INSTALL TREE PROTECTION FENCE AND SIGNAGE PRIOR TO CALLING FOR SITE INSPECTION. MAINTAIN TREE PROTECTION FENCE THROUGHOUT DURATION OF PROJECT. ADDITIONAL SIGNS MAY BE REQUIRED BASED ON ACTUAL FIELD CONDITIONS.

2 TREE PROTECTION FENCE
C9 NOT TO SCALE

verizon

8221 RESEARCH DRIVE
CHARLOTTE, NORTH CAROLINA 28262

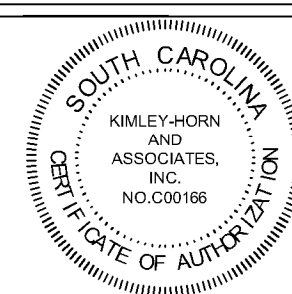
PROJECT INFORMATION:

SITE NAME:
TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY

PLANS PREPARED BY:

Kimley»Horn

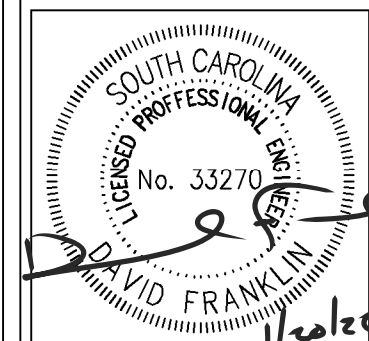
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-619-4280
WWW.KIMLEY-HORN.COM
SC License CD0166



REV. DATE. ISSUED FOR. BY.

8			
7			
6			
5			
4			
3			
2	01/20/22	CONSTRUCTION	DMF
1	12/20/21	CONSTRUCTION	DMF
0	08/30/21	CONSTRUCTION	DMF

LICENSER:



KHA PROJECT NUMBER:

013509328

DRAWN BY: CHECKED BY:

JAR

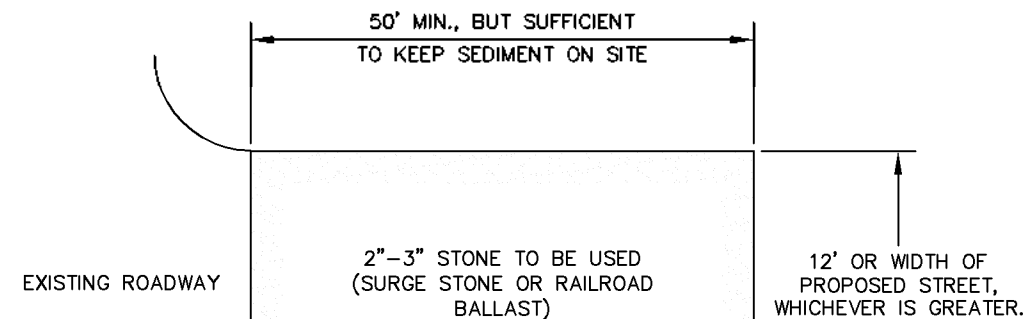
DMF

SHEET TITLE:

**ACCESS ROAD
DETAILS**

SHEET NUMBER:

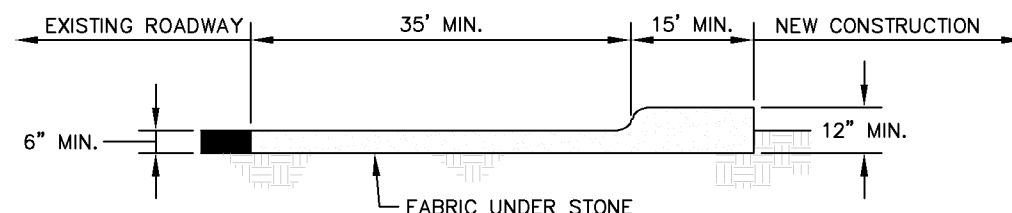
C10



PLAN

NOTES:

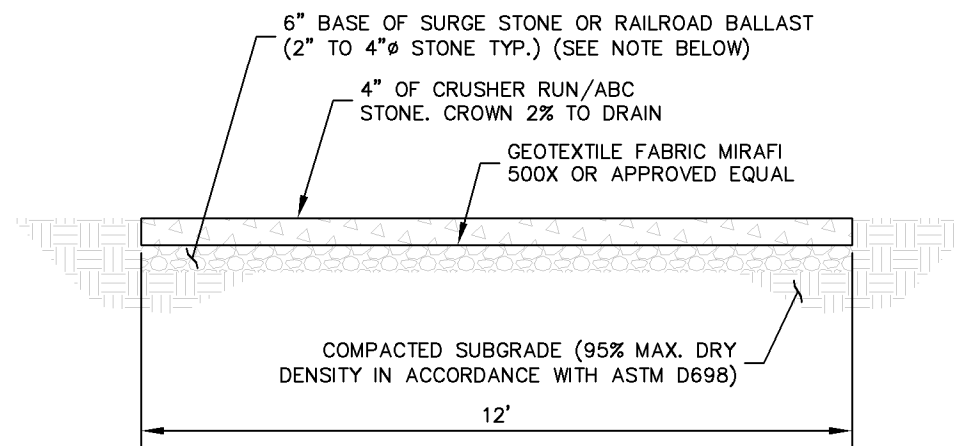
1. PUT SILT FENCE OR TREE PROTECTION FENCE UP TO ENSURE CONSTRUCTION ENTRANCE IS USED.
2. IF CONSTRUCTION ON THE SITES ARE SUCH THAT THE MUD IS NOT REMOVED BY THE VEHICLE TRAVELING OVER THE STONE, THEN THE TIRES OF THE VEHICLES MUST BE WASHED BEFORE ENTERING THE PUBLIC ROAD.
3. IF A PROJECT CONTINUES TO PULL MUD AND DEBRIS ON TO THE PUBLIC ROAD, THE GOVERNING AUTHORITY WILL CLEAN THE AREA AND INVOICE THE FINANCIALLY RESPONSIBLE PERSON AS INDICATED ON THE FINANCIAL RESPONSIBILITY FORM.



CROSS SECTION

1 CONSTRUCTION ENTRANCE
C10 NOT TO SCALE

2 STANDARD ACCESS ROAD AND TURN-AROUND DETAIL
C10 NOT TO SCALE

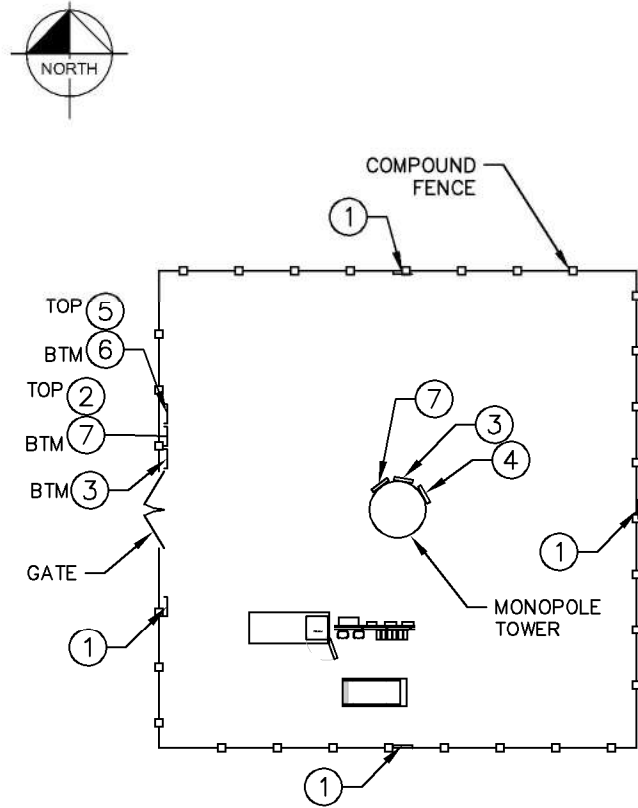


NOTE:

IF DETERMINED NECESSARY DURING GRADING AND CONSTRUCTION OF THE ACCESS ROAD BY THE VERIZON WIRELESS PROJECT MANAGER, THE CONTRACTOR SHALL INSTALL 6" BASE OF SURGE STONE OR RAILROAD BALLAST (2" TO 4"Ø STONE TYP.)

K:\ATL_Wireless\000_Verizon\2021_Sites\Toccoa\Hwy\CAD\GB\ECar-GB.dwg 01/19/22 5:07 PM by: William.Bridger

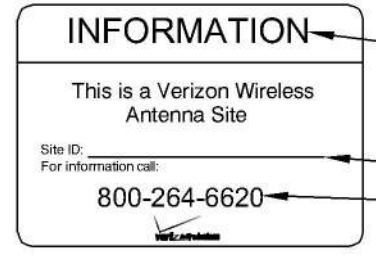
K:\ATL_Wireless\000_Verizon\2021_Sites\Toccoa Hwy\CAD\GB\ECar-GB.dwg 01/19/22 5:07 PM by: Whitom.Bridger



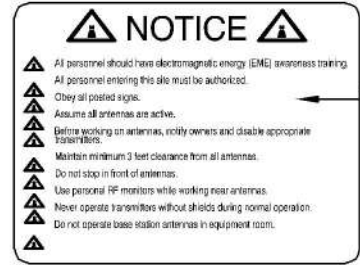
1 SIGN PLACEMENT PLAN VIEW
C11 NOT TO SCALE



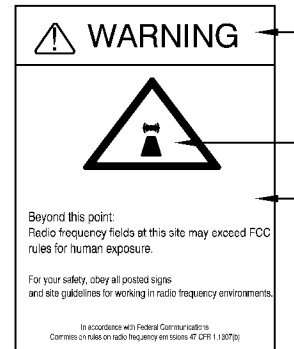
1 NO-TRESPASSING SIGN
18" HIGH X 24" WIDE
(OPERATIONS PROVIDED)



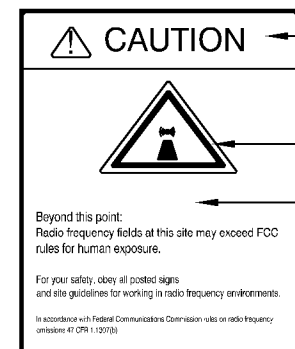
2 VERIZON WIRELESS - SITE ID SIGN
15" HIGH X 23" WIDE
(OPERATIONS PROVIDED)



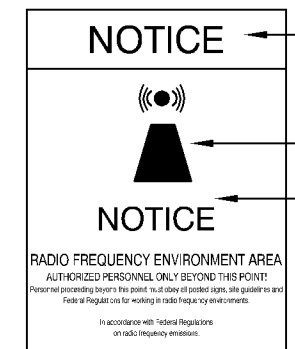
3 NOTICE-RFE SIGN
12" HIGH X 18" WIDE
(OPERATIONS PROVIDED)



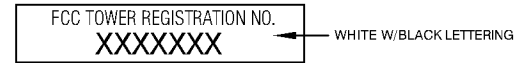
4 WARNING-RF SIGN (RED)
12" WIDE X 18" HIGH



5 CAUTION-RF SIGN (YELLOW)
12" WIDE X 18" HIGH

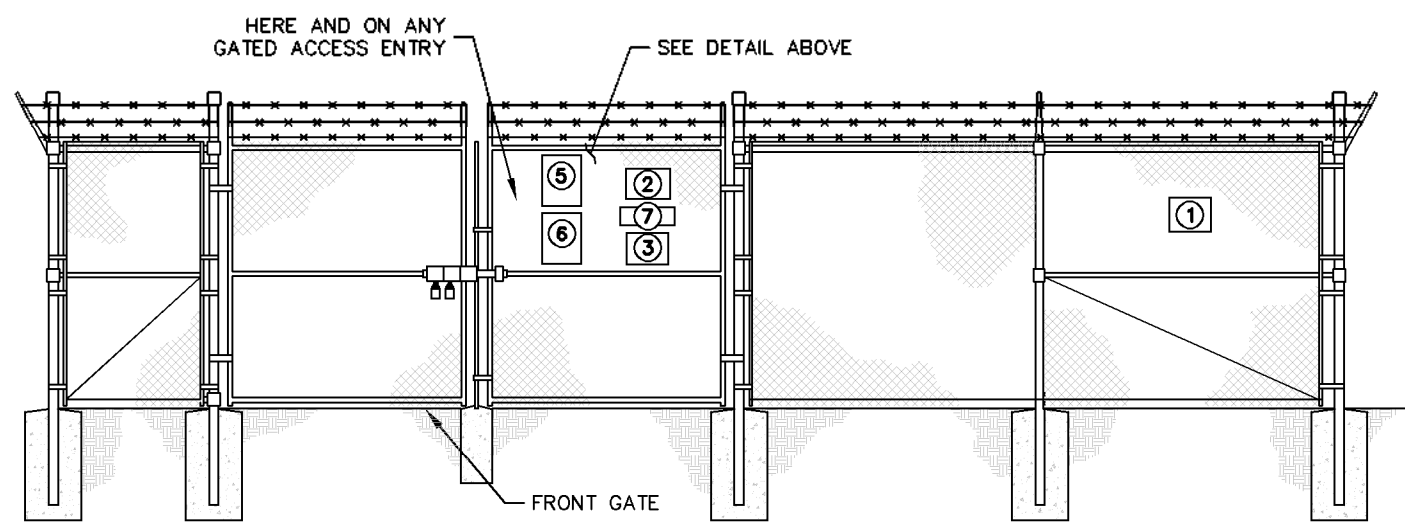


6 NOTICE-RF SIGN (BLUE)
12" WIDE X 18" HIGH



7 FCC REGISTRATION SIGN
20 WIDE X 4" HIGH

2 TYPICAL SIGNS AND SPECIFICATIONS
C11 NOT TO SCALE



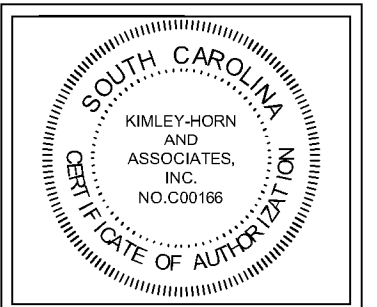
3 SIGN PLACEMENT FRONT GATE VIEW
C11 NOT TO SCALE

SIGNAGE NOTES:
1. SIGNS SHALL BE FABRICATED FROM CORROSION RESISTANT PRESSED METAL, AND PAINTED WITH LONG LASTING UV RESISTANT COATINGS.
2. SIGNS (EXCEPT WHERE NOTED OTHERWISE) SHALL BE MOUNTED TO THE TOWER, GATE, AND FENCE USING A MINIMUM OF 9 GAUGE ALUMINUM WIRE, HOG RINGS (AS UTILIZED IN FENCE INSTALLATIONS) OR BRACKETS WHERE NECESSARY. BRACKETS SHALL BE OF SIMILAR METAL AS THE STRUCTURE TO AVOID GALVANIC CORROSION.



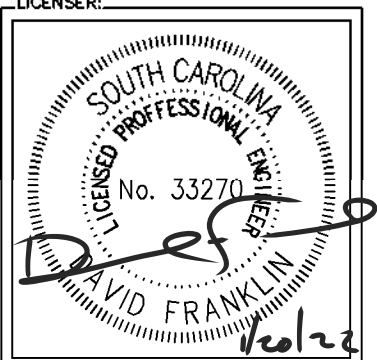
PROJECT INFORMATION:
SITE NAME:
TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY

PLANS PREPARED BY:
Kimley»Horn
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-619-4280
WWW.KIMLEY-HORN.COM
SC License CD0166



REV: _____ DATE: _____ ISSUED FOR: _____ BY: _____

8			
7			
6			
5			
4			
3			
2	01/20/22	CONSTRUCTION	DMF
1	12/20/21	CONSTRUCTION	DMF
0	08/30/21	CONSTRUCTION	DMF



LICENSER:
KHA PROJECT NUMBER:
013509328
DRAWN BY: JAR CHECKED BY: DMF

SHEET TITLE:
SITE SIGNAGE DETAILS

SHEET NUMBER:
C11

verizon

8821 RESEARCH DRIVE
CHARLOTTE, NORTH CAROLINA 28262

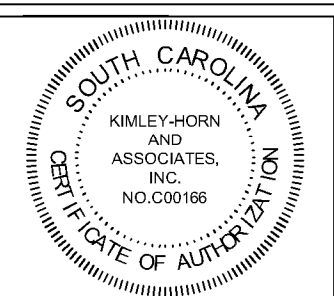
PROJECT INFORMATION:

SITE NAME:
TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY

PLANS PREPARED BY:

Kimley»Horn

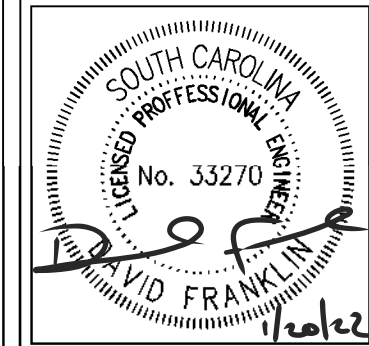
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-619-4280
WWW.KIMLEY-HORN.COM
SC License CD0166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2	01/20/22	CONSTRUCTION	DMF
1	12/20/21	CONSTRUCTION	DMF
0	08/30/21	CONSTRUCTION	DMF

LICENSER:



KHA PROJECT NUMBER:

013509328

DRAWN BY: CHECKED BY:

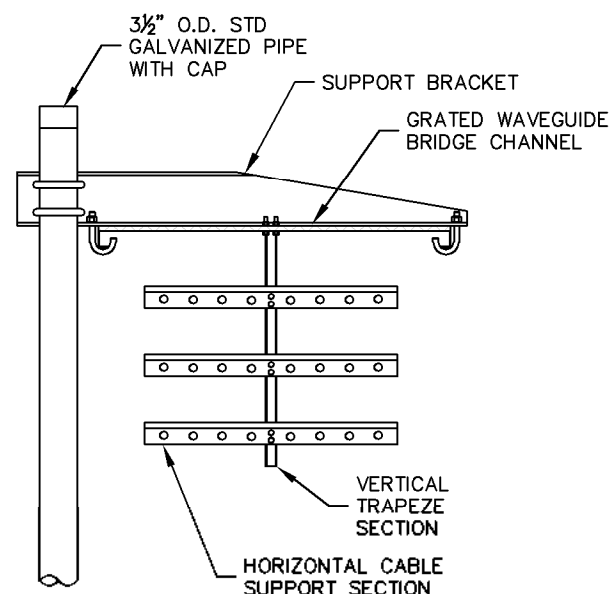
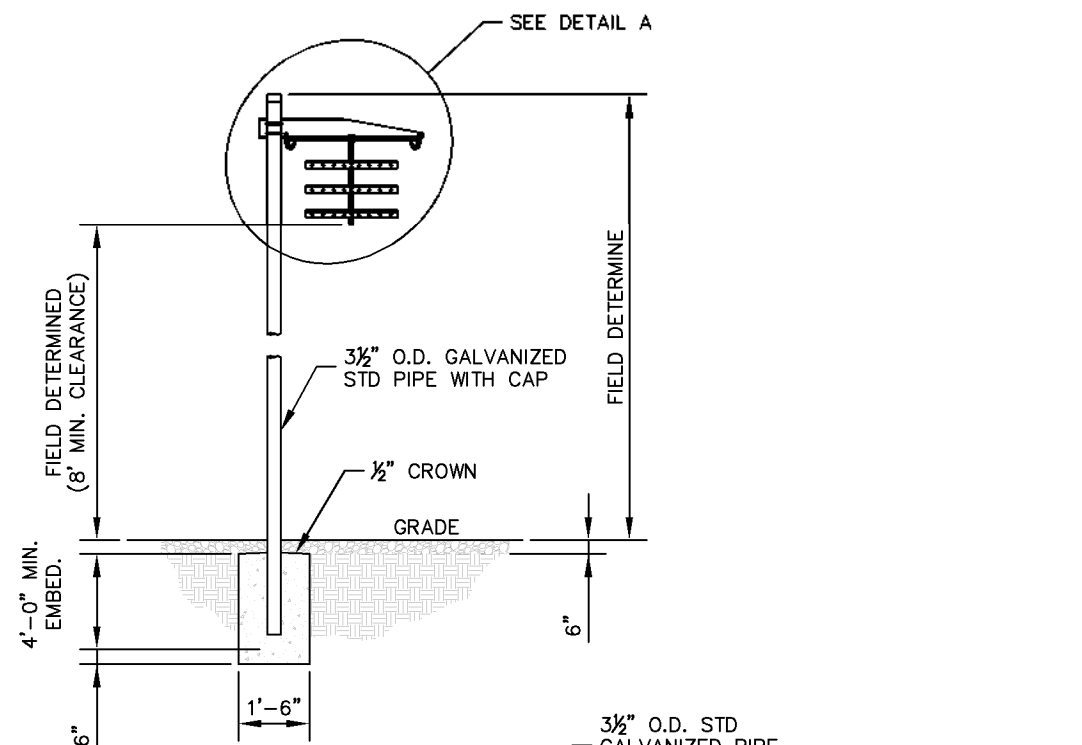
JAR DMF

SHEET TITLE:

**WAVEGUIDE
BRIDGE DETAILS**

SHEET NUMBER:

C12



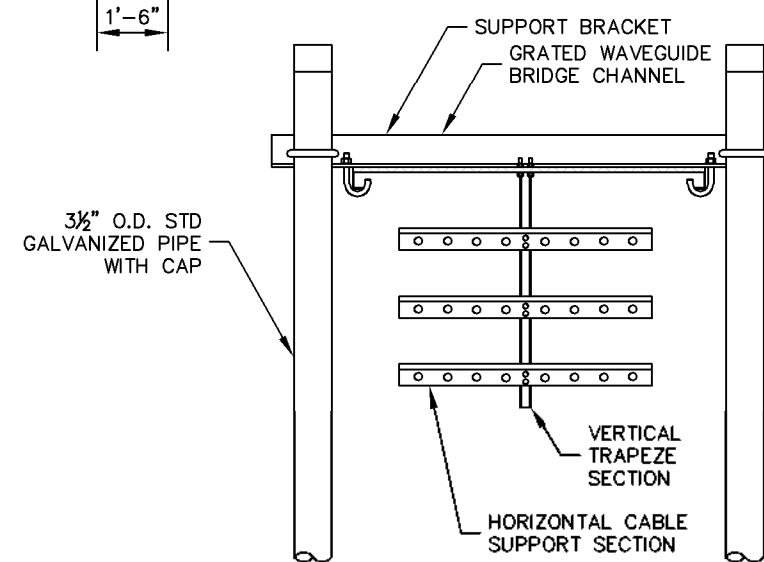
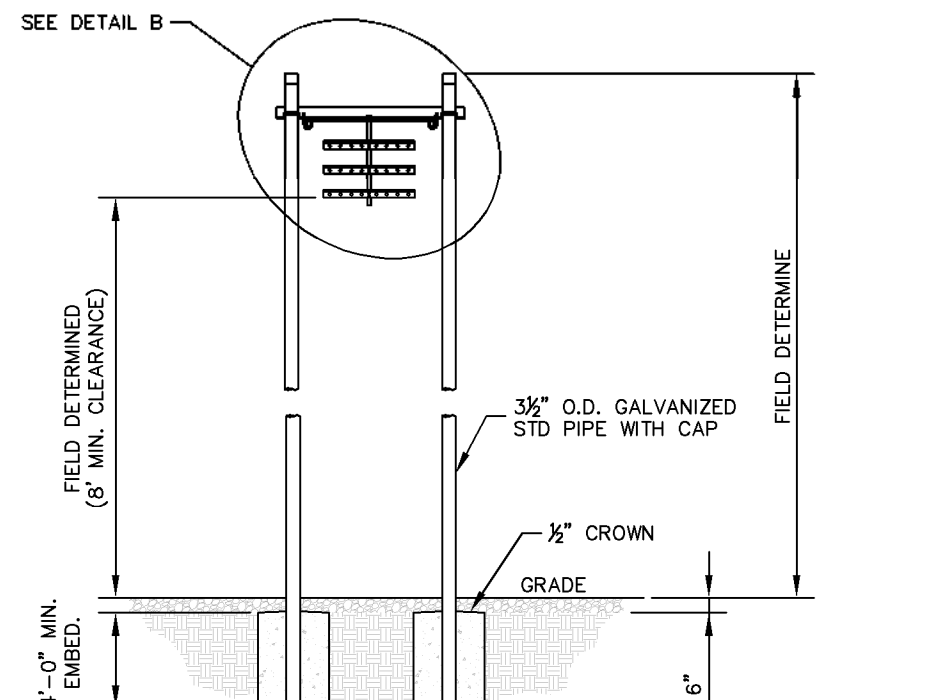
DETAIL A

ANDREW 1 POST WAVEGUIDE BRIDGE
KIT (PART #: WB-K210-B15, OR
APPROVED EQUIVALENT)

NOTE:

1. ALL MATERIALS FURNISHED BY CONTRACTOR UNLESS OTHERWISE NOTED.

1 WAVEGUIDE BRIDGE DETAIL
C12 NOT TO SCALE



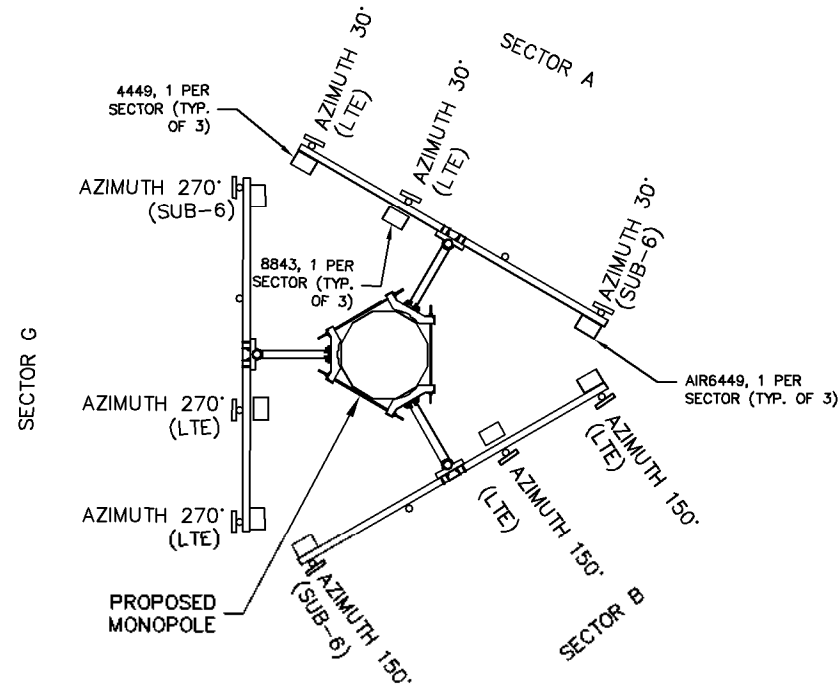
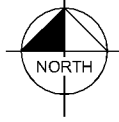
DETAIL B

ANDREW 2 POST WAVEGUIDE BRIDGE
KIT (PART #: WB-K410-B15, OR
APPROVED EQUIVALENT)

NOTE:

1. ALL MATERIALS FURNISHED BY CONTRACTOR UNLESS OTHERWISE NOTED.

2 WAVEGUIDE BRIDGE DETAIL (ALT DESIGN - 2 PIPE COLUMNS)
C12 NOT TO SCALE



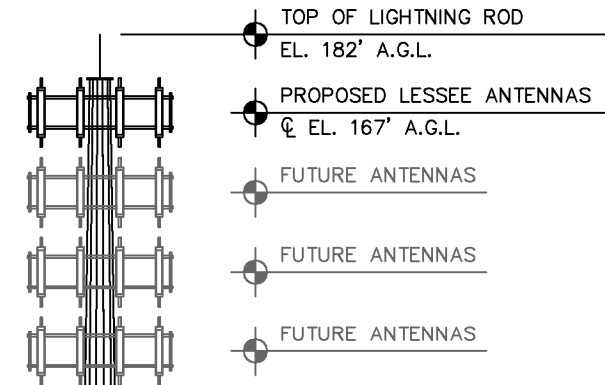
1 ANTENNA ORIENTATION PLAN
C13 (NOT TO SCALE, FOR ILLUSTRATIVE PURPOSES ONLY, SEE STRUCTURAL ANALYSIS BY OTHERS TO CONFIRM ANTENNA MOUNT TYPE)

NOTE:
 REFER TO RFDS PROVIDED BY VERIZON. CONTRACTOR TO CONTACT THE VERIZON WIRELESS CONSTRUCTION MANAGER PRIOR TO CONSTRUCTION FOR THE CONSTRUCTION RFDS.

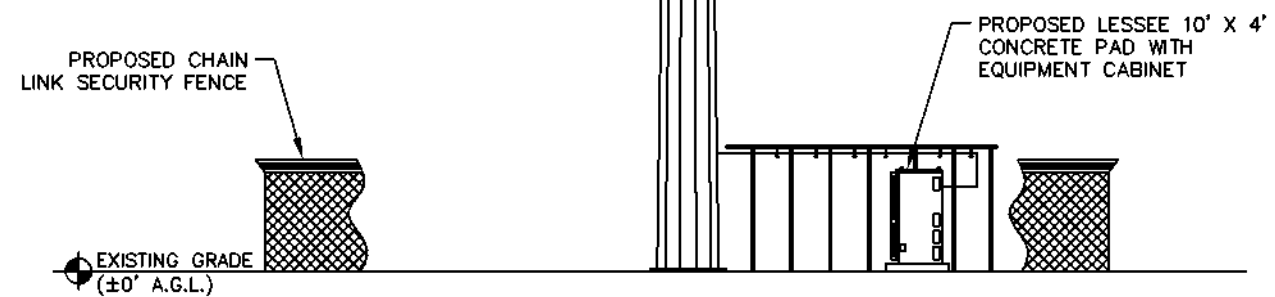
NOTES:
 1. ALL INFORMATION ON THIS PAGE IS PROVIDED BY VERIZON WIRELESS AND/OR OTHERS AND IS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. CONTRACTOR SHALL CONTACT THE VERIZON WIRELESS CONSTRUCTION MANAGER PRIOR TO CONSTRUCTION FOR ALL DETAILED ANTENNA, AND COAX CABLE INFORMATION.
 2. REFER TO STRUCTURAL ANALYSIS BY TOWER OWNER FOR ANALYSIS OF PROPOSED TOWER.
 3. IT IS UNDERSTOOD THAT KIMLEY-HORN MAKES NO WARRANTY, EITHER EXPRESSED OR IMPLIED, FINDINGS, DESIGNS, RECOMMENDATIONS, SPECIFICATIONS, OPINION, OR PROFESSIONAL ADVICE RELATING TO THE STRUCTURAL ADEQUACY OF THE PROPOSED TOWER OR ATTACHMENT OF ANTENNAS OR OTHER APPURTENANCES.

NOTE: GENERAL CONTRACTOR TO INSTALL RAYCAP OVP, NUMBER AND TYPE PER VERIZON CONSTRUCTION MANAGER.

TOP OF TOWER
 EL. 172' A.G.L.



PROPOSED 172' MONOPOLE TOWER



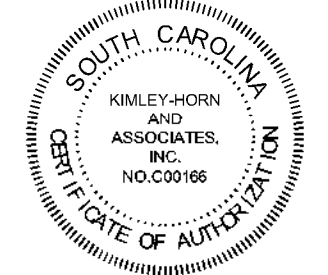
2 SELF-SUPPORT TOWER ELEVATION
C13 NOT TO SCALE

NOTES:
 1. ALL PROPOSED ATTACHMENTS TO TOWER BASED ON TOWER DESIGN DRAWINGS BY OTHERS (SEE GENERAL NOTE 1.07, SHEET N1).
 2. THE TOWER ELEVATION SHOWN IS FOR REFERENCE ONLY.
 3. COAX/FIBER CABLE LENGTHS ARE APPROXIMATE. CONTRACTOR TO VERIFY CORRECT LENGTH IN FIELD AT TIME OF CONSTRUCTION.
 4. PROPOSED TOWER WILL BE GALVANIZED STEEL-GRAY IN COLOR.



PROJECT INFORMATION:
 SITE NAME:
 TOCCOA HWY
 SITE No.: 682871
 PROJECT #: 20212231136
 HOPEWELL CHURCH RD
 WESTMINSTER, SC
 OCONEE COUNTY

PLANS PREPARED BY:
Kimley»Horn
 11720 AMBER PARK DRIVE, SUITE 600
 ALPHARETTA, GA 30009
 PHONE: 770-619-4280
 WWW.KIMLEY-HORN.COM
 SC License CD0166



REV.	DATE	ISSUED FOR	BY
8			
7			
6			
5			
4			
3			
2	01/20/22	CONSTRUCTION	DMF
1	12/20/21	CONSTRUCTION	DMF
0	08/30/21	CONSTRUCTION	DMF

LICENSER:
FOR ILLUSTRATIVE PURPOSES ONLY- NO SIGNATURE REQUIRED

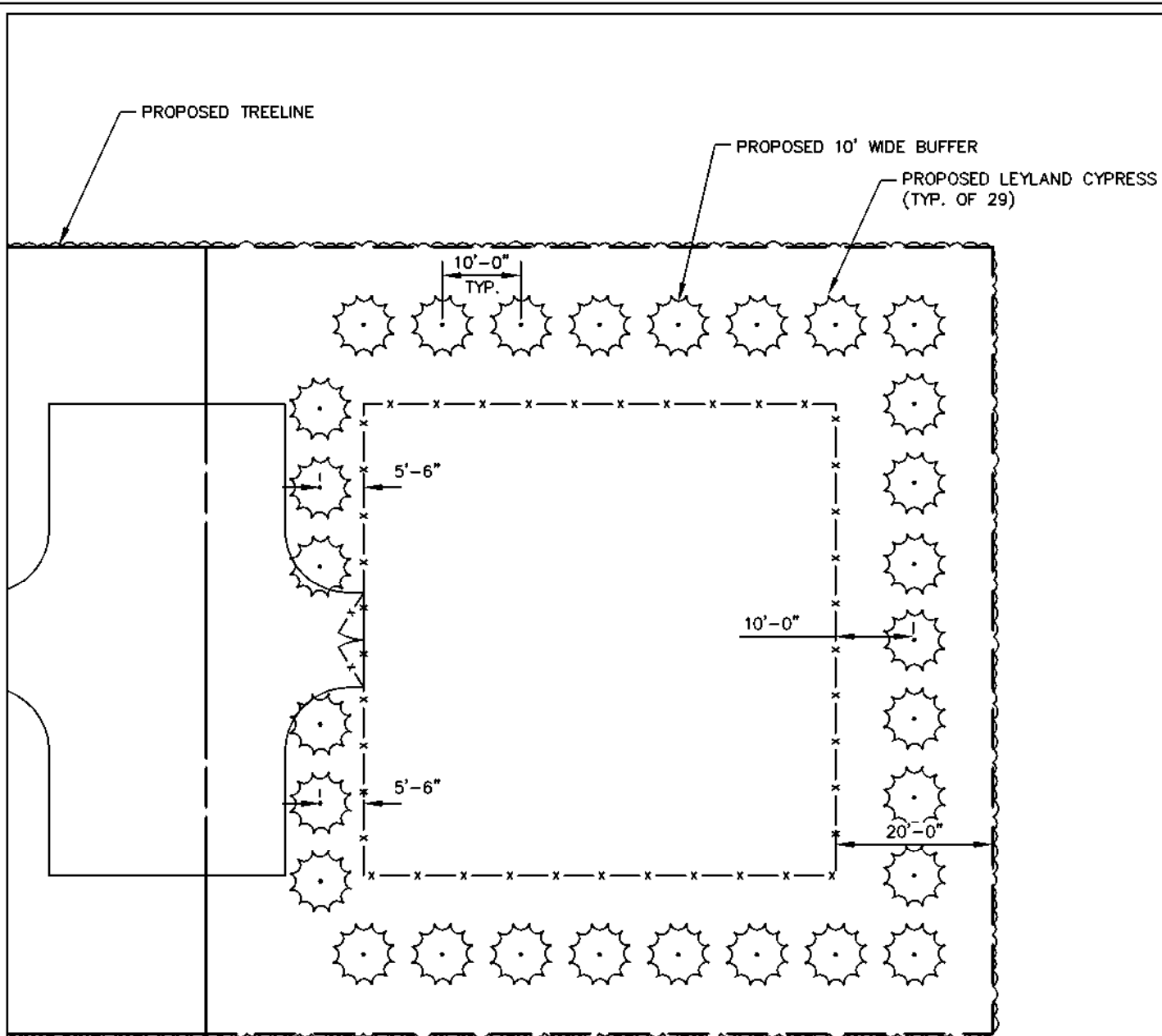
KHA PROJECT NUMBER:
 013509328
 DRAWN BY: JAR CHECKED BY: DMF

SHEET TITLE:
ANTENNA AND TOWER ELEVATION DETAILS

SHEET NUMBER:
C13

K:\ATL_Wireless\000_Verizon\2021 Sites\Toccoa Hwy\CAD\GB\ECor-GB.dwg 01/19/22 5:08 PM by: William Bridger

K:\ATL_Wireless\000_Verizon\2021_Sites\Toccoa\Hwy\CAD\GB\ECor-GB.dwg 01/19/22 5:08 PM by: William Bridger



1 LANDSCAPING PLAN
L1 SCALE: 1" = 20'

LEGEND	
	LEYLAND CYPRESS

GENERAL LANDSCAPE NOTES:

1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF HIS WORK WITH THAT OF ALL OTHER CONTRACTORS. THIS PLAN DOES NOT GUARANTEE THE EXISTENCE OR NON-EXISTENCE OF ANY UTILITIES. PRIOR TO COMMENCEMENT OF ANY WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL ABOVE GROUND AND UNDERGROUND UTILITIES.
2. THE QUALITY AND SIZE OF ALL PLANT MATERIAL SHALL CONFORM TO THE MOST CURRENT STANDARDS AS SET FORTH IN ANSI Z60.180 - AMERICAN STANDARD FOR NURSERY STOCK.
3. ALL DISTURBED AREAS NOT COVERED BY HARDSCAPE OR PLANT MATERIALS SHALL BE COVERED WITH SEED AND STRAW.
4. PLANT SUBSTITUTION MAY BE PERMITTED ONLY AFTER PROOF THAT SPECIFIED PLANTS ARE UNAVAILABLE AND THE REQUEST HAS BEEN SUBMITTED TO THE OWNER OR LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL PROVIDE THE NEAREST EQUIVALENT OBTAINABLE SIZE AND VARIETY OF THE PLANT HAVING THE SAME ESSENTIAL CHARACTERISTICS AS THE PLANT SPECIFIED
5. MINOR PLANT LOCATION ADJUSTMENTS MAY BE MADE IN THE FIELD TO ENSURE ACCESS TO UTILITY JUNCTION BOXES, FREE SITE LIGHTING OF FUTURE TREE CANOPY INTERFERENCE AND ALLOW UNINHIBITED PEDESTRIAN / VEHICULAR CIRCULATION ON ALL PAVEMENTS OR FOUNDATIONS.
6. ALL SHRUB MASSES OF TWO OR MORE SHALL BE EDGED INTO A PLANTING BED AND MULCHED PER DETAIL. ALL INDIVIDUAL TREES AND SHRUBS SHALL HAVE A MULCH SAUCER EQUAL IN DIAMETER TO THE PLANTING PIT DIAMETER AND SHALL BE MULCHED AS SHOWN ON THE DETAILS. UNLESS OTHERWISE INDICATED, ALL BED EDGES SHALL BE A DEEP CUT CLEAN SPADE EDGE.
7. THE CONTRACTOR SHALL VERIFY THAT EACH TREE OR SHRUB PIT WILL DRAIN BEFORE INSTALLING PLANT MATERIAL. HE SHALL FILL THE HOLE WITH SIX INCHES (6") OF WATER THAT SHOULD PERCOLATE OUT WITHIN TWENTY-FOUR HOURS. SHOULD ANY AREA NOT DRAIN PROPERLY, A PERFORATED DRAIN LINE SHALL BE INSTALLED, OR THE PLANTS RELOCATED.
8. THE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY IF HE ENCOUNTERS ANY UNSUITABLE SURFACE OR SUBSURFACE DRAINAGE CONDITIONS, SOIL DEPTH, LATENT SOILS, HARD PAN, UTILITY LINES, OR OTHER CONDITIONS THAT WILL JEOPARDIZE THE HEALTH AND VIGOR OF THE PLANTS. SHOULD THE CONTRACTOR NOT NOTIFY THE OWNER OF A PROBLEM AREA, HE WARRANTS THAT THE AREAS ARE SUITABLE FOR PROPER GROWTH AND DEVELOPMENT OF ALL PLANTS INSTALLED.
9. THE CONTRACTOR SHOULD VERIFY LANDSCAPING/TREE PLANTING LOCATIONS WITH THE PUBLIC UTILITIES DEPARTMENT TO AVOID CONFLICTS WITH WATER, SEWER, AND GAS LINES.
10. PLANTS SHALL BE SO TRAINED IN DEVELOPMENT AND APPEARANCE AS TO BE UNQUESTIONABLE SUPERIOR IN FORM, COMPACTNESS AND SYMMETRY. THEY SHALL BE SOUND, HEALTHY, VIGOROUS, WELL BRANCHED AND DENSELY FOLIATED WHEN IN LEAF, AND FREE OF DISEASE AND INSECT ADULT EGGS, PUPAE OR LARVAE. THEY SHALL HAVE HEALTHY, WELL-DEVELOPED ROOT SYSTEMS AND SHALL BE FREE FROM PHYSICAL DAMAGE OR OTHER CONDITIONS THAT WOULD PREVENT THRIVING GROWTH.
11. THERE SHALL BE NO CIRCLING OR GIRDLING ROOTS. CIRCLING ROOTS SHOULD BE CUT IN AT LEAST ONE PLACE.
12. THERE SHOULD BE ONE DOMINANT LEADER TO THE TOP OF THE TREE WITH THE LARGEST BRANCHES SPACED AT LEAST 6 INCHES APART. THERE CAN BE TWO LEADERS IN THE TOP 10% OF THE TREE IF IT IS OTHERWISE OF GOOD QUALITY.
13. THE TREE CANOPY SHOULD BE SYMMETRICAL AND FREE OF LARGE VOIDS. CLEAR TRUNK SHOULD BE NO MORE THAN 40% OF TREE HEIGHT UNLESS OTHERWISE SPECIFIED IN THE PLANTING SPECIFICATIONS. CLEAR TRUNK SHALL BE OF SUFFICIENT HEIGHT TO CLEAR SURROUNDING USES THAT MAY BE IMPACTED BY THE FUTURE GROWTH OF THE TREE.
14. OPEN TRUNK AND BRANCH WOUNDS SHALL BE LESS THAN 10% OF THE CIRCUMFERENCE AT THE WOUND AND NO MORE THAN 2 INCHES TALL. PROPERLY MADE PRUNING CUTS ARE NOT CONSIDERED OPEN TRUNK WOUNDS. THERE SHOULD BE NO CONKS OR BLEEDING, AND THERE SHOULD BE NO SIGNS OF INSECTS OR DISEASE ON MORE THAN 5% OF THE TREE.
15. IF ANY OF THE ABOVE CONDITIONS ARE NOT MET, TREES MAY BE REJECTED.
16. TREE PROTECTION DEVICES MUST BE INSTALLED AND INSPECTED PRIOR TO ANY CLEARING, GRUBBING, OR GRADING OF THE SITE BY THE LOCAL ARBORIST.

PLANTING LIST						
SYM./KEY	QTY.	BOTANICAL NAME	COMMON NAME	SPECIFICATION		
				ROOT	PLANTING MIN. HEIGHT	SPACING
LC	29	CUPRESSUS LEYLANDII	LEYLAND CYPRESS	B&B	6'	10' O.C.

verizon
 8221 RESEARCH DRIVE
 CHARLOTTE, NORTH CAROLINA 28262

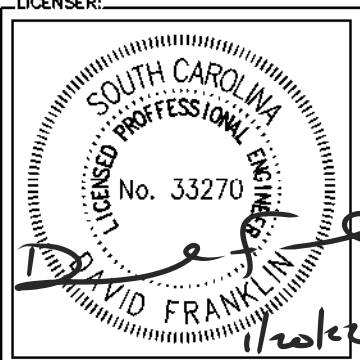
PROJECT INFORMATION:
 SITE NAME:
 TOCCOA HWY
 SITE No.: 682871
 PROJECT #: 20212231136
 HOPEWELL CHURCH RD
 WESTMINSTER, SC
 OCONEE COUNTY

PLANS PREPARED BY:
Kimley»Horn
 11720 AMBER PARK DRIVE, SUITE 600
 ALPHARETTA, GA 30009
 PHONE: 770-819-4280
 WWW.KIMLEY-HORN.COM
 SC License C00166



REV: _____ DATE: _____ ISSUED FOR: _____ BY: _____

8			
7			
6			
5			
4			
3			
2	01/20/22	CONSTRUCTION	DMF
1	12/20/21	CONSTRUCTION	DMF
0	08/30/21	CONSTRUCTION	DMF



KHA PROJECT NUMBER:
 013509328

DRAWN BY: _____ CHECKED BY: _____
 JAR DMF

SHEET TITLE:
LANDSCAPING PLAN

SHEET NUMBER:
L1

ELECTRICAL NOTES

1.00 CODES, STANDARDS, & SPECIFICATIONS

- 1.01 IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE THAT ALL MATERIALS AND LABOR RELATED DIRECTLY OR INDIRECTLY TO ALL ELECTRICAL WORK DOCUMENTED IN THESE DRAWINGS SHALL BE PROVIDED AND PERFORMED IN CONFORMANCE WITH ALL CURRENT GOVERNING CODES, STANDARDS, AND PROFESSIONAL STANDARD OF CARE TO INCLUDE THE AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM), UNDERWRITERS LABORATORY (UL), NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION (NEMA), AMERICAN STANDARDS ASSOCIATION (ASA), NATIONAL FIRE PROTECTION ASSOCIATION (NFPA), AND THE NATIONAL ELECTRICAL CODE (NEC).
- 1.02 MATERIALS SHALL BE NEW AND SHALL CONFORM TO ALL APPLICABLE CURRENT GOVERNING STANDARDS ESTABLISHED FOR EACH ITEM BY ASTM, UL, NEMA, ASA, AND NFPA.
- 1.03 ALL ELECTRICAL WORK SHALL COMPLY WITH ALL APPLICABLE STATE, COUNTY, AND MUNICIPAL CODES AND ORDINANCES, AS WELL AS ALL CURRENT GOVERNING STANDARDS AND PRACTICES AS REQUIRED BY NEC, NEMA, ANSI, NFPA, UBC, UL, IEEE, AND THE LOCAL UTILITY COMPANY.
- 1.04 ALL ELECTRICAL GROUNDING SHALL COMPLY WITH THE CURRENT EDITION OF THE NEC.
- 1.05 CONTRACTOR SHALL MAINTAIN UL LISTED FIRE RATINGS AT ALL WALL PENETRATIONS.
- 1.06 CONTRACTOR SHALL MAINTAIN A MINIMUM CLEARANCE OF 36" IN FRONT OF ALL ELECTRICAL EQUIPMENT AS REQUIRED BY NEC. MINIMUM CLEARANCE SHALL BE OBSERVED FOR BOTH THE FRONT AND THE REAR OF THE METER H-FRAME RACK AND THE EQUIPMENT H-FRAME RACK.

2.00 GENERAL

- 2.01 CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PERMITS AND ASSOCIATED FEES RELATED TO THE PROJECT AND SHALL DELIVER A COPY OF ALL PERMITS TO THE VERIZON REPRESENTATIVE.
- 2.02 CONTRACTOR SHALL SCHEDULE AND SHOULD ATTEND ALL INSPECTIONS REQUIRED BY THE JURISDICTION HAVING AUTHORITY.
- 2.03 CONTRACTOR SHALL FURNISH ALL LABOR, MATERIALS, TOOLS, ACCESSORIES, ETC., FOR A COMPLETE WORKING ELECTRICAL INSTALLATION.
- 2.04 ALL WORK SHALL BE PERFORMED IN STRICT ACCORDANCE WITH APPLICABLE BUILDING CODES AND LOCAL ORDINANCES, INSTALLED IN A NEAT MANNER, AND SHALL BE SUBJECT TO APPROVAL BY THE ENGINEER.
- 2.05 CONTRACTOR SHALL PROTECT ADJACENT EQUIPMENT AND FINISHES FROM DAMAGE AND SHALL REPAIR TO ORIGINAL CONDITION ANY ITEMS DAMAGED AS A RESULT OF THE WORK.
- 2.06 CONTRACTOR SHALL REPAIR ANY LANDSCAPING DISTURBED DURING CONSTRUCTION.
- 2.07 IF CONDUIT RUNS HAVE MORE THAN THREE (3) CONSECUTIVE 90 DEGREE TURNS, THE CONTRACTOR SHALL INSTALL PULL BOXES AS REQUIRED BY NEC.
- 2.08 CONTRACTOR SHALL INDICATE THE LOCATION OF ALL CAPPED UNDERGROUND SPARE CONDUIT ON THE RECORD DRAWINGS SUBMITTED TO THE OWNER.
- 2.09 CONTRACTOR SHALL COORDINATE EXACT ROUTING OF CONDUIT WITH OWNER. ALL CONDUIT SHALL BE ROUTED WITHIN 3 FEET, EITHER SIDE, OF PERIMETER FENCING.

3.00 MATERIALS

- 3.01 ALL EQUIPMENT AND MATERIALS SHOWN SHALL BE CONSIDERED NEW UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS.
- 3.02 FINAL CONNECTIONS OF EQUIPMENT SHALL BE PER MANUFACTURER'S APPROVED WIRING DIAGRAMS, DETAILS, AND INSTRUCTIONS. THE ELECTRICAL CONTRACTOR SHALL PROVIDE MATERIALS AND EQUIPMENT COMPATIBLE WITH EQUIPMENT SUPPLIED BY VERIZON.
- 3.03 CONTRACTOR SHALL PROVIDE AN UPDATED PANELBOARD DIRECTORY FOR THE PANEL FROM WHICH THE NEW VERIZON EQUIPMENT CIRCUIT WILL BE CONNECTED. CONTRACTOR SHALL SUBMIT UPDATED DIRECTORY IN A PLASTIC COVER TO THE BUILDING OWNER FOR APPROVAL PRIOR TO INSTALLATION.
- 3.04 CONTRACTOR SHALL FIELD DETERMINE ACTUAL CONDUIT ROUTING AND SHALL OBTAIN APPROVAL FROM THE TOWER OWNER OF THE PROPOSED ROUTING PRIOR TO CONDUIT INSTALLATION.
- 3.05 ALL CONDUCTORS SHALL BE COPPER WITH THWN INSULATION AND ALL TERMINATIONS SHALL BE RATED FOR AT LEAST 75 DEGREES CELSIUS.
- 3.06 ALL NEUTRAL CONDUCTORS SHALL HAVE WHITE INSULATION. ALL GROUND CONDUCTORS SHALL HAVE GREEN INSULATION. COLOR TAPE IDENTIFICATION OF THESE CONDUCTORS IS NOT PERMITTED.
- 3.07 CONTRACTOR SHALL SEAL ALL CONDUITS ENTERING AN ENCLOSURE WITH CONDUIT SEALANT THAT IS COMPATIBLE WITH THE INSULATION OF THE CONDUCTORS IN THE CONDUIT.
- 3.08 CONDUIT RUNS SHALL HAVE A CONTINUOUS DOWNWARD SLOPE AWAY FROM ALL EQUIPMENT TO PREVENT WATER INFILTRATION.
- 3.09 ALL CONDUIT SHALL BE SCHEDULE 40 PVC UNLESS NOTED OTHERWISE ON THE PLANS. WHEN CONDUIT IS ROUTED UNDER A ROADWAY, SCHEDULE 80 PVC CONDUIT SHALL BE UTILIZED. MANUFACTURED BEND RADII SHALL BE PER NEC.
- 3.10 CONTRACTOR SHALL PROVIDE TWO (2) 200 POUND TEST POLYETHYLENE PULL CORDS IN ALL CONDUITS AND ALL INNERDUCTS. PULL CORDS SHALL BE SECURED AT EACH END OF CONDUIT RUNS. ALL SPARE CONDUIT ENDS SHALL BE CAPPED WITH MANUFACTURED PVC FITTINGS.
- 3.11 CONTRACTOR SHALL BOND EACH METALLIC CONDUIT ENTERING A METALLIC ENCLOSURE WITH A #8 MIN AWG INSULATED COPPER BONDING JUMPER PER NEC. CONTRACTOR SHALL BOND ALL ELECTRICAL EQUIPMENT TO THE H-FRAME RACK ON WHICH EQUIPMENT IS MOUNTED WITH #8 MIN AWG INSULATED COPPER BONDING JUMPERS PER NEC.
- 3.12 CONTRACTOR SHALL IDENTIFY THE END OF ALL SPARE UNDERGROUND CONDUITS AND PROVIDE AND INSTALL 90 DEGREE ELBOWS WITH VERTICAL CONDUIT EXTENSIONS TO EXTEND 3" ABOVE FINISHED CRUSHED AGGREGATE GRADE. CONTRACTOR SHALL TERMINATE CONDUITS WITH MANUFACTURED CONDUIT CAPS THAT THE CONTRACTOR HAS PAINTED ORANGE.
- 3.13 CONTRACTOR SHALL PROVIDE AND INSTALL AN ENGRAVED PHENOLIC PLATE ON THE FRONT OF THE INTEGRATED LOAD CENTER. THE WORDING ON THE PLATE SHALL READ AS FOLLOWS: "MAXIMUM DRAW OF ALL RECTIFIERS AND EQUIPMENT ON THE LOAD CENTER CANNOT EXCEED 50KW. IF ADDITIONAL POWER IS REQUIRED, THE EXISTING 50KW GENERATOR MUST BE REPLACED."

4.00 PRE-CONSTRUCTION COORDINATION

- 4.01 CONTRACTOR SHALL VISIT THE SITE PRIOR TO BID AND NOTE EXISTING CONDITIONS THAT MIGHT AFFECT THEIR WORK. ALL SUCH CONDITIONS SHALL BE REPORTED TO THE ENGINEER PRIOR TO BID.
- 4.02 THE CONTRACTOR SHALL PROVIDE A UTILITY LOCATOR AND SHALL VERIFY THE ACTUAL LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
- 4.03 CONTRACTOR SHALL VERIFY, PRIOR TO ROUGH-IN, THAT SITE CONDITIONS ALLOW FOR THE PLACEMENT OF THE ELECTRICAL EQUIPMENT AS SHOWN ON THE PLANS.
- 4.04 CONTRACTOR SHALL COORDINATE WITH LOCAL ELECTRICAL UTILITY REGARDING THE EXACT LOCATION OF THE TRANSFORMER, ALL METERING REQUIREMENTS, AND CONDUIT ROUTING BETWEEN TRANSFORMER AND METER.
- 4.05 CONTRACTOR SHALL COORDINATE WITH LOCAL TELCO UTILITY REGARDING THE EXACT LOCATION OF THE TELCO SERVICE ENTRY POINT.
- 4.06 CONTRACTOR SHALL COORDINATE WITH AUTHORITY HAVING JURISDICTION REGARDING LOCAL FROST LINE REQUIREMENTS FOR RACEWAY MATERIAL SELECTION AND INSTALLATION.
- 4.07 CONTRACTOR SHALL PERFORM AN ARC FLASH ANALYSIS AT THE INTEGRATED LOAD CENTER AND PROVIDE ARC FLASH LABEL PER NEC.
- 4.08 ALL CIRCUIT BREAKERS AND EQUIPMENT SHALL HAVE A MINIMUM AIC RATING OF 10,000 AMPS. IF THE RATING OF THE UTILITY TRANSFORMER PROVIDING THE ELECTRICAL SERVICE IS GREATER THAN 75 KVA, THE CONTRACTOR SHALL PERFORM A SHORT CIRCUIT ANALYSIS TO DETERMINE THE REQUIRED AIC RATING FOR THE CIRCUIT BREAKERS AND EQUIPMENT. PRIOR TO PURCHASING EQUIPMENT, THE CONTRACTOR SHALL CONTACT THE ELECTRIC UTILITY AND OBTAIN IN WRITING THE MAXIMUM AVAILABLE FAULT CURRENT (AFC) AT THE UTILITY SERVICE POINT. PROVIDE MAX. AFC SIGNAGE AS REQUIRED PER NEC 110.24. THE CONTRACTOR SHALL ENSURE ALL ELECTRICAL EQUIPMENT, CIRCUIT BREAKERS, DISCONNECTS, FUSES, AND PANELBOARDS HAVE A FAULT CURRENT INTERRUPTING RATING GREATER THAN THE AVAILABLE FAULT CURRENT.

verizon

8821 RESEARCH DRIVE
CHARLOTTE, NORTH CAROLINA 28262

PROJECT INFORMATION:

SITE NAME:
TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY

PLANS PREPARED BY:

Kimley»Horn

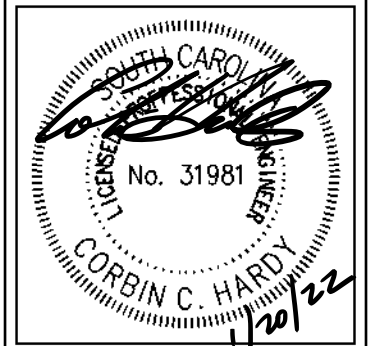
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-619-4280
WWW.KIMLEY-HORN.COM
SC License C00166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2			
1	01/20/22	CONSTRUCTION	CCH
0	08/30/21	CONSTRUCTION	CCH

LICENSER:



KHA PROJECT NUMBER:

013509328

DRAWN BY: CHECKED BY:

JAR DMF

SHEET TITLE:

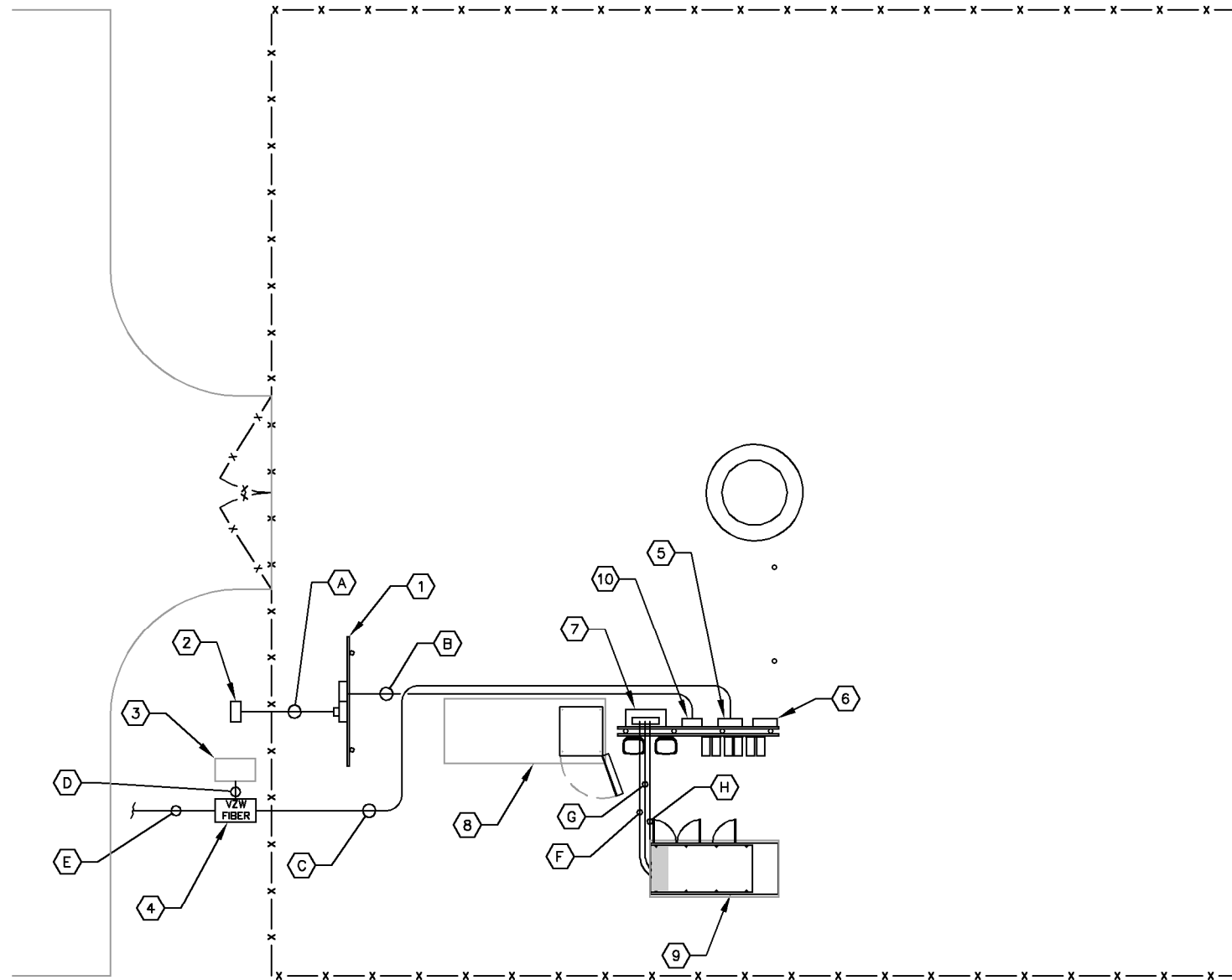
ELECTRICAL NOTES

SHEET NUMBER:

E1

K:\ATL_Wireless\000_Verizon\2021 Sites\Toccoa Hwy\CAD\GB\ECor-GB.dwg 01/19/22 5:08 PM by: William Bridger

K:\ATL_Wireless\000_Verizon\2021_Sites\Toccoa Hwy\CAD\GB\ECar-GB.dwg 01/19/22 5:08 PM by: William.Bridger



1 UTILITY SERVICE ROUTING PLAN
E2 SCALE: 1" = 10'

KEY NOTES - ELECTRICAL EQUIPMENT

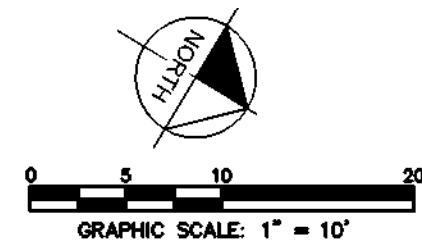
- ① UTILITY METER H-FRAME (SEE DETAIL 1/E4).
- ② POWER STUB UP (SEE NOTE 4.04 ON SHEET E1).
- ③ EXISTING LIT FIBER HANDHOLE/PEDESTAL. (CONTRACTOR TO CONFIRM EXISTENCE AND LOCATION).
- ④ TRAFFIC RATED TELCO VAULT LABELED "VZW FIBER". (SEE NOTE 4.05 ON SHEET E1)
- ⑤ TELCO BOX (SEE SHEET C4).
- ⑥ CIENA UNIT, IF NEEDED (SEE SHEET C4).
- ⑦ INTEGRATED LOAD CENTER (SEE SHEET C4).
- ⑧ VERIZON CONCRETE EQUIPMENT PAD (SEE SHEET C6).
- ⑨ VERIZON CONCRETE GENERATOR PAD (SEE SHEET C6).
- ⑩ DISCONNECT SWITCH (SEE SHEET C4).

KEY NOTES - CONDUIT, CONDUCTORS, & MISC.

- A TWO (2) 4" PVC POWER CONDUITS FOR INCOMING SERVICE LATERALS FROM LOCAL UTILITY (SEE TRENCH DETAIL 2/E7).
- B 2" PVC POWER CONDUIT FROM PROPOSED METER RACK TO EQUIPMENT RACK (SEE TRENCH DETAIL 2/E7).
- C TWO (2) 2" PVC TELCO CONDUITS, WITH TWO (2) PULL ROPES EACH (SEE TRENCH DETAIL 2/E7).
- D 4" PVC BRIDGE FIBER CONDUIT. (IF NO EXISTING LIT FIBER HANDHOLE/PEDESTAL IS PRESENT CONTRACTOR TO PROVIDER A 5' LONG CAPPED STUB BRIDGE CONDUIT).
- E TWO (2) 2" PVC CONDUITS FROM RIGHT OF WAY W/TWO (2) PULL ROPES (SEE TRENCH DETAIL 2/E7 AND SHEET E3).
- F 2" PVC CONDUIT FOR ROUTING POWER CONDUCTOR TO THE GENERATOR. (SEE TRENCH DETAIL 2/E7).
- G 1" PVC CONDUIT FOR ROUTING GENERATOR CONTROL AND ALARM SIGNAL CABLES TO THE GENERATOR (SEE TRENCH DETAIL 2/E7).
- H 1" PVC CONDUIT FOR ROUTING POWER CONDUCTOR TO THE GENERATOR BATTERY CHARGER AND THE GENERATOR BLOCK HEATER (SEE TRENCH DETAIL 2/E7).

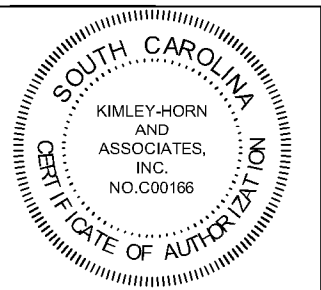
NOTES:

GENERAL CONTRACTOR IS TO CONFIRM WITH VERIZON CONSTRUCTION MANAGER WHETHER INSTALLATION OF THE TWO (2) 2" CONDUITS TO THE RIGHT OF WAY WILL BE PART OF THE INITIAL CONSTRUCTION.



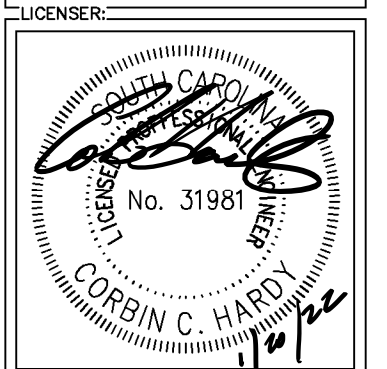
PROJECT INFORMATION:
 SITE NAME:
 TOCCOA HWY
 SITE No.: 682871
 PROJECT #: 20212231136
 HOPEWELL CHURCH RD
 WESTMINSTER, SC
 OCONEE COUNTY

PLANS PREPARED BY:
Kimley»Horn
 11720 AMBER PARK DRIVE, SUITE 600
 ALPHARETTA, GA 30009
 PHONE: 770-619-4280
 WWW.KIMLEY-HORN.COM
 SC License CD0166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2			
1	01/20/22	CONSTRUCTION	CCH
0	08/30/21	CONSTRUCTION	CCH



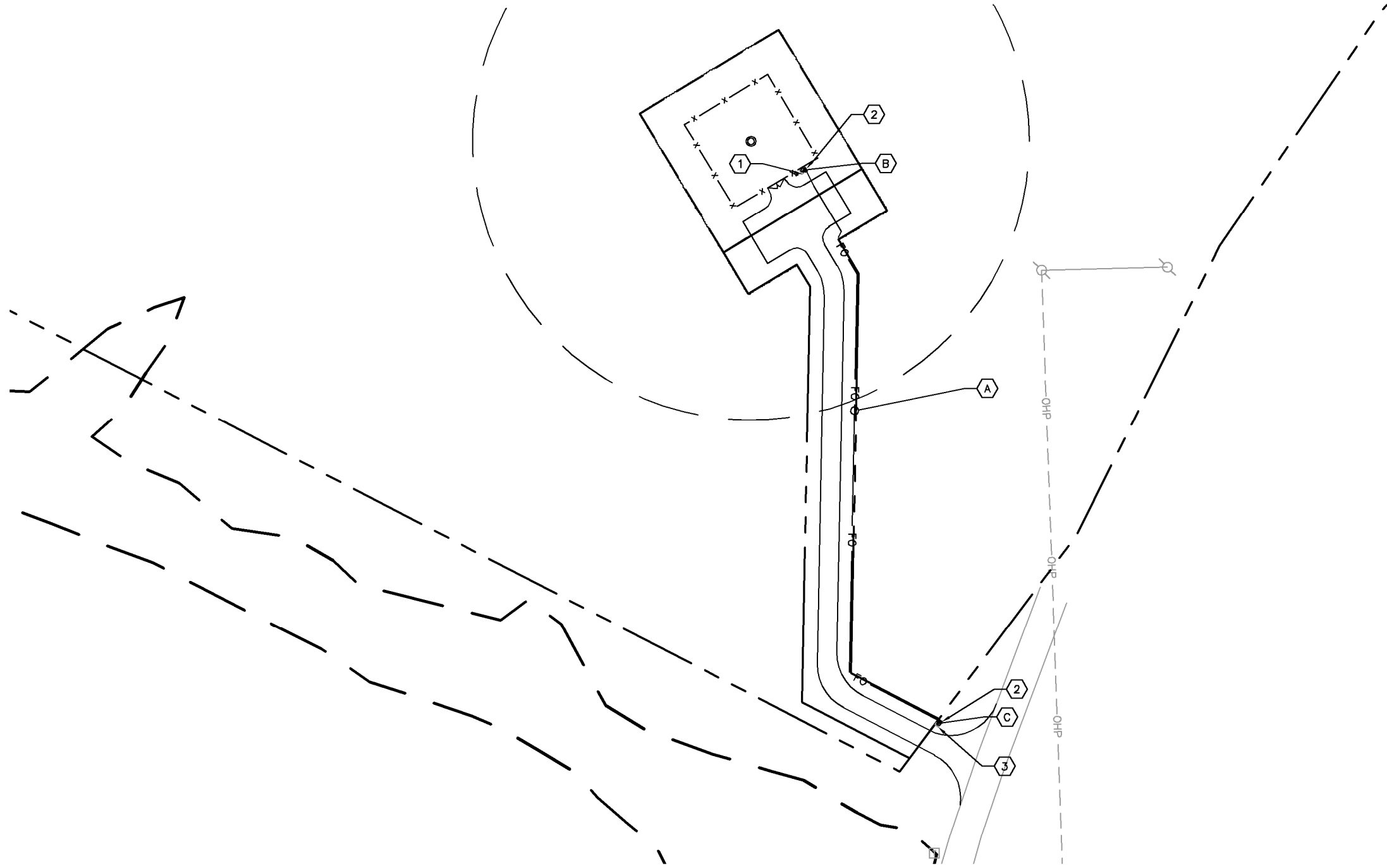
KHA PROJECT NUMBER:
 013509328

DRAWN BY: JAR CHECKED BY: DMF

SHEET TITLE:
UTILITY SERVICE ROUTING PLAN

SHEET NUMBER:
E2

K:\ATL_Webless\000_Verizon\2021 Sites\Toccoa Hwy\CAD\GB\ECor-GB.dwg ----- 01/19/22 5:08 PM by: William.Bridger



1 OVERALL UTILITY SERVICE ROUTING PLAN
E3 SCALE: 1" = 75'

KEY NOTES - ELECTRICAL EQUIPMENT

- ① EXISTING LIT-FIBER HANDHOLE/PEDESTAL.
- ② TRAFFIC RATED TELCO VAULT LABELED "VZW FIBER". (SPACED EVERY 500', AT MAJOR TRANSITIONS, AND AS NEEDED TO ALLOW DAR FIBER TO BE PULLED)(SEE NOTE 4.05 ON SHEET E1)
- ③ EXISTING ONE FIBER HANDHOLE (CONTRACTOR TO CONFIRM EXISTENCE AND LOCATION)

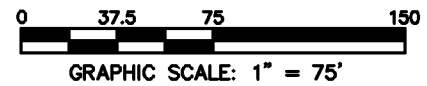
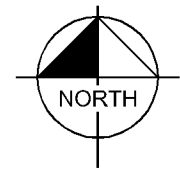
KEY NOTES - CONDUIT, CONDUCTORS, & MISC.

- A TWO (2) 2" PVC CONDUIT FOR "VZW FIBER" WITH TWO (2) PULL ROPES. (SEE DETAIL 2/E6); (APPROXIMATELY 416± LF); GENERAL CONTRACTOR TO CONFIRM NEED FOR CONDUITS TO RIGHT OF WAY AND HANDHOLE AT RIGHT OF WAY WITH VERIZON CONSTRUCTION MANAGER.
- B 4" PVC BRIDGE FIBER CONDUIT. (IF NO EXISTING LIT FIBER HANDHOLE/PEDESTAL IS PRESENT CONTRACTOR TO PROVIDER A 5' LONG CAPPED STUB BRIDGE CONDUIT).
- C 4" PVC BRIDGE FIBER CONDUIT. (IF NO EXISTING ONE FIBER HANDHOLE IS PRESENT, BRIDGE CONDUIT WILL BE BY OTHERS)

NOTES:

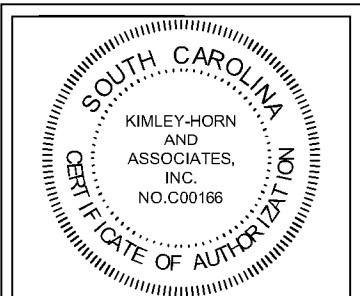
GENERAL CONTRACTOR IS TO CONFIRM WITH VERIZON CONSTRUCTION MANAGER WHETHER INSTALLATION OF THE TWO (2) 2" CONDUITS TO THE RIGHT OF WAY WILL BE PART OF THE INITIAL CONSTRUCTION.

PROPOSED VERIZON TELCO VAULT WITHIN RIGHT OF WAY LOCATED APPROXIMATELY 34° 37' 1.73"N, 83° 09' 51.72"W BASED ON GOOGLE EARTH IMAGERY.



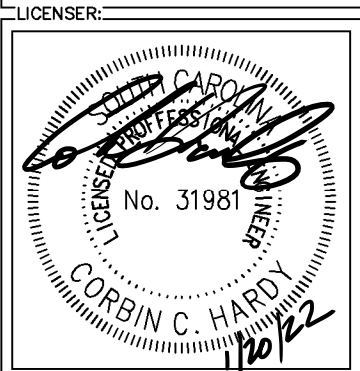
PROJECT INFORMATION:
 SITE NAME:
 TOCCOA HWY
 SITE No.: 682871
 PROJECT #: 20212231136
 HOPEWELL CHURCH RD
 WESTMINSTER, SC
 OCONEE COUNTY

PLANS PREPARED BY:
Kimley»Horn
 11720 AMBER PARK DRIVE, SUITE 600
 ALPHARETTA, GA 30009
 PHONE: 770-619-4280
 WWW.KIMLEY-HORN.COM
 SC License CD0166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2			
1	01/20/22	CONSTRUCTION	CCH
0	08/30/21	CONSTRUCTION	CCH



LICENSER:
 KHA PROJECT NUMBER: 013509328

DRAWN BY: JAR CHECKED BY: DMF

SHEET TITLE:
OVERALL UTILITY ROUTING PLAN

SHEET NUMBER:
E3

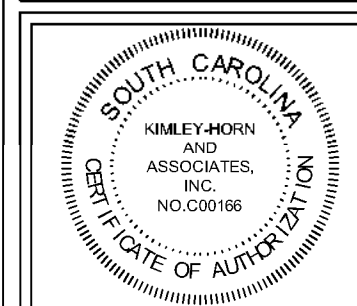
PROJECT INFORMATION:

SITE NAME:
TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY

PLANS PREPARED BY:

Kimley»Horn

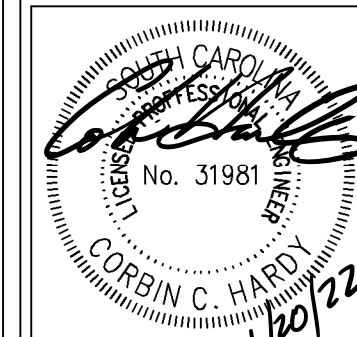
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-819-4280
WWW.KIMLEY-HORN.COM
SC License CD0166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2			
1	01/20/22	CONSTRUCTION	CCH
0	08/30/21	CONSTRUCTION	CCH

LICENSER:



KHA PROJECT NUMBER:

013509328

DRAWN BY: CHECKED BY:

JAR

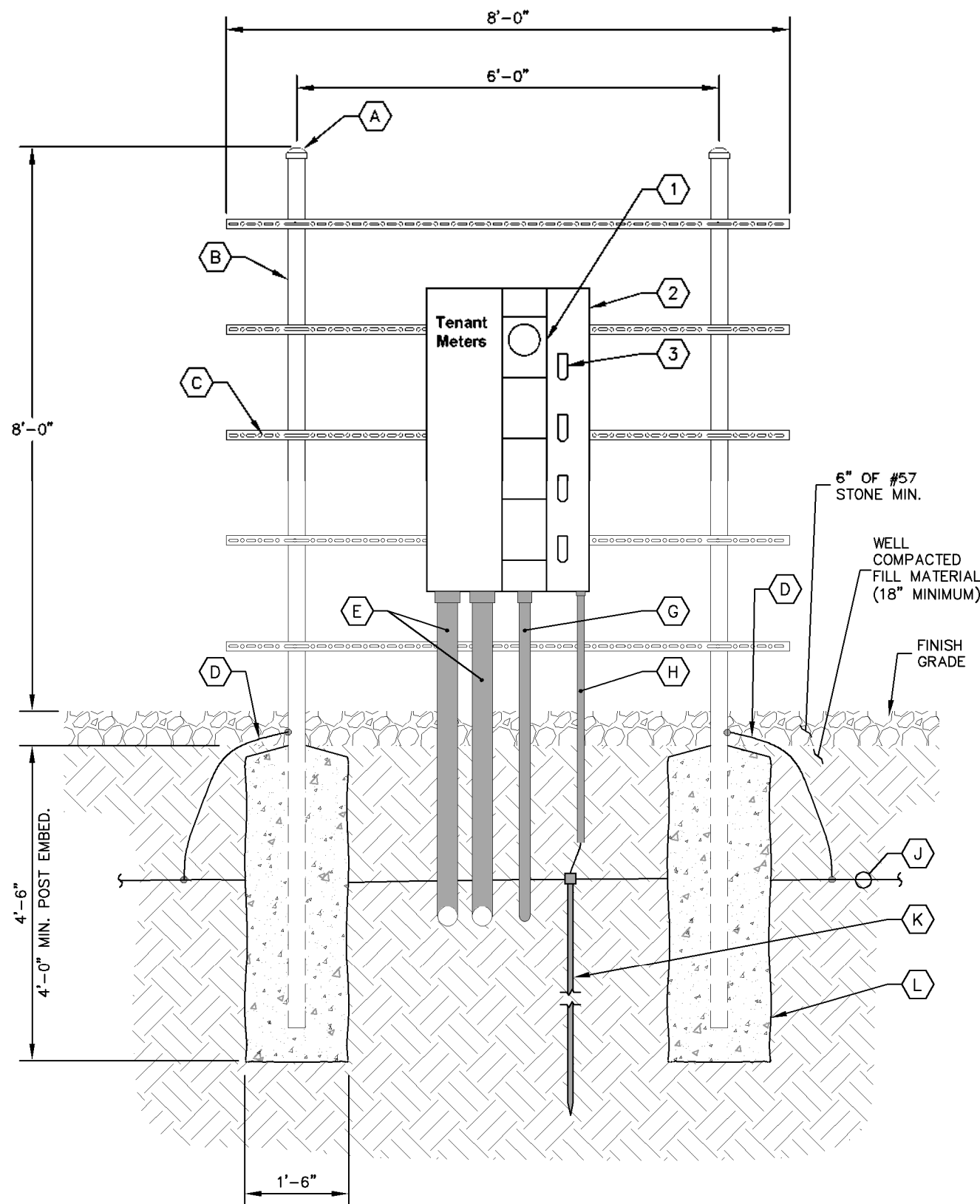
DMF

SHEET TITLE:

**METER RACK
DETAILS**

SHEET NUMBER:

E4



KEY NOTES - CONDUIT, CONDUCTORS, & MISC

- (A) GALVANIZED RIGID STEEL CAP, TYPICAL.
- (B) 3" GALVANIZED RIGID STEEL PIPE, TYPICAL.
- (C) 1½" x 1½" GALVANIZED STEEL CHANNEL (UNISTRUT #P1000 OR APPROVED EQUIVALENT) WITH PLASTIC END CAP (UNISTRUT #P2860), TYPICAL.
- (D) ONE (1) #2 AWG BARE SOLID TINNED COPPER BONDING CONDUCTORS (BC) FROM H-FRAME VERTICAL PIPE TO GROUND RING, EXOTHERMIC WELD BOTH ENDS.
- (E) 4" PVC CONDUIT FOR INCOMING SERVICE LATERALS FROM LOCAL UTILITY, TYPICAL OF 2.
- (F) KEYNOTE NOT USED.
- (G) 2" PVC CONDUIT FOR ROUTING FEEDERS TO NON-FUSED DISCONNECT SWITCH.
- (H) ¾" PVC CONDUIT WITH ONE (1) - 2/0 BARE STRANDED TINNED COPPER GROUNDING ELECTRODE CONDUCTOR (GEC) FROM GROUNDING LUG TO GROUND ROD, EXOTHERMIC WELD GEC TO GROUND ROD.
- (J) GROUND RING (SEE "E" SHEETS).
- (K) GROUND ROD, EXOTHERMIC WELD TO GROUND RING. (SEE "E" SHEETS).
- (L) CONCRETE FOUNDATION FOR H-FRAME VERTICAL PIPE. CONCRETE SHALL HAVE A 28 DAY COMPRESSIVE STRENGTH OF 4,000 PSI. AND INCLUDE FIBERMESH 650-3E.

KEY NOTES - ELECTRICAL EQUIPMENT

- (1) 200 AMP METER SOCKET IN NEMA 3R ENCLOSURE, TYPICAL OF 4. ONLY TOP SOCKET WILL RECEIVE METER UNDER THIS CONTRACT.
- (2) 800 AMP, 22KAIC, 4 GANG, SERVICE ENTRANCE RATED METER CENTER IN NEMA 3R ENCLOSURE. BOND TO RACK PER NEC.
- (3) 200 AMP, 2 POLE (22KAIC) DISCONNECT CIRCUIT BREAKER FOR TOP METER ONLY. CONTRACTOR SHALL MOUNT THE METER CENTER SUCH THAT THE TOP CIRCUIT BREAKER IS NO MORE THAN 6' ABOVE GRADE.

1 METER RACK DETAILS
E4 NOT TO SCALE

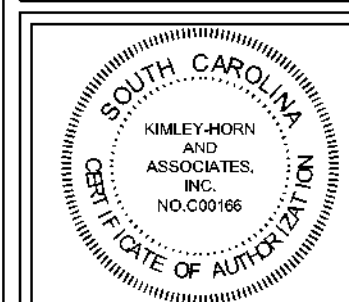
PROJECT INFORMATION:

SITE NAME:
TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY

PLANS PREPARED BY:

Kimley»Horn

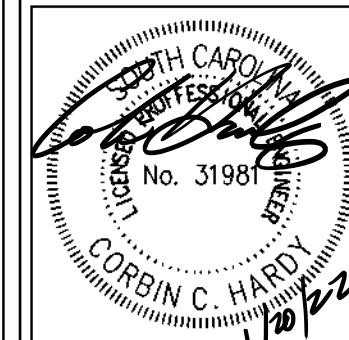
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-619-4280
WWW.KIMLEY-HORN.COM
SC License C00166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2			
1	01/20/22	CONSTRUCTION	CCH
0	08/30/21	CONSTRUCTION	CCH

LICENSER:



KHA PROJECT NUMBER:

013509328

DRAWN BY: CHECKED BY:

JAR DMF

SHEET TITLE:

**ELECTRICAL
SINGLE LINE
DIAGRAM**

SHEET NUMBER:

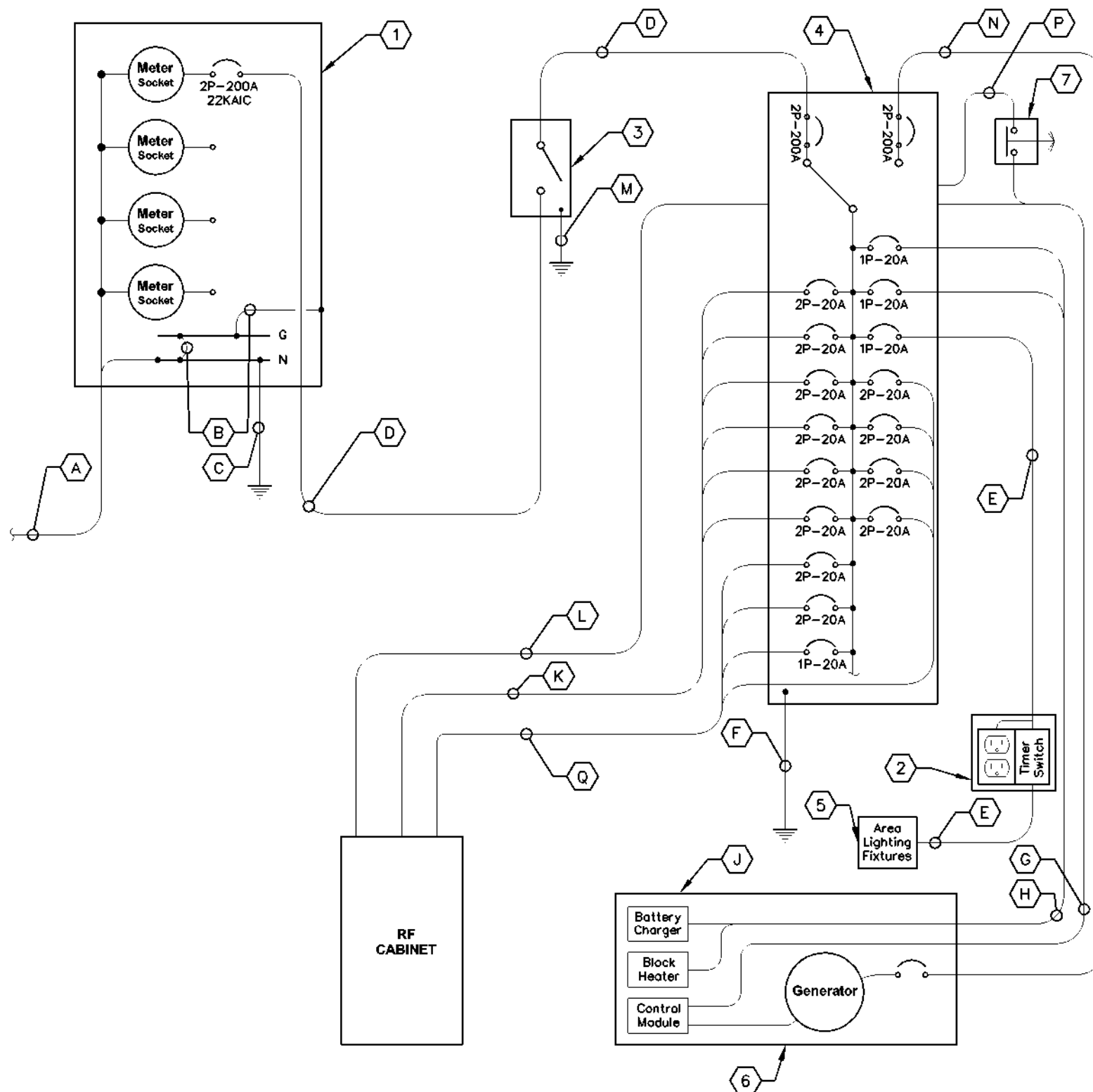
E5

KEY NOTES - CONDUIT, CONDUCTORS, & MISC

- A TWO (2) 4" CONDUITS BY CONTRACTOR FOR INCOMING SERVICE LATERALS BY LOCAL UTILITY FOR 800 AMP, 120/240 VOLT SINGLE PHASE SERVICE.
- B BOND GROUND BUS TO NEUTRAL BUS AND GROUND BUS TO ENCLOSURE WITH 2/0 BONDING JUMPERS.
- C ONE (1) 2/0 BARE STRANDED TINNED COPPER GEC TO GROUND ROD, EXOTHERMIC WELD GEC TO GROUND ROD.
- D THREE (3) 3/0 CONDUCTORS AND ONE (1) #6 AWG GROUND IN 2" CONDUIT.
- E TWO (2) #12 AWG CONDUCTORS AND ONE (1) #12 AWG GROUND IN 1" CONDUIT.
- F ONE (1) #2 BARE TINNED COPPER FROM GROUNDING LUG IN ILC TO GROUND ROD, EXOTHERMIC WELD TO GROUND ROD.
- G AUTOMATIC TRANSFER SWITCH ALARM AND GENERATOR CONTROL CABLES IN 1" CONDUIT.
- H FOUR (4) #12 CONDUCTORS AND ONE (1) #12 AWG GROUND IN 1" CONDUIT.
- J THE GENERATOR, WHEN UTILIZING A TWO POLE ATS WITH A SOLID NEUTRAL, IS NOT A SEPARATELY DERIVED SYSTEM. THEREFORE, DO NOT BOND THE NEUTRAL TO THE GROUND AT THE GENERATOR.
- K TWELVE (12) #10 AWG THHN CONDUCTORS AND THREE (3) #10 AWG EG IN 2" PVC CONDUIT.
- L ALARM CABLES IN 1" PVC CONDUIT.
- M ONE (1) - #2 BARE TINNED COPPER FROM GROUNDING LUG IN DISCONNECT SWITCH TO GROUND RING, EXOTHERMIC WELD TO GROUND RING.
- N THREE (3) 3/0 AWG CONDUCTORS AND ONE (1) #4 AWG EG IN 2" CONDUIT. VERIFY GENERATOR BREAKER DOES NOT EXCEED 200 AMPS.
- P 1" PVC CONDUIT FOR ROUTING POWER CONDUCTORS FROM THE ILC TO THE EMERGENCY GENERATOR STOP SWITCH.
- Q TWELVE (12) #10 AWG THHN CONDUCTORS AND THREE (3) #10 AWG FOR RECTIFIERS AND TWO (2) #10 THHN CONDUCTORS AND ONE (1) #10 AWG FOR CABINET MOUNTED GFI OUTLET, ALL IN ONE 2" PVC CONDUIT.

KEY NOTES - ELECTRICAL EQUIPMENT

- 1 FURNISH AND INSTALL 800 AMP, 3-WIRE, SINGLE PHASE, 120/240 VOLT, 22KAIC, FOUR-SPACE MULTI-GANG METER CENTER WITH 200 AMP RATED METER SOCKETS IN NEMA 3R ENCLOSURE, SE RATED. CONTRACTOR SHALL FURNISH AND INSTALL 200 AMP CIRCUIT BREAKER AT METER BASE IF NOT ALREADY EXISTING.
- 2 20 AMP GFCI DUPLEX OUTLET RECEPTACLE AND TIMER SWITCH, ENERLITES HET06 SERIES (OR APPROVED EQUIVALENT) IN LOCKABLE NEMA 3R ENCLOSURE.
- 3 FURNISH AND INSTALL SE RATED 240 V, 200 AMP, 2 POLE, NON-FUSED DISCONNECT IN NEMA 3R ENCLOSURE.
- 4 200 AMP, 120/240 VOLT, ILC WITH 42 SPACE PANEL AND AUTOMATIC TRANSFER SWITCH. ALL CIRCUIT BREAKERS SHALL BE RATED 10KAIC MINIMUM. ILC IS FURNISHED BY VZW AND INSTALLED BY GENERAL CONTRACTOR.
- 5 FURNISH AND INSTALL TWO (2) AREA LIGHTS, (LITHONIA HFR-250M-TA120-DNA-LP1), (OR APPROVED EQUIVALENT).
- 6 50 KW DIESEL GENERATOR, CONTRACTOR SHALL COORDINATE SPECIFIC GENERATOR CONFIGURATION WITH OWNER AND INSTALL THE GENERATOR IN ACCORDANCE WITH MANUFACTURER'S INSTALLATION INSTRUCTIONS. GENERATOR BREAKER SIZED AND PROVIDED BY GENERATOR MANUFACTURER.
- 7 EMERGENCY GENERATOR STOP SWITCH IN NEMA 3R ENCLOSURE WILL BE FURNISHED BY VERIZON AND INSTALLED BY GC.



REQUIRED SIGNAGE PER NEC 702 AT SERVICE DISCONNECT
"WARNING: Shock hazard exists if grounding electrode conductor or bonding jumper connection in this equipment is removed while alternate source(s) is energized. Opening the equipment disconnect will cause the stand-by generator to start. To remove power entirely from the equipment, the generator must be turned OFF using emergency stop switch."

REQUIRED SIGNAGE PER NEC 702 AT SERVICE DISCONNECT & INTEGRATED LOAD CENTER
"NOTE: Emergency power is supplied by a stand-by generator located behind Verizon equipment rack."

1 ELECTRICAL SINGLE LINE DIAGRAM
E5 NOT TO SCALE

PANEL SCHEDULE - VERIZON INTEGRATED LOAD CENTER

Voltage: 240/120 Volts	MCB Size: 200 Amps
Phase, Wires: Single Phase, 3 Wire	AIC Rating: 10,000 Amps min
Mounting Type: Surface	Bus Rating: 200 Amps
Enclosure Type: NEMA 3R	Neutral Rating: 100%

Load Served	Load (kVA)		Circuit Bkr Size	Ckt Nbr	Phase A B	Ckt Nbr	Circuit Bkr Size	Load (kVA)		Load Served	
	A	B						A	B		
RECTIFIER 1	1.78		2P-20	1		2	1P-20	0.58		AREA LIGHTS/GFCI	
		1.78						4	1P-20		1.50
RECTIFIER 2	1.78		2P-20	5		6	1P-20	0.30		GEN BATTERY CHARGER	
		1.78						8	-----		0.00
RECTIFIER 3	1.78		2P-20	9		10	1P-20	0.18		CAB DUPLEX OUTLET	
		1.78						12	-----		0.00
RECTIFIER 4	1.78		2P-20	13		14	2P-20	1.78		RECTIFIER 9	
		1.78						16			1.78
RECTIFIER 5	1.78		2P-20	17		18	2P-20	1.78		RECTIFIER 10	
		1.78						20			1.78
RECTIFIER 6	1.78		2P-20	21		22	2P-20	0.00		RECTIFIER 11 (SPARE)	
		1.78						24			0.00
RECTIFIER 7	1.78		2P-20	25		26	2P-20	0.00		RECTIFIER 12 (SPARE)	
		1.78						28			0.00
RECTIFIER 8	1.78		2P-20	29		30	-----	0.00		SPACE	
		1.78						32			0.00
SPACE	0.00		-----	33		34	-----	0.00		SPACE	
SPACE		0.00	-----	35		36	-----		0.00	SPACE	
SPACE	0.00		-----	37		38	-----	0.00		SPACE	
TVSS (INTERNAL TO ILC)		0.00	2P-30	39		40	-----		0.00	SPACE	
	0.00							42			0.00
Sub-Total (kVA)	14.24	14.24						4.62	5.06	Sub-Total (kVA)	
								A	B		
								18.86	19.30		
								38.16		Total Connected (kVA)	

LOAD SUMMARY						
Load Description	Connected Load (kVA)		Demand Factor	Demand Load (kVA)		
	A	B		A	B	
RECTIFIERS/EQUIP	17.80	17.80	1.00	17.80	17.80	
LARGEST MOTOR	0.00	0.00	1.00	0.00	0.00	
ALL OTHER MOTORS	0.00	0.00	1.00	0.00	0.00	
LIGHTING	0.40	0.00	1.25	0.50	0.00	
DUPLEX RECEPTACLES	0.36	0.00	1.00	0.36	0.00	
TOTAL MISCELLANEOUS	0.30	1.50	1.00	0.30	1.50	
Total Power per Phase				18.96	19.30	kVA
Total Demand Current per Phase				158.00	161.00	Amps
Total Demand Power				38.26		kVA

*NOTE: CIRCUIT LOAD AND DEMAND FACTOR PROVIDED BY VERIZON.

1

PANEL SCHEDULE

E6

NOT TO SCALE



PROJECT INFORMATION:
 SITE NAME:
 TOCCOA HWY
 SITE No.: 682871
 PROJECT #: 20212231136
 HOPEWELL CHURCH RD
 WESTMINSTER, SC
 OCONEE COUNTY

PLANS PREPARED BY:

11720 AMBER PARK DRIVE, SUITE 600
 ALPHARETTA, GA 30009
 PHONE: 770-619-4280
 WWW.KIMLEY-HORN.COM
 SC License CD0166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2			
1	01/20/22	CONSTRUCTION	CCH
0	08/30/21	CONSTRUCTION	CCH

LICENSER:

KHA PROJECT NUMBER:
 013509328

DRAWN BY: JAR CHECKED BY: DMF

SHEET TITLE:

PANEL SCHEDULE

SHEET NUMBER:

E6

K:\ATL_Wireless\000_Verizon\2021 Sites\Tooccoo Hwy\CAD\GB\ECor-GB.dwg 01/19/22 5:08 PM by: William Bridger

verizon

8221 RESEARCH DRIVE
CHARLOTTE, NORTH CAROLINA 28262

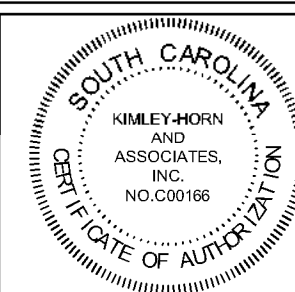
PROJECT INFORMATION:

SITE NAME:
TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY

PLANS PREPARED BY:

Kimley»Horn

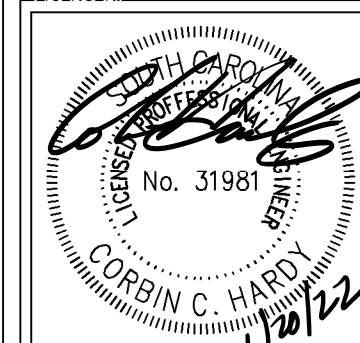
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-819-4280
WWW.KIMLEY-HORN.COM
SC License C00166



REV: _____ DATE: _____ ISSUED FOR: _____ BY: _____

8			
7			
6			
5			
4			
3			
2			
1	01/20/22	CONSTRUCTION	CCH
0	08/30/21	CONSTRUCTION	CCH

LICENSER:



KHA PROJECT NUMBER:

013509328

DRAWN BY: _____ CHECKED BY: _____

JAR

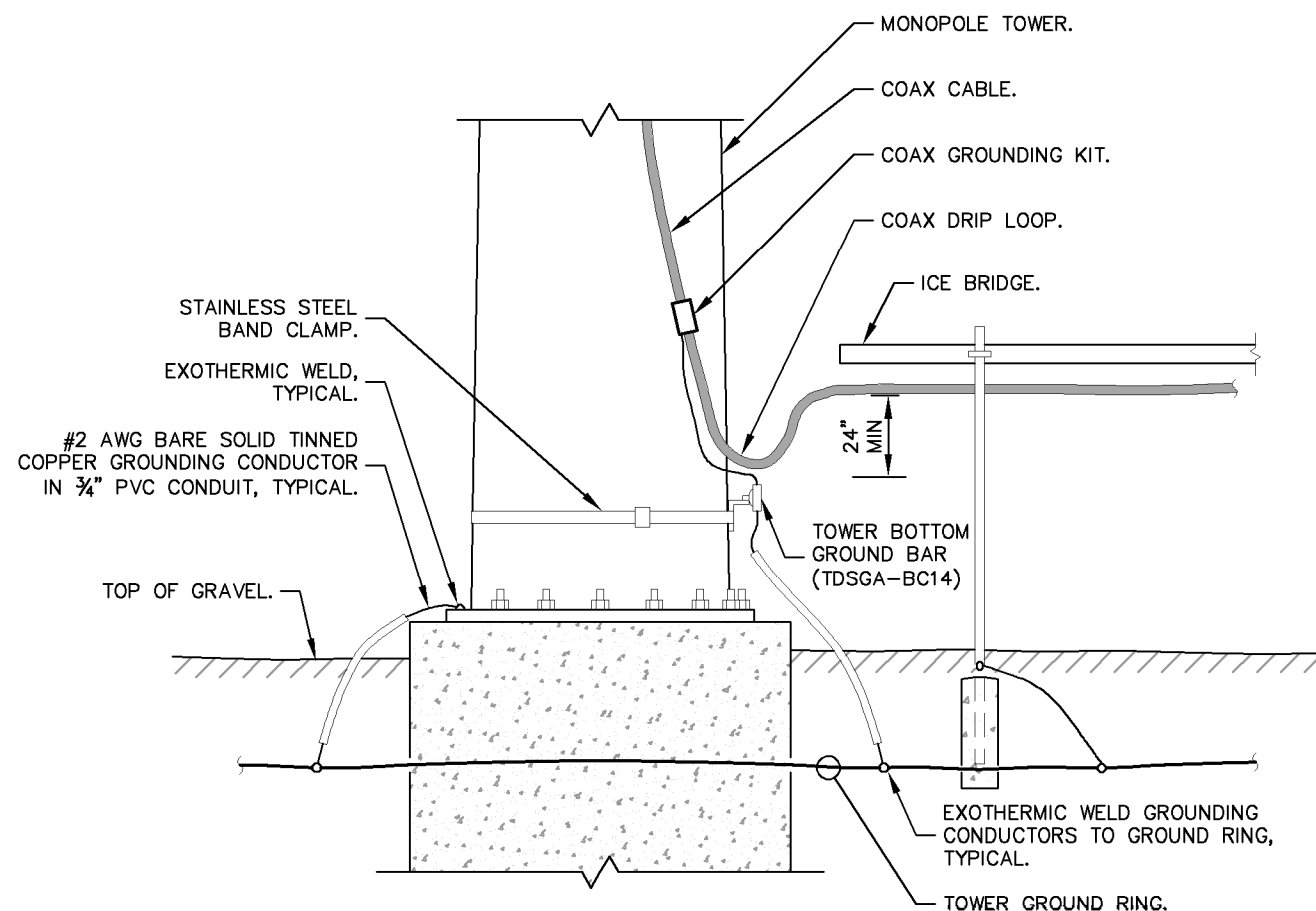
DMF

SHEET TITLE:

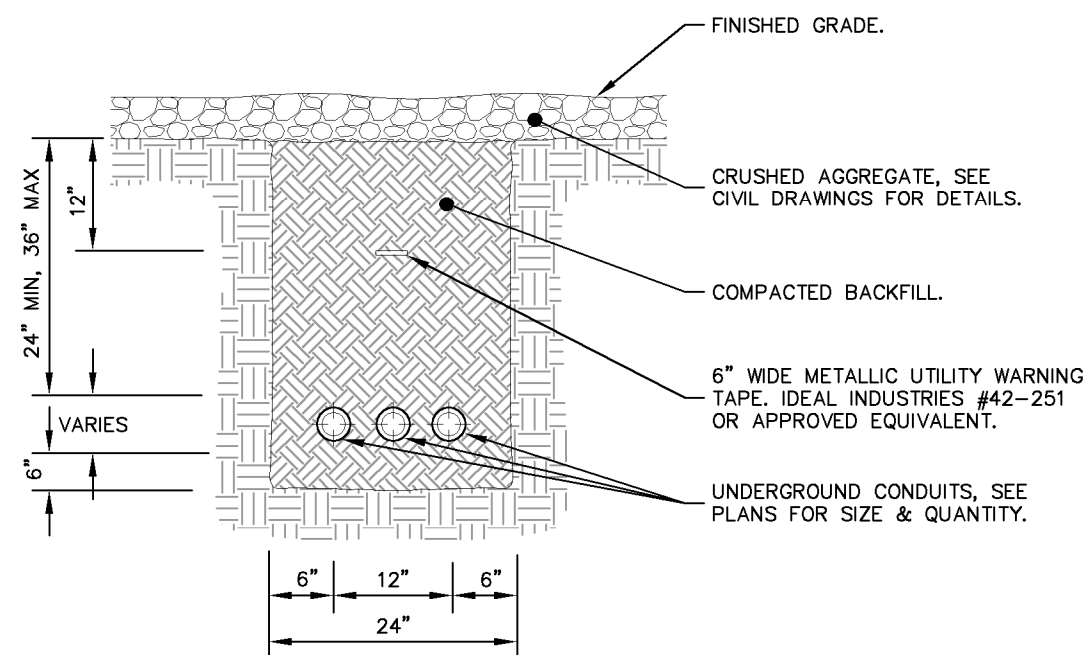
**ELECTRICAL
DETAILS**

SHEET NUMBER:

E7



1 DRIP LOOP DETAIL
E7 NOT TO SCALE



NOTES:

1. IF GROUND SURFACE IS OTHER THAN NEWLY GRAVELED AREA. CONTRACTOR IS TO RESTORE TO ORIGINAL CONDITION.
2. PROVIDE PVC CONDUIT BELOW GRADE EXCEPT AS NOTED BELOW.
3. PROVIDE SCHEDULE 40 OR SCHEDULE 80 PVC CONDUIT & ELBOWS AT STUB UP LOCATIONS (I.E. POLES, EQUIPMENT, ETC.)
4. PROVIDE SCHEDULE 80 PVC CONDUIT BELOW PARKING LOTS AND ROADWAYS.

2 TYPICAL TRENCH DETAIL
E7 NOT TO SCALE

K:\ATL_Wireless\000_Verizon\2021 Sites\Toccoa Hwy\CAD\GB\ECar-GB.dwg 01/19/22 5:09 PM by: William Bridger

GROUNDING NOTES

1. THE GROUND RING SHALL CONSIST OF #2 AWG BARE SOLID TINNED COPPER (STC) CONDUCTOR, UNLESS NOTED OTHERWISE, BURIED AT 30" BELOW FINISHED GRADE (OR BELOW FROST LINE). LOCATE 24" MINIMUM AND 36" MAXIMUM FROM EQUIPMENT AREA AND FROM TOWER FOUNDATION. ALL CONNECTIONS SHALL BE MADE USING A PARALLEL TYPE EXOTHERMIC WELD, UNLESS NOTED OTHERWISE.
2. INSTALL GROUND RODS AS SHOWN AND AS REQUIRED. GROUND RODS TO BE COPPER CLAD STEEL, 5/8" DIAMETER AND 10FT IN LENGTH. SPACING BETWEEN GROUND RODS SHALL BE 10FT MINIMUM AND 15FT MAXIMUM. TOP OF GROUND ROD TO BE 30" MINIMUM BELOW GRADE (OR BELOW FROST LINE). BOND TOP OF GROUND ROD TO GROUND WIRE WITH EXOTHERMIC WELD. DO NOT EXOTHERMICALLY WELD ANYTHING TO GROUND ROD EXCEPT GROUND WIRE WHICH PASSES OVER TOP OF GROUND ROD (CLAMPED CONNECTIONS TO GROUND ROD PER TOWER MANUFACTURERS DETAILS ARE ACCEPTABLE).
3. EQUIPMENT GROUND RING SHALL HAVE A MINIMUM OF 4 GROUND RODS, INSTALLED AT THE CORNERS OF THE GROUND RING PLUS ADDITIONAL RODS AS REQUIRED TO COMPLY WITH THE SPACING REQUIREMENTS. TOWER GROUND RING SHALL HAVE A MINIMUM OF 3 GROUND RODS, EXCEPT USE 4 RODS AT A MONOPOLE TOWER. WHERE SPREAD TOWER FOOTING WOULD PREVENT GROUND RODS FROM BEING DRIVEN INTO SOIL ADJACENT TO TOWER, PROVIDE VERTICAL 1" DIAMETER PVC SLEEVES EMBEDDED IN FOOTING TO ALLOW INSTALLATION OF GROUND RODS.
4. EQUIPMENT GROUND RING AND TOWER GROUND RING SHALL BE BONDED TOGETHER WITH TWO #2 STC GROUND LEADS, TYPICALLY ONE ON EACH SIDE OF ICE BRIDGE.
5. BOND TOWER TO TOWER GROUND RING AT THREE LOCATIONS WITH #2 STC GROUND LEAD. SELF SUPPORT TOWERS SHALL HAVE EACH LEG BONDED TO GROUND RING, MONOPOLES AND GUYED TOWERS SHALL HAVE GROUND LEADS EQUALLY SPACED AROUND TOWER. EXOTHERMICALLY WELD GROUND LEADS TO TOP OF BASE PLATES, OR ATTACH TO TOWER USING TOWER MANUFACTURER PROVIDED DETAIL.
6. PROVIDE #2 STC RADIALS FROM THE TOWER GROUND RING TO EACH FENCE CORNER POST. RADIALS SHALL HAVE GROUND RODS AS PER THE REQUIRED SPACING. THE GROUND ROD AT THE END OF EACH RADIAL SHALL BE 24" MAXIMUM FROM FENCE CORNER POST. EQUIPMENT AREA GROUND RING AND CONNECTING GROUND LEADS [BETWEEN EQUIPMENT AREA AND TOWER GROUND RINGS] MAY BE USED AS PART OF THE RADIAL GOING TO THE FENCE CORNER POST CLOSEST TO THE EQUIPMENT AREA.
7. MINIMUM BEND RADIUS FOR #2 AWG GROUND WIRE IS 12", EXCEPT USE 24" FOR TOWER GROUND RINGS AND EQUIPMENT PAD GROUND RINGS.
8. GROUND ALL EXTERIOR EXPOSED METAL OBJECTS. USE TWO HOLE LUGS FOR CONNECTION TO FLAT METAL SURFACES. USE ONLY STAINLESS STEEL HARDWARE ON ALL MECHANICAL CONNECTIONS. CLEAN ALL SURFACES (AND STRIP PAINTED SURFACES) TO BARE BRIGHT METAL PRIOR TO MAKING GROUND CONNECTIONS. APPLY ANTI-OXIDE COMPOUND TO ALL CONNECTIONS. APPLY ZINC RICH PAINT (COLD GALV.) TO ALL EXOTHERMIC WELDS, AND TO ANY METAL EXPOSED BY CLEANING, STRIPPING, GRINDING, CUTTING OR DRILLING.
9. ALL GROUNDING CONDUCTORS ABOVE GRADE SHALL BE RUN IN 3/4" FLEXIBLE PVC CONDUIT. CONDUIT SHALL BEGIN WITHIN 3/4" OF ABOVE GROUND CONNECTION POINT, SHALL EXTEND 24" BELOW GRADE MINIMUM, AND SHALL BE FILLED WITH SEALANT AT ABOVE GROUND CONNECTION POINT. SECURE CONDUIT EVERY 24" ON VERTICAL RUNS AND EVERY 36" ELSEWHERE WITH NON-METALLIC TIES.
- 10A. AT GUYED AND SELF SUPPORT TOWERS MOUNT TDSGA-PA14 TOWER BOTTOM GROUND BAR ON DEDICATED POST DIRECTLY BELOW COAX CABLES COMING OFF TOWER. POST TO BE 3.5" OD GALVANIZED SCHEDULE 40 PIPE WITH GALVANIZED PIPE CAP. TOP OF POST TO BE 78" ABOVE GRADE. EMBED POST 30" MINIMUM IN 12" DIAMETER BY 36" DEEP MINIMUM CONCRETE FOOTING WITH TOP OF FOOTING 6" BELOW GRADE. IF TOWER FOUNDATION OBSTRUCTS AUGERED FOOTING, USE POST WITH 10" SQUARE GALVANIZED STEEL FLANGE PLATE WELDED TO BOTTOM AND BOLT FLANGE TO TOP OF CONCRETE TOWER FOOTING.
- 10B. AT MONOPOLE TOWERS CLAMP TDSGA-BC14 TOWER BOTTOM GROUND BAR DIRECTLY TO TOWER. IF RUNNING COAX INSIDE MONOPOLE, CLAMP ONTO BOTTOM LIP OF EXIT PORT. IF BANDING COAX TO OUTSIDE OF TOWER, CLAMP ONTO STEEL ANGLE WHICH IS Banded TO TOWER. BOND TDSGA-BC14 TO TOWER GROUND RING WITH TWO #2 STC LEADS LUGGED TO GROUND BAR AND EXOTHERMICALLY WELDED TO GROUND RING.
11. AT EQUIPMENT AREA, INSTALL TDSGA-PA14 EXTERIOR GROUND BAR (THRU-BOLTED STYLE) AT BASE OF (2) INTERIOR H-FRAME POSTS AND AT TOP OF ICE BRIDGE POST WHICH IS NEAREST TO (BUT CLOSER TO TOWER THAN) THE COAX CABLE TERMINATION. MOUNT GROUND BAR TO H-FRAME POSTS AT 6" ABOVE GRAVEL AND TO ICE BRIDGE POST AT 6FT ABOVE GRAVEL.
12. ALL ICE BRIDGE SECTIONS ARE TO BE JUMPERED TOGETHER WITH #2 WIRE, EITHER BARE TINNED COPPER OR GREEN INSULATED STRANDED. ICE BRIDGE SHALL BE GROUNDED AT EACH END WITH #2 STC WIRE LUGGED TO ICE BRIDGE AND EXOTHERMICALLY WELDED TO UPPER PORTION OF NEAREST ICE BRIDGE POST. ICE BRIDGE SECTIONS ABOVE H-FRAME SHALL BE BONDED TO EACH OTHER WITH JUMPERS AT EACH END - THIS ASSEMBLY WILL BE CONSIDERED AS A SINGLE ICE BRIDGE SECTION FOR GROUNDING PURPOSES.
13. BOND EACH ICE BRIDGE POST, H-FRAME POST OR DEDICATED GROUNDING POST TO BURIED GROUNDING SYSTEM WITH #2 STC LEAD EXOTHERMICALLY WELDED TO POST BELOW TOP OF GRAVEL AND EXOTHERMICALLY WELDED TO GROUND RING. EACH POST TO HAVE SEPARATE GROUND LEAD DIRECTLY TO GROUND RING - DO NOT DAISY CHAIN POSTS TOGETHER.
14. BOND EACH RF CABINET TO EQUIPMENT GROUND RING WITH #2 AWG TINNED SOLID BARE COPPER CONDUCTOR LUGGED TO CABINET BODY AND EXOTHERMICALLY WELDED TO GROUND RING. LUG TO CABINET BODY USING LOCATION AT WHICH STUDS ON CABINET CHASSIS HAVE DIRECT GROUND WIRE CONNECTION TO CABINET INTERNAL GROUND BAR. RUN CONDUIT AND CONDUCTOR ACROSS BACK OF CABINET (DO NOT RUN TOWARDS NEAREST CORNER OF CABINET AND THEN BEND GROUND WIRE SHARPLY), ACROSS CONCRETE PAD BELOW CABLE LADDER, THEN DOWN INTO GRAVEL AREA.
15. BOND EACH BATTERY CABINET TO GROUND RING WITH #2 AWG TINNED SOLID BARE COPPER CONDUCTOR LUGGED TO CABINET BODY AND EXOTHERMICALLY WELDED TO GROUND RING. RUN GROUND LEAD IN FLEX CONDUIT ALONG BACK OF RBA72 CABINET, ACROSS CONCRETE PAD BELOW CABLE LADDER, THEN DOWN INTO GRAVEL AREA. CONNECT TWO HOLE LUG TO BACK OF CABINET AT FACTORY PROVIDED GROUNDING STUDS.
16. BOND GENERATOR TO GROUND RING WITH #2 STC AT TWO DIAGONALLY OPPOSITE LOCATIONS BY DRILLING AND BOLTING TWO HOLE LUG TO FINS ON GENERATOR BASE STRUCTURE. GROUND LEADS SHOULD TAKE SHORTEST PATH ACROSS CONCRETE PAD TO GRAVEL AREA, THEN CONTINUE TO GROUND RING.
17. WHERE PROPANE TANK IS INSTALLED TO FUEL GENERATOR, BOND PROPANE TANK TO GROUND RING WITH A SINGLE #2 STC CLAMPED TO FILLER PIPE OF PROPANE TANK AND EXOTHERMICALLY WELDED TO GROUND RING. GROUND LEAD SHOULD RUN TO TANK SUPPORT AND TAKE SHORTEST PATH ACROSS CONCRETE PAD TO GRAVEL AREA, THEN CONTINUE TO GROUND RING. IF PROPANE TANK FUEL LINE IS METALLIC AND CROSSES EQUIPMENT GROUND RING, BOND FUEL LINE TO EQUIPMENT GROUND RING WHERE THE TWO LINES CROSS WITH A SINGLE #2 STC CLAMPED TO FUEL LINE AND EXOTHERMICALLY WELDED TO GROUND RING.
18. BOND GPS ANTENNA and GPS ANTENNA MOUNT TO TSDGA GROUND BAR AT BOTTOM OF H-FRAME POST WITH #2 GREEN INSULATED STRANDED GROUND WIRE.
19. PROVIDE TWO GROUND RODS OUTSIDE GATES OF COMPOUND. DISTANCE BETWEEN GROUND RODS SHALL MATCH WIDTH OF GATE OPENING, AND DISTANCE FROM FENCE SHALL MATCH LENGTH OF LONGEST INDIVIDUAL GATE LEAF. BOND GATE POSTS TOGETHER WITH #2 STC LEAD WHICH RUNS PAST AND CONNECTS TO GROUND RODS OUTSIDE GATES.
20. BOND EACH GATE POST WITH #2 STC TO NEAREST PORTION OF GROUNDING SYSTEM INSIDE COMPOUND.
21. BOND EACH GATE TO GATE POST WITH FLEXIBLE INSULATED OR BRAIDED #4/0 COPPER STRAP. EXOTHERMICALLY WELD STRAP TO BOTH GATE AND GATE POSTS.
22. ANY METAL FENCE POST WITHIN 6FT OF A GROUNDED METAL OBJECT SHALL BE BONDED TO THE NEAREST GROUND RING. ANY METAL FENCE WITHIN 6FT OF A GROUND RING SHALL HAVE THE LINE POSTS BONDED TO THE GROUND RING AT 20FT MAXIMUM INTERVALS AS MEASURED ALONG THE LENGTH OF THE FENCE.
23. WHERE GROUND BASED RRU'S, RAYCAP OVP'S OR DIPLEXERS ARE INSTALLED AT THE EQUIPMENT AREA, BOND EACH COMPONENT TO NEAREST TDSGA GROUND BAR BELOW THE COMPONENT WITH #2 GREEN INSULATED STRANDED GROUND WIRE. SINGLE HOLE LUG OR RING TYPE CONNECTOR IS SUITABLE FOR CONNECTION TO GROUNDING STUD ON EACH COMPONENT.
24. NOTIFY VZW CM TO INSPECT GROUND RING BEFORE BACKFILLING. CONTRACTOR SHALL HIRE A 3RD PARTY TO PERFORM AN IEEE81 FALL OF POTENTIAL METHOD GROUND TEST. MAXIMUM ALLOWABLE RESISTANCE TO GROUND IS 5 OHMS. PROVIDE ADDITIONAL GROUND SYSTEM COMPONENTS AS REQUIRED TO ACHIEVE THIS VALUE.
25. REFER TO TOWER GROUNDING DIAGRAM AND NOTES FOR GROUND SYSTEM REQUIREMENTS ON THE TOWER.
26. GROUNDING OF ALL ELECTRICAL EQUIPMENT SHALL BE AS PER NEC, MUNICIPAL AND UTILITY COMPANY REQUIREMENTS.



8221 RESEARCH DRIVE
CHARLOTTE, NORTH CAROLINA 28262

PROJECT INFORMATION:

SITE NAME:
TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY

PLANS PREPARED BY:



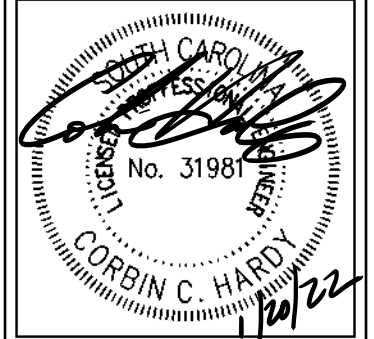
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-619-4280
WWW.KIMLEY-HORN.COM
SC License C00166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2			
1	01/20/22	CONSTRUCTION	CCH
0	08/30/21	CONSTRUCTION	CCH

LICENSER:



KHA PROJECT NUMBER:

013509328

DRAWN BY: CHECKED BY:

JAR DMF

SHEET TITLE:

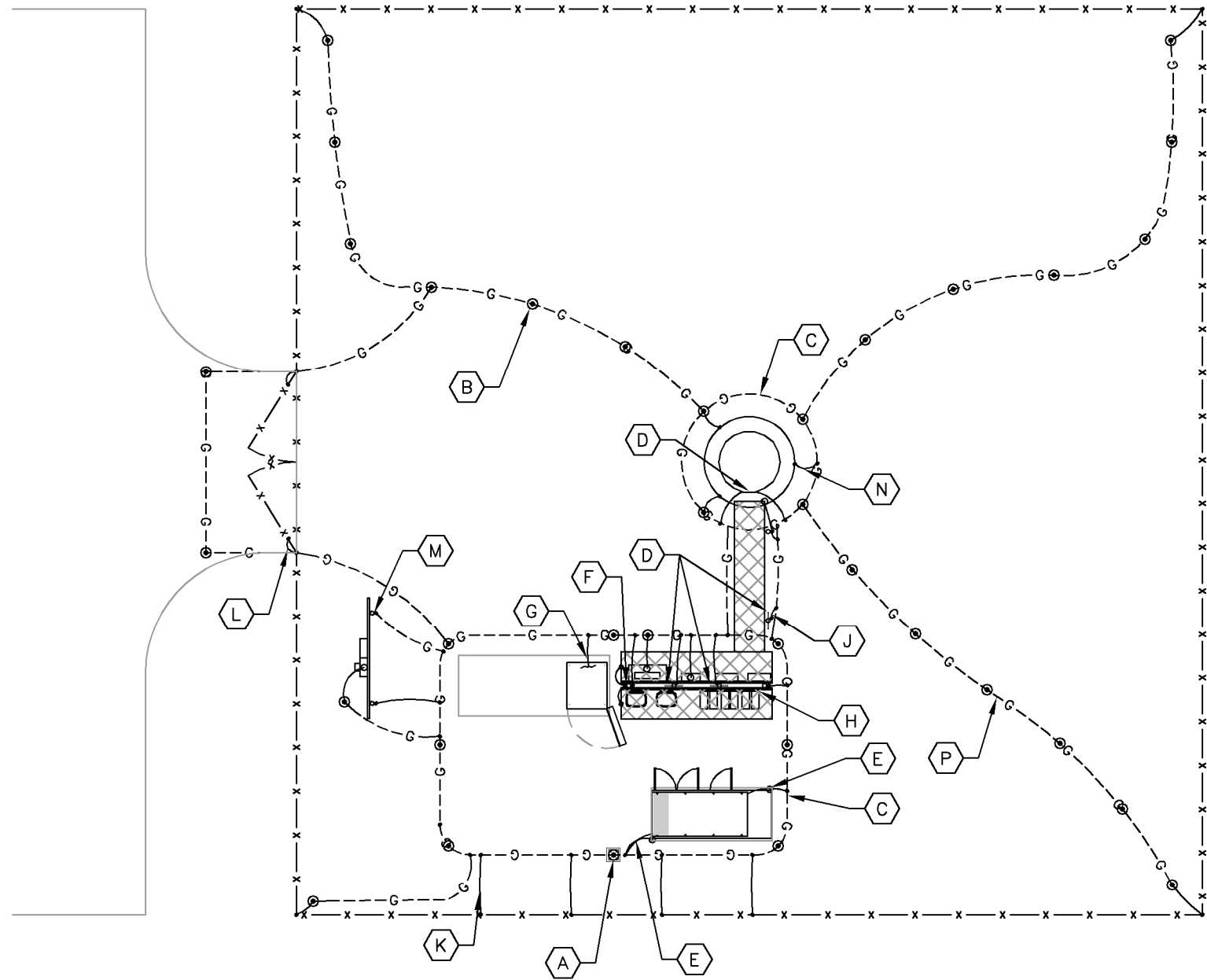
GROUNDING NOTES

SHEET NUMBER:

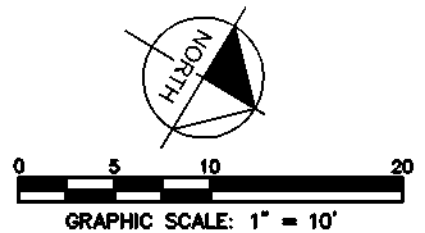
E8

K:\ATL_Wireless\000_Verizon\2021 Sites\Toccoa Hwy\CAD\GB\ECor-GB.dwg 01/19/22 5:08 PM by: William Bridger

K:\ATL_Wireless\000_Verizon\2021_Sites\Toccoa Hwy\CAD\GB\ECar-GB.dwg 01/19/22 5:09 PM by: William.Bridger



1 GROUNDING PLAN
E9 SCALE: 1" = 10'



KEY NOTES - GROUNDING EQUIPMENT

- (A) GROUND ROD TEST WELL (SEE DETAIL 1/E11).
- (B) GROUND ROD, TYPICAL (SEE DETAIL 2/E11 AND NOTES 2 AND 3 ON E8).
- (C) TOWER AND EQUIPMENT GROUND RING (SEE NOTES 1, 3, 4, 5, 6 AND 7 ON E8).
- (D) TDSGA-PA14 OR TDSGA-BC14 WHERE APPLICABLE (SEE NOTES 10 AND 11 ON E8).
- (E) GENERATOR GROUNDING (SEE NOTE 16 ON E8).
- (F) GPS ANTENNA GROUNDING (SEE NOTE 18 ON E8).
- (G) RF CABINET GROUNDING (SEE NOTE 14 ON E8).
- (H) RRU'S AND OVP'S GROUNDING (SEE NOTE 23 ON E8).
- (J) ICE BRIDGE POST BOND TO GROUND RING, TYPICAL (SEE NOTES 12 AND 13 ON E8).
- (K) FENCE POST GROUNDING, TYPICAL. (SEE NOTE 22 ON E8).
- (L) GATE GROUNDING, TYPICAL. (SEE NOTES 19, 20 & 21 ON E8).
- (M) UTILITY H-FRAME GROUNDING, TYPICAL. (SEE SHEET E3 AND NOTE 13 ON E8).
- (N) TOWER GROUNDING, TYPICAL. (SEE NOTES 5, 6 & 25 ON E8).
- (P) GROUND RADIALS, TYPICAL (SEE NOTE 6 ON E8).
- (Q) REFER TO SHEETS E8, E10, E11 & E12 FOR GROUNDING NOTES, DETAILS, AND SPECIFICATIONS.

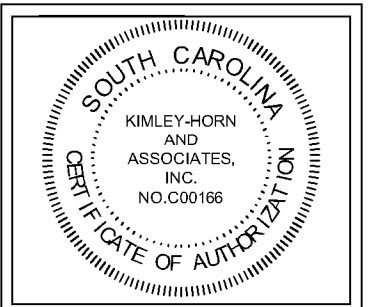
LEGEND:

- G---G--- GROUND RING
- G⊙---G--- GROUND ROD EXOTHERMICALLY WELDED TO GROUND RING
- EXOTHERMIC WELD
- ⊙ GROUND ROD TEST WELL (SEE DETAIL 1/E11)
- ⊖ MECHANICAL CONNECTION



PROJECT INFORMATION:
 SITE NAME:
 TOCCOA HWY
 SITE No.: 682871
 PROJECT #: 20212231136
 HOPEWELL CHURCH RD
 WESTMINSTER, SC
 OCONEE COUNTY

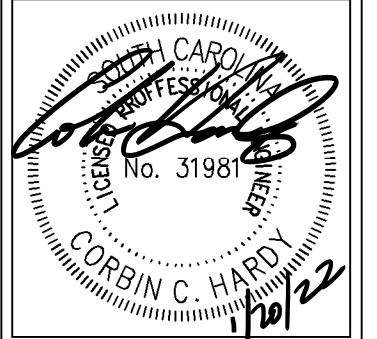
PLANS PREPARED BY:
Kimley»Horn
 11720 AMBER PARK DRIVE, SUITE 600
 ALPHARETTA, GA 30009
 PHONE: 770-619-4280
 WWW.KIMLEY-HORN.COM
 SC License CD0166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2			
1	01/20/22	CONSTRUCTION	CCH
0	08/30/21	CONSTRUCTION	CCH

LICENSER:



KHA PROJECT NUMBER:
013509328

DRAWN BY: JAR CHECKED BY: DMF

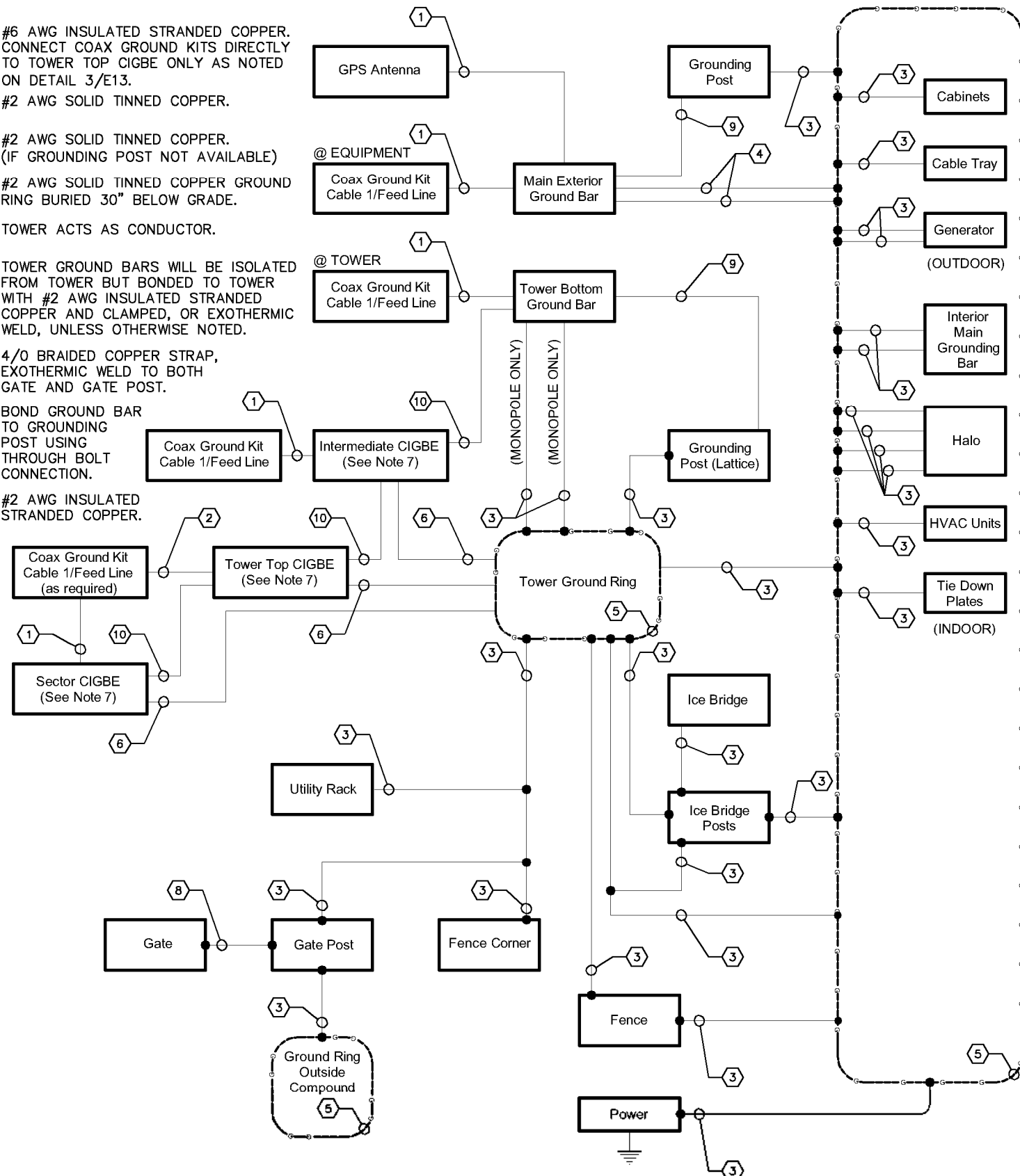
SHEET TITLE:

GROUNDING PLAN

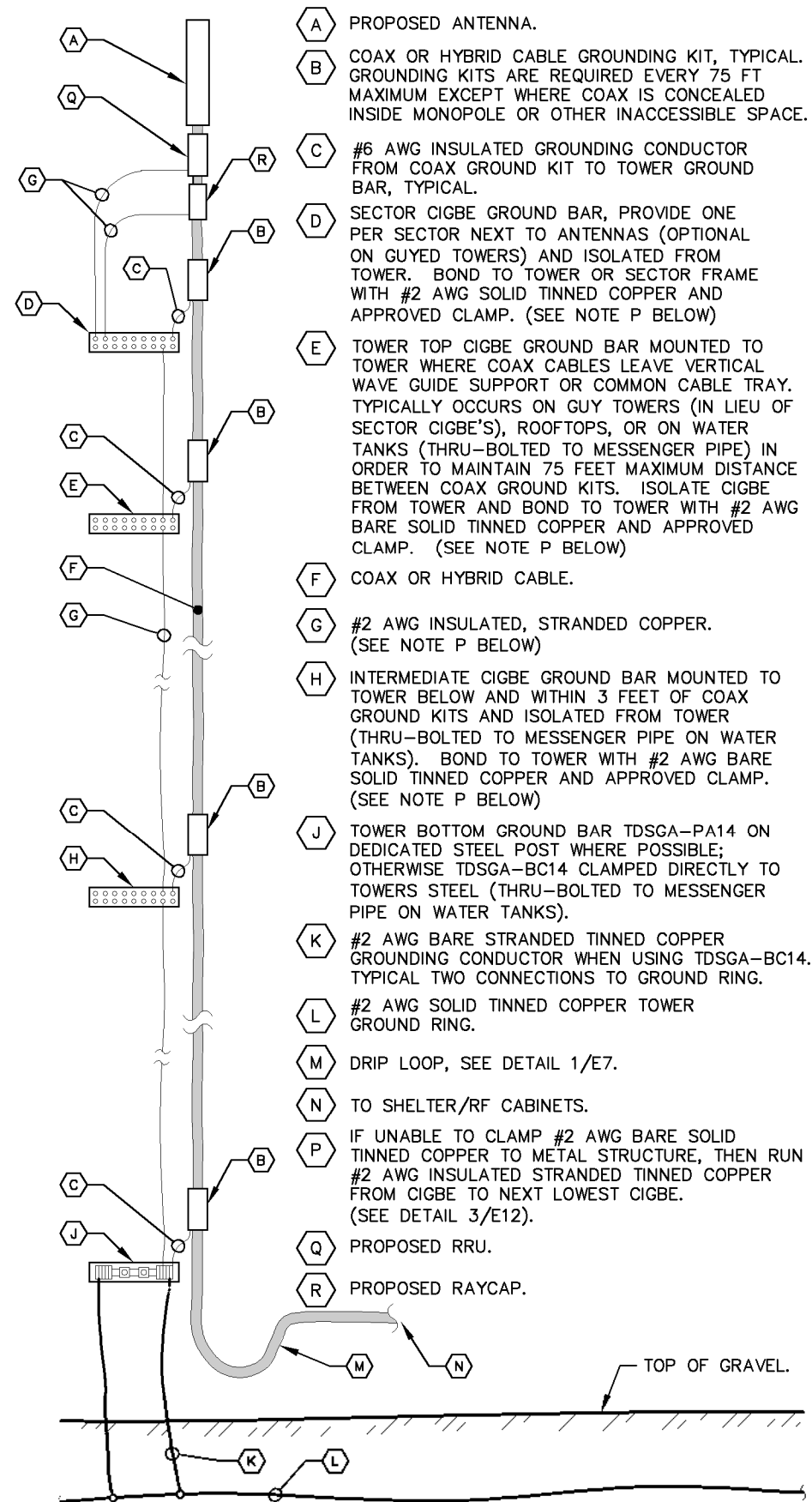
SHEET NUMBER:

E9

- 1 #6 AWG INSULATED STRANDED COPPER.
- 2 #6 AWG INSULATED STRANDED COPPER. CONNECT COAX GROUND KITS DIRECTLY TO TOWER TOP CIGBE ONLY AS NOTED ON DETAIL 3/E13.
- 3 #2 AWG SOLID TINNED COPPER.
- 4 #2 AWG SOLID TINNED COPPER. (IF GROUNDING POST NOT AVAILABLE)
- 5 #2 AWG SOLID TINNED COPPER GROUND RING BURIED 30" BELOW GRADE.
- 6 TOWER ACTS AS CONDUCTOR.
- 7 TOWER GROUND BARS WILL BE ISOLATED FROM TOWER BUT BONDED TO TOWER WITH #2 AWG INSULATED STRANDED COPPER AND CLAMPED, OR EXOTHERMIC WELD, UNLESS OTHERWISE NOTED.
- 8 4/0 BRAIDED COPPER STRAP, EXOTHERMIC WELD TO BOTH GATE AND GATE POST.
- 9 BOND GROUND BAR TO GROUNDING POST USING THROUGH BOLT CONNECTION.
- 10 #2 AWG INSULATED STRANDED COPPER.



1 GROUNDING SINGLE LINE DIAGRAM
E10 NOT TO SCALE

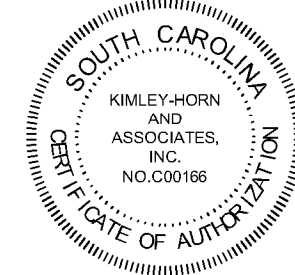


2 COAX-TOWER GROUNDING SCHEMATIC
E10 NOT TO SCALE



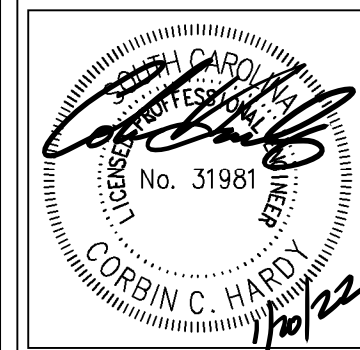
PROJECT INFORMATION:
 SITE NAME:
 TOCCOA HWY
 SITE No.: 682871
 PROJECT #: 20212231136
 HOPEWELL CHURCH RD
 WESTMINSTER, SC
 OCONEE COUNTY

PLANS PREPARED BY:
Kimley»Horn
 11720 AMBER PARK DRIVE, SUITE 600
 ALPHARETTA, GA 30009
 PHONE: 770-619-4280
 WWW.KIMLEY-HORN.COM
 SC License CD0166



REV: _____ DATE: _____ ISSUED FOR: _____ BY: _____

8			
7			
6			
5			
4			
3			
2			
1	01/20/22	CONSTRUCTION	CCH
0	08/30/21	CONSTRUCTION	CCH



KHA PROJECT NUMBER:
 013509328
 DRAWN BY: JAR CHECKED BY: DMF

SHEET TITLE:
GROUNDING SINGLE LINE DIAGRAM

SHEET NUMBER:
E10

K:\ATL_Wireless\000_Verizon\2021 Sites\Toccoa Hwy\CAD\GB\ECor-GB.dwg 01/19/22 5:10 PM by: William.Bridger

verizon

8221 RESEARCH DRIVE
CHARLOTTE, NORTH CAROLINA 28262

PROJECT INFORMATION:

SITE NAME:
TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY

PLANS PREPARED BY:

Kimley»Horn

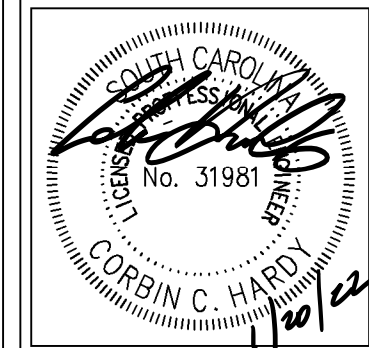
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-619-4280
WWW.KIMLEY-HORN.COM
SC License CD0166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2			
1	01/20/22	CONSTRUCTION	CCH
0	08/30/21	CONSTRUCTION	CCH

LICENSER:



KHA PROJECT NUMBER:

013509328

DRAWN BY: CHECKED BY:

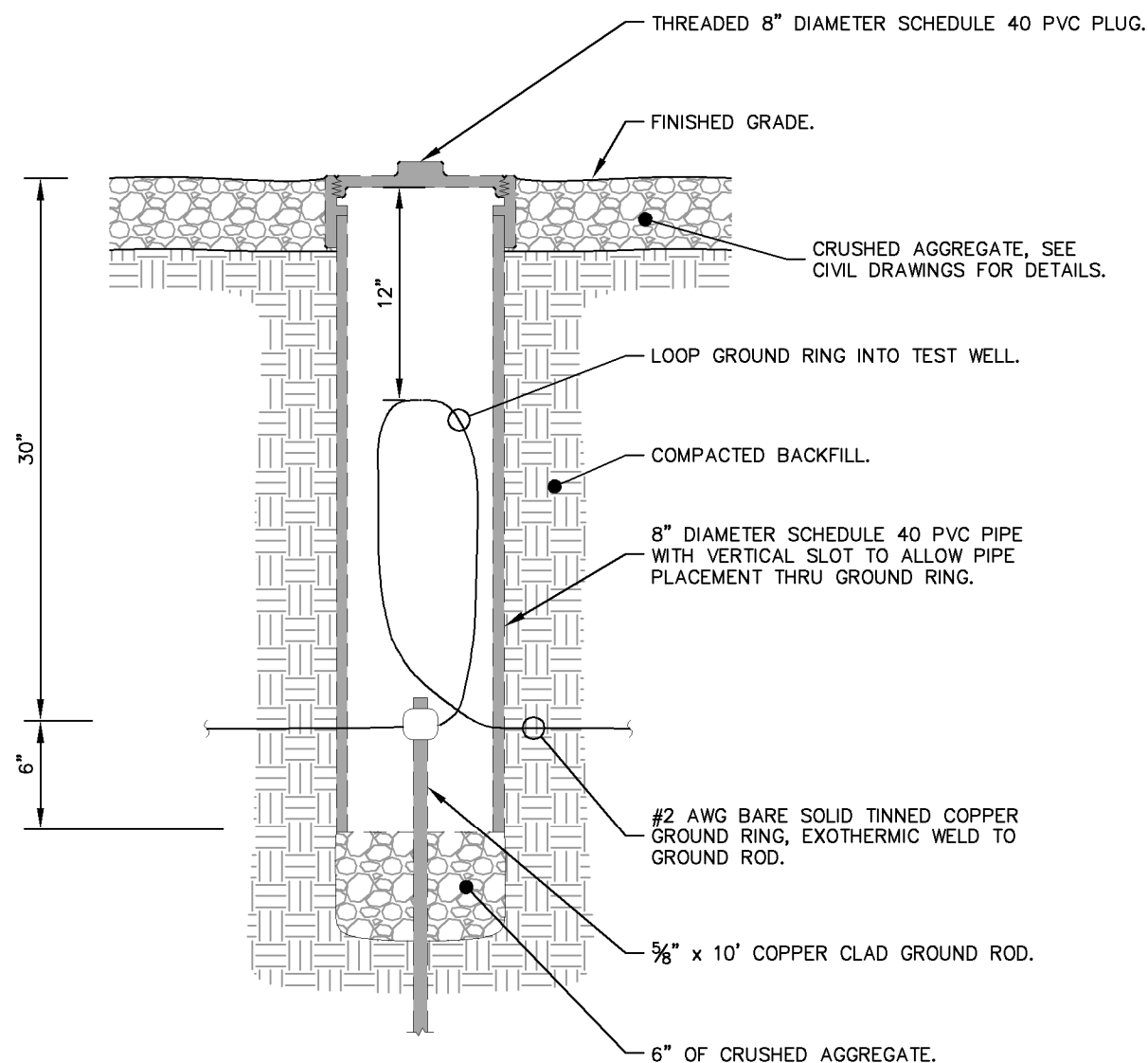
JAR DMF

SHEET TITLE:

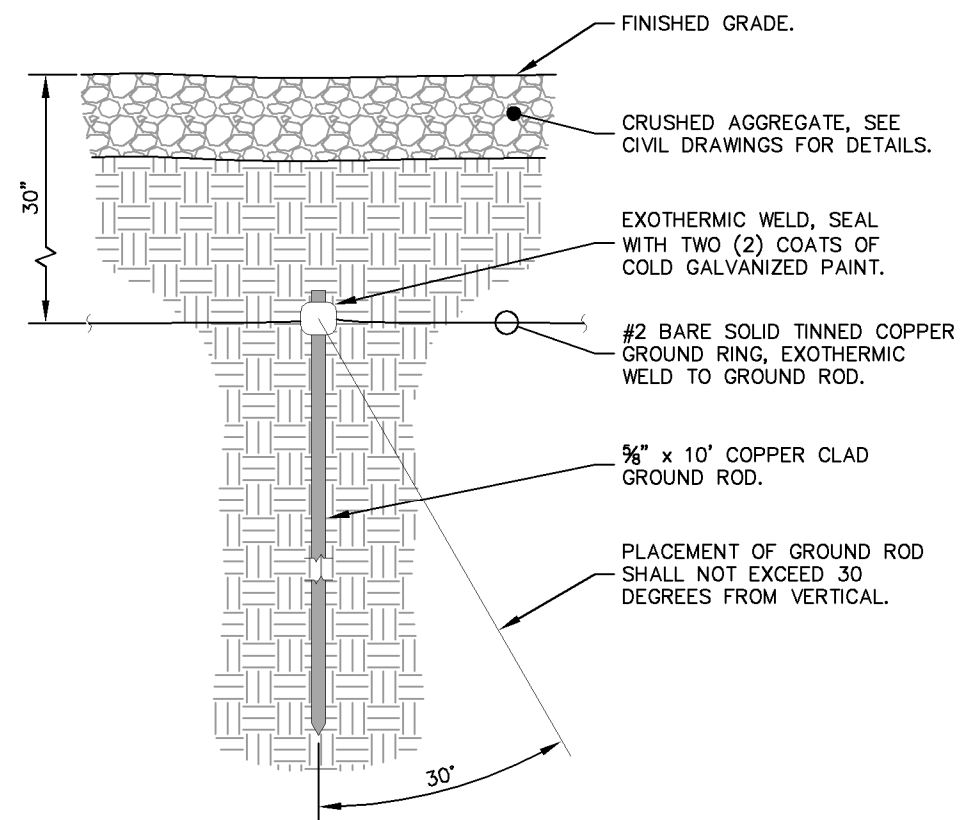
**GROUNDING
DETAILS**

SHEET NUMBER:

E11



1 GROUND ROD TEST WELL DETAIL
E11 NOT TO SCALE



2 GROUND ROD INSTALLATION DETAIL
E11 NOT TO SCALE

K:\ATL_Wireless\000_Verizon\2021 Sites\Toccoa Hwy\CAD\GB\ECar-GB.dwg 01/19/22 5:10 PM by: William.Bridger

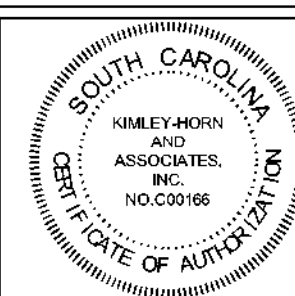
PROJECT INFORMATION:

SITE NAME:
TOCCOA HWY
SITE No.: 682871
PROJECT #: 20212231136
HOPEWELL CHURCH RD
WESTMINSTER, SC
OCONEE COUNTY

PLANS PREPARED BY:

Kimley»Horn

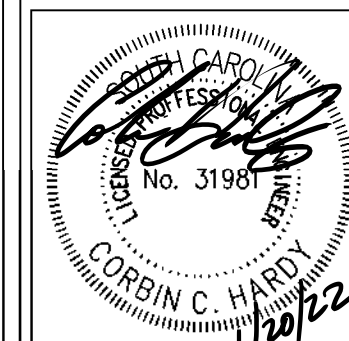
11720 AMBER PARK DRIVE, SUITE 600
ALPHARETTA, GA 30009
PHONE: 770-819-4280
WWW.KIMLEY-HORN.COM
SC License CD0166



REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2			
1	01/20/22	CONSTRUCTION	CCH
0	08/30/21	CONSTRUCTION	CCH

LICENSER:



KHA PROJECT NUMBER:

013509328

DRAWN BY: CHECKED BY:

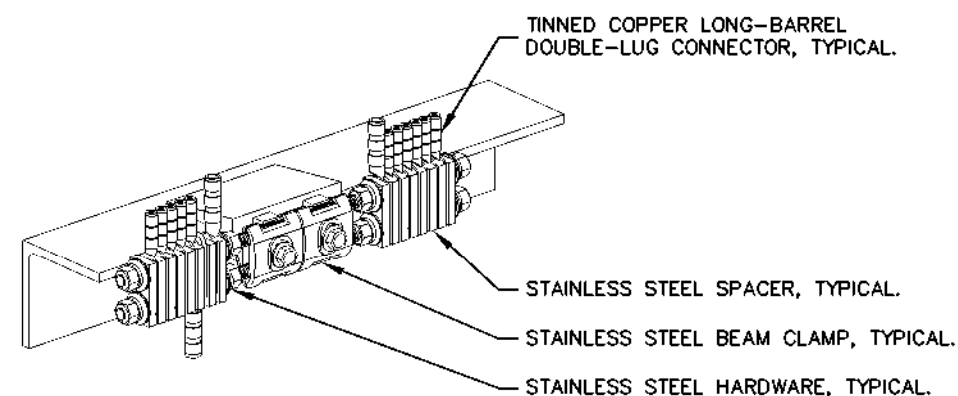
JAR DMF

SHEET TITLE:

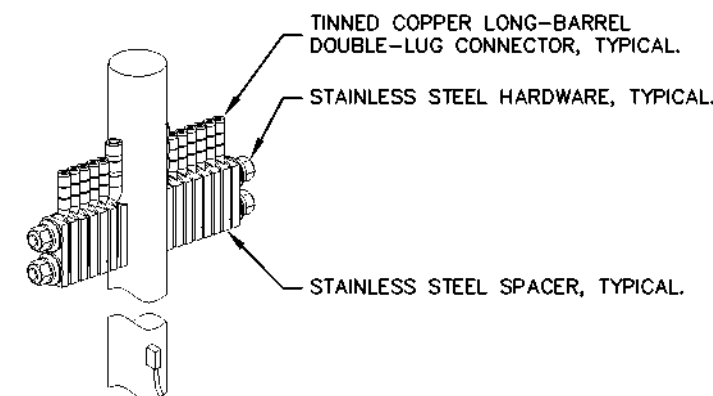
**GROUNDING
DETAILS**

SHEET NUMBER:

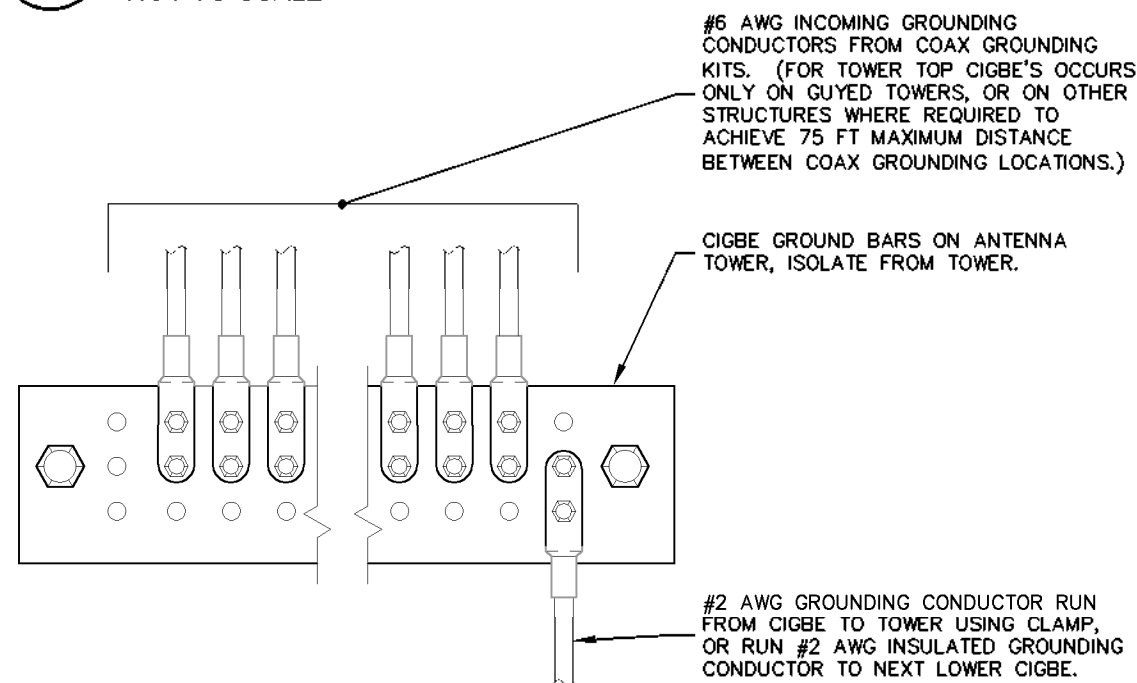
E12



1 BAR NONE GROUNDED BEAM CLAMP (TDSGA-BC14)
E12 NOT TO SCALE



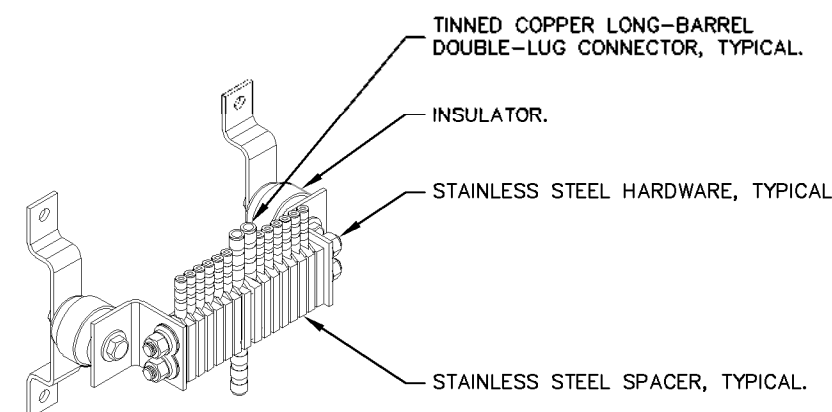
2 BAR NONE POST MOUNTED (TDSGA-PA14)
E12 NOT TO SCALE



3 ANTENNA GROUND WIRE INSTALLATION DETAIL
E12 NOT TO SCALE

NOTES:

1. ALL CIGBE GROUND BARS ON TOWER ARE TO BE ERICO TDSGA. TYPICALLY USE TDSGA-WB17 ISOLATED FROM UNISTRUT BRACKET.
2. IF CIGBE CANNOT BE CONNECTED TO TOWER WITH #2 AWG GROUNDING CONDUCTOR, VIA CLAMP OR EXOTHERMIC WELD, THEN RUN #2 AWG BLACK GROUND LEAD FROM CIGBE DOWN TO NEXT LOWER CIGBE. SECURE GROUND LEAD WITH NON-METALIC TIES AT SAME SPACING AS COAX SUPPORTS.



4 BAR NONE INSULATED (TDSGA-WB17)
E12 NOT TO SCALE



Location Map

Kimley»Horn

Verizon Wireless - Toccoa Hwy
Hopewell Church Rd
Westminster, SC 29693
Oconee County

verizon^v



View #1 looking northeast from Hwy 123

Existing

Kimley»Horn

Verizon Wireless - Toccoa Hwy
Hopewell Church Rd
Westminster, SC 29693
Oconee County

verizon^v



Proposed Verizon Wireless 172' monopole tower
(182' top of lightning rod)

Simulations adjusted for wind shear on balloons.

View #1 looking northeast from Hwy 123

Proposed

Kimley»Horn

Verizon Wireless - Toccoa Hwy
Hopewell Church Rd
Westminster, SC 29693
Oconee County

verizon^v



View #2 looking northwest from Hopewell Church Road

Existing

Kimley»»Horn

Verizon Wireless - Toccoa Hwy
Hopewell Church Rd
Westminster, SC 29693
Oconee County

verizon^v

Proposed Verizon Wireless 172' monopole tower
(182' top of lightning rod)
Not visible in this view

Simulations adjusted for wind shear on balloons.

View #2 looking northwest from Hopewell Church Road

Proposed

Kimley»Horn

Verizon Wireless - Toccoa Hwy
Hopewell Church Rd
Westminster, SC 29693
Oconee County

verizon^v



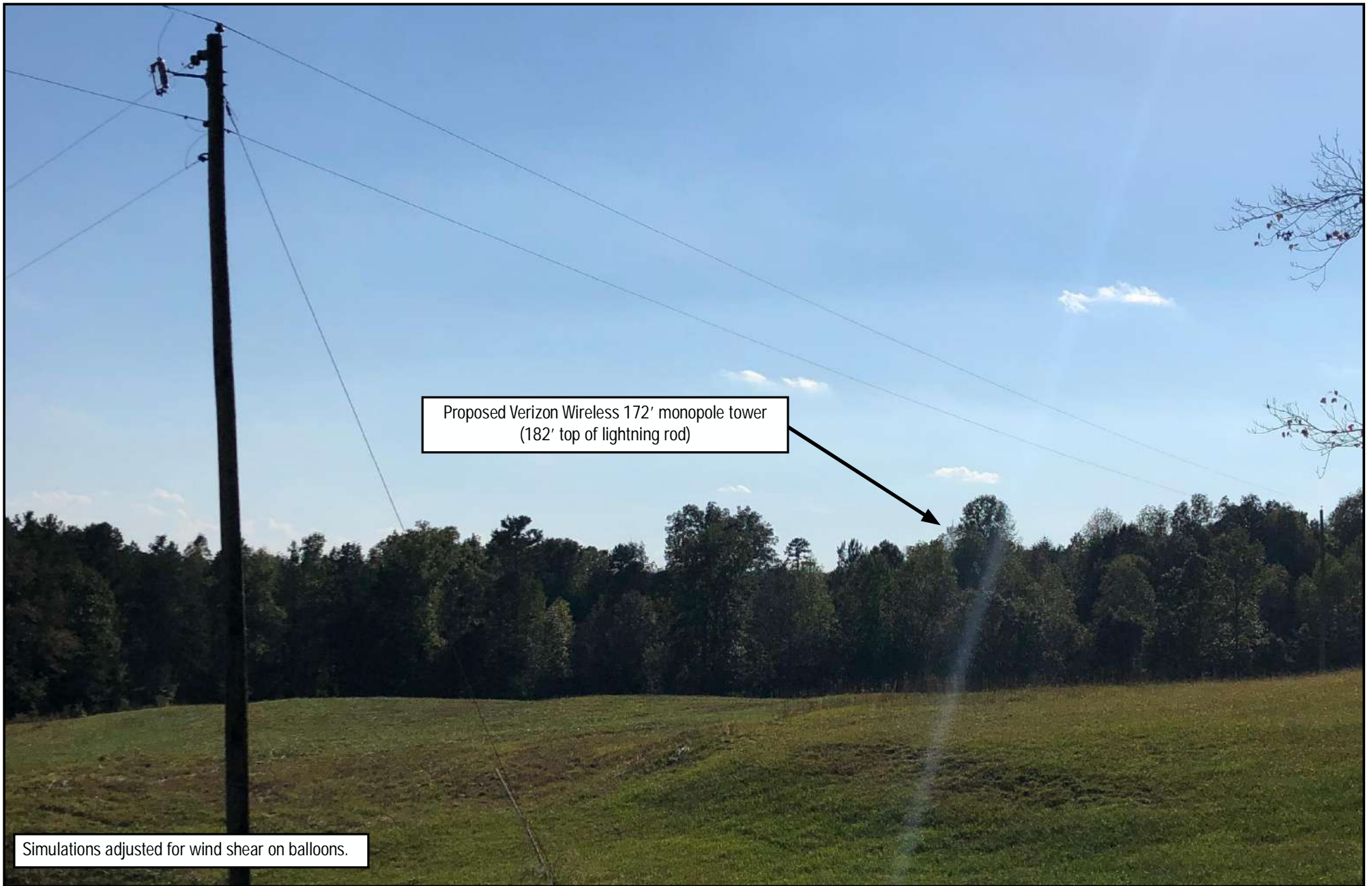
View #3 looking southwest from Hopewell Church Road

Existing

Kimley»Horn

Verizon Wireless - Toccoa Hwy
Hopewell Church Rd
Westminster, SC 29693
Oconee County

verizon^v



Proposed Verizon Wireless 172' monopole tower
(182' top of lightning rod)

Simulations adjusted for wind shear on balloons.

View #3 looking southwest from Hopewell Church Road

Proposed

Kimley»Horn

Verizon Wireless - Toccoa Hwy
Hopewell Church Rd
Westminster, SC 29693
Oconee County

verizon^v



View #4 looking west southwest from Hopewell Church Road

Existing

Kimley»»Horn

Verizon Wireless - Toccoa Hwy
Hopewell Church Rd
Westminster, SC 29693
Oconee County

verizon^v



Proposed Verizon Wireless 172' monopole tower
(182' top of lightning rod)

Simulations adjusted for wind shear on balloons.

View #4 looking west southwest from Hopewell Church Road

Proposed

Kimley»Horn

Verizon Wireless - Toccoa Hwy
Hopewell Church Rd
Westminster, SC 29693
Oconee County

verizon^v



October 19, 2021

Vivian Kompier
Oconee Co. Planning Dept.
415 S. Pine Street
Walhalla, SC 29691
PH: 864-964-5109

Subject: Telecommunications Facility Proposal by
Verizon Wireless Site #682871 (Toccoa Hwy)
Oconee County, Special Exception
Hopewell Church Rd, Westminster, SC 29693
Parcel ID: 285-00-05-001

Dear Ms. Kompier,

Pursuant to Sections 32-138 Application Requirements of the Oconee County Ordinance Governing Communication Tower.

32-138: The following information shall be submitted for all applications for approval of a communication tower:

(G) Alternative to co-location or stealth design. Co-located or stealth designs shall be required unless satisfactory documented evidence can be provided indicating that:

(3) The applicant has considered all available publicly-owned sites, and available privately owned sites occupied by a compatible use including all applicable sites or locations or a combination of sites and locations as described under section 32-133(b) for priority of approval and the applicant has demonstrated that for the reasons described in section 32-133(b) that these sites and/or locations are unsuitable for operation of the facility under applicable state and federal communications regulations, the applicant's technical design requirements and/or valid economic reasons.

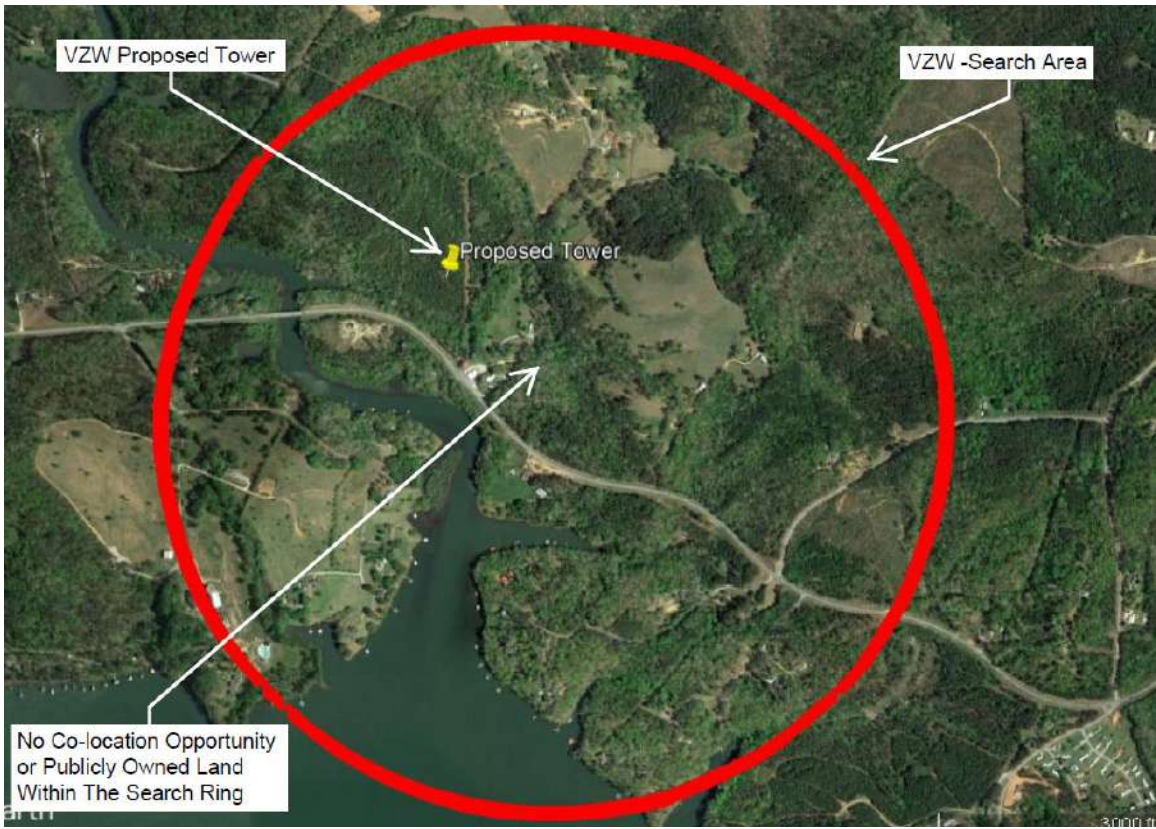
Please let this letter serve as certification that there are no existing structures or publicly-owned land within Verizon Wireless search area as seen in the attached map on the next page.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Yeagley", is written over the typed name.

John Yeagley
Site Acquisitions Manager
Chase Real Estate Services

Explanation Map



FCC MARKET NAME	FCC Radio Service Code	FCC Market Number	FCC Channel Block
Greenville-Spartanburg-Anderson, SC-NC	AT	BEA041	H
Greenville-Spartanburg-Anderson, SC-NC	AT	BEA041	I
South Carolina 1 - Oconee	AW	CMA625	A
Southeast	AW	REA002	F
South Carolina 1 - Oconee	CL	CMA625	A
Anderson, SC	CW	BTA016	C
Greenville, SC	PM	PEA050	A1
Greenville, SC	PM	PEA050	A2
Greenville, SC	PM	PEA050	A3
Greenville, SC	PM	PEA050	A4
Greenville, SC	PM	PEA050	A5
Greenville, SC	PM	PEA050	B1
Greenville, SC	PM	PEA050	B2
Greenville, SC	PM	PEA050	B3
C45073 - Oconee, SC	UU	C45073	L1
C45073 - Oconee, SC	UU	C45073	L2
Greenville, SC	UU	PEA050	M1
Greenville, SC	UU	PEA050	M10
Greenville, SC	UU	PEA050	M2
Greenville, SC	UU	PEA050	M3
Greenville, SC	UU	PEA050	M4
Greenville, SC	UU	PEA050	M5
Greenville, SC	UU	PEA050	M6
Greenville, SC	UU	PEA050	M7
Greenville, SC	UU	PEA050	M8
Greenville, SC	UU	PEA050	M9
Southeast	WU	REA002	C

FCC Call Sign	Licensee Name	FRN	Expired Date	State of Market	County	State
WQVN945	Cellco Partnership	0003290673	Apr 8, 2027	SC		SC
WQVN946	Cellco Partnership	0003290673	Apr 8, 2027	SC		SC
WQHI466	Cellco Partnership	0003290673	Dec 18, 2021	SC		SC
WQGA716	Cellco Partnership	0003290673	Nov 29, 2021			SC
KNKQ351	Cellco Partnership	0003290673	Oct 1, 2022	SC		SC
WPU533	Cellco Partnership	0003290673	Dec 29, 2027	SC		SC
WRNE957	Cellco Partnership	0003290673	Jul 23, 2036	SC		SC
WRNE958	Cellco Partnership	0003290673	Jul 23, 2036	SC		SC
WRNE959	Cellco Partnership	0003290673	Jul 23, 2036	SC		SC
WRNE960	Cellco Partnership	0003290673	Jul 23, 2036	SC		SC
WRNE961	Cellco Partnership	0003290673	Jul 23, 2036	SC		SC
WRNE962	Cellco Partnership	0003290673	Jul 23, 2036	SC		SC
WRNE963	Cellco Partnership	0003290673	Jul 23, 2036	SC		SC
WRNE964	Cellco Partnership	0003290673	Jul 23, 2036	SC		SC
WREF707	Cellco Partnership	0003290673	Oct 2, 2029	SC		SC
WREF708	Cellco Partnership	0003290673	Oct 2, 2029	SC		SC
WRHE343	Straight Path Spectrum, LLC	0012576435	Jun 4, 2030	SC		SC
WRHE344	Straight Path Spectrum, LLC	0012576435	Jun 4, 2030	SC		SC
WRHE345	Straight Path Spectrum, LLC	0012576435	Jun 4, 2030	SC		SC
WRHE346	Straight Path Spectrum, LLC	0012576435	Jun 4, 2030	SC		SC
WRHE347	Straight Path Spectrum, LLC	0012576435	Jun 4, 2030	SC		SC
WRHE348	Straight Path Spectrum, LLC	0012576435	Jun 4, 2030	SC		SC
WRHE349	Straight Path Spectrum, LLC	0012576435	Jun 4, 2030	SC		SC
WRHE350	Straight Path Spectrum, LLC	0012576435	Jun 4, 2030	SC		SC
WRHE351	Straight Path Spectrum, LLC	0012576435	Jun 4, 2030	SC		SC
WRHE352	Straight Path Spectrum, LLC	0012576435	Jun 4, 2030	SC		SC
WQJQ690	Cellco Partnership	0003290673	Jun 13, 2029			SC

County Name	Frequencies(1)	Frequencies(2)	Frequencies(3)	Frequencies(4)
Oconee	1760-1765 / 2160-2165	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	1765-1770 / 2165-2170	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	1715-1720 / 2115-2120	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	1745-1755 / 2145-2155	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	824-835 / 869-880	845-846.5 / 890-891.5	0-0 / 0-0	0-0 / 0-0
Oconee	1900-1905 / 1980-1985	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	3700-3720 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	3720-3740 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	3740-3760 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	3760-3780 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	3780-3800 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	3800-3820 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	3820-3840 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	3840-3860 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	27500-27925 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	27925-28350 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	37600-37700 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	38500-38600 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	37700-37800 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	37800-37900 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	37900-38000 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	38000-38100 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	38100-38200 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	38200-38300 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	38300-38400 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	38400-38500 / 0-0	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0
Oconee	746-757 / 776-787	0-0 / 0-0	0-0 / 0-0	0-0 / 0-0



Verizon Wireless
8921 Research Drive
Charlotte, North Carolina 28262

Phone 704 510-8500

Vivian Kompier
Oconee County Planning & Zoning
415 S. Pine Street,
Walhalla, SC 29691
PH: 864-364-5109

Subject: Proposal by Verizon Wireless Site #682871 (Toccoa Highway)
Oconee County, SC Special Exception Application
Property Located on Hopewell Church Road, Westminster, SC
Parcel ID: 02-0404-001-06-00; Zone Class: CFD

Pursuant to Oconee County Code of Ordinances, Article IV. – Communication Towers Sections 32-138(g) and 32-136:

32-138 (g): Alternative to co-location or stealth design. Co-located or stealth designs shall be required unless satisfactory documented evidence can be provided indicating that:


- (1) The proposed antenna and equipment cannot be accommodated and function as required;
- (2) The applicant's technical design requirements are such that without unreasonable modifications they cannot function on any existing structure or communication tower under the control of applicant; and
- (3) The applicant has considered all available publicly-owned sites, and available privately owned sites occupied by a compatible use, including all applicable sites or locations or a combination of sites and locations., et seq.

32-136: Maximum height allowance in commercial zoning classification – not exceeding 200 feet.

Cellco Partnership d/b/a Verizon Wireless, by its representative, respectfully requests a variance to the requirements in the sections referenced. This proposed new facility will be located within a CFD zone classification and will include an antenna support structure of 172 feet. Applicant states the conditions of the requirements of these sections will cause the equipment to not function as required and will prohibit the effectiveness of its system operation's objective of filling in a coverage gap in this area of Oconee County.

Respectfully submitted,

Anthony B Johnson
Sr. Manager / RE



Representative for Verizon Wireless

Date: _____

2/14/2022

* Federal Airways & Airspace *
* Summary Report: New Construction *
* Antenna Structure *

Airspace User:

File: TOCCOA_HWY

Location: Westminster, SC

Latitude: 34°-37'-5.37" Longitude: 83°-9'-53.46"

SITE ELEVATION AMSL.....723.9 ft.

STRUCTURE HEIGHT.....182 ft.

OVERALL HEIGHT AMSL.....906 ft.

NOTICE CRITERIA

FAR 77.9(a): NNR (DNE 200 ft AGL)
FAR 77.9(b): NNR (DNE Notice Slope)
FAR 77.9(c): NNR (Not a Traverse Way)
FAR 77.9: NNR FAR 77.9 IFR Straight-In Notice Criteria for TOC
FAR 77.9: NNR (No Expected TERPS® impact with CEU)
FAR 77.9(d): NNR (Off Airport Construction)

NR = Notice Required

NNR = Notice Not Required

PNR = Possible Notice Required (depends upon actual IFR procedure)

For new construction review Air Navigation Facilities at bottom
of this report.

Notice to the FAA is not required at the analyzed location and height for
slope, height or Straight-In procedures. Please review the 'Air Navigation'
section for notice requirements for offset IFR procedures and EMI.

OBSTRUCTION STANDARDS

FAR 77.17(a)(1): DNE 499 ft AGL
FAR 77.17(a)(2): DNE - Airport Surface
FAR 77.19(a): DNE - Horizontal Surface
FAR 77.19(b): DNE - Conical Surface
FAR 77.19(c): DNE - Primary Surface
FAR 77.19(d): DNE - Approach Surface
FAR 77.19(e): DNE - Approach Transitional Surface
FAR 77.19(e): DNE - Abeam Transitional Surface

VFR TRAFFIC PATTERN AIRSPACE FOR: TOC: TOCCOA RG LETOURNEAU FLD

Type: A RD: 38167.67 RE: 948

FAR 77.17(a)(1): DNE
FAR 77.17(a)(2): DNE - Greater Than 5.99 NM.
VFR Horizontal Surface: DNE
VFR Conical Surface: DNE
VFR Primary Surface: DNE
VFR Approach Surface: DNE
VFR Transitional Surface: DNE

VFR TRAFFIC PATTERN AIRSPACE FOR: CEU: OCONEE COUNTY RGNL

Type: A RD: 83716.71 RE: 888.1

FAR 77.17(a)(1): DNE
FAR 77.17(a)(2): DNE - Greater Than 5.99 NM.
VFR Horizontal Surface: DNE
VFR Conical Surface: DNE
VFR Primary Surface: DNE
VFR Approach Surface: DNE
VFR Transitional Surface: DNE

TERPS DEPARTURE PROCEDURE (FAA Order 8260.3, Volume 4)

FAR 77.17(a)(3) Departure Surface Criteria (40:1)
DNE Departure Surface

MINIMUM OBSTACLE CLEARANCE ALTITUDE (MOCA)

FAR 77.17(a)(4): DNE - No Airway Found

PRIVATE LANDING FACILITIES

No Private Landing Facilities Are Within 6 NM

AIR NAVIGATION ELECTRONIC FACILITIES

FAC IDNT	TYPE	ST AT	FREQ	VECTOR	DIST (ft)	DELTA ELEVA	ST	LOCATION	GRND ANGLE	APCH BEAR
ODF	VOR/DME	R	113.4	305.34	48935	-794	SC	FOOTHILLS	-.93	
CEU	NDB	D	25	76.31	86048	+24	SC	CLEMSON	.02	
ELW	VORTAC	I	108.6	122.41	135506	+170	SC	ELECTRIC CITY	.07	

CFR Title 47, §1.30000-§1.30004

AM STUDY NOT REQUIRED: Structure is not near a FCC licensed AM station.
Movement Method Proof as specified in §73.151(c) is not required.
Please review 'AM Station Report' for details.

Nearest AM Station: WNEG @ 15624 meters.

Airspace® Summary Version 21.11.621

AIRSPACE® and TERPS® are registered ® trademarks of Federal Airways & Airspace®
Copyright © 1989 - 2021

01-26-2022
10:52:56



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
12/06/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Aon Risk Services Northeast, Inc. New York NY Office One Liberty Plaza 165 Broadway, Suite 3201 New York NY 10006 USA	CONTACT NAME: PHONE (A/C. No. Ext): (866) 283-7122 FAX (A/C. No.): (800) 363-0105		
	E-MAIL ADDRESS:		
INSURED Cellco Partnership dba Verizon wireless 1095 Avenue of the Americas New York NY 10036 USA	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: AIU Insurance Company		19399
	INSURER B: National Union Fire Ins Co of Pittsburgh		19445
	INSURER C:		
	INSURER D:		
	INSURER E:		
INSURER F:			

Holder Identifier :

COVERAGES **CERTIFICATE NUMBER:** 570090505577 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. Limits shown are as requested

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> XCU Coverage is Included GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			1728890	06/30/2021	06/30/2022	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$2,000,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000
B	AUTOMOBILE LIABILITY			4594298	06/30/2021	06/30/2022	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000
B	<input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY			AOS 4594299 MA 4594300 VA See Next Page	06/30/2021	06/30/2022	BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION						EACH OCCURRENCE AGGREGATE
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			16393209	06/30/2021	06/30/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH
A	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N N/A			AOS 16393206 CA	06/30/2021	06/30/2022	E.L. EACH ACCIDENT \$2,000,000 E.L. DISEASE-EA EMPLOYEE \$2,000,000 E.L. DISEASE-POLICY LIMIT \$2,000,000

570090505577

Certificate No :

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Verizon Wireless Toccoa Hwy. Site (Location Code 682871) to be installed on Hopewell Church Rd., Westminster, Oconee County, South Carolina 29693. KBM Holdings, LLC is included as Additional Insured with respect to the General Liability policy.

CERTIFICATE HOLDER**CANCELLATION**

KBM Property Holdings, LLC 4250 Bakers Farm Place SE Atlanta GA 30339 USA	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE





ADDITIONAL REMARKS SCHEDULE

AGENCY Aon Risk Services Northeast, Inc.		NAMED INSURED Cellco Partnership dba Verizon wireless	
POLICY NUMBER See Certificate Number: 570090505577			
CARRIER See Certificate Number: 570090505577	NAIC CODE	EFFECTIVE DATE:	

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: ACORD 25 **FORM TITLE:** Certificate of Liability Insurance

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER	
INSURER	
INSURER	
INSURER	

ADDITIONAL POLICIES

If a policy below does not include limit information, refer to the corresponding policy on the ACORD certificate form for policy limits.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
	AUTOMOBILE LIABILITY							
B				4594301 NH - Primary	06/30/2021	06/30/2022		
B				4594302 NH - Excess	06/30/2021	06/30/2022		
	WORKERS COMPENSATION							
A		N/A		16393207 NY	06/30/2021	06/30/2022		
A		N/A		16393208 WI	06/30/2021	06/30/2022		
A		N/A		16393205 NJ, TX, VA	06/30/2021	06/30/2022		

Toccoa Hwy

Tower Center: 34.618158, -83.164850

Legend

-  Negative LOS
-  Positive LOS
-  Tower



SITE NAME: TOCCOA HWY

LAND LEASE AGREEMENT

This Land Lease Agreement (the "Agreement") is made on this Oct 14, 2021, between KBM PROPERTY HOLDINGS, LLC with a mailing address at 4250 Bakers Farm Place SE, Atlanta, Georgia 30339 hereinafter designated LESSOR and CELLCO PARTNERSHIP d/b/a Verizon Wireless with its principal offices at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920, hereinafter designated LESSEE. LESSOR and LESSEE are at times collectively referred to hereinafter as the "Parties" or individually as the "Party."

WITNESSETH

In consideration of the mutual covenants contained herein and intending to be legally bound hereby, the Parties hereto agree as follows:

1. GRANT. In accordance with this Agreement, LESSOR hereby grants to LESSEE the right to install, maintain and operate communications equipment ("Use") upon the Premises (as hereinafter defined), which are a part of that real property owned, leased or controlled by LESSOR on Hopewell Church Rd., Westminster, Oconee County, South Carolina 29693 (the "Property"). The Property is legally described on Exhibit "A" attached hereto and made a part hereof. The Premises are a portion of the Property and are approximately 10,000 square feet, and are shown in detail on Exhibit "B" attached hereto and made a part hereof. LESSEE may survey the Premises. Upon completion, the survey shall replace Exhibit "B" in its entirety.

2. INITIAL TERM. This Agreement shall be effective as of the date of execution by both Parties ("Effective Date"). The initial term of the Agreement shall be for 5 years beginning on the Commencement Date (as hereinafter defined). The "Commencement Date" shall be the first day of the month after LESSEE begins installation of LESSEE's communications equipment. The parties agree to acknowledge the Commencement Date in writing.

3. EXTENSIONS. This Agreement shall automatically be extended for 4 additional 5 year terms unless LESSEE terminates it at the end of the then current term by giving LESSOR written notice of the intent to terminate at least 3 months prior to the end of the then current term. The initial term and all extensions shall be collectively referred to herein as the "Term".

4. RENTAL.

(a). Rental payments shall begin on the Commencement Date and be due at a total annual rental of _____ to be paid in equal monthly installments on the first day of the month, in advance, to LESSOR 4250 Bakers Farm Place SE, Atlanta, Georgia 30339 or to such other person, firm, or place as LESSOR may, from time to time, designate in writing at least 30 days in advance of any rental payment date by notice given in accordance with Paragraph 20 below. LESSOR and LESSEE acknowledge and agree that the initial rental payment may not be delivered by LESSEE until at least 90 days after the Commencement Date. Upon agreement of the Parties, LESSEE may pay rent by electronic funds transfer and in such event, LESSOR agrees to provide to LESSEE bank routing information for such purpose upon request of LESSEE.

(b). The annual rental for each year of the term (or any extension terms) shall increase on each annual anniversary of the Commencement Date by over the annual rent due for the immediately preceding year.

(c). For any party to whom rental payments are to be made, LESSOR or any successor in interest of LESSOR hereby agrees to provide to LESSEE (i) a completed, current version of Internal Revenue Service Form W-9, or equivalent; (ii) complete and fully executed state and local withholding forms if required; and (iii) other documentation to verify LESSOR's or such other party's right to receive rental as is reasonably requested by LESSEE. Rental shall accrue in accordance with this Agreement, but LESSEE may not deliver rental payments for up to 90 days after the requested documentation has been received by LESSEE.

(d). As additional consideration for this Agreement, the sufficiency of which is hereby acknowledged, LESSEE shall pay LESSOR at 4250 Bakers Farm Place SE, Atlanta, Georgia 30339 a one-time, non-refundable, lump-sum signing bonus of which shall be considered additional rent for the Premises for the period from the Effective Date until the Commencement Date. The signing bonus shall be paid by LESSEE to LESSOR within 90 days of the Effective Date. LESSOR agrees the payment to be made by LESSEE under this Paragraph 4(d) is fair and adequate payment in exchange for LESSEE intentionally delaying installation of LESSEE's communications equipment, and LESSOR recognizes that Paragraph 2 of this Agreement governs the Commencement Date. This Paragraph 4(d) does not impact whether or not LESSEE chooses to install LESSEE's communications equipment and commence the Term.

5. ACCESS. LESSEE shall have the non-exclusive right of ingress and egress from a public right-of-way, 7 days a week, 24 hours a day, over the Property to and from the Premises for the purpose of installation, operation and maintenance of LESSEE's communications equipment over or along one or more rights-of-way (collectively, the "Easement") as depicted on Exhibit "B". LESSEE may use the Easement for the installation, operation and maintenance of wires, cables, conduits and pipes for all necessary electrical, telephone, fiber and other similar support services. In the event it is necessary, LESSOR agrees to grant LESSEE or the provider the right to install such services on, through, over and/or under the Property, provided the location of such services shall be reasonably approved by LESSOR. Notwithstanding anything to the contrary, the Premises shall include such additional space sufficient for LESSEE's radio frequency signage and/or barricades as are necessary to ensure LESSEE's compliance with Laws (as defined in Paragraph 27).

Temporary Construction & Permanent Slope Easement. LESSOR also grants to LESSEE a non-exclusive Temporary Construction & Permanent Slope Easement over the portion the Property immediately adjacent to the Premises and the Easement as may be reasonably required for the construction, installation, maintenance, and operation of the Tower Facilities including: (i) access to the Site for construction machinery and equipment; (ii) storage of construction materials and equipment during construction of the Tower Facilities; (iii) use of a staging area for construction, installation and removal of equipment and (iv) clearing, grading, and sloping the areas adjacent to the Access Easement.

6. CONDITION OF PROPERTY. LESSOR shall deliver the Premises to LESSEE in a condition ready for LESSEE's Use and clean and free of debris. LESSOR represents and warrants to LESSEE that as of the Effective Date, the Premises is (a) in compliance with all Laws; and (b) in compliance with all EH&S Laws (as defined in Paragraph 24).

7. IMPROVEMENTS. The communications equipment including, without limitation, the tower structure, antennas, conduits, fencing and other screening, and other improvements shall be at LESSEE's expense and installation shall be at the discretion and option of LESSEE. LESSEE shall have the right to replace, repair, add or otherwise modify its communications equipment, tower structure, antennas, conduits, fencing and other screening, or other improvements or any portion thereof and the frequencies over which the communications equipment operates, whether or not any of the communications equipment, antennas, conduits or other improvements are listed on any exhibit so long as such improvements are installed within the bounds of the Premises and Easement.

8. GOVERNMENT APPROVALS. LESSEE's Use is contingent upon LESSEE obtaining all of the certificates, permits and other approvals (collectively the "Government Approvals") that may be required by any Federal, State or Local authorities (collectively, the "Government Entities") as well as a satisfactory soil boring test, environmental studies, or any other due diligence LESSEE chooses that will permit LESSEE's Use. LESSOR shall cooperate with LESSEE in its effort to obtain such approvals and shall take no action which would adversely affect the status of the Property with respect to LESSEE's Use.

9. TERMINATION. LESSEE may, unless otherwise stated, immediately terminate this Agreement upon written notice to LESSOR in the event that (i) any applications for such Government Approvals should be finally rejected; (ii) any Government Approval issued to LESSEE is canceled, expires, lapses or is otherwise withdrawn or terminated by any Government Entity; (iii) LESSEE determines that such Government Approvals may not be obtained in a timely manner; (iv) LESSEE determines any structural analysis is unsatisfactory; (v) LESSEE, in its sole discretion, determines the Use of the Premises is obsolete or unnecessary; (vi) with 3 months prior notice to LESSOR, upon the annual anniversary of the Commencement Date; or (viii) at any time before the Commencement Date for any reason or no reason in LESSEE's sole discretion.

10. INDEMNIFICATION. Subject to Paragraph 11, each Party and/or any successor and/or assignees thereof, shall indemnify and hold harmless the other Party, and/or any successors and/or assignees thereof, against (i) any and all claims of liability or loss from personal injury or property damage resulting from or arising out of the negligence or willful misconduct of the indemnifying Party, its employees, contractors or agents, except to the extent such claims or damages may be due to or caused by the negligence or willful misconduct of the other Party, or its employees, contractors or agents, and (ii) reasonable attorney's fees, expense, and defense costs incurred by the indemnified Party. Where a claim is the result of the concurrent acts of the Parties, each Party shall be liable under this Paragraph 10 to the extent of its fault or liability therefor. The indemnified Party will provide the indemnifying Party with prompt, written notice of any claim that is subject to the indemnification obligations in Paragraph 10. The indemnified Party will cooperate appropriately with the indemnifying Party in connection with the indemnifying Party's defense of such claim. The indemnifying Party shall defend any indemnified Party, at the indemnified Party's request, against any claim with counsel reasonably satisfactory to the indemnified Party. The indemnifying Party shall not settle or compromise any such claim or consent to the entry of any judgment without the prior written consent of each indemnified Party and without an unconditional release of all claims by each claimant or plaintiff in favor of each indemnified Party. All indemnification obligations shall survive the termination or expiration of this Agreement.

11. INSURANCE.

(a). The Parties agree that at their own cost and expense, each will maintain commercial general liability insurance with limits of \$2,000,000 for bodily injury (including death)

and property damage each occurrence. The Parties agree to include the other Party as an additional insured as their interests may appear under this Agreement. The Parties hereby waive and release any and all rights of action for negligence against the other which may hereafter arise on account of damage to the Premises or the Property, resulting from any fire, or other casualty which is insurable under "Causes of Loss – Special Form" property damage insurance or for the kind covered by standard fire insurance policies with extended coverage, regardless of whether or not, or in what amounts, such insurance is now or hereafter carried by the Parties, even if any such fire or other casualty shall have been caused by the fault or negligence of the other Party. These waivers and releases shall apply between the Parties and they shall also apply to any claims under or through either Party as a result of any asserted right of subrogation. All such policies of insurance obtained by either Party concerning the Premises or the Property shall waive the insurer's right of subrogation against the other Party.

(b). LESSOR hereby represents that all portions of the Property within three hundred feet (300') of the Premises (hereinafter referred to as the "Insurance Buffer") are currently being used solely for agricultural, forestry or non-commercial purposes. LESSOR's liability insurance requirements set forth in Section 11(a) shall be waived unless the current use of the Insurance Buffer changes during the Term at which time LESSOR shall be immediately required to obtain the liability insurance coverages set forth in Section 11(a).

12. LIMITATION OF LIABILITY. Except for indemnification pursuant to Paragraphs 10 and 24, a violation of Paragraph 29, or a violation of law, neither Party shall be liable to the other, or any of their respective agents, representatives, or employees for any lost revenue, lost profits, diminution in value of business, loss of technology, rights or services, loss of data, or interruption or loss of use of service, incidental, punitive, indirect, special, trebled, enhanced or consequential damages, even if advised of the possibility of such damages, whether such damages are claimed for breach of contract, tort (including negligence), strict liability or otherwise, unless applicable law forbids a waiver of such damages.

13. INTERFERENCE.

(a). LESSEE agrees that LESSEE will not cause interference that is measurable in accordance with industry standards to LESSOR's equipment. LESSOR agrees that LESSOR and other occupants of the Property will not cause interference that is measurable in accordance with industry standards to the then existing equipment of LESSEE.

(b). Without limiting any other rights or remedies, if interference occurs and continues for a period in excess of 48 hours following notice to the interfering party via telephone to LESSEE'S Network Operations Center at (800) 621-2622 or to LESSOR at (404) 992-8813, the interfering party shall or shall require any other user to reduce power or cease operations of the interfering equipment until the interference is cured.

(c). The Parties acknowledge that there will not be an adequate remedy at law for noncompliance with the provisions of this Paragraph and therefore the Parties shall have the right to equitable remedies such as, without limitation, injunctive relief and specific performance.

14. REMOVAL AT END OF TERM. Upon expiration or within 90 days of earlier termination, LESSEE shall remove LESSEE's Communications Equipment (except footings which shall be removed to at

least 2 feet below grade level) and restore the Premises to its original condition, reasonable wear and tear and casualty damage excepted. LESSOR agrees and acknowledges that the communications equipment shall remain the personal property of LESSEE and LESSEE shall have the right to remove the same at any time during the Term, whether or not said items are considered fixtures and attachments to real property under applicable laws. If such time for removal causes LESSEE to remain on the Premises after termination of the Agreement, LESSEE shall pay rent in accordance with Paragraph 15.

15. HOLDOVER. If LESSEE holds over after the expiration or earlier termination of the Term, then this Agreement shall continue on a month to month basis at the then existing monthly rental rate or the existing monthly pro-rata basis if based upon a longer payment term, until the removal of the communications equipment is completed.

16. RIGHT OF FIRST REFUSAL. If at any time after the Effective Date, LESSOR receives an offer or letter of intent from any person or entity that is in the business of owning, managing or operating communications facilities or is in the business of acquiring landlord interests in agreements relating to communications facilities, to purchase fee title, an easement, a lease, a license, or any other interest in the Premises or any portion thereof or to acquire any interest in this Agreement, or an option for any of the foregoing, LESSOR shall provide written notice to LESSEE of said offer ("LESSOR's Notice"). LESSOR's Notice shall include the prospective buyer's name, the purchase price being offered, any other consideration being offered, the other terms and conditions of the offer, a description of the portion of and interest in the Premises and/or this Agreement which will be conveyed in the proposed transaction, and a copy of any letters of intent or form agreements presented to LESSOR by the third party offeror. LESSEE shall have the right of first refusal to meet any bona fide offer of sale or transfer on the terms and conditions of such offer or by effectuating a transaction with substantially equivalent financial terms. If LESSEE fails to provide written notice to LESSOR that LESSEE intends to meet such bona fide offer within 30 days after receipt of LESSOR's Notice, LESSOR may proceed with the proposed transaction in accordance with the terms and conditions of such third party offer, in which event this Agreement shall continue in full force and effect and the right of first refusal described in this Paragraph shall survive any such conveyance to a third party. If LESSEE provides LESSOR with notice of LESSEE's intention to meet the third party offer within 60 days after receipt of LESSOR's Notice, then if LESSOR's Notice describes a transaction involving greater space than the Premises, LESSEE may elect to proceed with a transaction covering only the Premises and the purchase price shall be pro-rated on a square footage basis. Further, LESSOR acknowledges and agrees that if LESSEE exercises this right of first refusal, LESSEE may require a reasonable period of time to conduct due diligence and effectuate the closing of a transaction on substantially equivalent financial terms of the third party offer. LESSEE may elect to amend this Agreement to effectuate the proposed financial terms of the third party offer rather than acquiring fee simple title or an easement interest in the Premises. For purposes of this Paragraph, any transfer, bequest or devise of LESSOR's interest in the Property as a result of the death of LESSOR, whether by will or intestate succession, or any conveyance to LESSOR's family members by direct conveyance or by conveyance to a trust for the benefit of family members shall not be considered a sale for which LESSEE has any right of first refusal.

17. RIGHTS UPON SALE. Should LESSOR, at any time during the Term, decide (i) to sell or otherwise transfer all or any part of the Property, or (ii) to grant to a third party by easement or other legal instrument an interest in and to any portion of the Premises, such sale, transfer, or grant of an easement or interest therein shall be under and subject to this Agreement and any such purchaser or transferee shall recognize LESSEE's rights hereunder. In the event that LESSOR completes any such sale,

transfer, or grant described in this Paragraph without executing an assignment of the Agreement whereby the third party agrees in writing to assume all obligations of LESSOR under this Agreement, then LESSOR shall not be released from its obligations to LESSEE under this Agreement, and LESSEE shall have the right to look to LESSOR and the third party for the full performance of the Agreement.

18. LESSOR'S TITLE. LESSOR covenants that LESSEE, on paying the rent and performing the covenants herein, shall peaceably and quietly have, hold and enjoy the Premises. LESSOR represents and warrants to LESSEE as of the Effective Date and covenants during the Term that LESSOR has full authority to enter into and execute this Agreement and that there are no liens, judgments, covenants, easement, restrictions or other impediments of title that will adversely affect LESSEE's Use.

19. ASSIGNMENT. This Agreement may be sold, assigned or transferred by LESSEE without any approval or consent of LESSOR. Without any approval or consent of LESSEE, this Agreement may be sold, assigned or transferred by LESSOR to (i) any entity in which LESSOR directly or indirectly holds an equity or similar interest; (ii) any entity which directly or indirectly holds an equity or similar interest in LESSOR; or (iii) any entity directly or indirectly under common control with LESSOR. As to other parties, this Agreement may not be sold, assigned or transferred by LESSOR without the written consent of LESSEE, which such consent will not be unreasonably withheld, delayed or conditioned. No change of stock ownership, partnership interest or control of LESSEE or transfer upon partnership or corporate dissolution of either Party shall constitute an assignment hereunder. LESSEE may sublet the Premises in LESSEE's sole discretion.

20. NOTICES. Except for notices permitted via telephone in accordance with Paragraph 13, all notices hereunder must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested or by commercial courier, provided the courier's regular business is delivery service and provided further that it guarantees delivery to the addressee by the end of the next business day following the courier's receipt from the sender, addressed as follows (or any other address that the Party to be notified may have designated to the sender by like notice):

LESSOR: KBM Property Holdings, LLC
4250 Bakers Farm Place SE
Atlanta, Georgia 30339

LESSEE: Cellco Partnership
d/b/a Verizon Wireless
180 Washington Valley Road
Bedminster, New Jersey 07921
Attention: Network Real Estate

Notice shall be effective upon actual receipt or refusal as shown on the receipt obtained pursuant to the foregoing.

21. SUBORDINATION AND NON-DISTURBANCE. Within 15 days of the Effective Date, LESSOR shall obtain a Non-Disturbance Agreement (as defined below) from existing mortgagee(s), ground lessors and master lessors, if any, of the Property. At LESSOR's option, this Agreement shall be subordinate to any future master lease, ground lease, mortgage, deed of trust or other security interest (a "Mortgage") by LESSOR which from time to time may encumber all or part of the Property; provided, however, as a condition precedent to LESSEE being required to subordinate its interest in this Agreement to any future Mortgage covering the Property, LESSOR shall obtain for LESSEE's benefit a non-disturbance and

attornment agreement for LESSEE's benefit in the form reasonably satisfactory to LESSEE, and containing the terms described below (the "Non-Disturbance Agreement"), and shall recognize LESSEE's rights under this Agreement. The Non-Disturbance Agreement shall include the encumbering party's ("Lender's") agreement that, if Lender or its successor-in-interest or any purchaser of Lender's or its successor's interest (a "Purchaser") acquires an ownership interest in the Property, Lender or such successor-in-interest or Purchaser will honor all of the terms of the Agreement. Such Non-Disturbance Agreement must be binding on all of Lender's participants in the subject loan (if any) and on all successors and assigns of Lender and/or its participants and on all Purchasers. In return for such Non-Disturbance Agreement, LESSEE will execute an agreement for Lender's benefit in which LESSEE (1) confirms that the Agreement is subordinate to the Mortgage or other real property interest in favor of Lender, (2) agrees to attorn to Lender if Lender becomes the owner of the Property and (3) agrees to accept a cure by Lender of any of LESSOR's defaults, provided such cure is completed within the deadline applicable to LESSOR. In the event LESSOR defaults in the payment and/or other performance of any mortgage or other real property interest encumbering the Property, LESSEE, may, at its sole option and without obligation, cure or correct LESSOR's default and upon doing so, LESSEE shall be subrogated to any and all rights, titles, liens and equities of the holders of such mortgage or other real property interest and LESSEE shall be entitled to deduct and setoff against all rents that may otherwise become due under this Agreement the sums paid by LESSEE to cure or correct such defaults.

22. DEFAULT. It is a "Default" if (i) either Party fails to comply with this Agreement and does not remedy the failure within 30 days after written notice by the other Party or, if the failure cannot reasonably be remedied in such time, if the failing Party does not commence a remedy within the allotted 30 days and diligently pursue the cure to completion within 90 days after the initial written notice, or (ii) LESSOR fails to comply with this Agreement and the failure interferes with LESSEE's Use and LESSOR does not remedy the failure within 5 days after written notice from LESSEE or, if the failure cannot reasonably be remedied in such time, if LESSOR does not commence a remedy within the allotted 5 days and diligently pursue the cure to completion within 15 days after the initial written notice. The cure periods set forth in this Paragraph 22 do not extend the period of time in which either Party has to cure interference pursuant to Paragraph 13 of this Agreement.

23. REMEDIES. In the event of a Default, without limiting the non-defaulting Party in the exercise of any right or remedy which the non-defaulting Party may have by reason of such default, the non-defaulting Party may terminate this Agreement and/or pursue any remedy now or hereafter available to the non-defaulting Party under the Laws or judicial decisions of the state in which the Property is located. Further, upon a Default, the non-defaulting Party may at its option (but without obligation to do so), perform the defaulting Party's duty or obligation. The costs and expenses of any such performance by the non-defaulting Party shall be due and payable by the defaulting Party upon invoice therefor. If LESSEE undertakes any such performance on LESSOR's behalf and LESSOR does not pay LESSEE the full amount within 30 days of its receipt of an invoice setting forth the amount due, LESSEE may offset the full amount due against all fees due and owing to LESSOR under this Agreement until the full amount is fully reimbursed to LESSEE.

24. ENVIRONMENTAL. LESSEE shall conduct its business in compliance with all applicable laws governing the protection of the environment or employee health and safety ("EH&S Laws"). LESSEE shall indemnify and hold harmless the LESSOR from claims to the extent resulting from LESSEE's violation of any applicable EH&S Laws or to the extent that LESSEE causes a release of any regulated substance to the environment. LESSOR shall indemnify and hold harmless LESSEE from all claims resulting from the

violation of any applicable EH&S Laws or a release of any regulated substance to the environment except to the extent resulting from the activities of LESSEE. The Parties recognize that LESSEE is only leasing a small portion of the Property and that LESSEE shall not be responsible for any environmental condition or issue except to the extent resulting from LESSEE's specific activities and responsibilities. In the event that LESSEE encounters any hazardous substances that do not result from its activities, LESSEE may relocate its facilities to avoid such hazardous substances to a mutually agreeable location or, if LESSEE desires to remove at its own cost all or some the hazardous substances or materials (such as soil) containing those hazardous substances, LESSOR agrees to sign any necessary waste manifest associated with the removal, transportation and/or disposal of such substances.

25. CASUALTY. If a fire or other casualty damages the Property or the Premises and impairs LESSEE's Use, rent shall abate until LESSEE'S Use is restored. If LESSEE's Use is not restored within 45 days, LESSEE may terminate this Agreement.

26. CONDEMNATION. If a condemnation of any portion of the Property or Premises impairs LESSEE's Use, LESSEE may terminate this Agreement. LESSEE may on its own behalf make a claim in any condemnation proceeding involving the Premises for losses related to LESSEE's communications equipment, relocation costs and, specifically excluding loss of LESSEE's leasehold interest, any other damages LESSEE may incur as a result of any such condemnation.

27. APPLICABLE LAWS. During the Term, LESSOR shall maintain the Property in compliance with all applicable laws, EH&S Laws, rules, regulations, ordinances, directives, covenants, easements, consent decrees, zoning and land use regulations, and restrictions of record, permits, building codes, and the requirements of any applicable fire insurance underwriter or rating bureau, now in effect or which may hereafter come into effect (including, without limitation, the Americans with Disabilities Act and laws regulating hazardous substances) (collectively "Laws"). LESSEE shall, in respect to the condition of the Premises and at LESSEE's sole cost and expense, comply with (i) all Laws relating solely to LESSEE's specific and unique nature of use of the Premises; and (ii) all building codes requiring modifications to the Premises due to the improvements being made by LESSEE in the Premises. It shall be LESSOR's obligation to comply with all Laws relating to the Property, without regard to specific use (including, without limitation, modifications required to enable LESSEE to obtain all necessary building permits).

28. TAXES.

(a). LESSOR shall invoice and LESSEE shall pay any applicable transaction tax (including sales, use, gross receipts, or excise tax) imposed on the LESSEE and required to be collected by the LESSOR based on any service, rental space, or equipment provided by the LESSOR to the LESSEE. LESSEE shall pay all personal property taxes, fees, assessments, or other taxes and charges imposed by any Government Entity that are imposed on the LESSEE and required to be paid by the LESSEE that are directly attributable to the LESSEE's equipment or LESSEE's use and occupancy of the Premises. Payment shall be made by LESSEE within 60 days after presentation of a receipted bill and/or assessment notice which is the basis for such taxes or charges. LESSOR shall pay all ad valorem, personal property, real estate, sales and use taxes, fees, assessments or other taxes or charges that are attributable to LESSOR's Property or any portion thereof imposed by any Government Entity.

(b). LESSEE shall have the right, at its sole option and at its sole cost and expense, to appeal, challenge or seek modification of any tax assessment or billing for which LESSEE is wholly

or partly responsible for payment. LESSOR shall reasonably cooperate with LESSEE at LESSEE's expense in filing, prosecuting and perfecting any appeal or challenge to taxes as set forth in the preceding sentence, including but not limited to, executing any consent, appeal or other similar document. In the event that as a result of any appeal or challenge by LESSEE, there is a reduction, credit or repayment received by the LESSOR for any taxes previously paid by LESSEE, LESSOR agrees to promptly reimburse to LESSEE the amount of said reduction, credit or repayment. In the event that LESSEE does not have the standing rights to pursue a good faith and reasonable dispute of any taxes under this paragraph, LESSOR will pursue such dispute at LESSEE's sole cost and expense upon written request of LESSEE.

29. NON-DISCLOSURE. Other than the recordation of a Memorandum of this Agreement, the Parties agree this Agreement and any information exchanged between the Parties regarding the Agreement are confidential. The Parties agree not to provide copies of this Agreement or any confidential information to any other third party other than an attorney representing the Party or a permitted assignee of rights under this Agreement without the prior written consent of the other or as required by law. If a disclosure is required by law, prior to disclosure, the Party shall notify the other Party and cooperate to take lawful steps to resist, narrow, or eliminate the need for that disclosure.

30. MOST FAVORED LESSEE. LESSOR represents and warrants that the rent, benefits and terms and conditions granted to LESSEE by LESSOR hereunder are now and shall be, during the Term, no less favorable than the rent, benefits and terms and conditions for substantially the same or similar tenancies or licenses granted by LESSOR to other parties. If at any time during the Term LESSOR shall offer more favorable rent, benefits or terms and conditions for substantially the same or similar tenancies or licenses as those granted hereunder, then LESSOR shall, within 30 days after the effective date of such offering, notify LESSEE of such fact and offer LESSEE the more favorable offering. If LESSEE chooses, the parties shall then enter into an amendment that shall be effective retroactively to the effective date of the more favorable offering, and shall provide the same rent, benefits or terms and conditions to LESSEE. LESSEE shall have the right to decline to accept the offering. LESSOR's compliance with this requirement shall be subject, at LESSEE's option, to independent verification.

31. MISCELLANEOUS. This Agreement contains all agreements, promises and understandings between the LESSOR and the LESSEE regarding this transaction, and no oral agreement, promises or understandings shall be binding upon either the LESSOR or the LESSEE in any dispute, controversy or proceeding. This Agreement may not be amended or varied except in a writing signed by all Parties. This Agreement shall extend to and bind the heirs, personal representatives, successors and assigns hereto. The failure of either party to insist upon strict performance of any of the terms or conditions of this Agreement or to exercise any of its rights hereunder shall not waive such rights and such party shall have the right to enforce such rights at any time. The performance of this Agreement shall be governed, interpreted, construed and regulated by the laws of the state in which the Premises is located without reference to its choice of law rules. Except as expressly set forth in this Agreement, nothing in this Agreement shall grant, suggest or imply any authority for one Party to use the name, trademarks, service marks or trade names of the other for any purpose whatsoever. LESSOR agrees to execute a Memorandum of this Agreement, which LESSEE may record with the appropriate recording officer. The provisions of the Agreement relating to indemnification from one Party to the other Party shall survive any termination or expiration of this Agreement.

[Signature page follows. The remainder of this page is intentionally blank.]

IN WITNESS WHEREOF, the Parties hereto have set their hands and affixed their respective seals the day and year first above written.

Aimee Smith 9/27/2021
Witness (1)

[Signature]
Witness (2)

LESSOR:

KBM PROPERTY HOLDINGS, LLC

By: [Signature]
Print Name: KATHERINE B. MAXWELL
Print Title: PRINCIPAL
Date: 09/27/2021

LESSEE:

CELLCO PARTNERSHIP d/b/a Verizon Wireless

DocuSigned by:
By: [Signature]
Eric Mann
Director-Network Field Engineering
Date: Oct 14, 2021

DocuSigned by:
[Signature]
Charika Johnson
Witness (1)

DocuSigned by:
[Signature]
Joseph Guyer
Witness (2)

EXHIBIT "A"

DESCRIPTION OF PROPERTY

Property located in Oconee County, South Carolina

Parcel 1:

All that certain piece, parcel or tract of land lying and being in Oconee County, South Carolina, containing approximately 23.51 acres as shown on plat of Jerry E. Byrd, RLS #8097, dated June 18, 1992, and recorded September 17, 1993 in Plat Book A217, page 5, records of Oconee County, South Carolina.

LESS AND EXCEPT:

All that certain place, parcel or lot of land situate, lying and being in the State and County aforesaid West of the Town of Westminster on Willard King Road and lot #3 of Harbin's Harbors; beginning at Northwest corner of lot #3 and running East +/- 501.5 feet to iron pin on Lee line, hence South along Lee line +/- 180 feet to iron pin, hence West +/- 492 feet to iron pin, hence North +/- 180 feet to iron pin and point of beginning and containing +/- 2 acres.

Parcel 2:

All that certain piece, parcel or lot of land lying and being situate in the State of South Carolina, County of Oconee, and beginning at an iron pin on Southwest corner and running North 74.9 feet to an iron pin, thence South 117.46 feet to an iron pin; thence Southwest 154.15 feet to an iron pin and point of beginning and containing, more or less, .10 acres shown by plat recorded September 17, 1993 in Volume A217, page 5 and certified.

Parcel 3:

All that certain piece, parcel or tract lying and being in Oconee County, South Carolina, and containing Four (4) acres, more or less, and being described, to wit: BEGINNING at the Southeastern most corner of an approximately 33.7 acre tract on or near Chauga River, now or formerly of titled in the name of W. J. Harbin, et al, at a point on, in or adjacent to SC Highway 68; thence in a Northwesterly direction along the Northern most boundary of the 33.7 acre tract, a distance of 417 feet; thence turning ninety degrees (90 degrees) in a Southwesterly direction and continuing in a straight line a distance of 417 feet; thence turning ninety degrees (90 degrees) in a Southeasterly direction and continuing in a straight line a distance of 417 feet to a point on, in or adjacent to SC Highway 68; thence in a Northeasterly direction along SC Highway 68 to point of beginning. The property being conveyed herein contains approximately Four (4) acres and lies in the easternmost corner of that parcel of land denoted on the tax maps of Oconee County as Parcel #285—00-05-001.

AND BEING a portion of the property conveyed to KBM Property Holdings, LLC, from Katherine Barrett Maxwell by Title to Real Estate dated June 17, 2009 and recorded June 23, 2009 in Deed Book 1724, Page 261.

Tax Parcel No. 285-00-05-001

EXHIBIT "B" (Page 1 of 4)

SURVEY AND LEGAL DESCRIPTION OF THE PREMISES AND EASEMENT

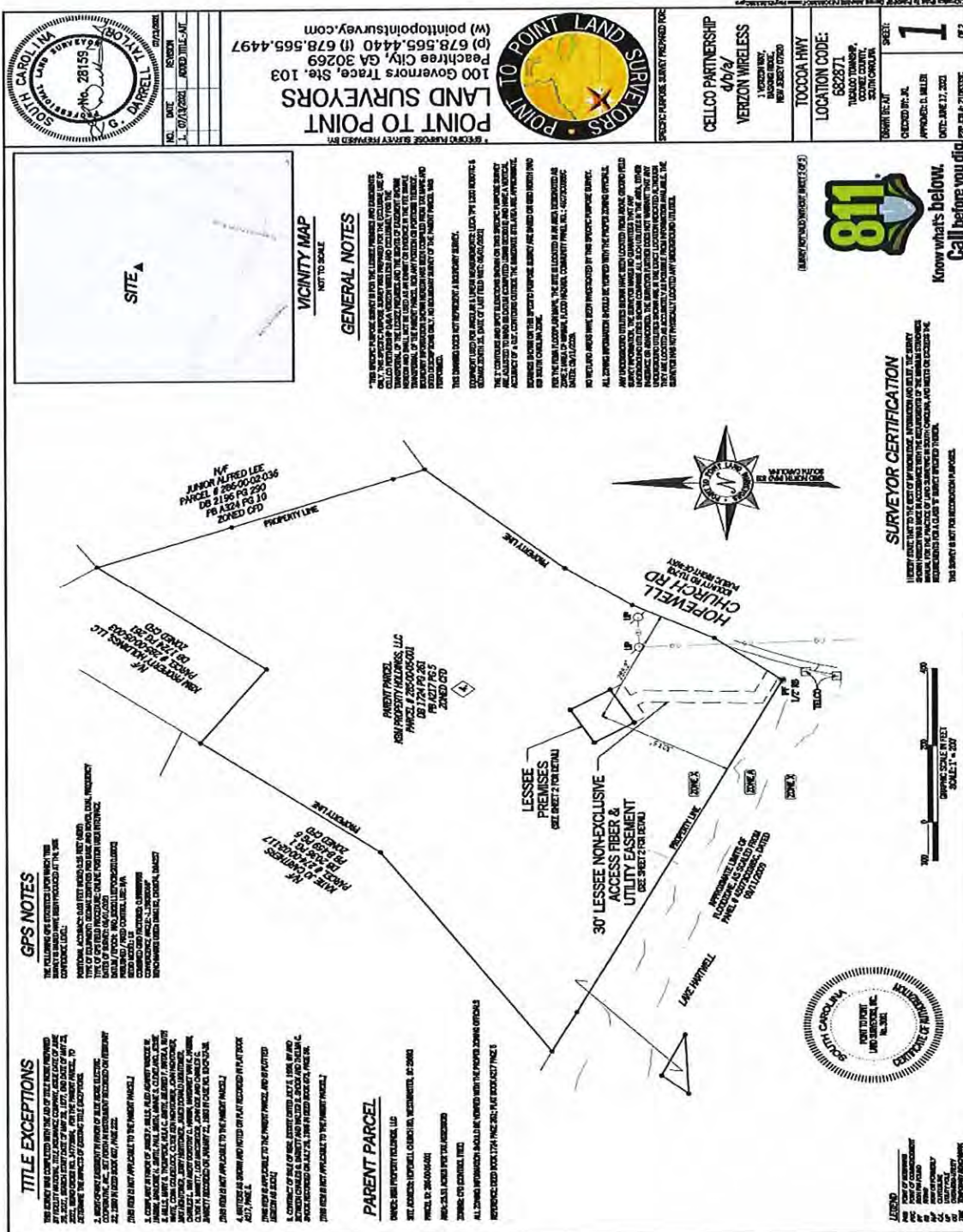
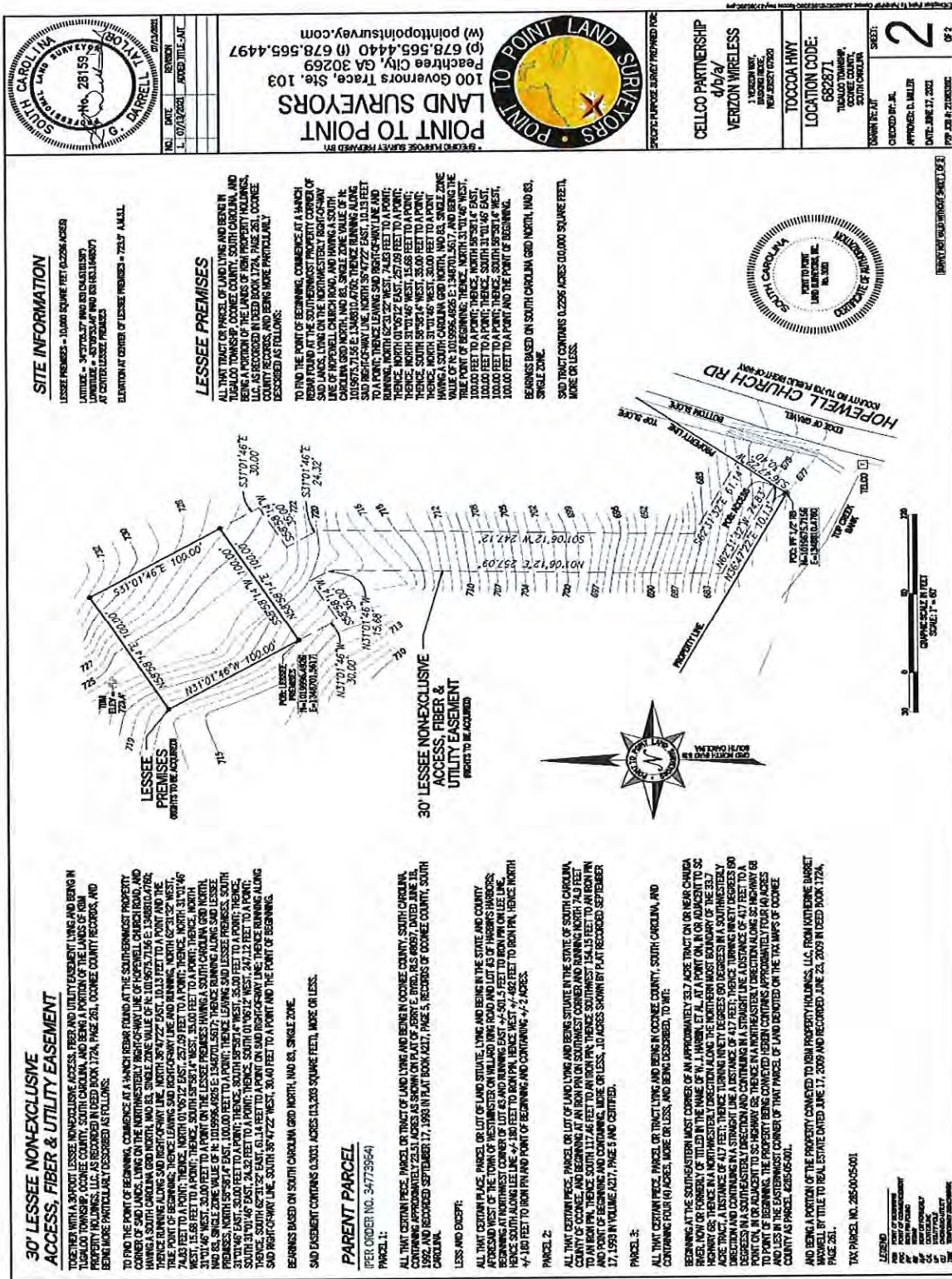


EXHIBIT "B" (Page 2 of 4)



SITE INFORMATION
 LESSEE PREMISES - 10,000 SQUARE FEET (2,500 ACRES)
 LATITUDE - 34° 57' 37.7" N AND 80° 04' 04.5" W
 LONGITUDE - 80° 57' 55.1" W AND 80° 04' 04.5" W
 AT COCKLE'S POINT, COCKLE COUNTY, SOUTH CAROLINA

LESSEE PREMISES
 ALL THAT TRACT OR PARCELS OF LAND LYING AND BEING IN
 TUGALO TOWNSHIP, COCKLE COUNTY, SOUTH CAROLINA, AND
 BEING A PORTION OF THE LANDS OF RISH PROPERTY HOLDINGS,
 LLC, AS RECORDED IN DEED BOOK 1724, PAGE 261, COCKLE
 COUNTY RECORDS, AND BEING MORE PARTICULARLY
 DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A WENCH
 REBAR FOUND AT THE SOUTHWEST CORNER OF A WENCH
 SAID LANDS, LYING ON THE NORTHWESTERLY RIGHT-OF-WAY
 LINE OF HOPWELL CHURCH ROAD, AND HAVING A SOUTH
 BEARING AND DISTANCE OF 100.00 FEET TO A POINT;
 THENCE NORTH 82° 32' 27" WEST, 74.63 FEET TO A POINT;
 THENCE NORTH 01° 02' 12" EAST, 252.09 FEET TO A POINT;
 THENCE SOUTH 88° 58' 14" WEST, 30.00 FEET TO A POINT;
 THENCE NORTH 31° 46' WEST, 30.00 FEET TO A POINT;
 HAVING A SOUTH CAROLINA GRID NORTH, 100.00 SINGLE ZONE
 VALUE OF N: 1019996.4856 E: 1348701.5677, AND BEING THE
 TRUE POINT OF BEGINNING, THENCE NORTH 31° 46' WEST,
 100.00 FEET TO A POINT; THENCE SOUTH 31° 46' WEST,
 100.00 FEET TO A POINT; THENCE SOUTH 88° 58' 14" WEST,
 100.00 FEET TO A POINT AND THE POINT OF BEGINNING.
 BEGINS BASED ON SOUTH CAROLINA GRID NORTH, 100.00
 SINGLE ZONE.

SAID TRACT CONTAINS 10,206 ACRES (10,000 SQUARE FEET),
 MORE OR LESS.

30' LESSEE NONEXCLUSIVE ACCESS, FIBER & UTILITY EASEMENT
 TOGETHER WITH A 30-FOOT LESSEE NONEXCLUSIVE ACCESS, FIBER AND UTILITY EASEMENT LYING AND BEING IN
 TUGALO TOWNSHIP, COCKLE COUNTY, SOUTH CAROLINA, AND BEING A PORTION OF THE LANDS OF RISH
 PROPERTY HOLDINGS, LLC, AS RECORDED IN DEED BOOK 1724, PAGE 261, COCKLE COUNTY RECORDS, AND
 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A WENCH REBAR FOUND AT THE SOUTHWEST CORNER
 CORNER OF SAID LANDS, LYING ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HOPWELL CHURCH ROAD, AND
 HAVING A SOUTH CAROLINA GRID NORTH, 100.00 SINGLE ZONE VALUE OF N: 1019973.7136 E: 1348810.4788,
 THENCE RUNNING ALONG SAID RIGHT-OF-WAY LINE, NORTH 88° 47' 22" EAST, 10.13 FEET TO A POINT AND THE
 TRUE POINT OF BEGINNING, THENCE LEAVING SAID RIGHT-OF-WAY LINE AND RUNNING, THENCE NORTH 53° 14' 46"
 WEST, 15.68 FEET TO A POINT; THENCE SOUTH 88° 58' 14" WEST, 30.00 FEET TO A POINT; THENCE NORTH
 31° 46' WEST, 30.00 FEET TO A POINT ON THE LESSEE PREMISES HAVING A SOUTH CAROLINA GRID NORTH,
 100.00 SINGLE ZONE VALUE OF N: 1019996.4856 E: 1348701.5677, THENCE RUNNING ALONG SAID LESSEE
 30' TRACT EAST, 30.00 FEET TO A POINT; THENCE SOUTH 31° 46' WEST, 100.00 FEET TO A POINT;
 THENCE SOUTH 88° 58' 14" WEST, 61.14 FEET TO A POINT ON SAID RIGHT-OF-WAY LINE, THENCE RUNNING ALONG
 SAID RIGHT-OF-WAY LINE, SOUTH 88° 47' 22" WEST, 30.00 FEET TO A POINT AND THE POINT OF BEGINNING.

BEGINS BASED ON SOUTH CAROLINA GRID NORTH, 100.00 SINGLE ZONE.
 SAID EASEMENT CONTAINS 0.0001 ACRES (13,200 SQUARE FEET), MORE OR LESS.

PARENT PARCEL
 (PER ORDER NO. 34773954)
 PARCEL 1:
 ALL THAT CERTAIN PLACE, PARCEL OR LOT OF LAND LYING AND BEING IN COCKLE COUNTY, SOUTH CAROLINA,
 CONTAINING APPROXIMATELY 23.51 ACRES AS SHOWN ON PLAT OF JERRY E. IRISH, RLS 86997, DATED JUNE 18,
 1992 AND RECORDED SEPTEMBER 17, 1993 IN PLAT BOOK 0217, PAGE 5, RECORDS OF COCKLE COUNTY, SOUTH
 CAROLINA.
 LESS AND EXCEPT:
 ALL THAT CERTAIN PLACE, PARCEL OR LOT OF LAND LYING AND BEING IN THE STATE AND COUNTY
 AFORESAID WEST OF THE TOWN OF WESTMINSTER ON MILLARD IRISH ROAD AND LOT 85 OF IRISH'S PARCELS
 BEGINS SOUTH 88° 58' 14" WEST, 30.00 FEET TO AN IRON PIN, THENCE WEST 142 FEET TO AN IRON PIN, THENCE NORTH
 4° 18' 18" WEST TO AN IRON PIN AND POINT OF BEGINNING AND CONTAINING 4+1/2 ACRES.

PARCEL 2:
 ALL THAT CERTAIN PLACE, PARCEL OR LOT OF LAND LYING AND BEING SITUATE IN THE STATE OF SOUTH CAROLINA,
 COUNTY OF COCKLE, AND BEGINNING AT AN IRON PIN ON SOUTHWEST CORNER AND RUNNING NORTH 74.5 DEGREES
 TO AN IRON PIN, THENCE SOUTH 117° 46' FEET TO AN IRON PIN, THENCE SOUTHWEST 154.15 FEET TO AN IRON PIN
 AND POINT OF BEGINNING AND CONTAINING, MORE OR LESS, .30 ACRES SHOWN BY PLAT RECORDED SEPTEMBER
 17, 1993 IN VOLUME 0217, PAGE 5 AND CERTIFIED.

PARCEL 3:
 ALL THAT CERTAIN PLACE, PARCEL OR TRACT LYING AND BEING IN COCKLE COUNTY, SOUTH CAROLINA, AND
 CONTAINING FOUR (4) ACRES, MORE OR LESS, AND BEING DESCRIBED, TO WIT:
 BEGINNING AT THE SOUTHWEST CORNER OF AN APPROXIMATELY 67 ACRE TRACT ON OLD HIGH CHURCH
 HIGHWAY (S), THENCE IN A NORTHWESTERLY DIRECTION ALONG THE NORTHERN MOST BOUNDARY OF THE SAID
 ACRE TRACT, A DISTANCE OF 417 FEET, THENCE TURNING NINETY DEGREES (90) DEGREES IN A SOUTHWESTERLY
 DIRECTION AND CONTINUING IN A STRAIGHT LINE A DISTANCE OF 417 FEET; THENCE TURNING NINETY DEGREES (90)
 DEGREES IN A SOUTHWESTERLY DIRECTION AND CONTINUING IN A STRAIGHT LINE A DISTANCE OF 417 FEET TO A
 POINT ON THE ADJACENT TO SOUTH CAROLINA STATE HIGHWAY 100, THENCE WEST 100 FEET TO A POINT, BEING
 AND LESS IN THE EASTERLY MOST CORNER OF SAID PARCEL, APPROXIMATELY 10.5 ACRES,
 COUNTY AS PARCEL 4255-05-001.

AND BEING A PORTION OF THE PROPERTY CONVEYED TO RISH PROPERTY HOLDINGS, LLC, FROM LUTHERINE BARRETT
 PARCEL BY TITLE TO REAL ESTATE DATED JUNE 17, 2009 AND RECORDED JUNE 23, 2009 IN DEED BOOK 1724,
 PAGE 261.
 TAX PARCEL NO. 285-00-05-001



FILE NO.	28159
DATE	07/18/2024
PROJECT	30' LESSEE NONEXCLUSIVE ACCESS, FIBER & UTILITY EASEMENT

POINT TO POINT LAND SURVEYORS
 100 Governors Trace, Ste. 103
 Peachtree City, GA 30269
 (P) 678.565.4440 (F) 678.565.4497
 (W) pointtopointsurvey.com



CELLCO PARTNERSHIP
 d/b/a/
 VERIZON WIRELESS
 1 VERIZON WAY
 BASKING RIDGE
 NEW JERSEY 07093

TOCCOA HWY
 LOCATION CODE:
 682871
 TUGALO TOWNSHIP,
 COCKLE COUNTY,
 SOUTH CAROLINA

CHECKED BY: J.M. MILLER
 APPROVED BY: J.M. MILLER
 DATE: JUNE 17, 2024
 SHEET: 2 OF 2

EXHIBIT "B" (Page 3 of 4)

LEGAL DESCRIPTION OF THE PREMISES

PREMISES:

All that tract or parcel of land lying and being in Tugaloo Township, Oconee County, South Carolina, and being a portion of the lands of KBM Property Holdings, LLC, as recorded in Deed Book 1724, Page 261, Oconee County records, and being more particularly described as follows:

To find the point of beginning, COMMENCE at a ½-inch rebar found at the southernmost property corner of said lands, lying on the northwesterly right-of-way line of Hopewell Church Road, and having a South Carolina Grid North, NAD 83, Single Zone value of N: 1019675.7156 E: 1348810.4760; thence running along said right-of-way line, North 36°47'22" East, 10.13 feet to a point; thence leaving said right-of-way line and running, North 62°31'32" West, 74.83 feet to a point; thence, North 01°06'12" East, 257.09 feet to a point; thence, North 31°01'46" West, 15.68 feet to a point; thence, South 58°58'14" West, 35.00 feet to a point; thence, North 31°01'46" West, 30.00 feet to a point having a South Carolina Grid North, NAD 83, Single Zone value of N: 1019996.4926 E: 1348701.5617, and being the true POINT OF BEGINNING; Thence, North 31°01'46" West, 100.00 feet to a point; Thence, North 58°58'14" East, 100.00 feet to a point; Thence, South 31°01'46" East, 100.00 feet to a point; Thence, South 58°58'14" West, 100.00 feet to a point and the POINT OF BEGINNING. Bearings based on South Carolina Grid North, NAD 83, Single Zone.

Said tract contains 0.2296 acres (10,000 square feet), more or less, as shown in a survey prepared for Cellco Partnership d/b/a Verizon Wireless by POINT TO POINT LAND SURVEYORS, INC. dated June 17, 2021, and last revised July 13, 2021.

EASEMENT:

Together with an Easement lying and being in Tugaloo Township, Oconee County, South Carolina, and being a portion of the lands of KBM Property Holdings, LLC, as recorded in Deed Book 1724, Page 261, Oconee County records, and being more particularly described as follows:

To find the point of beginning, COMMENCE at a ½-inch rebar found at the southernmost property corner of said lands, lying on the northwesterly right-of-way line of Hopewell Church Road, and having a South Carolina Grid North, NAD 83, Single Zone value of N: 1019675.7156 E: 1348810.4760; thence running along said right-of-way line, North 36°47'22" East, 10.13 feet to a point and the true POINT OF BEGINNING; Thence leaving said right-of-way line and running, North 62°31'32" West, 74.83 feet to a point; Thence, North 01°06'12" East, 257.09 feet to a point; Thence, North 31°01'46" West, 15.68 feet to a point; Thence, South 58°58'14" West, 35.00 feet to a point; Thence, North 31°01'46" West, 30.00 feet to a point on the Lessee Premises having a South Carolina Grid North, NAD 83, Single Zone value of N: 1019996.4926 E: 1348701.5617; Thence running along said Lessee Premises, North 58°58'14" East, 100.00 feet to a point; Thence leaving said Lessee Premises, South 31°01'46" East, 30.00 feet to a point; Thence, South 58°58'14" West, 35.00 feet to a point; Thence, South 31°01'46" East, 24.32 feet to a point; Thence, South 01°06'12" West, 247.12 feet to a point; Thence, South 62°31'32" East, 61.14 feet to a point on said right-of-way line; Thence running along said right-of-way line, South 36°47'22" West, 30.40 feet to a point and the POINT OF BEGINNING. Bearings based on South Carolina Grid North, NAD 83, Single Zone.

EXHIBIT "B" (Page 4 of 4)

Said easement contains 0.3031 acres (13,203 square feet), more or less, as shown in a survey prepared for Cellco Partnership d/b/a Verizon Wireless by POINT TO POINT LAND SURVEYORS, INC. dated June 17, 2021, and last revised July 13, 2021.

Certificate Of Completion

Envelope Id: AAA19AE5DB2C4AD699C326DA827253B3

Status: Completed

Subject: Toccoa Hwy / 1539753 / 10142021 / Director

Source Envelope:

Document Pages: 15

Signatures: 3

Envelope Originator:

Certificate Pages: 5

Initials: 0

Josh Bernstein

AutoNav: Enabled

Josh.Bernstein@Verizonwireless.com

Envelope Stamping: Enabled


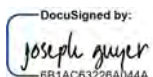
IP Address: 69.78.100.102

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Record TrackingStatus: Original
10/14/2021 6:37:22 AMHolder: Josh Bernstein
Josh.Bernstein@Verizonwireless.com

Location: DocuSign

Signer EventsEric Mann
Eric.Mann@verizonwireless.com
Director, Network Field Engineering
Security Level: Email, Account Authentication
(None)**Signature**DocuSigned by:

FB5E6AEAAAF9445**Timestamp**Sent: 10/14/2021 6:40:38 AM
Viewed: 10/14/2021 7:55:55 AM
Signed: 10/14/2021 7:56:16 AMSignature Adoption: Pre-selected Style
Using IP Address: 69.78.66.89**Electronic Record and Signature Disclosure:**Accepted: 10/14/2021 7:55:55 AM
ID: 48996e31-9568-45df-901d-e309c9c8a072Charika Johnson
vzwsare-1stwitness@verizonwireless.com
Eng II - RE/Regulatory
Security Level: Email, Account Authentication
(None)DocuSigned by:

1A0FF1FEF11B48B...Sent: 10/14/2021 7:56:18 AM
Viewed: 10/14/2021 8:02:25 AM
Signed: 10/14/2021 8:02:41 AMSignature Adoption: Pre-selected Style
Using IP Address: 162.115.44.101**Electronic Record and Signature Disclosure:**Accepted: 10/14/2021 8:02:25 AM
ID: ab89ebb6-f89e-48ed-9930-29d3d6c039edjoseph guyer
vzwsare-2ndWitness@VerizonWireless.com
Engr II Spec-RE/Regulatory
Security Level: Email, Account Authentication
(None)DocuSigned by:

BB1AC63226A044A...Sent: 10/14/2021 8:02:43 AM
Viewed: 10/14/2021 9:26:38 AM
Signed: 10/14/2021 9:27:01 AMSignature Adoption: Pre-selected Style
Using IP Address: 162.115.44.6**Electronic Record and Signature Disclosure:**Accepted: 10/14/2021 9:26:38 AM
ID: aa36d894-4bc4-4421-8ca6-859ea1d4d3bb**In Person Signer Events****Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp**

Carbon Copy Events	Status	Timestamp
--------------------	--------	-----------

Franz Miller
franz.miller@verizonwireless.com
Security Level: Email, Account Authentication (None)
Electronic Record and Signature Disclosure:
Not Offered via DocuSign

COPIED

Sent: 10/14/2021 6:40:38 AM
Viewed: 10/14/2021 10:07:00 AM

Jeff Clark
JEFF.CLARK@MILLERMARTIN.COM
Security Level: Email, Account Authentication (None)
Electronic Record and Signature Disclosure:
Not Offered via DocuSign

COPIED

Sent: 10/14/2021 6:40:39 AM
Viewed: 10/18/2021 1:48:04 PM

Witness Events	Signature	Timestamp
----------------	-----------	-----------

Notary Events	Signature	Timestamp
---------------	-----------	-----------

Envelope Summary Events	Status	Timestamps
-------------------------	--------	------------

Envelope Sent	Hashed/Encrypted	10/14/2021 6:40:39 AM
Certified Delivered	Security Checked	10/14/2021 9:26:38 AM
Signing Complete	Security Checked	10/14/2021 9:27:01 AM
Completed	Security Checked	10/14/2021 9:27:01 AM

Payment Events	Status	Timestamps
----------------	--------	------------

Electronic Record and Signature Disclosure
--

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, VBG Network Real Estate (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact VBG Network Real Estate:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: tricsha.fatakia@verizonwireless.com

To advise VBG Network Real Estate of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at tricsha.fatakia@verizonwireless.com and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from VBG Network Real Estate

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to tricsha.fatakia@verizonwireless.com and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with VBG Network Real Estate

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to trisha.fatakia@verizonwireless.com and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify VBG Network Real Estate as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by VBG Network Real Estate during the course of your relationship with VBG Network Real Estate.



Special Exceptions

“A special exception use is one which is not permitted by right, but which may be permitted after a public hearing by the board of zoning appeals and all conditions stated in this chapter are met. The zoning chapter lists, by zoning district, those uses that may be allowed by right or by special exception. Uses that are included or fit the intent of these lists will be considered in each zoning district. Chapter 38-212 of the Oconee County Code of Ordinances.

See the Oconee County Code of Ordinances for a comprehensive list of uses that require a special exception hearing.

Requesting a special exception requires a public hearing, through the Board of Zoning Appeals. These hearings are generally held once per month on the fourth Monday. During this hearing the applicant, or their assignee, may speak to the Board regarding their request. Neighbors and citizens are given an opportunity to speak in-favor, or against, the special exception. The public is notified about the request in following ways:

1. Signs or signage on ,adjacent and near the property that the special exception is being requested for.
2. A direct mailing to all property owners within a 250’ radius of the property that the special exception is being requested for.
3. An advertisement in a newspaper at least 21 calendar days before the meeting.

The language from the Code of Ordinances regarding Special Exceptions is as follows:

Sec. 38-7.2. - Special exceptions. The board of zoning appeals may grant a special exception only if it finds adequate evidence that any proposed development will meet all of the following general requirements as well as any specific

requirements and standards listed for the proposed use. The board of zoning appeals shall among other things require that any proposed use and location be:

(1) In accordance with the comprehensive plan and is consistent with the spirit, purposes, and the intent and specific requirements of this chapter, to include the definition and intent of the district in which the special exception is being requested;

(2) In the best interests of the county, the convenience of the community and the public welfare;

(3) Suitable for the property in question, and designed, constructed, operated, and maintained so as to be in harmony with and appropriate in appearance to the existing or intended character of the general vicinity;

(4) Suitable in terms of effects on highway traffic, parking and safety with adequate access arrangements to protect streets from undue congestion and hazards.

The developer shall have the burden of providing evidence to the county of compliance with the general requirements of this chapter and the specific requirements of the applicable section. The board of zoning appeals may impose whatever reasonable conditions it deems necessary to ensure that any proposed development will comply substantially with the objectives in this chapter

This document is for informational purposes only and does not supersede or supplant any information within the current code of ordinances. Speak with the Planning & Zoning department for the most accurate information.

Printed August 2018

OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street –Walhalla, SC



Tel: (864)638-4218 FAX (864) 638-4168

APPLICATION FOR SPECIAL EXCEPTION

OCONEE COUNTY, SC

APPLICANT: Cellco Partnership d/b/a Verizon Wireless

Name

Title/Organization

MAILING ADDRESS: 8921 RESEARCH DR, Charlotte, NC 28262
(if different from owner)

PHONE (if different from owner): cell: Victoria M. Farmer, Zoning Specialist PH: 423-802-7847

email: Victoria.Farmer@faulkandfoster.com

land line: _____

PROPERTY OWNER KBM Property Holding, RLNB

MAILING ADDRESS: 4250 Bakers Farm Place SE, Atlanta, GA

PHONE: cell: 404-992-8812 email: katherine.b.maxwell@gmail.com

land line: _____

PROPERTY INFORMATION

STREET ADDRESS: Hopewell Church Road, Westminster, SC

TAX PARCEL # 285-00-05-001 DEED BOOK/PAGE: 1724/261

ZONING DESIGNATION: CFD ACREAGE: 23.51

REQUEST

CODE SECTION FROM WHICH A SPECIAL EXCEPTION IS REQUESTED: See below

DESCRIPTION OF REQUEST:

Oconee County, SC ARTICLE IV. - COMMUNICATION TOWERS
Sec. 32-133. - Communications tower and antenna permitted.

(b) Special exceptions granted by the board. Other than as permitted by section 32-133(a), communication towers are permitted in the county for use only as a special exception.

Instructions:

1. The applicant/owner must respond to the “findings” questions on page 3 of this application (you must answer “why” you believe the application meets the tests for the granting of a Special Exception). See also Section 38-7.2 for additional information. You may attach a separate sheet addressing these questions.
2. You must attach a scaled drawing of the property that reflects, at a minimum, the following:
 - (a) property lines, existing buildings, and other relevant site improvements; (b) the nature (and dimensions) of the requested variance; (c) existing buildings and other relevant improvements on adjacent properties; and, (d) topographic, natural features, etc. relevant to the requested variance.
3. Include additional documentation to support the request as necessary.
4. The Zoning Administrator will review the application for sufficiency prior to placing the application on the BZA agenda. If the application does not provide sufficient information, the administrator will contact the applicant to request that the applicant provide the required information. You are encouraged to schedule an application conference with a planner, who will review your application at the time it is submitted to insure the necessary materials is provided.
5. The applicant and/or property owner affirms that the applicant or someone acting on the applicant’s behalf has made a reasonable effort to determine whether a deed or other document places one or more restrictions on the property that preclude or impede the intended use and has found no record of such a restriction.

If the Community Development office by separate inquiry determines that such a restriction exists, it shall notify the applicant. If the applicant does not withdraw or modify the application in a timely manner, or at to have the restriction terminated or waived, then the Community Development office will indicate in its report to the Board of Zoning Appeals that granting the requested change would not likely result in the benefit the applicant seeks.

To that end, the applicant hereby affirms that the tract or parcel of land which is subject of the attached application is is not restricted by any recorded

covenant that is contrary to, conflicts with, or prohibits the requested activity.

_____ Applicant Signature

2/21/22 _____ Date

_____ Property Owner Signature

_____ Date

**APPLICANT RESPONSES TO
SECTION 38-7.2
(You may attach a separate sheet)**

1. The request is in accordance with the comprehensive plan and is consistent with the spirit, purposes, and the intent and specific requirements of this chapter, to include the definition and intent of the district in which the special exception is being requested.

Confirmed. The proposed wireless telecommunications facility is to be located on property located in a control free district as defined in Section 38-10.2. and meets the design requirements contained therein.

2. The request is in the best interests of the county, the convenience of the community and the public welfare.

Confirmed. Wireless service is considered a public necessity in some cases as it is often the only means citizens have to emergency services. The proposed facility will meet the infrastructure needs of this area and will provide much needed access to emergency services

3. The request is suitable for the property in question, and designed, constructed, operated, and maintained so as to be in harmony with and appropriate in appearance to the existing or intended character of the general vicinity.

Confirmed.

The site as proposed in the accompanying site plans provided with this application will be in harmony with the area in which it is to be located.

4. The request is suitable in terms of effects on highway traffic, parking and safety with adequate access arrangements to protect streets from undue congestion and hazards.

Confirmed. The access drive proposed with this project will have minimal impact on regular traffic along Hopewell Church Road and upon completion will not cause undue congestion or hazards upon the surrounding area.

Variance application #VA 21-011-Continuation from 1/24/2022 BZA hearing postponement: Ridgewater Engineering and Surveying – Joe Meaders is requesting an 18.1’ variance from the 50’ Right of Way for the entrance of the subdivision due to the end of the existing road not making full access into the property and only having a prescriptive ditch to ditch right-of-way. TMS # 150-00-01-459 an unaddressed parcel with the closest address of 599 Ellenburg Rd, Seneca, SC 29672.

TMS# 150-00-01-100
Ratliff, Frances J. et al
Deed 1941 pg. 304
Plat P-39 pg. 61

PARCEL LINE
PER OCONEE
COUNTY GIS

4,864 SF
0.112 ACRES

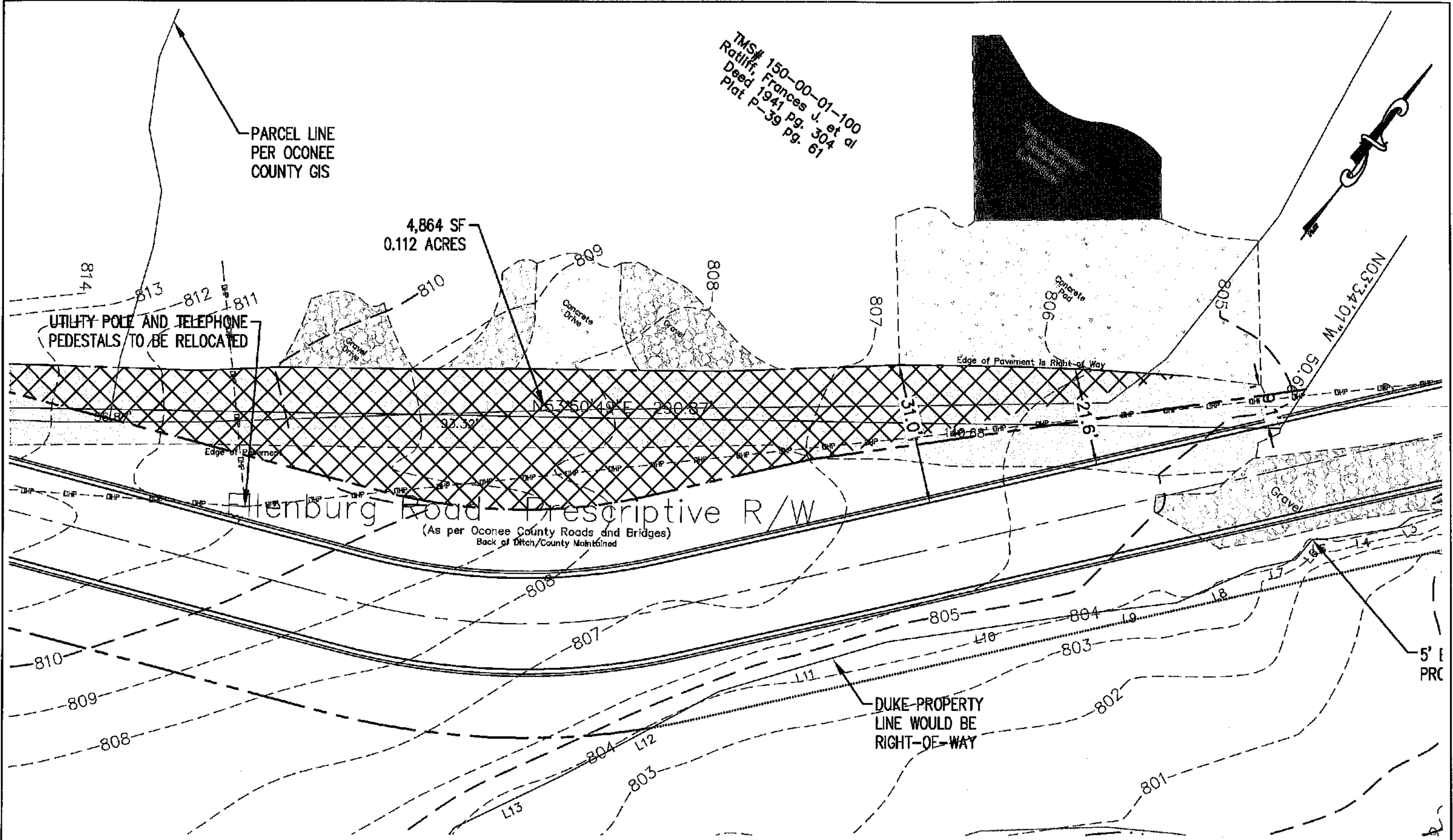
UTILITY POLE AND TELEPHONE
PEDESTALS TO BE RELOCATED

Ellenburg Road Prescriptive R/W
(As per Oconee County Roads and Bridges)
Back of Ditch/County Maintained

DUKE-PROPERTY
LINE WOULD BE
RIGHT-OF-WAY

Site Plan
SCALE: 1"=20'

Arrowhead Point
Project # 1764.1 3/21/22



ZONING REQUIREMENTS:

SITE ZONING: CFD
OVERLAY DISTRICT: KEOWEE/JOCASSEE OVERLAY

BUILDING SETBACKS:	FRONT	RIGHT	LEFT	REAR
	25'	5'	5'	10'
				UNLESS NOTED OTHERWISE
				25' VEGETATIVE BUFFER TAKES PRECEDENCE OVER THE 10' REAR SETBACK LINE WHERE APPLICABLE.

- 10' (5' EITHER SIDE) DRAINAGE AND UTILITY EASEMENT ON SIDE LOT LINES
 - PROPERTY LINE ALONG LAKE KEOWEE IS ALONG THE 800' MSL CONTOUR
 - DUKE ENERGY FLOOD EASEMENT TO THE 810' MSL CONTOUR
 - 25' NATURAL VEGETATIVE BUFFER RESERVED BY OCOONEE CO. ALONG LAKE KEOWEE FULL POOL (800' MSL CONTOUR)

19 TOTAL LOTS
 MINIMUM LOT SIZE = 21,780 SQ. FT. (1/2 ACRE)
 MINIMUM LOT WIDTH = 80 FT.

ROAD NOTE:
 THE ROAD RIGHT-OF-WAY SHOWN ON THIS PLAN SHALL BE PUBLIC, TO BE OWNED AND MAINTAINED BY OCOONEE COUNTY ROADS AND BRIDGES DEPARTMENT.

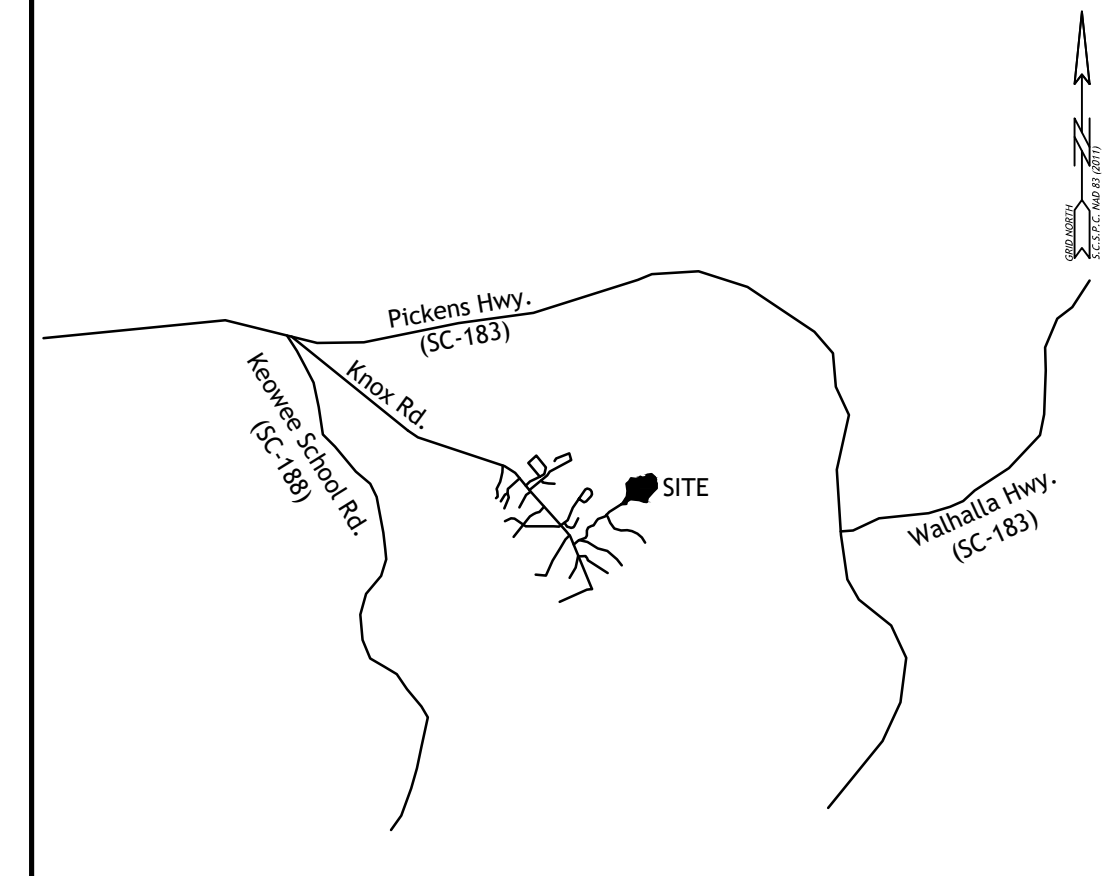
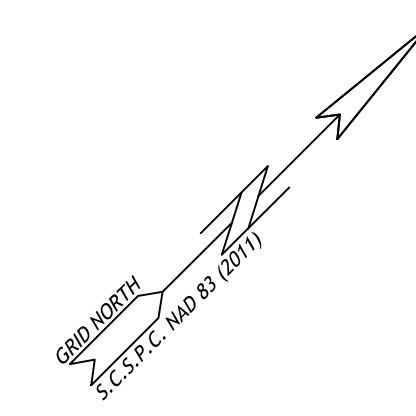
NOTE:
 NO COUNTY BUILDING PERMITS SHALL BE ISSUED FOR PROJECTS ON INDIVIDUAL LOTS PRIOR TO THE RECORDING OF A FINAL PLAT IN THE OFFICE OF THE REGISTER OF DEEDS.

25' VEGETATIVE BUFFER
 25' TAKEN FROM 800' CONTOUR LINE/PROPERTY LINE. THIS BUFFER TAKES PRECEDENCE OVER THE 10' REAR SETBACK LINE WHERE APPLICABLE.

EXISTING CONTOUR NOTE:
 TOPOGRAPHIC SURVEY PROVIDED BY WILLIAM HUTCHINS PLS. 906 FREEMAN RD. LIBERTY SC 29657

UTILITY NOTE:
 ALL LOTS TO UTILIZE PUBLIC WATER (WALHALLA WATER) AND INDIVIDUAL SEPTIC TANKS.

- EXISTING**
- IRON PIN, OLD, FOUND ●
 - NAIL OR NAIL & BOTTLE CAP (NEW UNLESS NOTED) ○
 - COMPUTED POINT △
 - OVER HEAD POWER — OHP —
 - OVER HEAD POWER & TELEPHONE — OHPT —
 - FIBER OPTIC CABLE — FOC —
 - UTILITY POLE ○
 - GUY WIRE △
 - PROPERTY LINE ———
 - ADJACENT PROPERTY LINE - - - - -
 - WETLANDS ———



LOCATION MAP

SKETCH PLAN

OWNER'S CERTIFICATION

As the owner of this land, as shown on this sketch plan, I certify that this drawing was made from an actual survey, and accurately portrays the existing land and its features and the proposed development and improvements thereon.

Date: _____
 [Owner] [Agent] [Name]: _____
 Signed: _____

DESIGN PROFESSIONAL CERTIFICATION

It is hereby certified that this sketch plat was prepared using a survey of the property prepared by William Hutchins, PLS, and dated 9-15-21; And further that the proposed subdivision meets all requirements of the Ocoonee County Development Standards Ordinance, as applicable to the property.

By Name: _____
 Signed: _____
 Registered Professional No. _____
 Address: _____
 Telephone No. _____
 Date: _____

CERTIFICATE OF PROJECT APPROVAL

All applicable requirements of the Ocoonee County Development Standards Ordinance relative to Project Approval having been fulfilled, approval of this sketch plan is hereby granted by the Manager or the Subdivision Administrator, subject to further compliance with all provision of said development regulations.

Manager or Subdivision Administrator: _____
 Date: _____

TMS # 150-00-01-459
 D.B. 1695, PAGE 87
 P.B. B291, PAGE 1

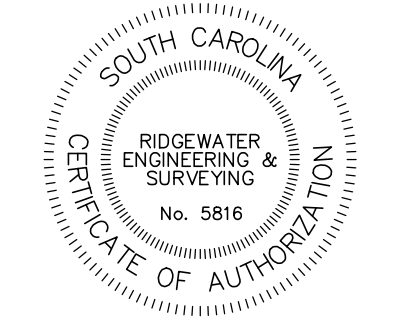
Arrowhead Point

Lake Keowee Development Group Inc. 896 N. Walnut St. Seneca, SC 29678
 Ridgewater Engineering & Surveying, LLC P.O. Box 806 Anderson SC 29622

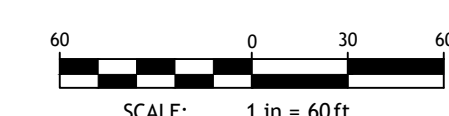
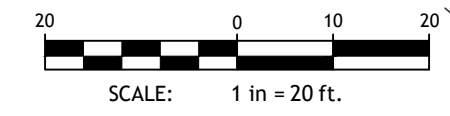
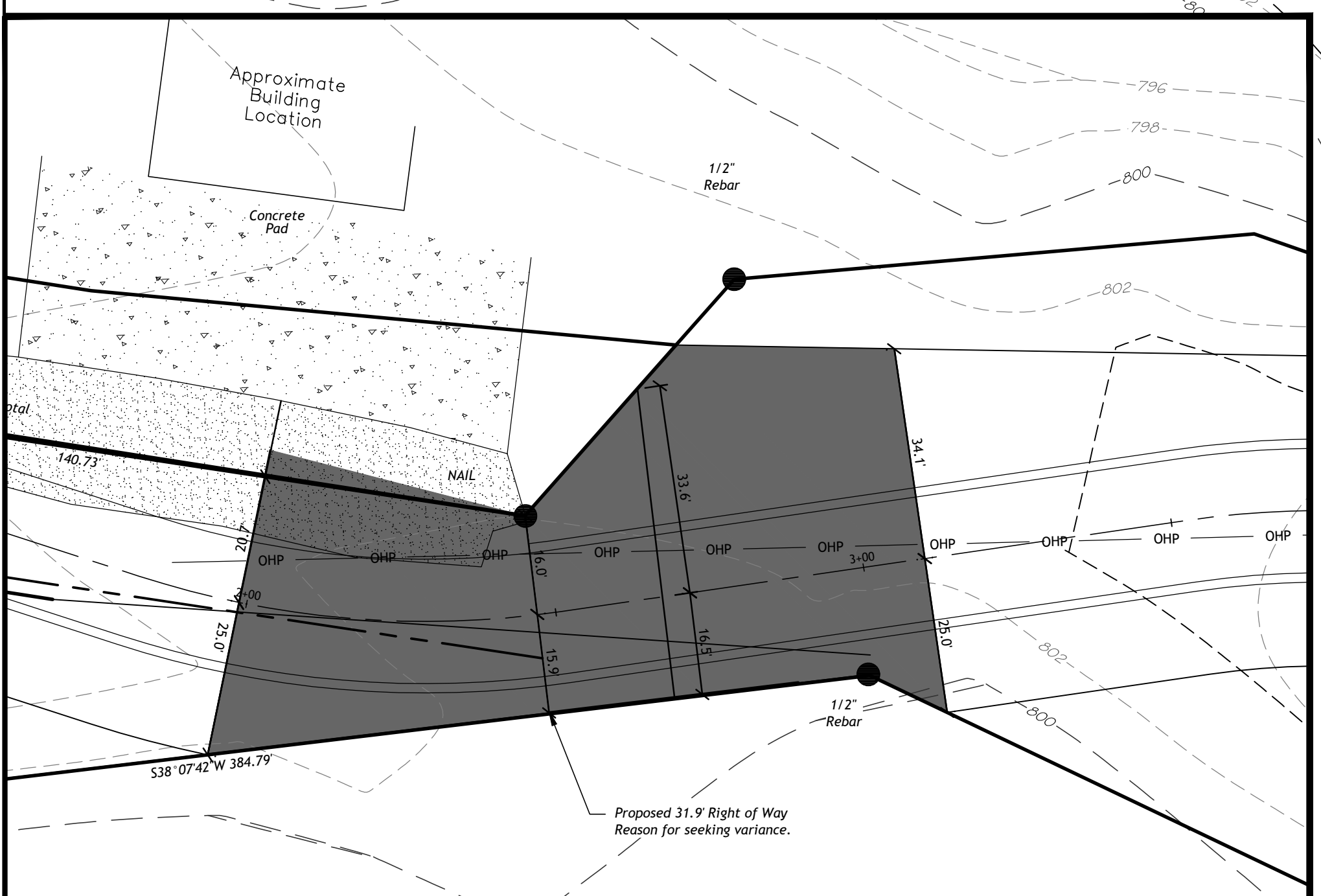
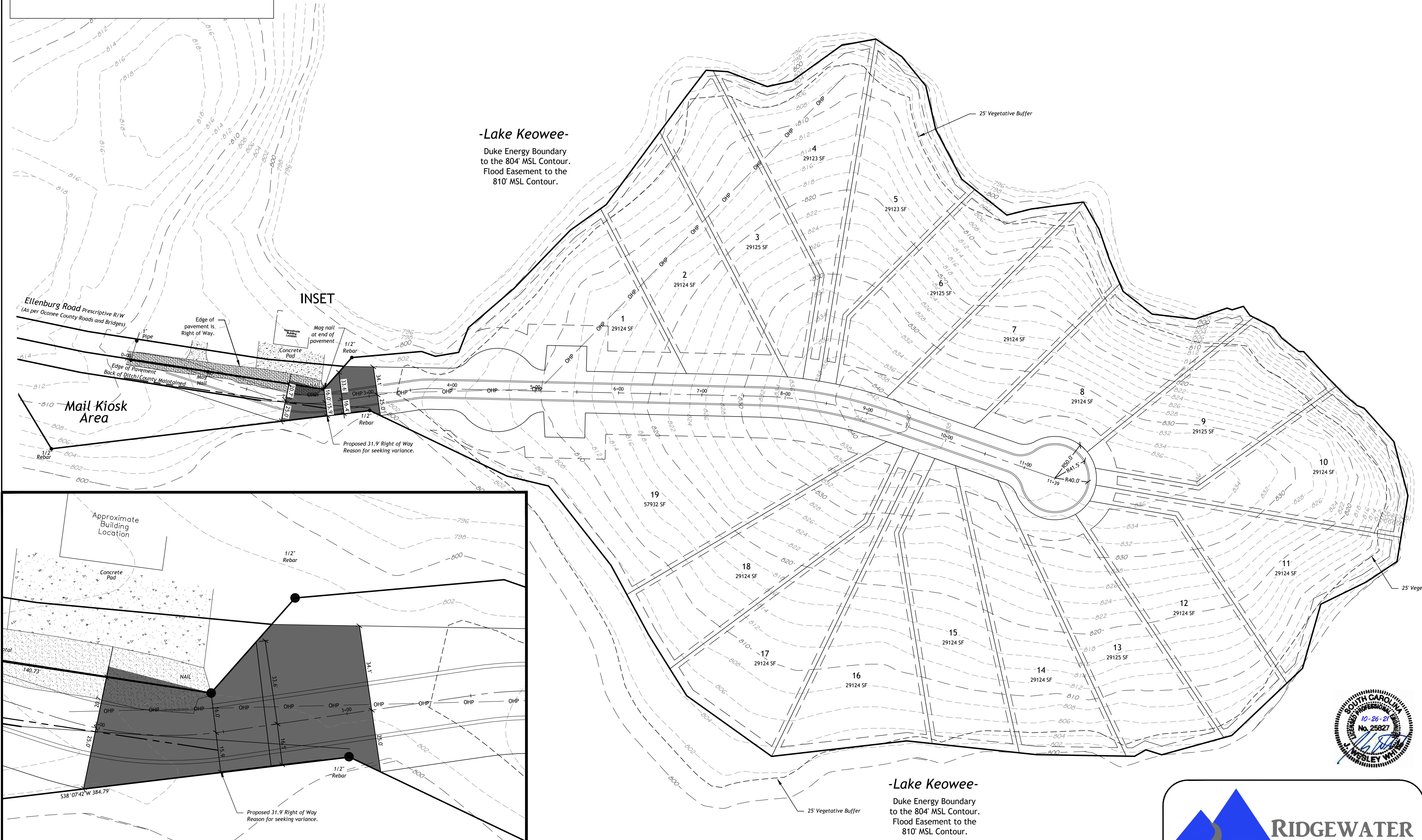
OWNER ENGINEER OR SURVEYOR

NO. OF ACRES: ±15.37 MILES OF NEW ROADS: ±1140 LF
 NO. OF LOTS: 19 DATE: 10-26-2021
 ZONE: CFD
 OVERLAY DISTRICT: KEOWEE/JOCASSEE OVERLAY

DRAWN BY: KOC
 CHECKED: JWJW
 JOB NUMBER: 21286
 REVISIONS: 0
 SKETCH-PLAN



THIS DRAWING AND THE DESIGN SHOWN THEREON ARE THE PROPERTY OF RIDGEWATER ENGINEERING & SURVEYING, LLC. THE REPRODUCTION, COPYING OR USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED AND ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.



ZONING REQUIREMENTS:

SITE ZONING: CFD				
OVERLAY DISTRICT: KEOWEE/JOCASSEE OVERLAY				
BUILDING SETBACKS:	FRONT	RIGHT	LEFT	REAR
	25'	5'	5'	10'
				UNLESS NOTED OTHERWISE
				25' VEGETATIVE BUFFER TAKES PRECEDENCE OVER THE 10' REAR SETBACK LINE WHERE APPLICABLE.

- 10' (5' EITHER SIDE) DRAINAGE AND UTILITY EASEMENT ON SIDE LOT LINES
 - PROPERTY LINE ALONG LAKE KEOWEE IS ALONG THE 800' MSL CONTOUR
 - DUKE ENERGY FLOOD EASEMENT TO THE 810' MSL CONTOUR
 - 25' NATURAL VEGETATIVE BUFFER RESERVED BY OCONEE CO. ALONG LAKE KEOWEE FULL POOL (800' MSL CONTOUR)

19 TOTAL LOTS
 MINIMUM LOT SIZE = 21,780 SQ. FT. (1/2 ACRE)
 MINIMUM LOT WIDTH = 80 FT.

ROAD NOTE:
 THE ROAD RIGHT-OF-WAY SHOWN ON THIS PLAN SHALL BE PUBLIC, TO BE OWNED AND MAINTAINED BY OCONEE COUNTY ROADS AND BRIDGES DEPARTMENT.

NOTE:
 NO COUNTY BUILDING PERMITS SHALL BE ISSUED FOR PROJECTS ON INDIVIDUAL LOTS PRIOR TO THE RECORDING OF A FINAL PLAT IN THE OFFICE OF THE REGISTER OF DEEDS.

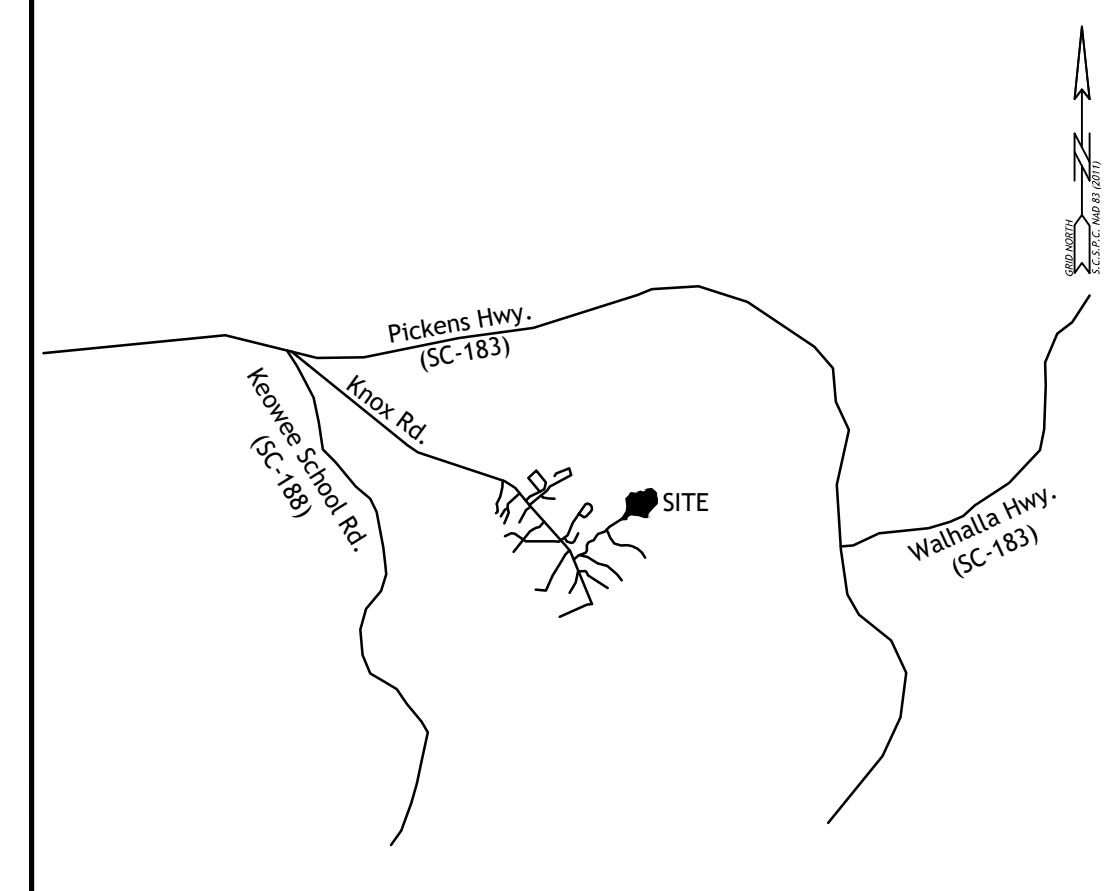
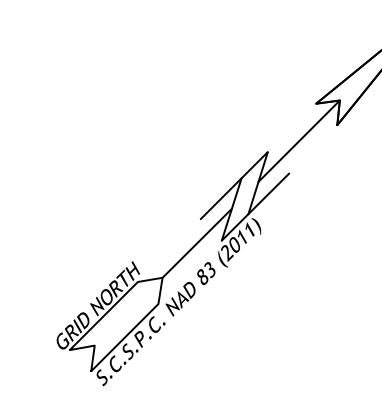
25' VEGETATIVE BUFFER
 25' TAKEN FROM 800' CONTOUR LINE/PROPERTY LINE. THIS BUFFER TAKES PRECEDENCE OVER THE 10' REAR SETBACK LINE WHERE APPLICABLE.

EXISTING CONTOUR NOTE:
 TOPOGRAPHIC SURVEY PROVIDED BY WILLIAM HUTCHINS PLS. 906 FREEMAN RD. LIBERTY SC 29657

UTILITY NOTE:
 ALL LOTS TO UTILIZE PUBLIC WATER (WALHALLA WATER) AND INDIVIDUAL SEPTIC TANKS.

EXISTING

- IRON PIN, OLD, FOUND ●
- NAIL OR NAIL & BOTTLE CAP (NEW UNLESS NOTED) ○
- COMPUTED POINT △
- OVER HEAD POWER — OHP —
- OVER HEAD POWER & TELEPHONE — OHPT —
- FIBER OPTIC CABLE — FOC —
- UTILITY POLE ○
- GUY WIRE △
- PROPERTY LINE ———
- ADJACENT PROPERTY LINE - - - - -
- WETLANDS ———



LOCATION MAP

SKETCH PLAN

OWNER'S CERTIFICATION

As the owner of this land, as shown on this sketch plan, I certify that this drawing was made from an actual survey, and accurately portrays the existing land and its features and the proposed development and improvements thereon.

Date: _____
 [Owner] [Agent] [Name]: _____
 Signed: _____

DESIGN PROFESSIONAL CERTIFICATION

It is hereby certified that this sketch plat was prepared using a survey of the property prepared by William Hutchins, PLS, and dated 9-15-21; And further that the proposed subdivision meets all requirements of the Oconee County Development Standards Ordinance, as applicable to the property.

By Name: _____
 Signed: _____
 Registered Professional No. _____
 Address: _____
 Telephone No. _____
 Date: _____

CERTIFICATE OF PROJECT APPROVAL

All applicable requirements of the Oconee County Development Standards Ordinance relative to Project Approval having been fulfilled, approval of this sketch plan is hereby granted by the Manager or the Subdivision Administrator, subject to further compliance with all provision of said development regulations.

Manager or Subdivision Administrator: _____
 Date: _____

TMS # 150-00-01-459
 D.B. 1695, PAGE 87
 P.B. B291, PAGE 1

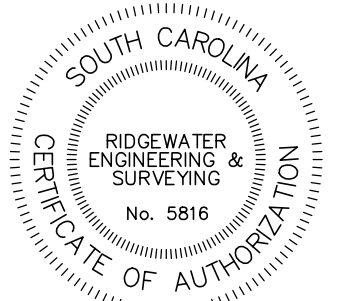
Arrowhead Point

Lake Keowee Development Group Inc. Ridgewater Engineering & Surveying, LLC
 896 N. Walnut St. P.O. Box 806
 Seneca, SC 29678 Anderson SC 29622

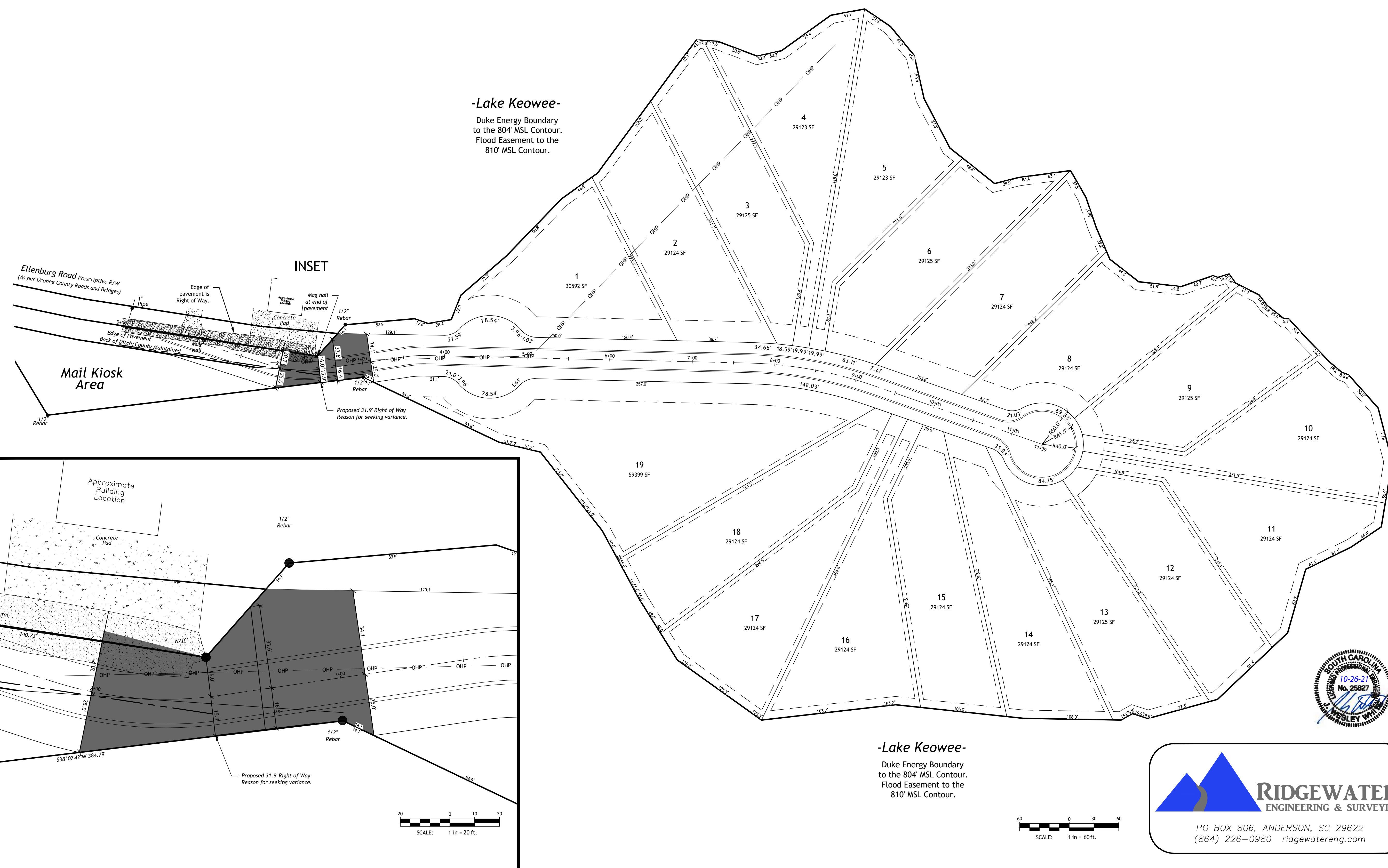
OWNER ENGINEER OR SURVEYOR

NO. OF ACRES: ±15.37 MILES OF NEW ROADS: ±1140 LF
 NO. OF LOTS: 19 DATE: 10-26-2021
 ZONE: CFD
 OVERLAY DISTRICT: KEOWEE/JOCASSEE OVERLAY

DRAWN BY: KOC
 CHECKED: JWW
 JOB NUMBER: 21286
 REVISIONS: 0
 SKETCH-PLAN

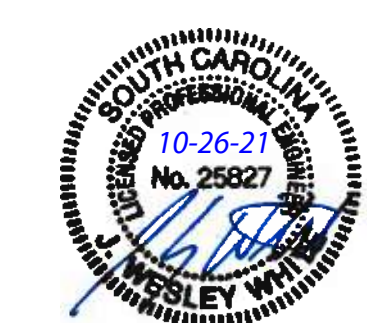


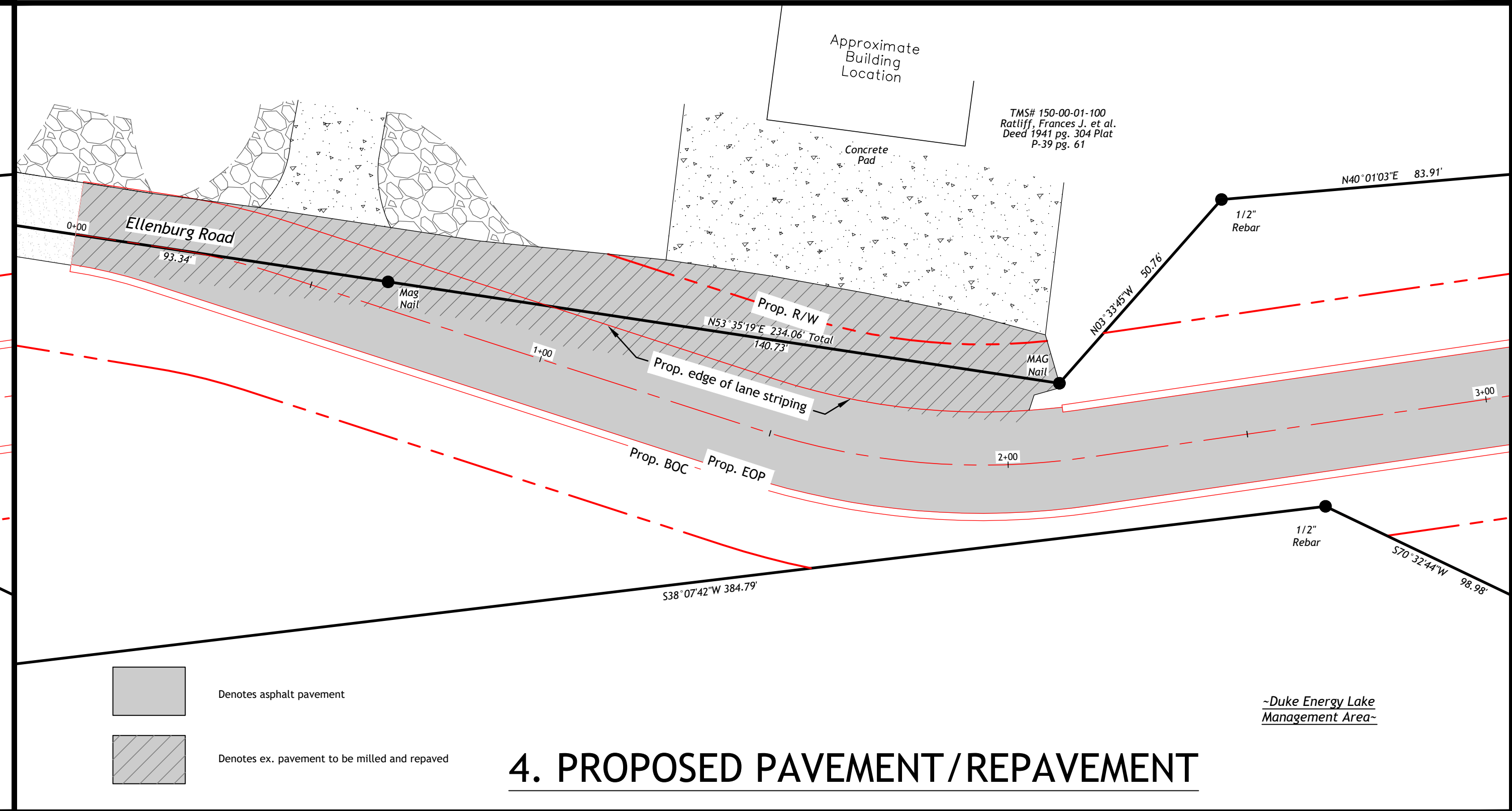
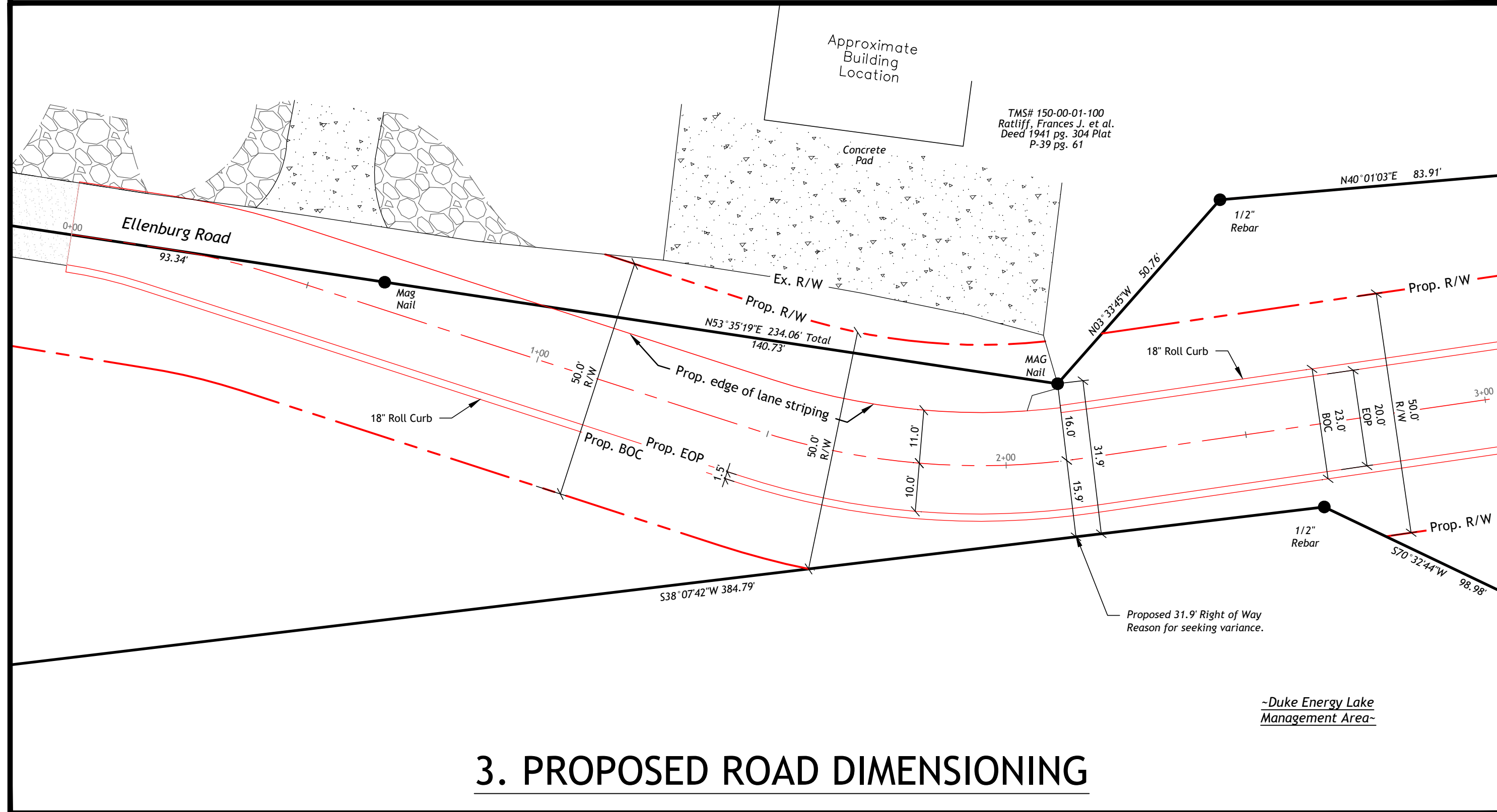
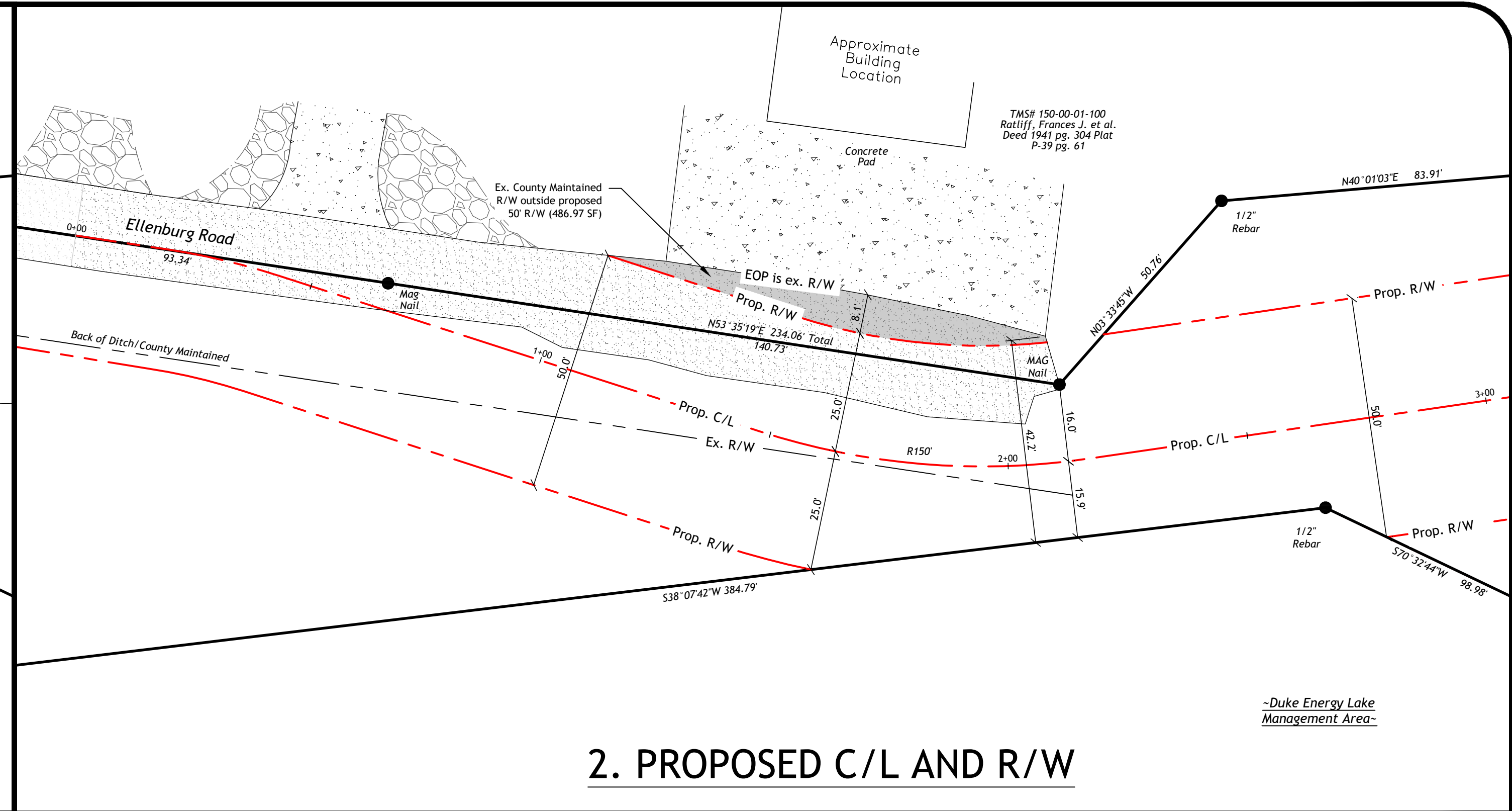
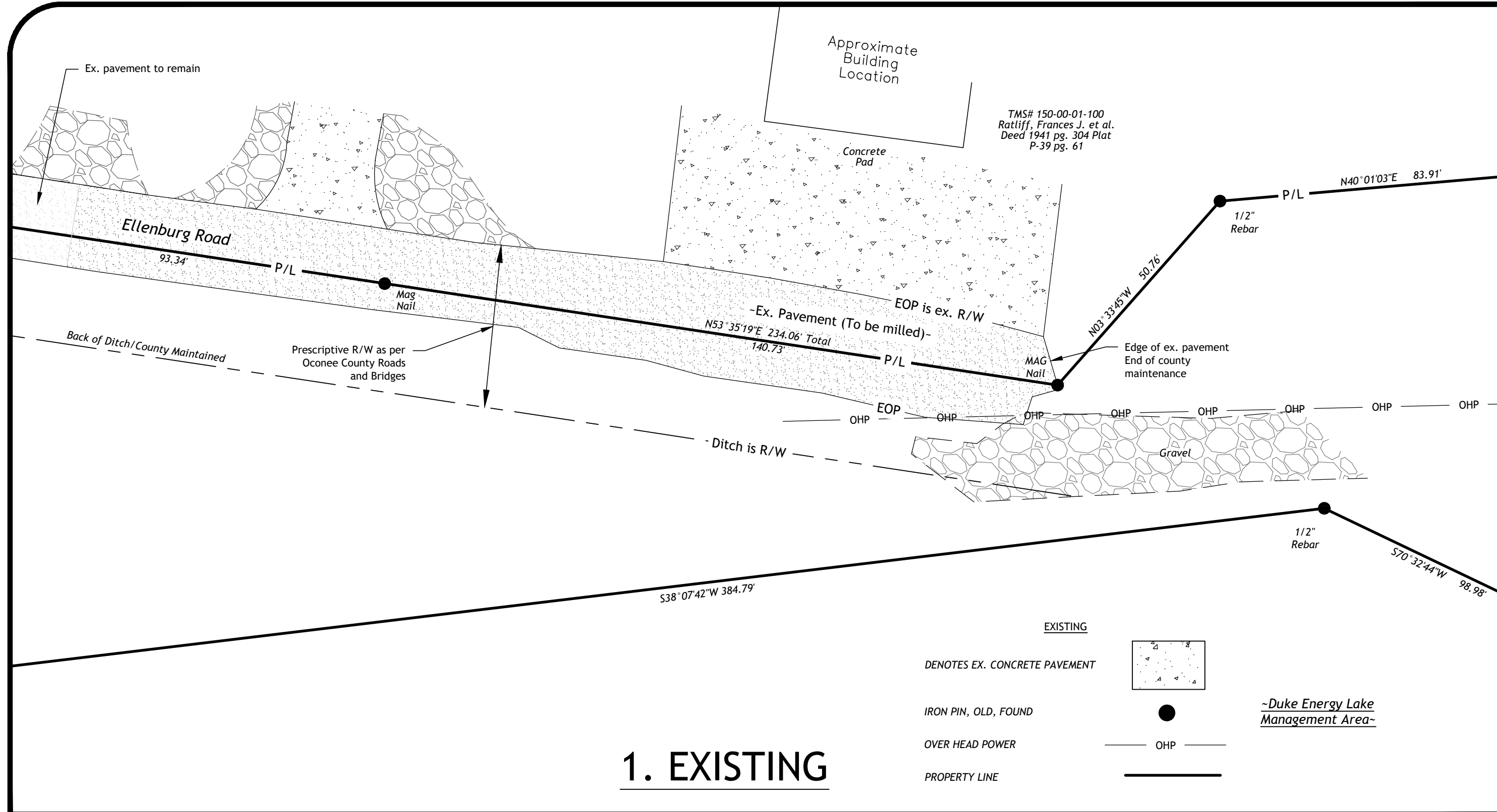
THIS DRAWING AND THE DESIGN SHOWN THEREON ARE THE PROPERTY OF RIDGEWATER ENGINEERING & SURVEYING, LLC. THE REPRODUCTION, COPYING OR USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED AND ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.



-Lake Keowee-
 Duke Energy Boundary to the 804' MSL Contour. Flood Easement to the 810' MSL Contour.

-Lake Keowee-
 Duke Energy Boundary to the 804' MSL Contour. Flood Easement to the 810' MSL Contour.



EXISTING
 DENOTES EX. CONCRETE PAVEMENT
 IRON PIN, OLD, FOUND
 OVER HEAD POWER
 PROPERTY LINE

Denotes asphalt pavement
 Denotes ex. pavement to be milled and repaved

SITE LEGEND

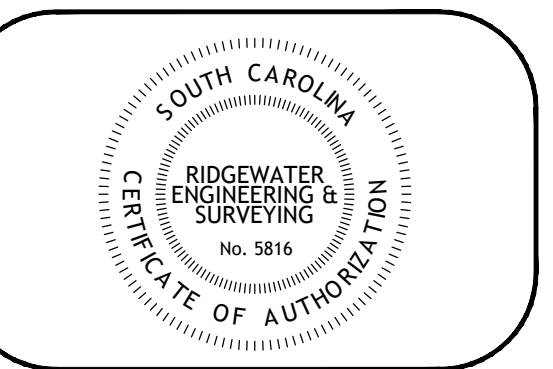
- C/L Centerline of Road
- EOP Edge of pavement
- BOC Back of curb
- R/W Right-of-way
- R Radius
- Prop. Proposed
- Ex. Existing

RIDGEWATER
ENGINEERING & SURVEYING

PO BOX 806
ANDERSON, SC 29622
(864) 226-0980
RIDGEWATERENG.COM

SCALE: 1 in = 20 ft.

THIS DRAWING AND THE DESIGN SHOWN THEREON ARE THE PROPERTY OF RIDGEWATER ENGINEERING & SURVEYING, LLC. THE REPRODUCTION, COPYING OR USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED AND ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.



Arrowhead Point

Oconee County, South Carolina

DRAWN BY: KOC
 CHECKED: JWW
 JOB NUMBER: 21286

REV #	DATE	COMMENT
0	11-24-21	ISSUE FOR REVIEW
...
...
...
...

SHEET

Variance Request

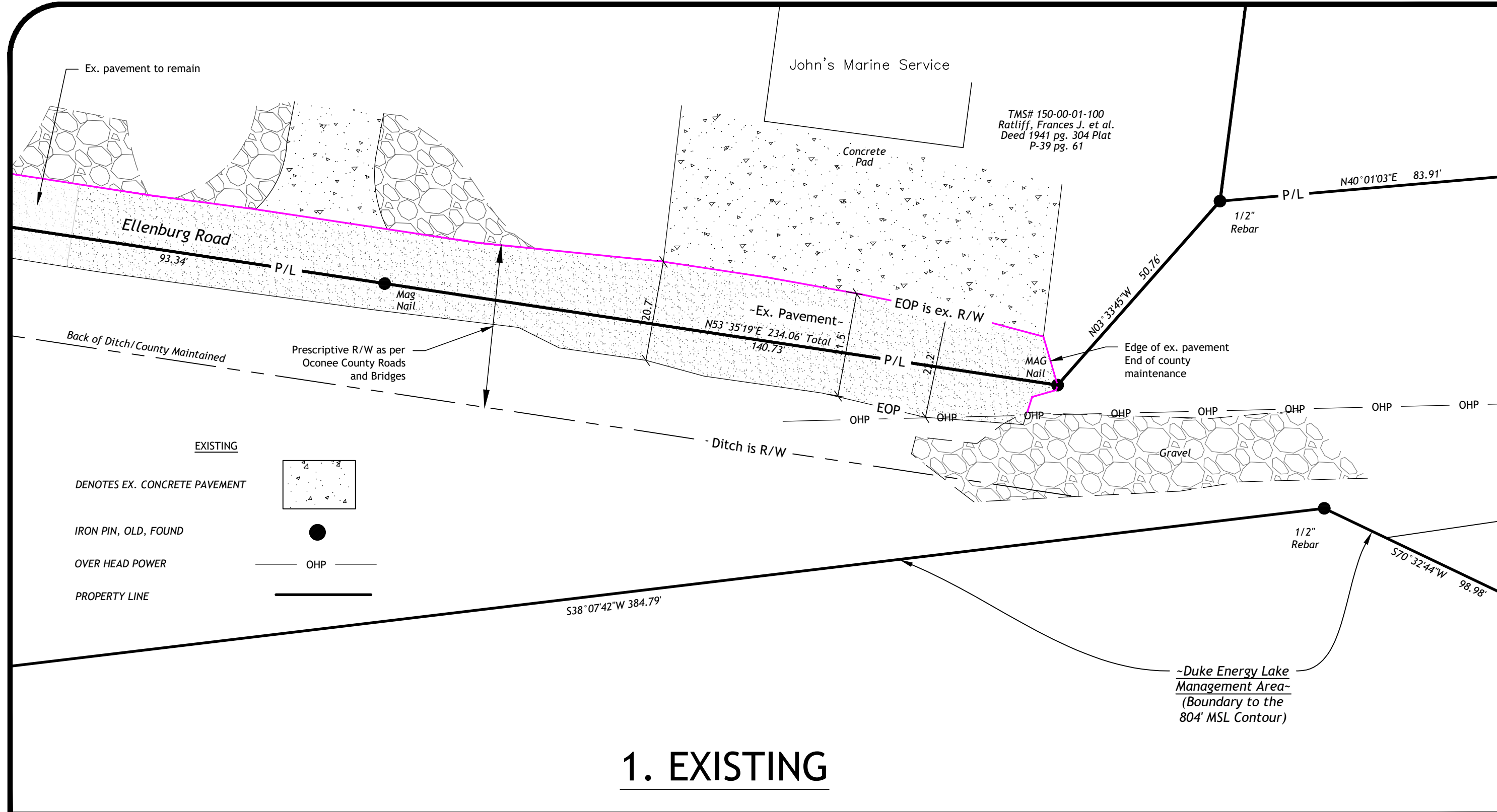
C - 2

CAUTION

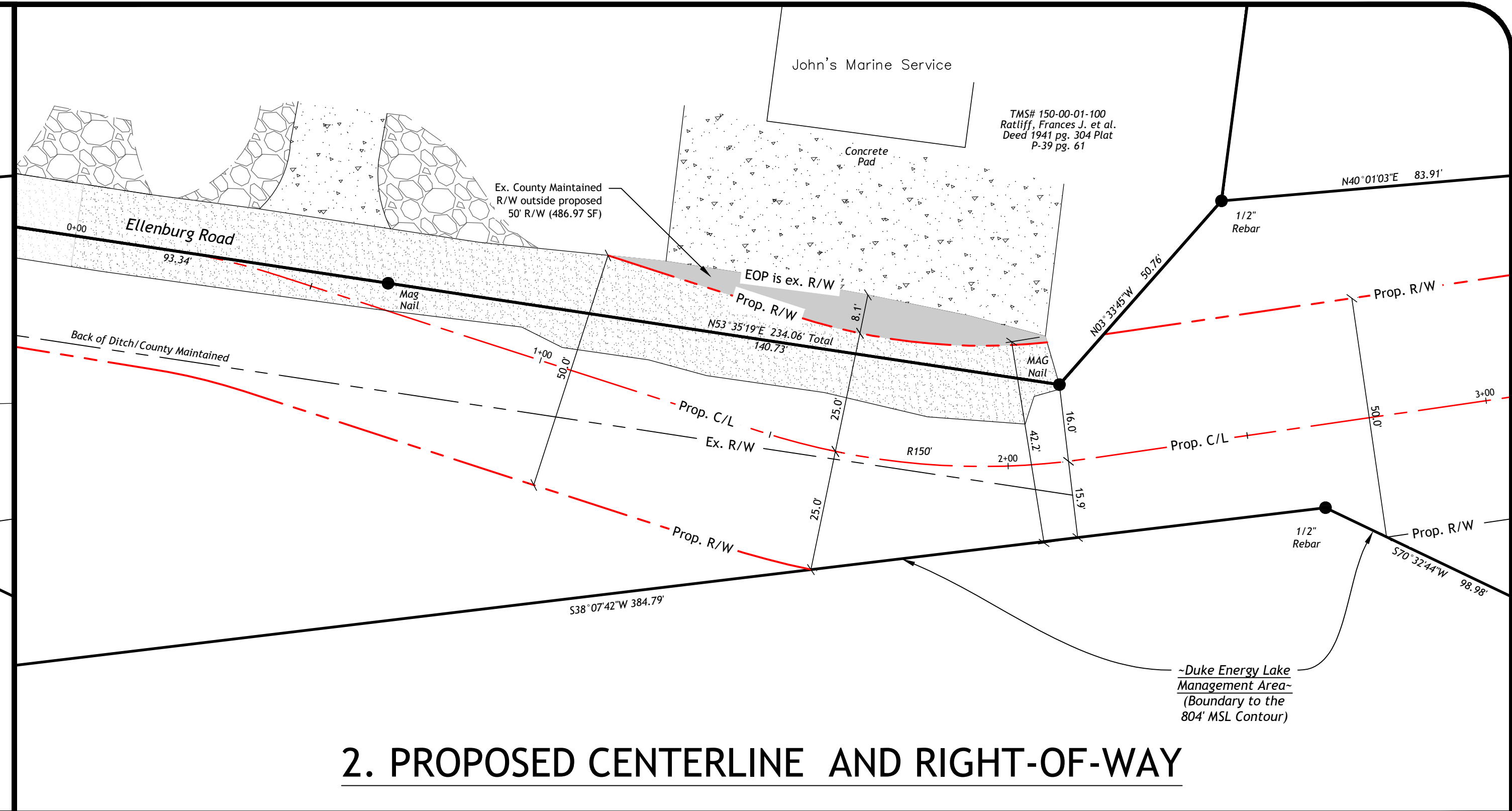
PALMETTO UTILITY LOCATION SERVICE

3 DAYS BEFORE DIGGING CALL TOLL FREE 811

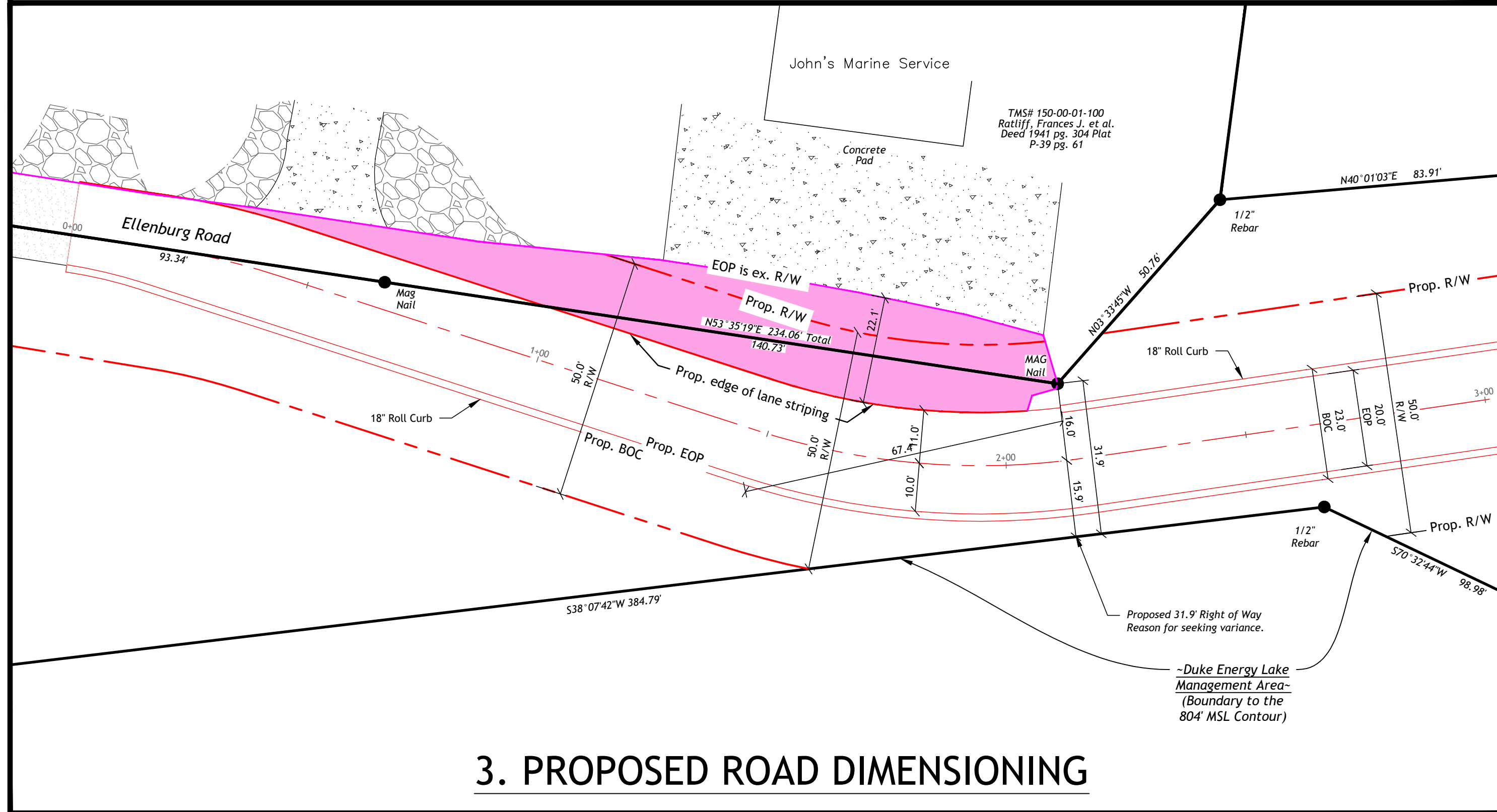
A ONE CALL SYSTEM FOR COMMUNITY AND JOB SAFETY.



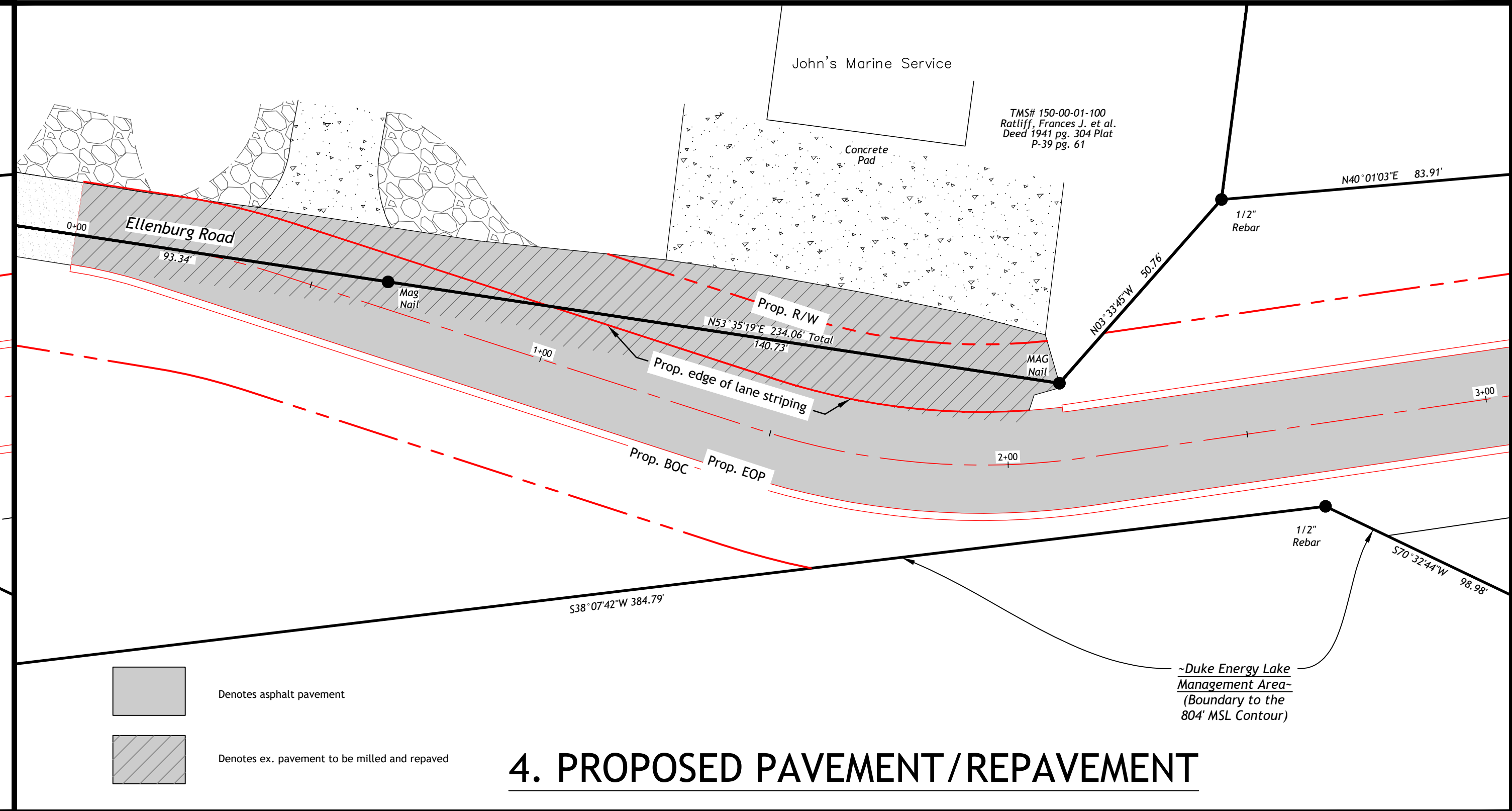
1. EXISTING



2. PROPOSED CENTERLINE AND RIGHT-OF-WAY



3. PROPOSED ROAD DIMENSIONING



4. PROPOSED PAVEMENT/REPAVEMENT

Denotes asphalt pavement
Denotes ex. pavement to be milled and repaved

SITE LEGEND

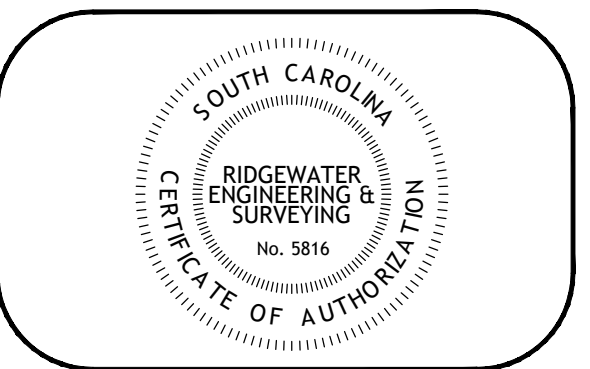
- C/L Centerline of Road
- EOP Edge of pavement
- BOC Back of curb
- R/W Right-of-way
- R Radius
- Prop. Proposed
- Ex. Existing

RIDGEWATER
ENGINEERING & SURVEYING

PO BOX 806
ANDERSON, SC 29622
(864) 226-0980
RIDGEWATERENG.COM

SCALE: 1 in = 20 ft.

THIS DRAWING AND THE DESIGN SHOWN THEREON ARE THE PROPERTY OF RIDGEWATER ENGINEERING & SURVEYING, LLC. THE REPRODUCTION, COPYING OR USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED AND ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.



Arrowhead Point

Oconee County,
South Carolina

DRAWN BY: KOC
CHECKED: JWW
JOB NUMBER: 21286

REV #	DATE	COMMENT
0	11-24-21	ISSUE FOR REVIEW
1	11-29-21	PLANNING COMMISSION MTG.
...
...
...

SHEET

Variance
Request

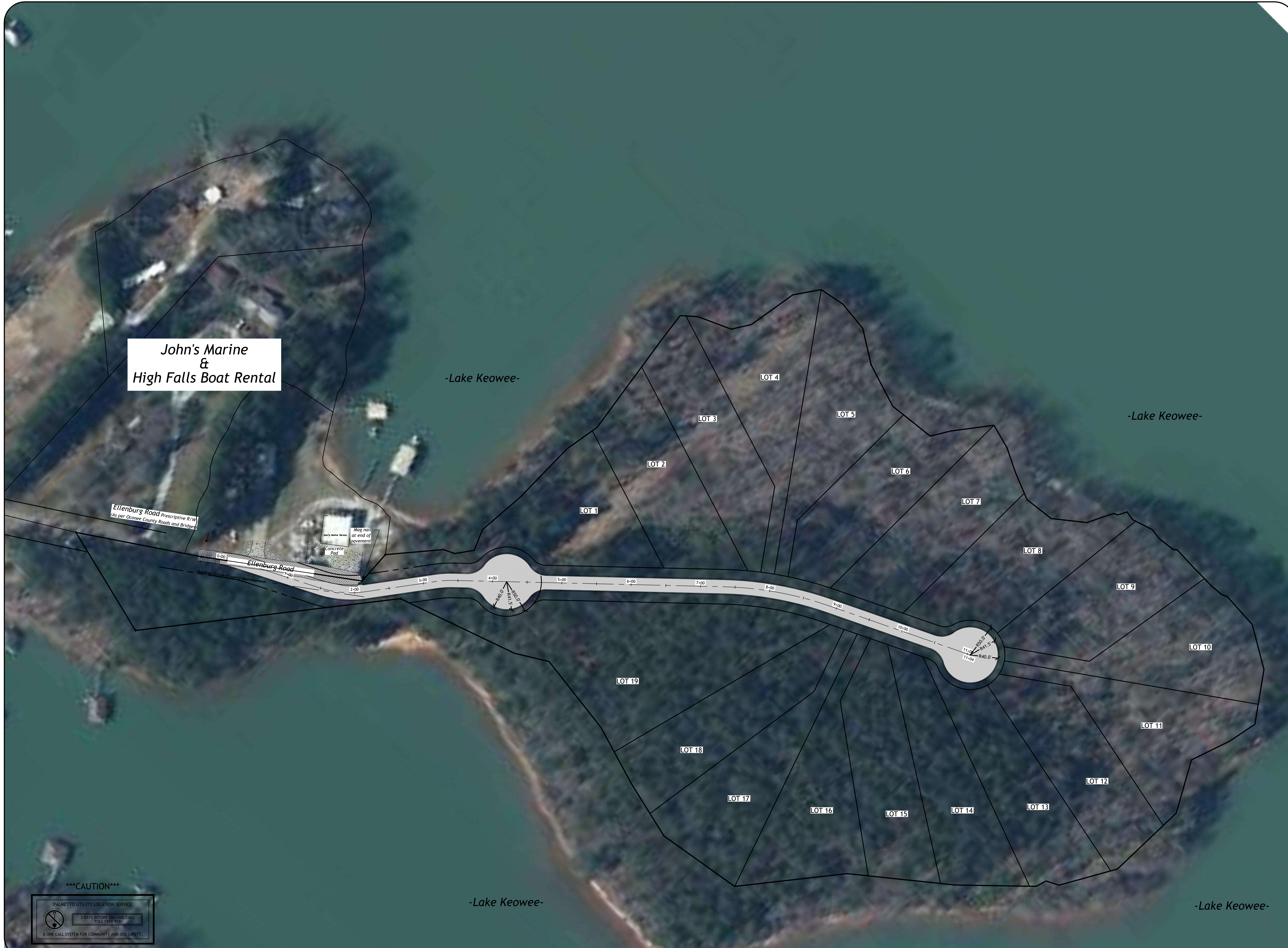
C - 2

CAUTION

PALMETTO UTILITY LOCATION SERVICE

3 DAYS BEFORE DIGGING CALL
TOLL FREE 811

A ONE CALL SYSTEM FOR COMMUNITY AND JOB SAFETY.

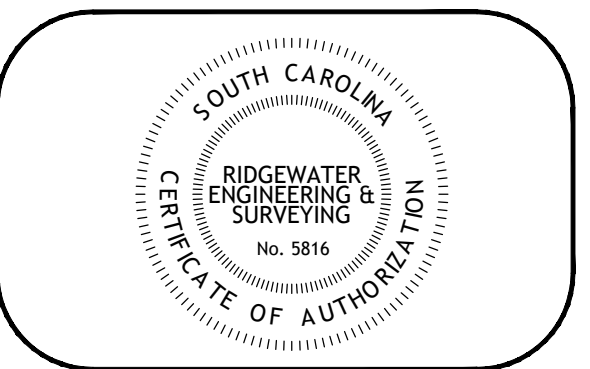


RIDGEWATER
ENGINEERING & SURVEYING

PO BOX 806
ANDERSON, SC 29622
(864) 226-0980
RIDGEWATERENG.COM

SCALE: 1 in = 60 ft.

THIS DRAWING AND THE DESIGN SHOWN THEREON ARE THE PROPERTY OF RIDGEWATER ENGINEERING & SURVEYING, LLC. THE REPRODUCTION, COPYING OR USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED AND ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.



Arrowhead Point

Oconee County,
South Carolina

DRAWN BY: KOC
CHECKED: JWW
JOB NUMBER: 21286

REV #	DATE	COMMENT
0	11-24-21	ISSUE FOR REVIEW
1	11-29-21	PLANNING COMMISSION MTG.
...
...
...

SHEET

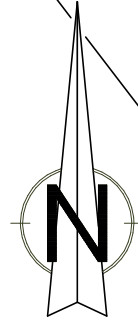
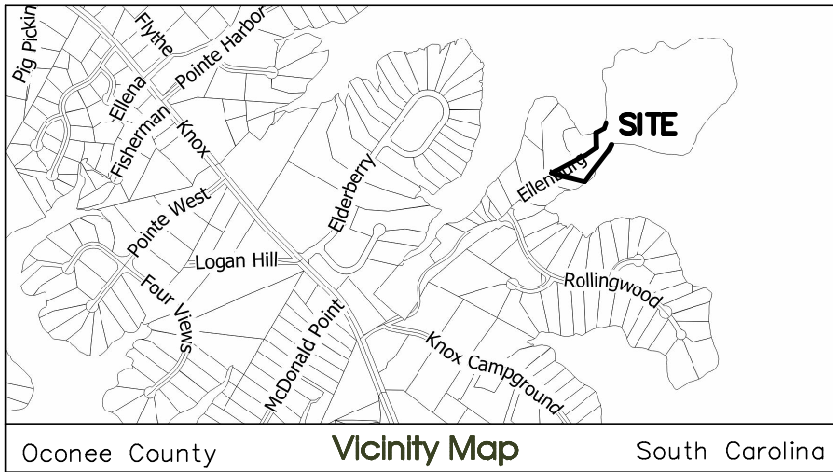
Exhibit 2

CAUTION

PALMETTO UTILITY LOCATION SERVICE

3 DAYS BEFORE DIGGING CALL
TOLL FREE 811

A ONE CALL SYSTEM FOR COMMUNITY AND JOB SAFETY.



Approximate Building Location

PIONEER SURVEYING, INC.

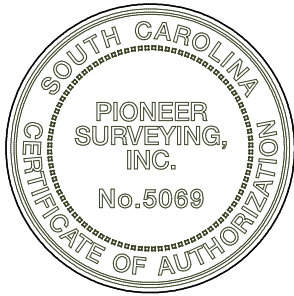
PioneerLandSurvey@gmail.com
PioneerLandServices.com
906 Freeman Road
Liberty S.C. 29657
(864) 231-6820

LINE	BEARING	DISTANCE
L1	N54°54'41"E	56.82'

Legend

(New)	(Found)	
○	●	1/2" Rod/Rebar
□	■	Mag Nail
△	⊕	Computed Point
	⊙	Telephone Pedestal
	⊗	Utility Pole

TMS# 150-00-01-100
Ratliff, Frances J. et al
Deed 1941 pg. 304
Plat P-39 pg. 61



Ellenburg Road Prescriptive R/W

(As per Oconee County Roads and Bridges Back of Ditch/County Maintained)

NOTES:
 - TMS# 150-00-01-459
 - Reference Deed 1695 pg. 87
 - Reference Plat B-291 pg. 1
 - North Reference: SC GPS Grid 3900
 - Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject property: easements, other than possible easements that were visible at the time of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, and any other facts that an accurate and current title search may disclose.
 - This survey does not purport to create new access, right of ways, easements, roads, drives, and/or others of this nature, unless noted as *New. Depictions of aforesaid information are obtained from existing records as referenced heron.

"I hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein; also there are no visible encroachments or projections other than shown."

Lake Keowee
 Duke Energy Boundary to the 804' MSL Contour.
 Flood Easement to the 810' MSL Contour.

Exhibit Survey and Certification of
Ellenburg Road Variance Request

Date: August 26, 2021

William C. Hutchins P.L.S. No.29117

Map # 20354As_Built
 Field Crew SG, NS
 Drawn By SC



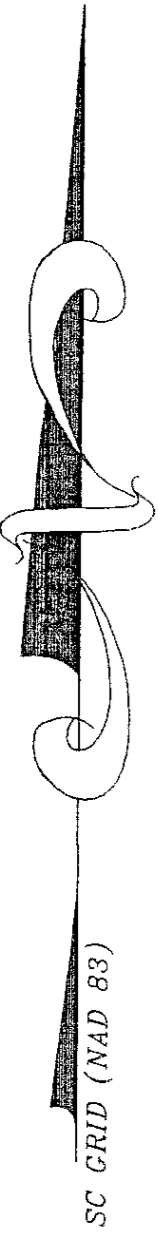
COPYRIGHT © 2003 CBS SURVEYING AND MAPPING, INC. ALL RIGHTS RESERVED
 NO PORTION OF THIS PLAT MAY BE REPRODUCED BY PHOTOCOPYING OR BY ANY OTHER MEANS, STORED, PROCESSED OR ELECTRONICALLY TRANSMITTED WITHOUT PRIOR WRITTEN PERMISSION OF THE ORIGINAL PROFESSIONAL LAND SURVEYOR, HIS HEIRS OR ASSIGNS. THIS DOCUMENT IS NOT VALID WITHOUT AN ORIGINAL SIGNATURE AND SEAL. (EXCEPTION—ORIGINAL USE BY GOVERNMENT OFFICIALS AND PROFESSIONAL LAND SURVEYORS FOR BOUNDARY RETRACEMENT)

FILED FOR RECORD
 OCONEE COUNTY, S.C.
 REGISTER OF DEEDS
 2008 NOV 18 P 3:20

P/L IS DUKE ENERGY CORP.
 PROJECT BOUNDARY AND APPROX. 804 CONTOUR

AREA = 15.37 ACRES

LAKE KEOWEE



LINE	BEARING	DISTANCE
L229	N03°28'39"W	50.76'
L230	N40°01'03"E	83.91'
L231	N64°08'50"E	17.59'
L232	N35°31'21"E	28.43'
L233	N23°31'32"W	31.95'
L234	N04°17'42"E	72.27'
L235	N00°58'01"W	96.83'
L236	N09°28'56"E	53.35'
L237	N08°37'03"W	158.64'
L238	N07°36'04"W	42.10'
L239	N48°36'46"E	26.06'
L240	N65°38'47"E	50.78'
L241	N32°21'59"E	30.18'
L242	N09°16'59"E	73.42'
L243	N34°32'32"E	41.77'
L244	N79°02'46"E	37.80'
L245	S84°19'48"E	45.21'
L246	S57°51'54"E	53.77'
L247	S72°34'19"E	67.33'
L248	N83°31'36"E	69.24'
L249	N30°54'30"E	29.94'
L250	N37°24'13"E	63.43'
L251	S74°58'03"E	37.51'
L252	S63°52'18"E	38.10'
L253	S68°11'33"E	42.13'
L254	N83°04'13"E	44.28'
L255	N51°28'07"E	51.78'
L256	N26°08'04"E	40.69'
L257	N64°29'17"E	6.37'
L258	N27°34'16"E	14.21'
L259	S80°10'18"E	13.39'
L260	N71°51'24"E	32.20'
L261	S82°09'46"E	16.03'
L262	N83°00'13"E	25.88'
L263	N47°26'00"E	5.74'
L264	S87°34'13"E	34.36'
L265	S89°24'27"E	38.64'
L266	N85°26'57"E	18.21'
L267	N65°31'28"E	8.84'
L268	S86°43'33"E	53.81'
L269	S59°37'48"E	67.06'
L270	S35°34'52"E	80.12'
L271	S11°16'47"W	44.01'
L272	S18°56'14"W	61.09'
L273	S29°04'57"E	80.04'
L274	S01°28'31"W	117.00'
L275	S29°32'25"W	87.26'
L276	S82°35'41"W	19.86'
L277	S15°36'23"W	15.79'
L278	S45°58'15"W	118.00'
L279	S51°03'04"W	156.12'
L280	S38°28'21"W	163.24'
L281	S80°32'29"W	125.26'
L282	N76°59'12"W	86.18'
L283	N73°27'54"W	94.99'
L284	N83°12'09"W	121.05'
L285	S58°25'16"W	51.25'
L286	S70°33'45"W	83.59'
L287	S70°31'12"W	98.70'
L288	S38°10'22"W	385.06'
L289	N76°11'51"W	166.55'
L290	N56°47'07"E	128.52'

ROBERT L. MORGAN
 DB 1142 PG 191
 PB P39 PG 067
 TAX REF: 150 00 01 103

EDWARD J. RATLIFF
 DB 141 PG 102
 PB 39 PG 61
 TAX REF: 150 00 01 100

TERRY V. ELLENBURG
 DB 897 PG 210
 PB P61 PG 577
 TAX REF: 150 00 01 099

MICHAEL W. BOLT
 DB 1160 PG 87
 PB A823 PG 006
 TAX REF: 150 00 01 017

BRENDA K. STASNEY
 DB 1132 PG 228
 PB A798 PG 003
 TAX REF: 150 00 01 396

THOMAS G. PALKERT
 DB 1049 PG 056
 PB A683 PG 007
 TAX REF: 150 00 01 381

HARBOR OAKS SUBDIVISION
 PLAT B160 PGS 1 & 2

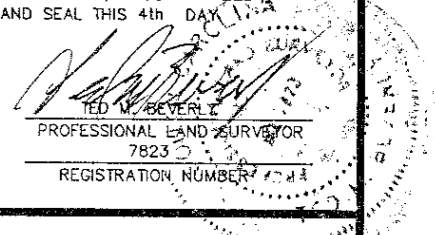
Recorded this 18 day of
 Nov 2008
 Vol. 8291 Pg. 1 and Certified
 Register of Deeds, Oconee County

NOTES:
 (S) DENOTES OBJECT SET
 (F) DENOTES OBJECT FOUND
 PROPERTY SUBJECT TO ANY VALID AND ENFORCEABLE EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND THOSE SHOWN, IF ANY, SHOULD BE INDEPENDENTLY VERIFIED. NO TITLE OPINION HAS BEEN PROVIDED TO THE SURVEYOR. NAMES AND DEED REFERENCES SHOWN ARE FOR DESCRIPTIVE PURPOSES ONLY, NOT TO BE USED FOR DETERMINING TITLE. WATER BOUNDARIES ARE SUBJECT TO CHANGE BY NATURAL CAUSES AND MAY EFFECT AREA AND LIMIT OF TITLE.
 (CMF) - CONCRETE MONUMENT(F)
 (IPS) - #4 REBAR(S)
 (MNS) - MAGNETIC NAIL(S)
 R/W - RIGHT OF WAY
 P/L - PROPERTY LINE
 C/L - CENTERLINE
 □ TOP OF BANK
 ○ UTILITY POLE



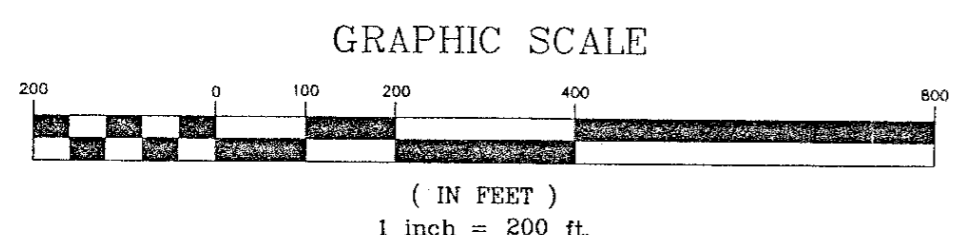
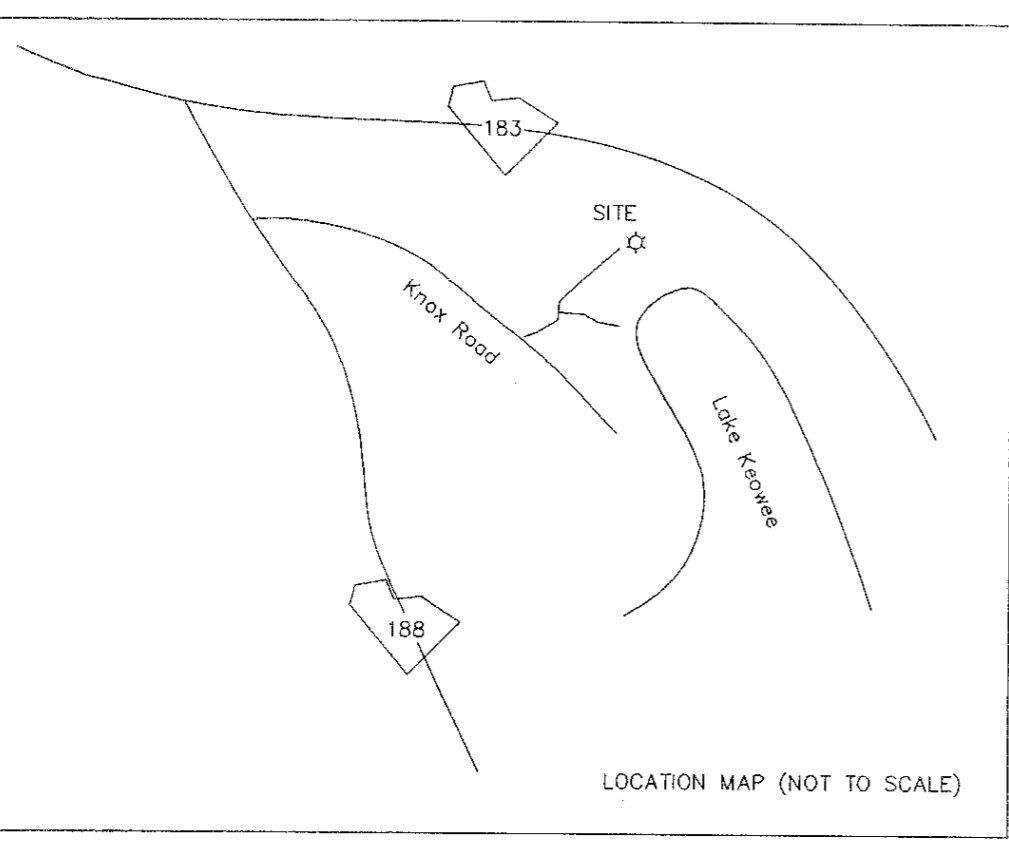
PLAT PREPARED FOR:
CRESCENT RESOURCES LLC
 7810 BALLANTYNE COMMONS PARKWAY
 SUITE 200
 CHARLOTTE, N.C. 28277

SOUTH CAROLINA
 I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN. DEED DESCRIPTION RECORDED IN BOOK 1511 PAGE 228. I WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 4th DAY OF NOVEMBER, 2008.



NOTE: SEE PLAT BY THIS OFFICE IN PLAT SLIDE B143 PAGES 7 & 8.

Doc ID: 001558850001 Type: PLA
 Book B291 Page 1 - 1



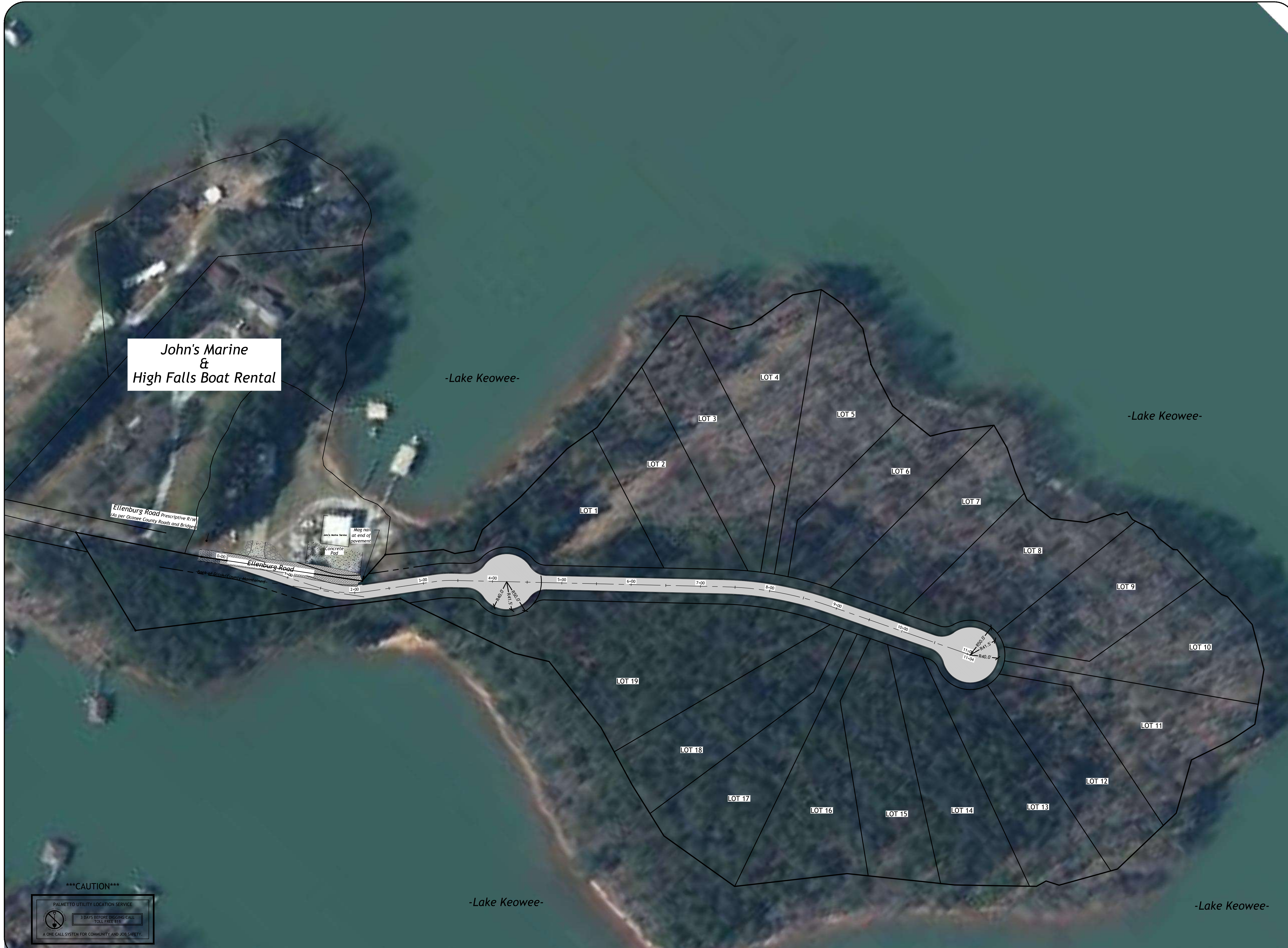
BOUNDARY SURVEY FOR:
CRESCENT COMMUNITIES S.C., LLC

SURPLUS TRACT NO. 7114.02	INDEX: AS SHOWN
TOWNSHIP: KEOWEE WHITEWATER	TAX I.D.: 150 00 01 444
COUNTY: OCONEE	STATE: SOUTH CAROLINA
DATE: JULY 21, 2003	JOB NO.: 1108100

DATE	DESCRIPTION
11/4/2008	SHOW REMAINING PROPERTY

CBS
CBS Surveying & Mapping, Inc.
 122 EAST ROBINSON STREET
 GAFFNEY, SC 29340 (864) 489-5068
 Ret: 1000 006419

10 1315



**John's Marine
&
High Falls Boat Rental**

-Lake Keowee-

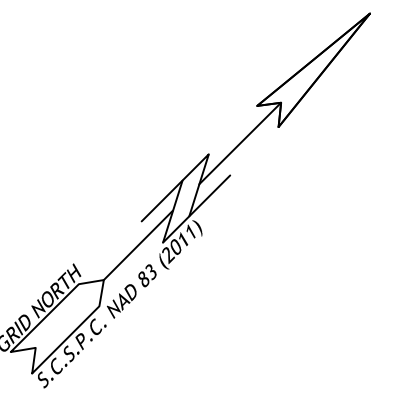
-Lake Keowee-

-Lake Keowee-

-Lake Keowee-

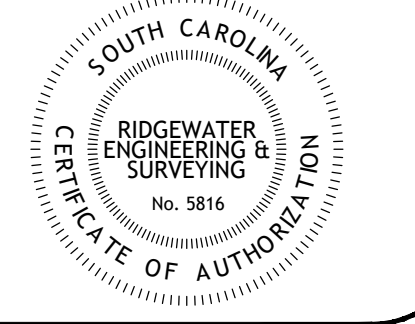


RIDGEWATER
ENGINEERING & SURVEYING
PO BOX 806
ANDERSON, SC 29622
(864) 226-0980
RIDGEWATERENG.COM



60 0 30 60
SCALE: 1 in = 60 ft.

THIS DRAWING AND THE DESIGN SHOWN THEREON ARE THE PROPERTY OF RIDGEWATER ENGINEERING & SURVEYING, LLC. THE REPRODUCTION, COPYING OR USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED AND ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.



Arrowhead Point

Oconee County,
South Carolina

DRAWN BY: KOC
CHECKED: JWW
JOB NUMBER: 21286

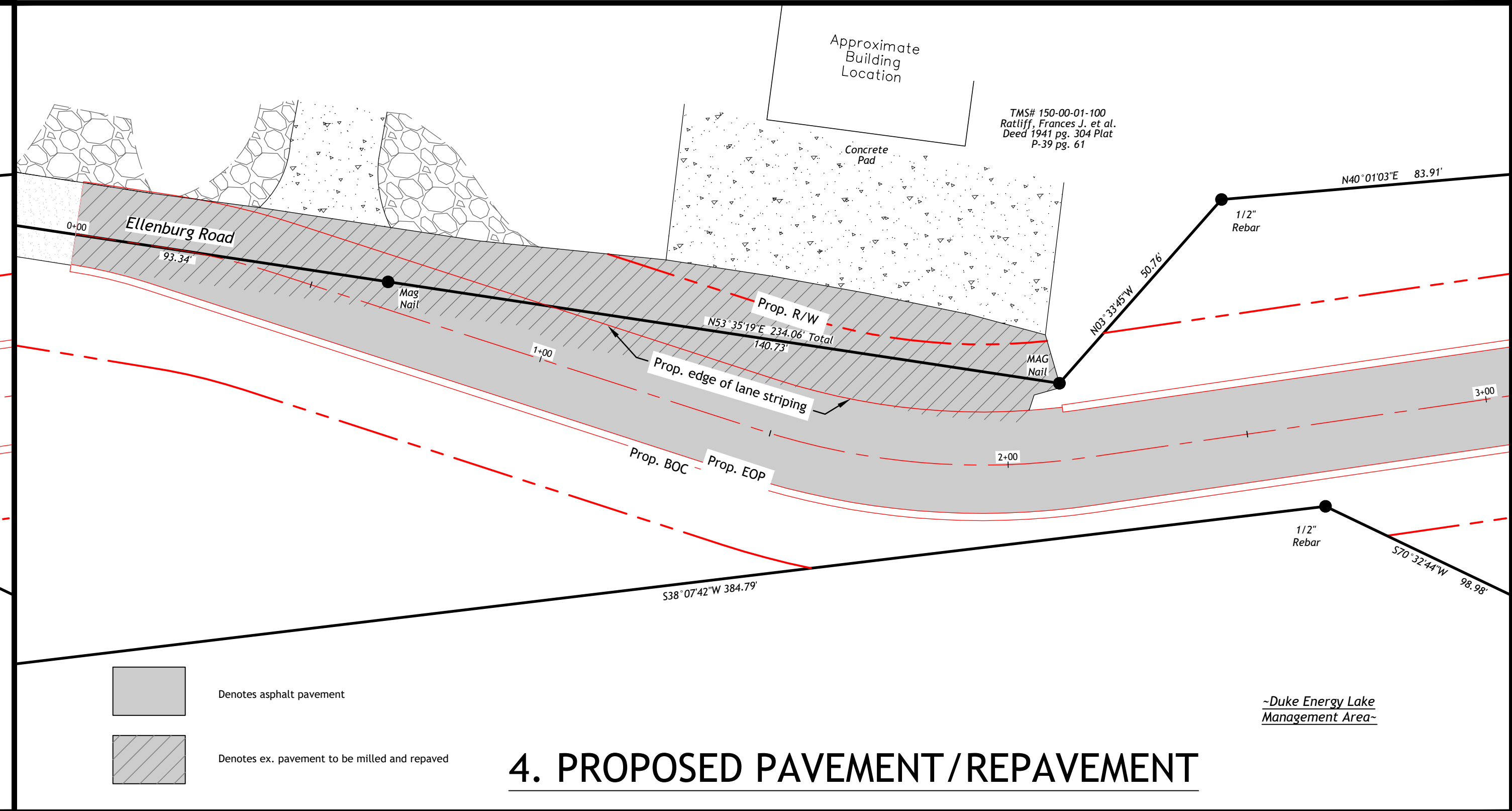
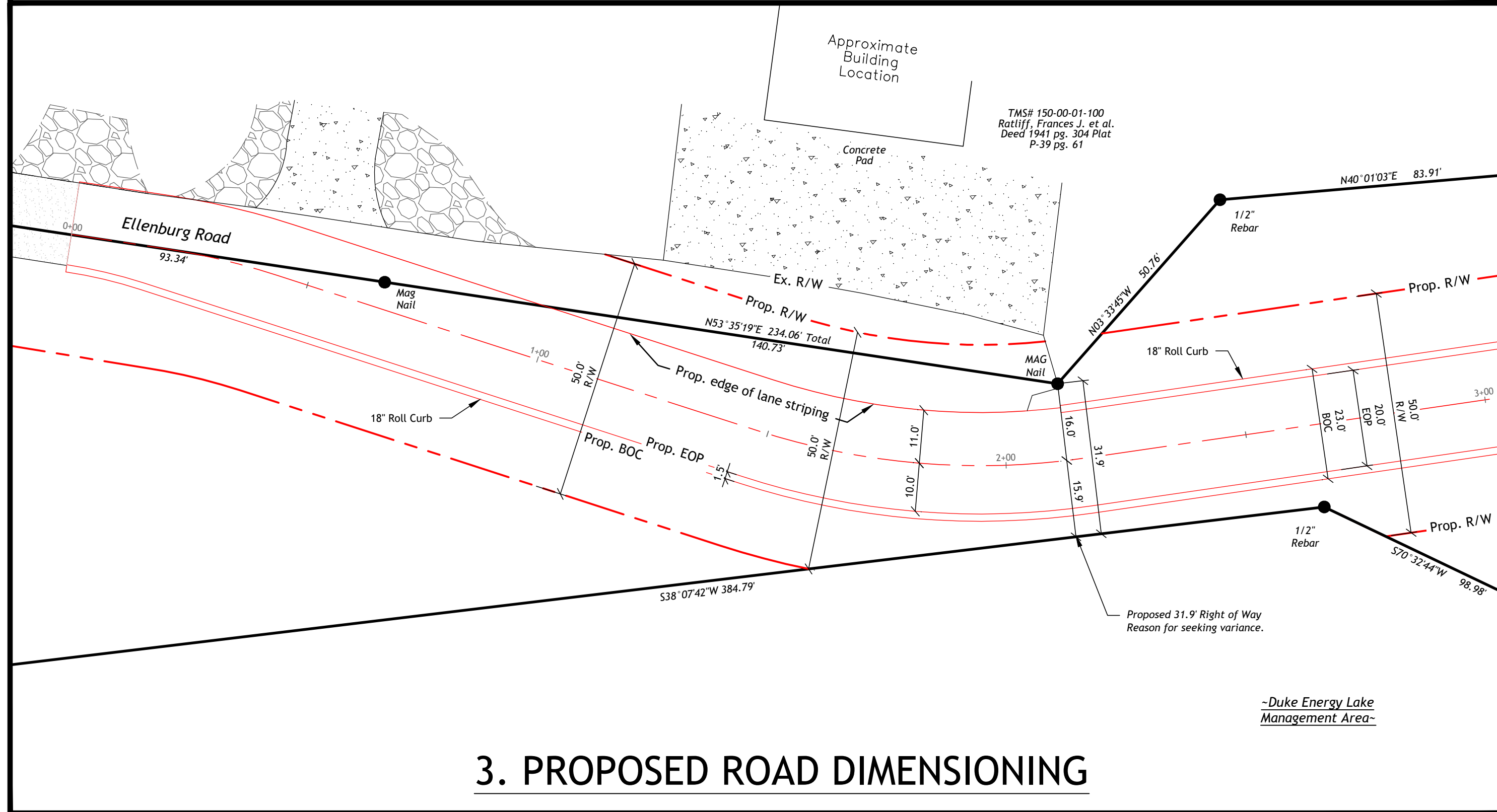
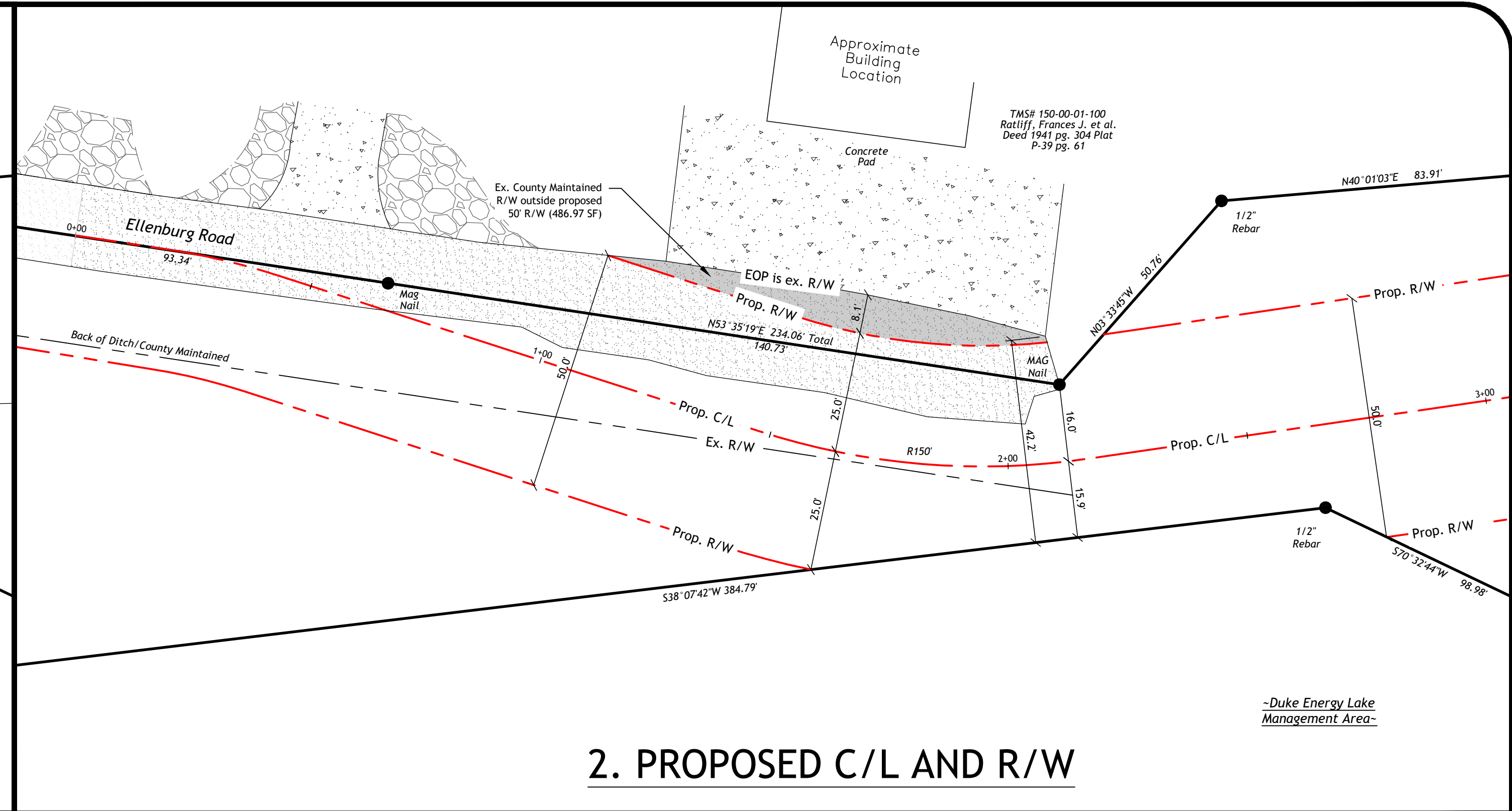
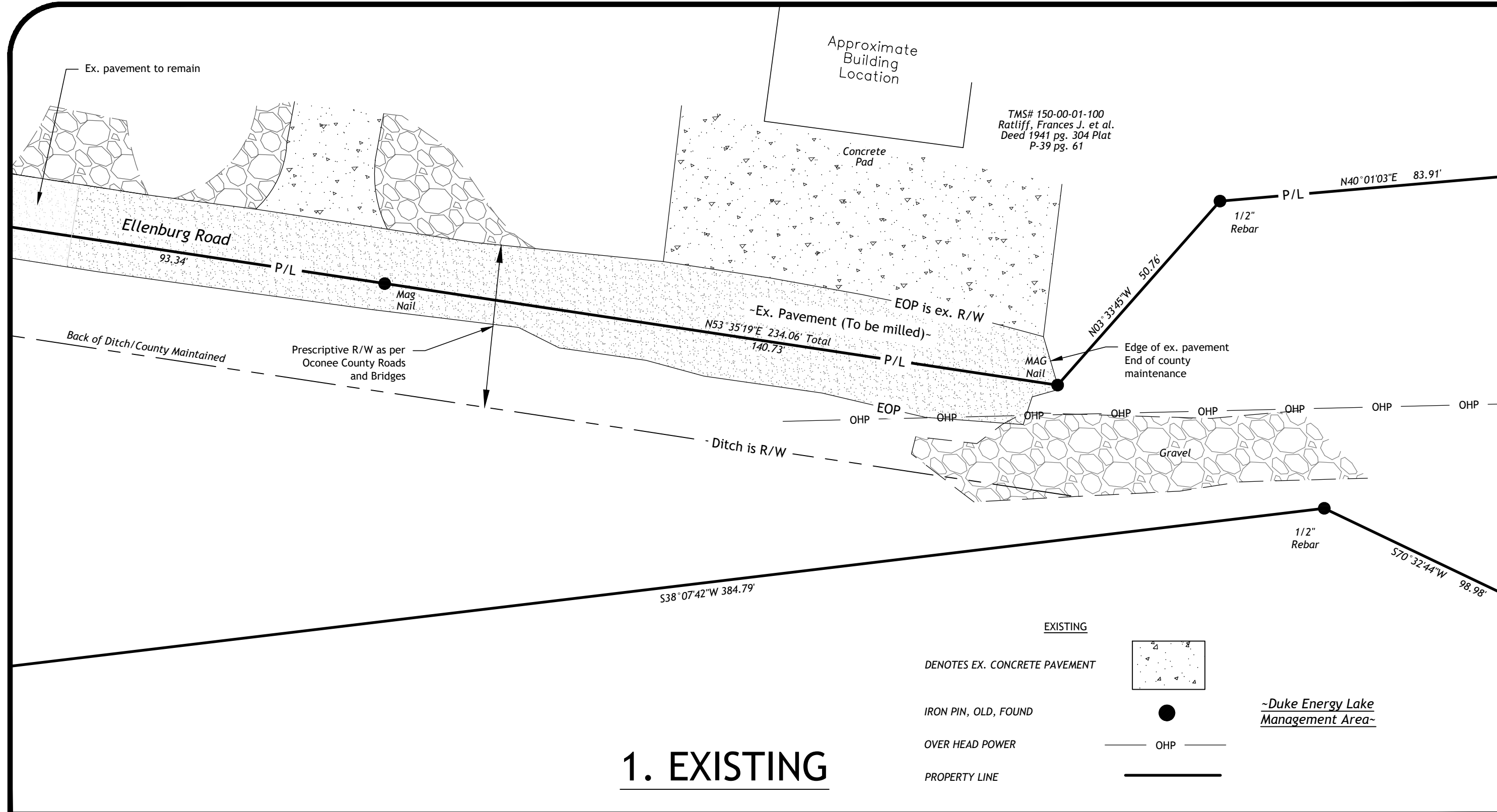
REV #	DATE	COMMENT
0	11-24-21	ISSUE FOR REVIEW
1	11-29-21	PLANNING COMMISSION MTG.
...
...
...

SHEET

Exhibit 2

CAUTION

PALMETTO UTILITY LOCATION SERVICE
3 DAYS BEFORE DIGGING CALL
TOLL FREE 811
A ONE CALL SYSTEM FOR COMMUNITY AND JOB SAFETY.



EXISTING
 DENOTES EX. CONCRETE PAVEMENT
 IRON PIN, OLD, FOUND
 OVER HEAD POWER
 PROPERTY LINE

Denotes asphalt pavement
 Denotes ex. pavement to be milled and repaved

SITE LEGEND

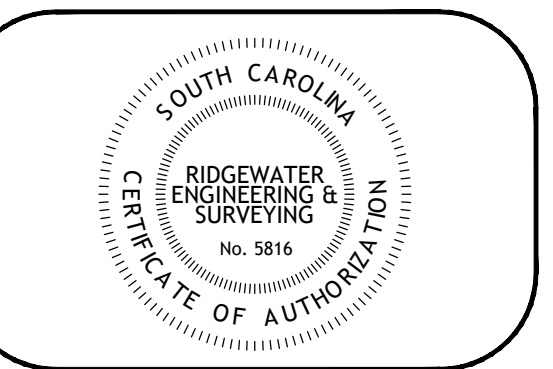
- C/L Centerline of Road
- EOP Edge of pavement
- BOC Back of curb
- R/W Right-of-way
- R Radius
- Prop. Proposed
- Ex. Existing

RIDGEWATER
ENGINEERING & SURVEYING

PO BOX 806
ANDERSON, SC 29622
(864) 226-0980
RIDGEWATERENG.COM

SCALE: 1 in = 20 ft.

THIS DRAWING AND THE DESIGN SHOWN THEREON ARE THE PROPERTY OF RIDGEWATER ENGINEERING & SURVEYING, LLC. THE REPRODUCTION, COPYING OR USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED AND ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.



Arrowhead Point

Oconee County, South Carolina

DRAWN BY: KOC
 CHECKED: JWV
 JOB NUMBER: 21286

REV #	DATE	COMMENT
0	11-24-21	ISSUE FOR REVIEW
...
...
...
...

SHEET

Variance Request

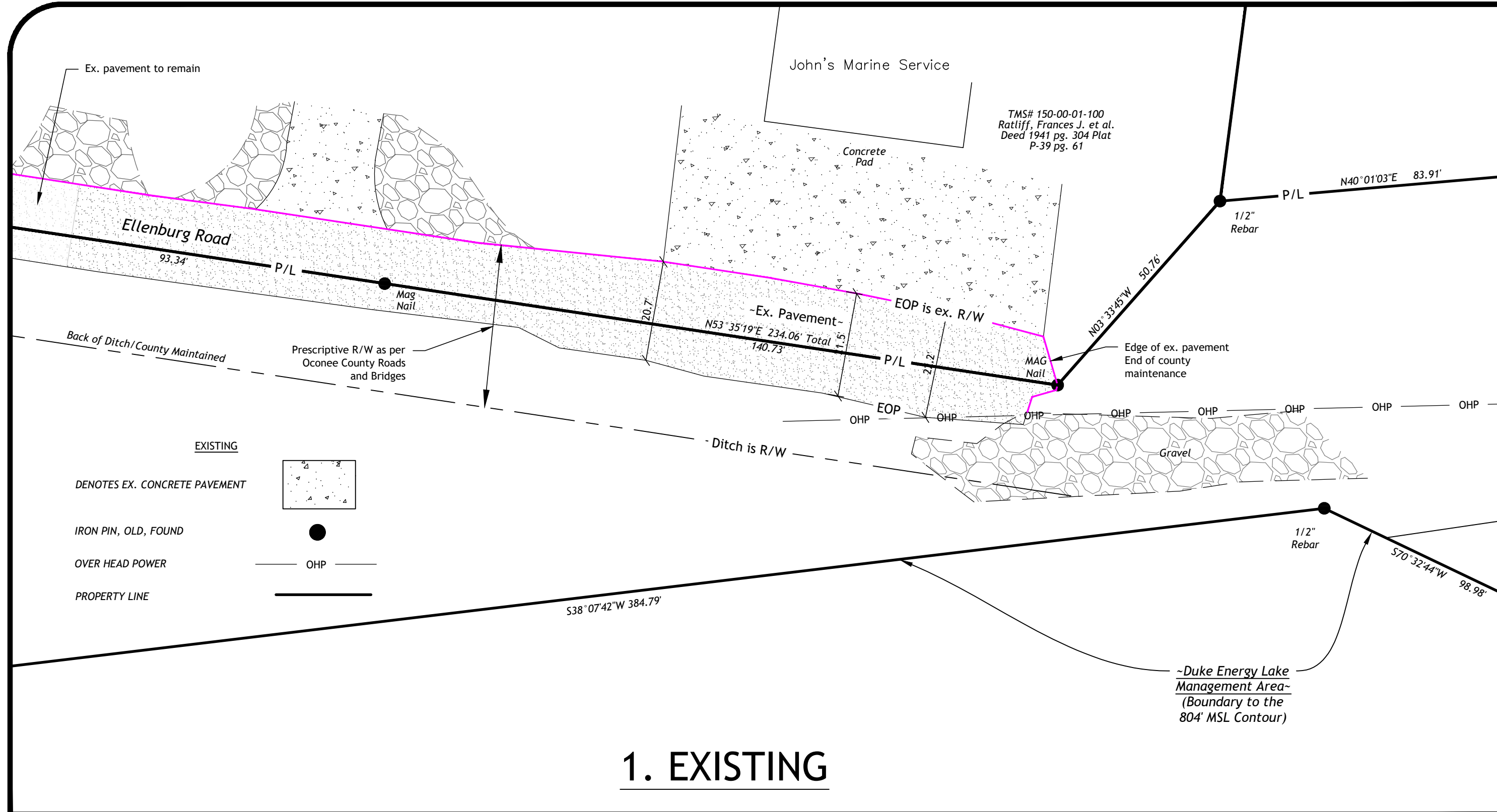
C - 2

CAUTION

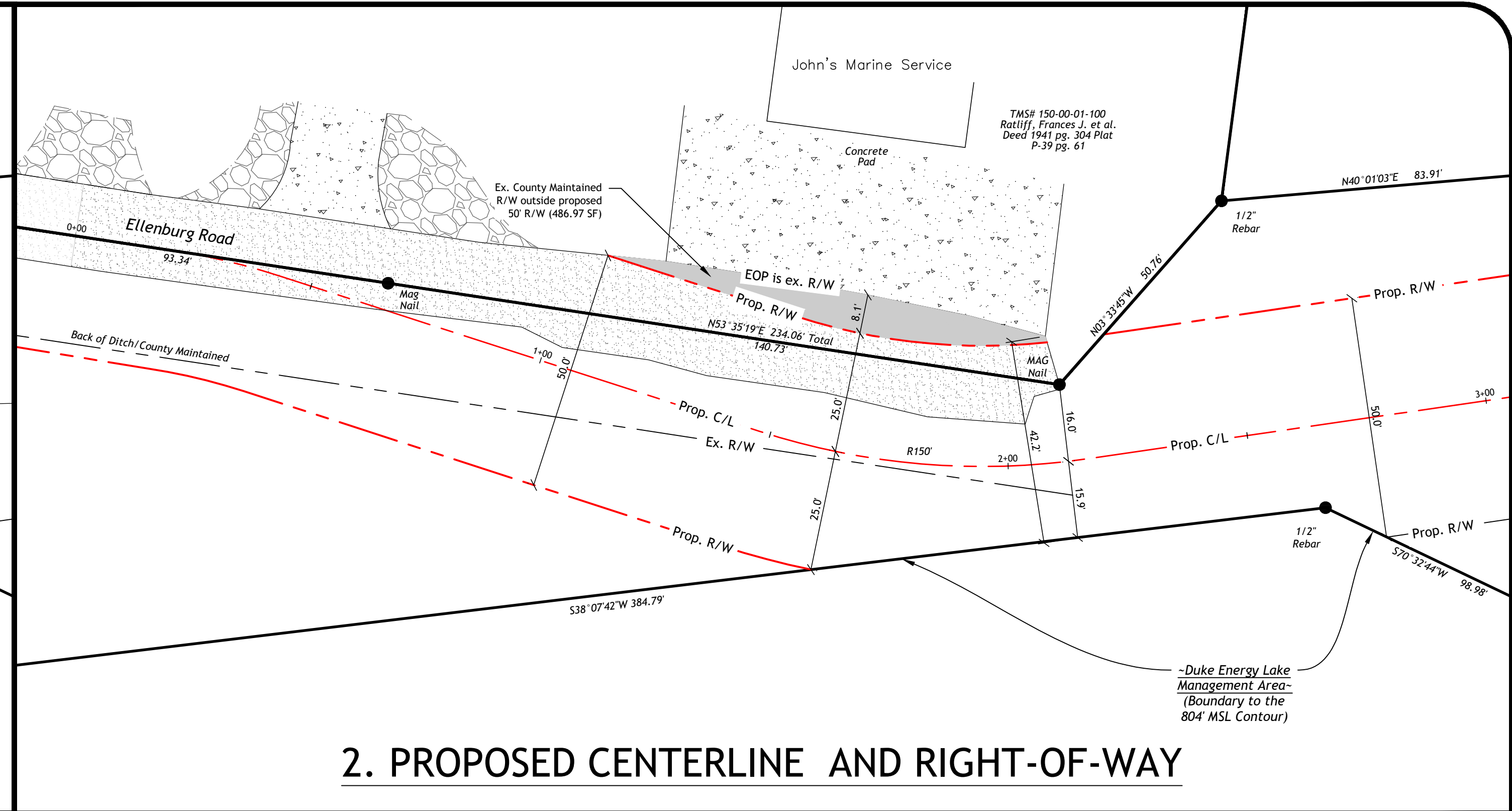
PALMETTO UTILITY LOCATION SERVICE

3 DAYS BEFORE DIGGING CALL TOLL FREE 811

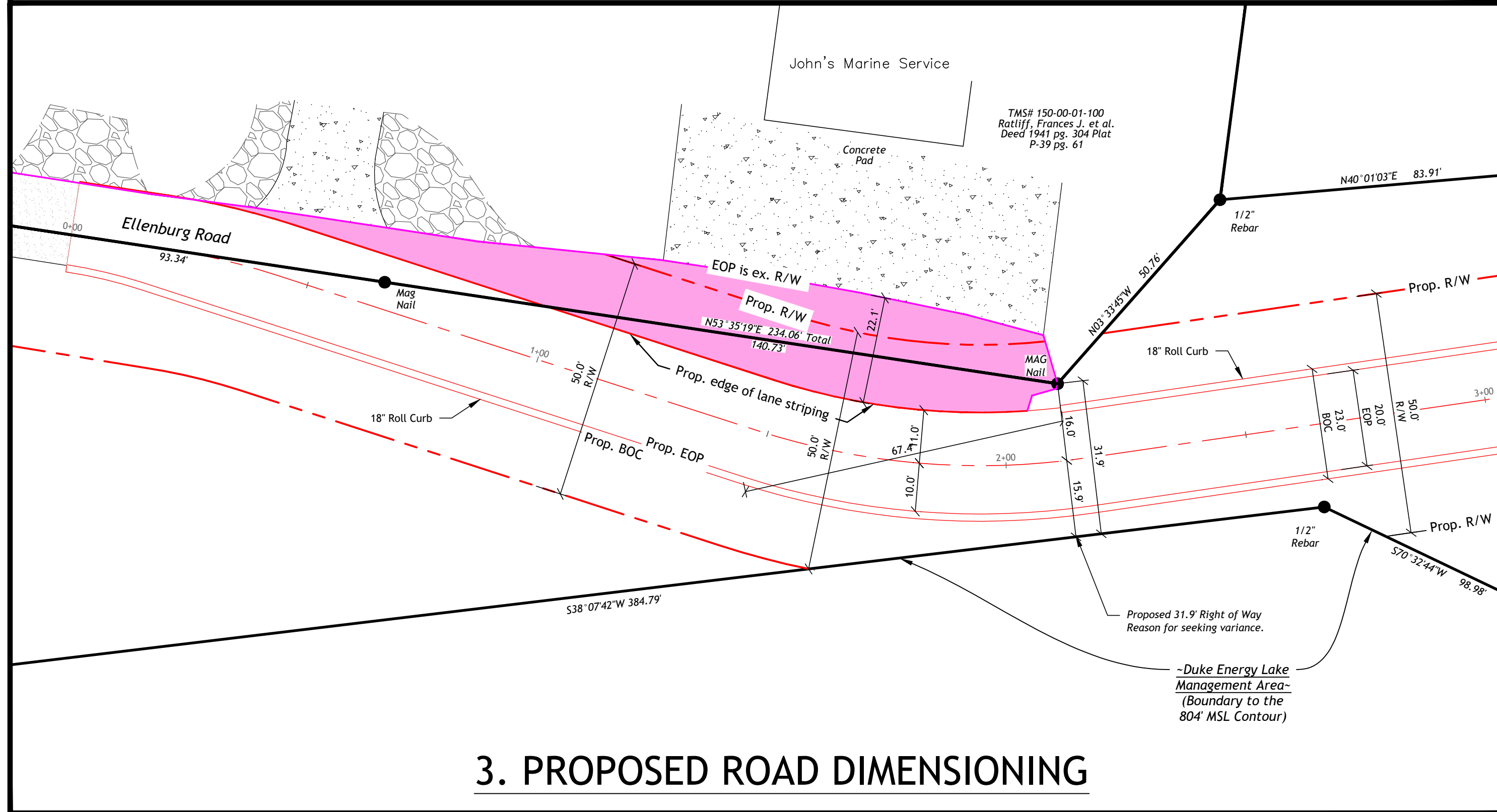
A ONE CALL SYSTEM FOR COMMUNITY AND JOB SAFETY.



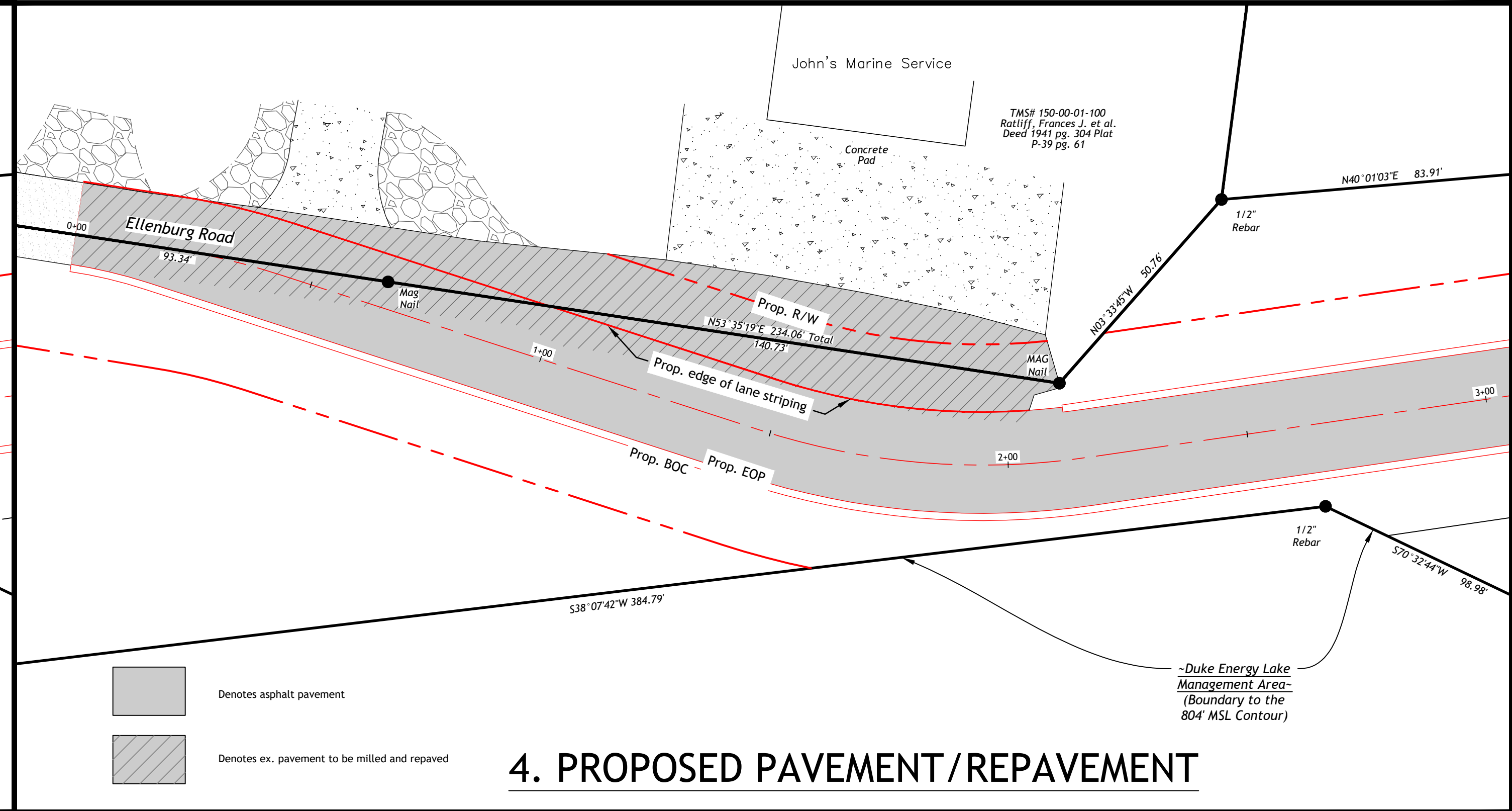
1. EXISTING



2. PROPOSED CENTERLINE AND RIGHT-OF-WAY



3. PROPOSED ROAD DIMENSIONING



4. PROPOSED PAVEMENT/REPAVEMENT

Denotes asphalt pavement
 Denotes ex. pavement to be milled and repaved

SITE LEGEND

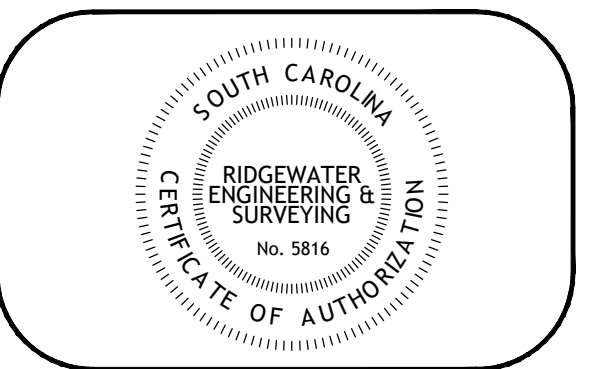
- C/L Centerline of Road
- EOP Edge of pavement
- BOC Back of curb
- R/W Right-of-way
- R Radius
- Prop. Proposed
- Ex. Existing

RIDGEWATER
ENGINEERING & SURVEYING

PO BOX 806
ANDERSON, SC 29622
(864) 226-0980
RIDGEWATERENG.COM

SCALE: 1 in = 20 ft.

THIS DRAWING AND THE DESIGN SHOWN THEREON ARE THE PROPERTY OF RIDGEWATER ENGINEERING & SURVEYING, LLC. THE REPRODUCTION, COPYING OR USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED AND ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.



Arrowhead Point

Oconee County, South Carolina

DRAWN BY: KOC
 CHECKED: JWW
 JOB NUMBER: 21286

REV #	DATE	COMMENT
0	11-24-21	ISSUE FOR REVIEW
1	11-29-21	PLANNING COMMISSION MTG.
...
...
...

SHEET

Variance Request

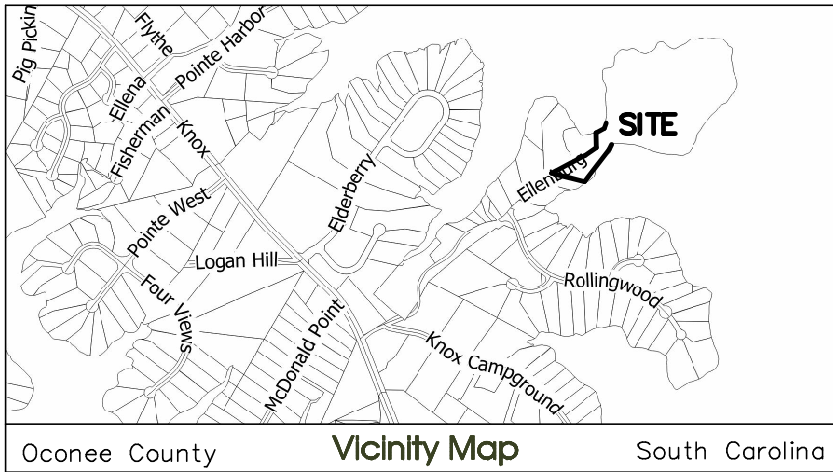
C - 2

CAUTION

PALMETTO UTILITY LOCATION SERVICE

3 DAYS BEFORE DIGGING CALL TOLL FREE 811

A ONE CALL SYSTEM FOR COMMUNITY AND JOB SAFETY.



Approximate Building Location

PIONEER SURVEYING, INC.

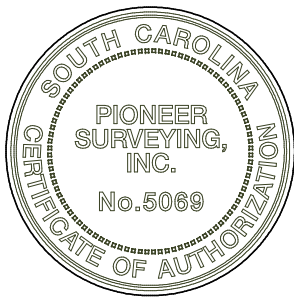
PioneerLandSurvey@gmail.com
PioneerLandServices.com
906 Freeman Road
Liberty S.C. 29657
(864) 231-6820

LINE	BEARING	DISTANCE
L1	N54°54'41"E	56.82'

Legend

(New)	(Found)	
○	●	1/2" Rod/Rebar
□	■	Mag Nail
△	△	Computed Point
	⊕	Telephone Pedestal
	⊗	Utility Pole

TMS# 150-00-01-100
Ratliff, Frances J. et al
Deed 1941 pg. 304
Plat P-39 pg. 61



Ellenburg Road Prescriptive R/W

(As per Oconee County Roads and Bridges Back of Ditch/County Maintained)

NOTES:
 - TMS# 150-00-01-459
 - Reference Deed 1695 pg. 87
 - Reference Plat B-291 pg. 1
 - North Reference: SC GPS Grid 3900
 - Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject property: easements, other than possible easements that were visible at the time of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, and any other facts that an accurate and current title search may disclose.
 - This survey does not purport to create new access, right of ways, easements, roads, drives, and/or others of this nature, unless noted as *New. Depictions of aforesaid information are obtained from existing records as referenced heron.

"I hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein; also there are no visible encroachments or projections other than shown."

Lake Keowee
 Duke Energy Boundary to the 804' MSL Contour.
 Flood Easement to the 810' MSL Contour.

Exhibit Survey and Certification of
Ellenburg Road Variance Request

Date: August 26, 2021

William C. Hutchins P.L.S. No.29117

Map # 20354As_Built
 Field Crew SG, NS
 Drawn By SC



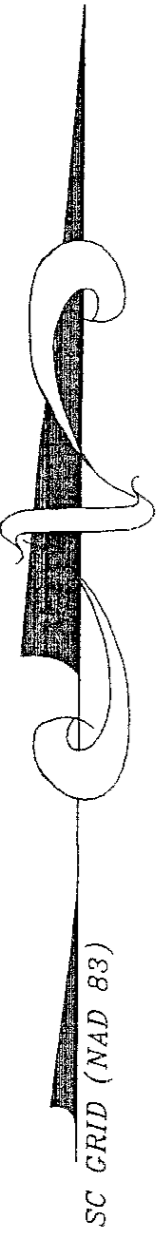
COPYRIGHT © 2003 CBS SURVEYING AND MAPPING, INC. ALL RIGHTS RESERVED
 NO PORTION OF THIS PLAT MAY BE REPRODUCED BY PHOTOCOPYING OR BY ANY OTHER MEANS, STORED, PROCESSED OR ELECTRONICALLY TRANSMITTED WITHOUT PRIOR WRITTEN PERMISSION OF THE ORIGINAL PROFESSIONAL LAND SURVEYOR, HIS HEIRS OR ASSIGNS. THIS DOCUMENT IS NOT VALID WITHOUT AN ORIGINAL SIGNATURE AND SEAL. (EXCEPTION—ORIGINAL USE BY GOVERNMENT OFFICIALS AND PROFESSIONAL LAND SURVEYORS FOR BOUNDARY RETRACEMENT)

FILED FOR RECORD
 OCONEE COUNTY, S.C.
 REGISTER OF DEEDS
 2008 NOV 18 P 3:20

P/L IS DUKE ENERGY CORP.
 PROJECT BOUNDARY AND APPROX. 804 CONTOUR

AREA = 15.37 ACRES

LAKE KEOWEE



LINE	BEARING	DISTANCE
L229	N03°28'39"W	50.76'
L230	N40°01'03"E	83.91'
L231	N64°08'50"E	17.59'
L232	N35°31'21"E	28.43'
L233	N23°31'32"W	31.95'
L234	N04°17'42"E	72.27'
L235	N00°58'01"W	96.83'
L236	N09°28'56"E	53.35'
L237	N08°37'03"W	158.64'
L238	N07°36'04"W	42.10'
L239	N48°36'46"E	26.06'
L240	N65°38'47"E	50.78'
L241	N32°21'59"E	30.18'
L242	N09°16'59"E	73.42'
L243	N34°32'32"E	41.77'
L244	N79°02'46"E	37.80'
L245	S84°19'48"E	45.21'
L246	S57°51'54"E	53.77'
L247	S72°34'19"E	67.33'
L248	N83°31'36"E	69.24'
L249	N30°54'30"E	29.94'
L250	N37°24'13"E	63.43'
L251	S74°58'03"E	37.51'
L252	S63°52'18"E	38.10'
L253	S68°11'33"E	42.13'
L254	N83°04'13"E	44.28'
L255	N51°28'07"E	51.78'
L256	N26°08'04"E	40.69'
L257	N64°29'17"E	6.37'
L258	N27°34'16"E	14.21'
L259	S80°10'18"E	13.39'
L260	N71°51'24"E	32.20'
L261	S82°09'46"E	16.03'
L262	N83°00'13"E	25.88'
L263	N47°26'00"E	5.74'
L264	S87°34'13"E	34.36'
L265	S89°24'27"E	38.64'
L266	N85°26'57"E	18.21'
L267	N65°31'28"E	8.84'
L268	S86°43'33"E	53.81'
L269	S59°37'48"E	67.06'
L270	S35°34'52"E	80.12'
L271	S11°16'47"W	44.01'
L272	S18°56'14"W	61.09'
L273	S29°04'57"E	80.04'
L274	S01°28'31"W	117.00'
L275	S29°32'25"W	87.26'
L276	S82°35'41"W	19.86'
L277	S15°36'23"W	15.79'
L278	S45°58'15"W	118.00'
L279	S51°03'04"W	156.12'
L280	S38°28'21"W	163.24'
L281	S80°32'29"W	125.26'
L282	N76°59'12"W	86.18'
L283	N73°27'54"W	94.99'
L284	N83°12'09"W	121.05'
L285	S58°25'16"W	51.25'
L286	S70°33'45"W	83.59'
L287	S70°31'12"W	98.70'
L288	S38°10'22"W	385.06'
L289	N76°11'51"W	166.55'
L290	N56°47'07"E	128.52'

ROBERT L. MORGAN
 DB 1142 PG 191
 PB P39 PG 067
 TAX REF: 150 00 01 103

EDWARD J. RATLIFF
 DB 141 PG 102
 PB 39 PG 61
 TAX REF: 150 00 01 100

TERRY V. ELLENBURG
 DB 897 PG 210
 PB P61 PG 577
 TAX REF: 150 00 01 099

MICHAEL W. BOLT
 DB 1160 PG 87
 PB A823 PG 006
 TAX REF: 150 00 01 017

BRENDA K. STASNEY
 DB 1132 PG 228
 PB A798 PG 003
 TAX REF: 150 00 01 396

THOMAS G. PALKERT
 DB 1049 PG 056
 PB A683 PG 007
 TAX REF: 150 00 01 381

HARBOR OAKS SUBDIVISION
 PLAT B160 PGS 1 & 2

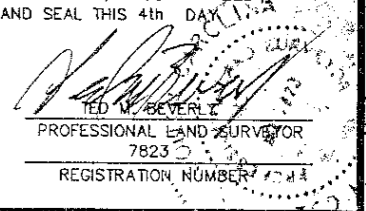
Recorded this 18 day of
 Nov 2008
 Vol. 8291 Pg. 1 and Certified
 Register of Deeds, Oconee County

NOTES:
 (S) DENOTES OBJECT SET
 (F) DENOTES OBJECT FOUND
 PROPERTY SUBJECT TO ANY VALID AND ENFORCEABLE EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND THOSE SHOWN, IF ANY, SHOULD BE INDEPENDENTLY VERIFIED. NO TITLE OPINION HAS BEEN PROVIDED TO THE SURVEYOR. NAMES AND DEED REFERENCES SHOWN ARE FOR DESCRIPTIVE PURPOSES ONLY, NOT TO BE USED FOR DETERMINING TITLE. WATER BOUNDARIES ARE SUBJECT TO CHANGE BY NATURAL CAUSES AND MAY AFFECT AREA AND LIMIT OF TITLE.
 (CMF) - CONCRETE MONUMENT(F)
 (IPS) - #4 REBAR(S)
 (MNS) - MAGNETIC NAIL(S)
 R/W - RIGHT OF WAY
 P/L - PROPERTY LINE
 C/L - CENTERLINE
 □ TOP OF BANK
 ○ UTILITY POLE



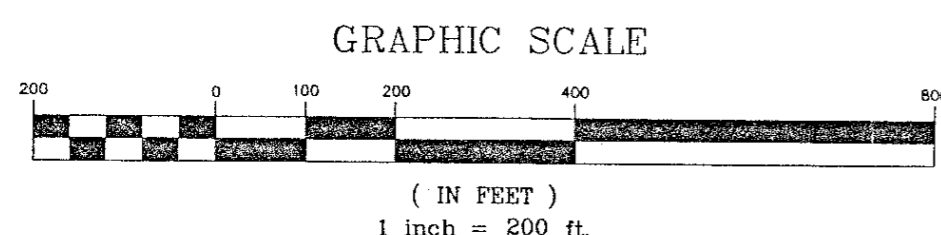
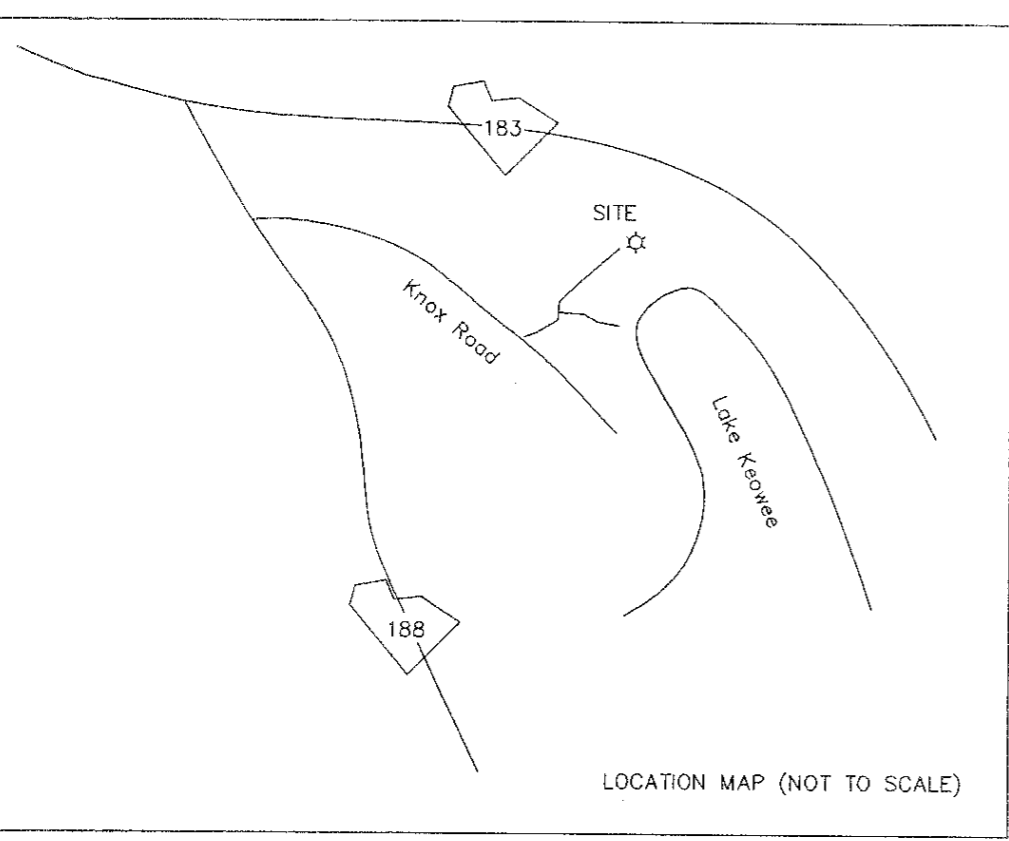
PLAT PREPARED FOR:
CRESCENT RESOURCES LLC
 7810 BALLANTYNE COMMONS PARKWAY
 SUITE 200
 CHARLOTTE, N.C. 28277

SOUTH CAROLINA
 I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN. DEED DESCRIPTION RECORDED IN BOOK 1511 PAGE 228. I WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 4th DAY OF NOVEMBER, 2008.



NOTE: SEE PLAT BY THIS OFFICE IN PLAT SLIDE B143 PAGES 7 & 8.

Doc ID: 001558850001 Type: PLA
 Book B291 Page 1 - 1



BOUNDARY SURVEY FOR:
CRESCENT COMMUNITIES S.C., LLC

SURPLUS TRACT NO. 7114.02	INDEX: AS SHOWN
TOWNSHIP: KEOWEE WHITEWATER	TAX I.D.: 150 00 01 444
COUNTY: OCONEE	STATE: SOUTH CAROLINA
DATE: JULY 21, 2003	JOB NO.: 1108100
REVISIONS	
DATE	DESCRIPTION
11/4/2008	SHOW REMAINING PROPERTY

Ret: 1000 006419

10 1315

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

Staff Opinion

BZA #VA21-011 Ridgewater Engineering and Surveying – Joe Meaders is requesting an 18.1' variance from the 50' Right of Way for the entrance of the subdivision due to the end of the existing road not making full access into the property and only having a prescriptive “ditch to ditch” right-of-way. TMS # 150-00-01-459 is an unaddressed parcel with the closest address of 599 Ellenburg Rd, Seneca, SC 29672

Applicant has requested a variance from the road standards under Sec 26-8 of the Oconee County Code of Ordinances. They have requested the variance from Sec 26-3(e)(1) Public Road Minimum right-of-way, pavement, and shoulder width shall be as follows: minor local 50' right-of way.

The applicant is connecting to the existing Ellenburg Rd, a county road, with a new road to develop land past the end of the existing road. Their design as presented would shift the road to the south, establishing a new road layout with curb and gutter on the south side of the road and curb and gutter on both sides past the end of the current road.

- Currently the road right-of-way is prescriptive and ends at the edge of pavement.
- The right-of way request is for a section of the road approximately 100 foot in length with a varying width, which at its narrowest is 31.9 foot
- Sketch is shifting the road to the applicant's side of the property line.

The applicant has meet with the Roads and Bridges Department (notes attached at the end), and based on the initial conversation the Department does not believe that the relocation of the road would have an adverse effect of road maintenance. If the variance is approved they would still need to show the ability to place the road, shoulders, drainage, and utilities in the proposed, narrowed, right-of-way, would need to have a traffic study completed, and would need approvals on access and turning radius with emergency management.

James,

Here are the bullets from my conversation with the developer and his engineers concerning the development at the end of Ellenburg Rd. (these are not commentary on the variance requested for the BZA and the below was based on hypotheticals as no plan was presented):

- The developer asked about where Ellenburg Rd stops being county maintained. I told them it was the end of the asphalt and that we did not have deeded right-of-way as the road is maintained by prescriptive easement. I also showed him what we have been maintaining as the extent of our right-of-way.
- They asked about upgrading the road and told me getting right-of-way from the adjacent property owner would likely be difficult. They asked about being able to place the road entirely on their property with a reduced right-of-way than the 50' standard required by the ordinance. I told them that any variance from the road standards would have to be heard by the BZA.
- They asked if there was anything additional that they would need to consider. I told them without a sketch plan it would be hard to hit all the points, but with a subdivision more than 10 lots there would have to be a traffic impact study for Ellenburg Rd that would need to be done at the preliminary plat phase along with an encroachment permit to tie onto the end of the county maintained portion of Ellenburg Rd.
- They asked me about the new road in the development becoming a county maintained road. I told them that the road would need to meet all county standards and have an approved turn around.
- They asked me about the being able to put a gate on the road. I told them it could not be a county maintained road if there was a gate.

TABLE OF CONTENTS

Page 1: Exhibit 1 Exhibit Survey of Ellenburg Road Zoning Request

Page 2: Exhibit 2--Aerial of the Parcel and surrounding immediate area

Page 3: Graphics 1-4 Overview

Page 4: Graphic 1--Existing Roadway

Page 5: Graphic 2--Proposed Centerline and Right-of-Way

Page 6: Graphic 3--Proposed Road Dimensioning

Page 7: Graphic 4--Proposed Pavement/Repavement

Supplements:

Page 8: Letter from Parcel Owner

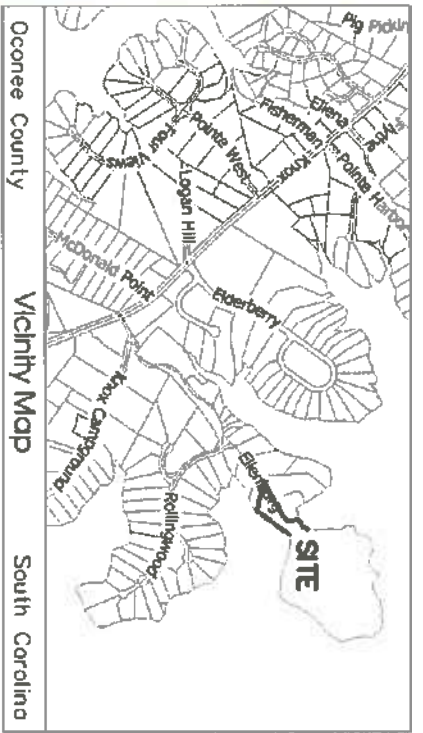
Page 9: Plat of Parcel from 2008

Page 10: Letter from Assistant Director of Public Works (stapled)

Page 11: Variance Criteria Overview (stapled)

Page 12: Developer Bios

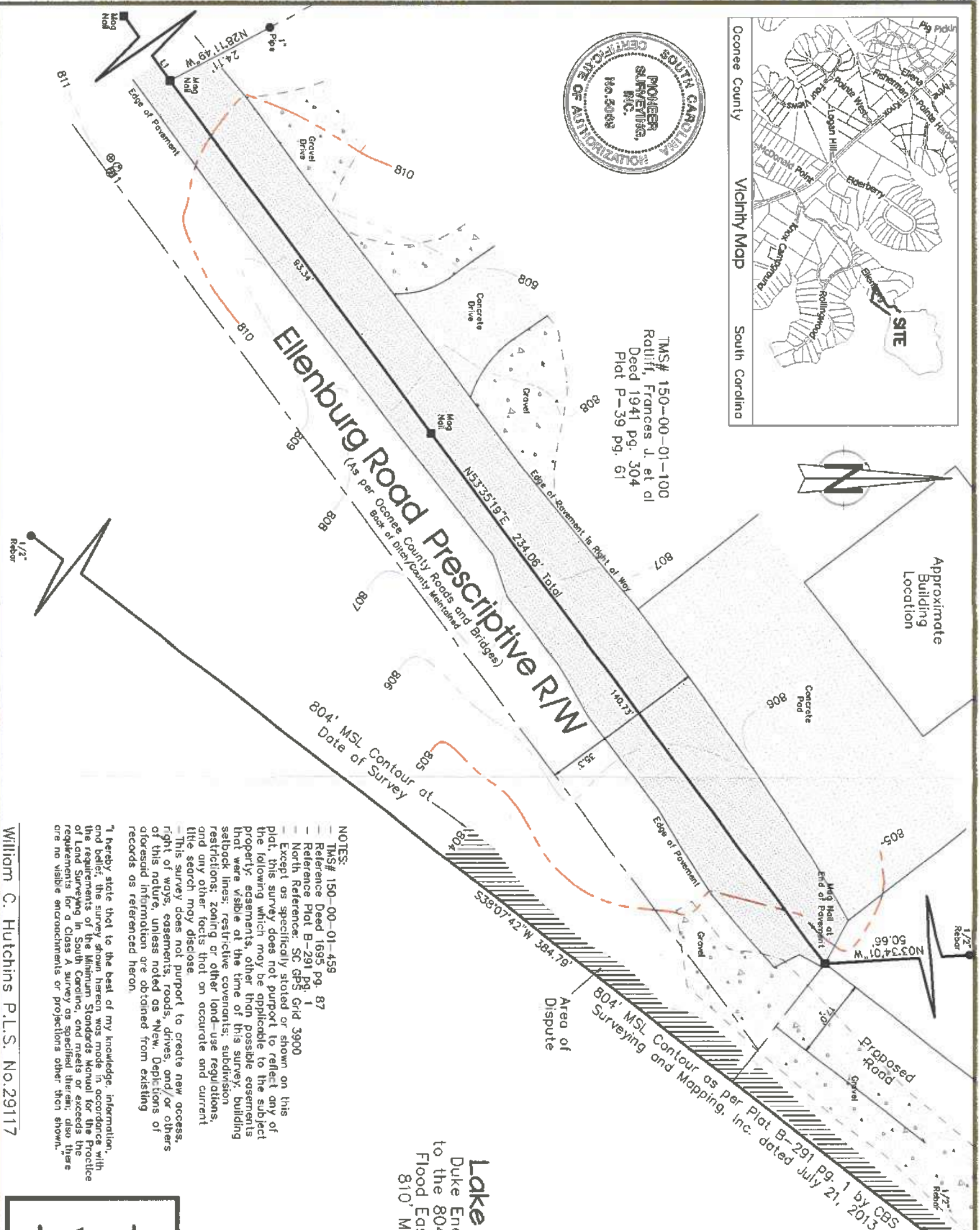
(Outside Packet) Deed for Parcel with Deed Restrictions



TMS# 150-00-01-100
 Rotiff, Frances J. et al
 Deed 1941 pg. 304
 Plat P-39 pg. 61



Approximate
 Building
 Location



William C. Hutchins P.L.S. No. 29117

NOTES:
 - TMS# 150-00-01-459
 - Reference Deed 1695 pg. 87
 - Reference Plat B-291 pg. 1
 - North Reference: SC GPS Grid 3900
 - Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject property: easements, other than possible easements that were visible at the time of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, and any other facts that on accurate and current title search may disclose.
 - This survey does not purport to create new access, right of ways, easements, roads, drives, and/or others of this nature, unless noted as "New." Depictions of aforesaid information are obtained from existing records as referenced herein.
 - I, hereby state that to the best of my knowledge, information, and belief, the survey shown herein, was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein; also there are no visible encroachments or projections other than shown."

Lake Keowee
 Duke Energy Boundary
 to the 804' MSL Contour.
 Flood Easement to the
 810' MSL Contour.

LINE	BEARING	DISTANCE
L1	N54°54'41"E	56.82'

- Legend**
- (New) (Found)
 - 1/2" Rod/Rebar
 - Mag Nail
 - △ Computed Point
 - ⊕ Telephone Pedestal
 - ⊙ Utility Pole



Drawn By	Field Crew	Map #
SG	SG, NS	20354As_Built

PIONEER SURVEYING
 PioneerLandSurvey@gmail.com
 PioneerLandServices.com
 906 Freeman Road
 Liberty S.C. 29657
 (864) 231-8820

Exhibit Survey
 and Certification of
Ellenburg Road
Variance Request
 Date: August 26, 2021

Exhibit 1

①

①



Exhibit 2

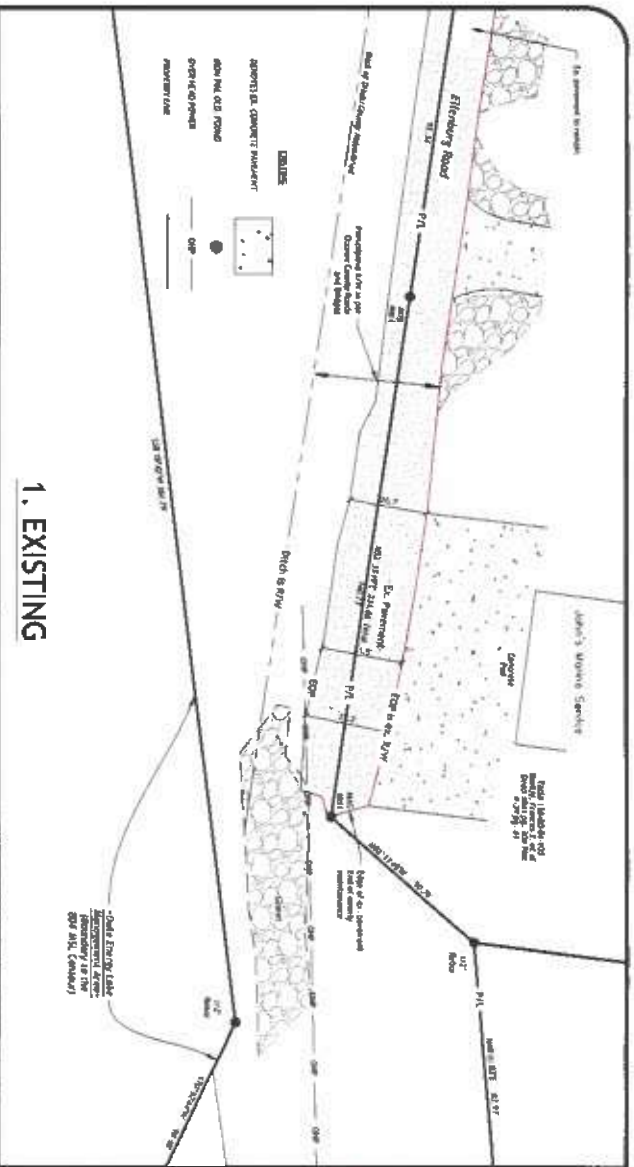
RIDGEWATER
 ENGINEERING & SURVEYING
 2010 10th Ave
 Asheville, NC 28806
 828.258.4200
 www.ridgewater.com



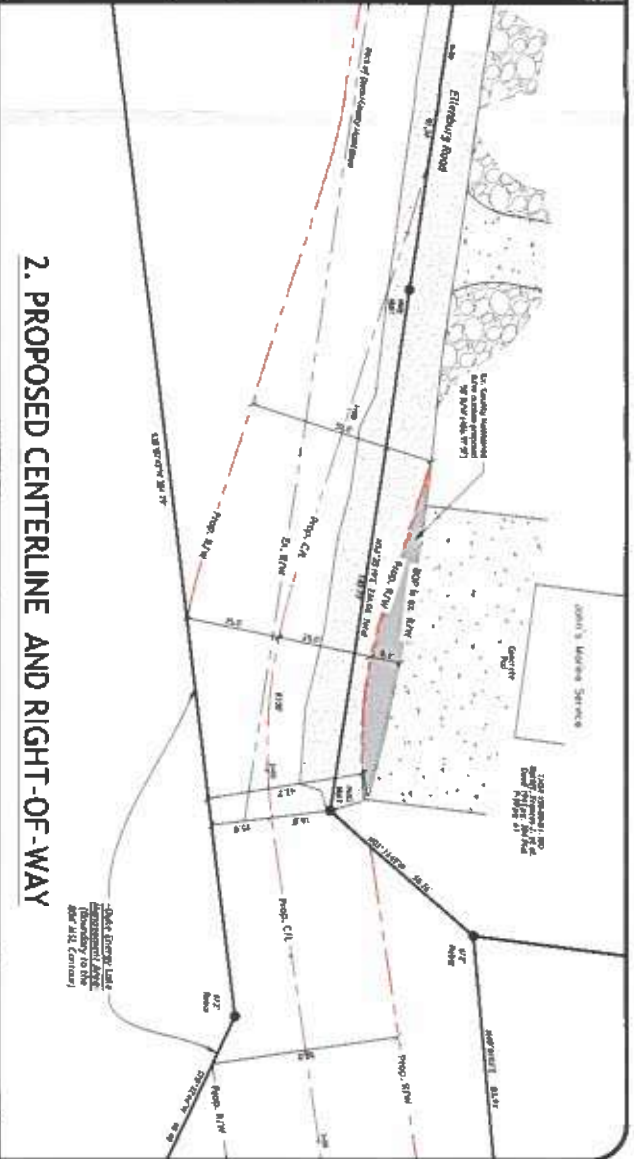
Arrowhead Point
 Ocean County,
 North Carolina

DATE: 10/12/2011
 DRAWN BY: [illegible]
 CHECKED BY: [illegible]
 PROJECT NO: 11-001
 SHEET NO: 1 OF 1
 SCALE: AS SHOWN

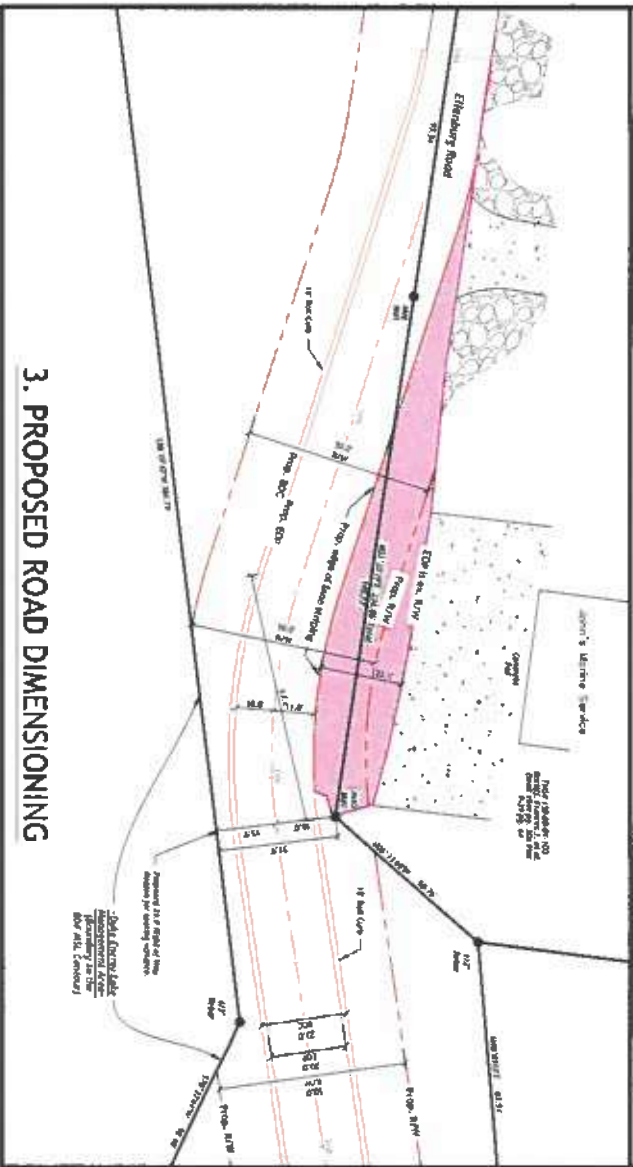
Exhibit 2



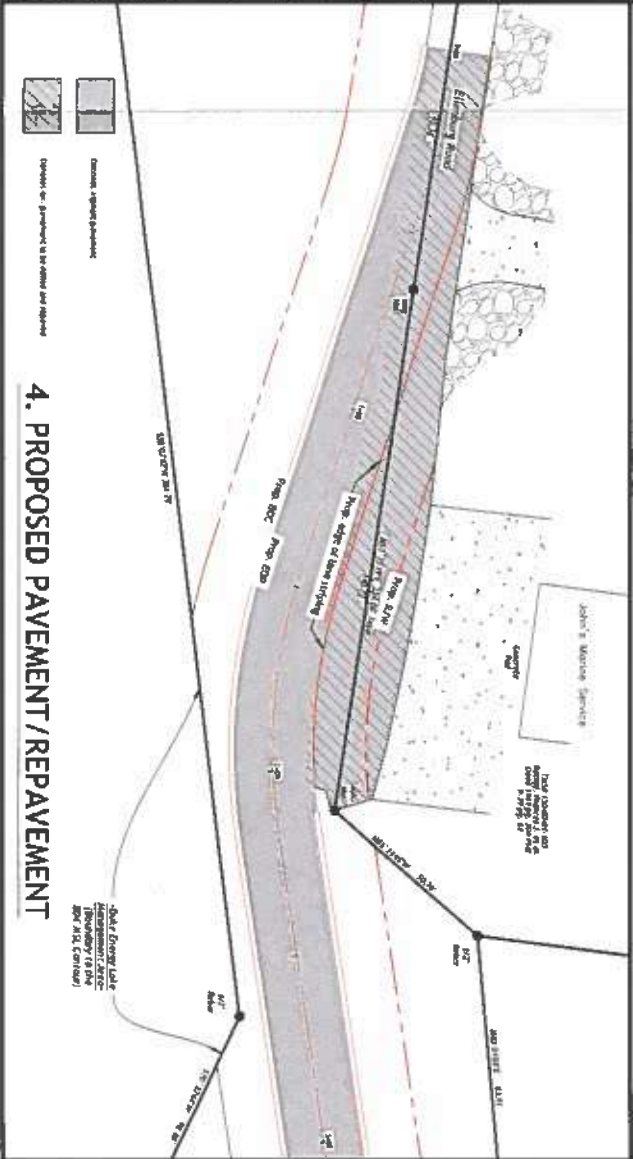
1. EXISTING



2. PROPOSED CENTERLINE AND RIGHT-OF-WAY



3. PROPOSED ROAD DIMENSIONING



4. PROPOSED PAVEMENT / REPAVEMENT

Graphics 1-4

SITE LEGEND

C/L	Centerline of Road
EDP	Edge of pavement
BCR	Back of curb
R/W	Right-of-way
R	Facility
Prop.	Proposed
Ex.	Existing

CAUTION



RIDGEWATER
ENGINEERING & SURVEYING

PO BOX 806
ANDERSON, SC 29622
(843) 226-0989
RIDGEWATER@GMAIL.COM

Scale: 1" = 10'-0"

North Arrow



Arrowhead Point

Oconee County,
South Carolina

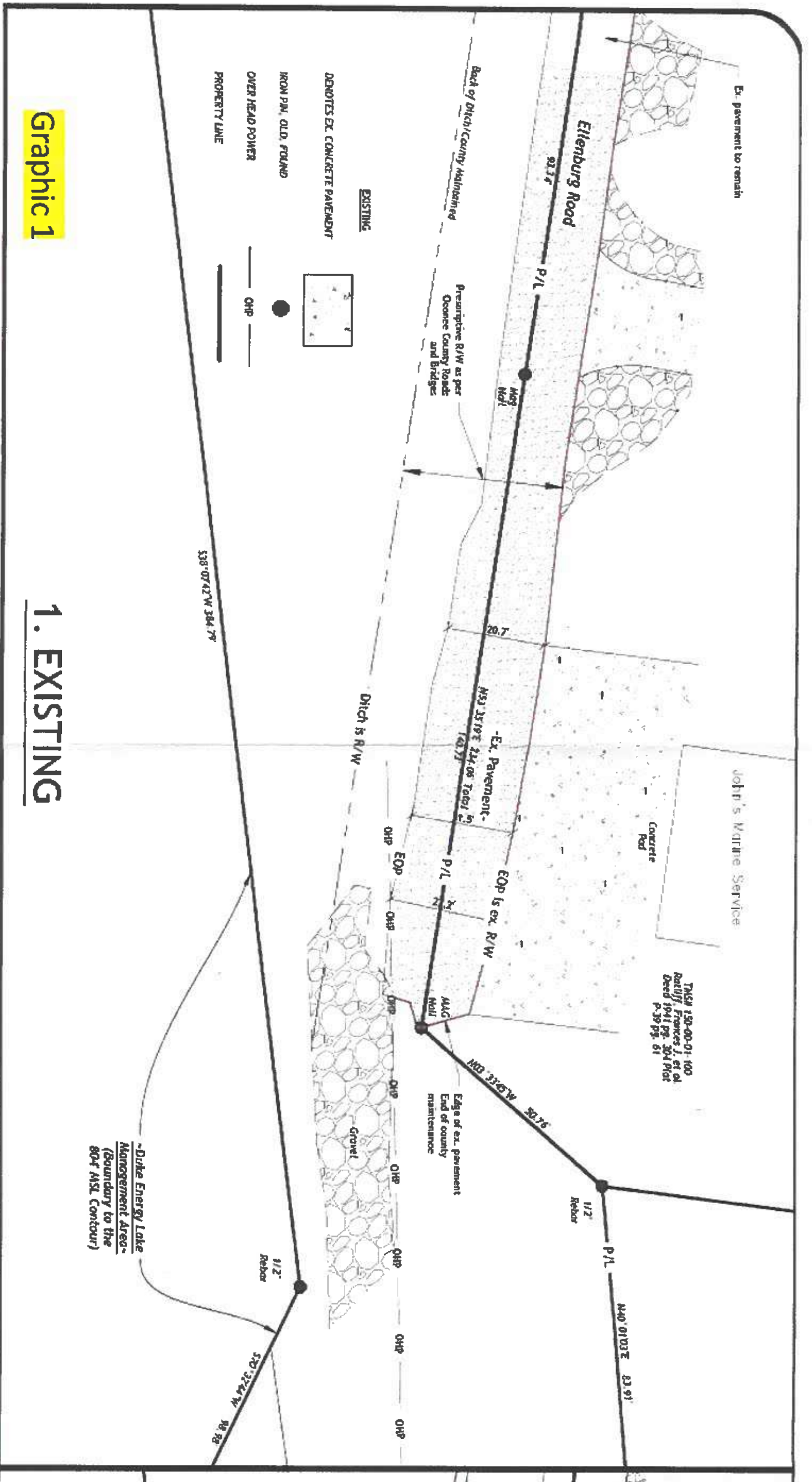
DRAWN BY: KDC
CHECKED: JMW
JOB NUMBER: 21286

DATE: 11/20/21
SCALE: AS SHOWN
PLANNING COMMISSION #16

Variance Request

C - 2

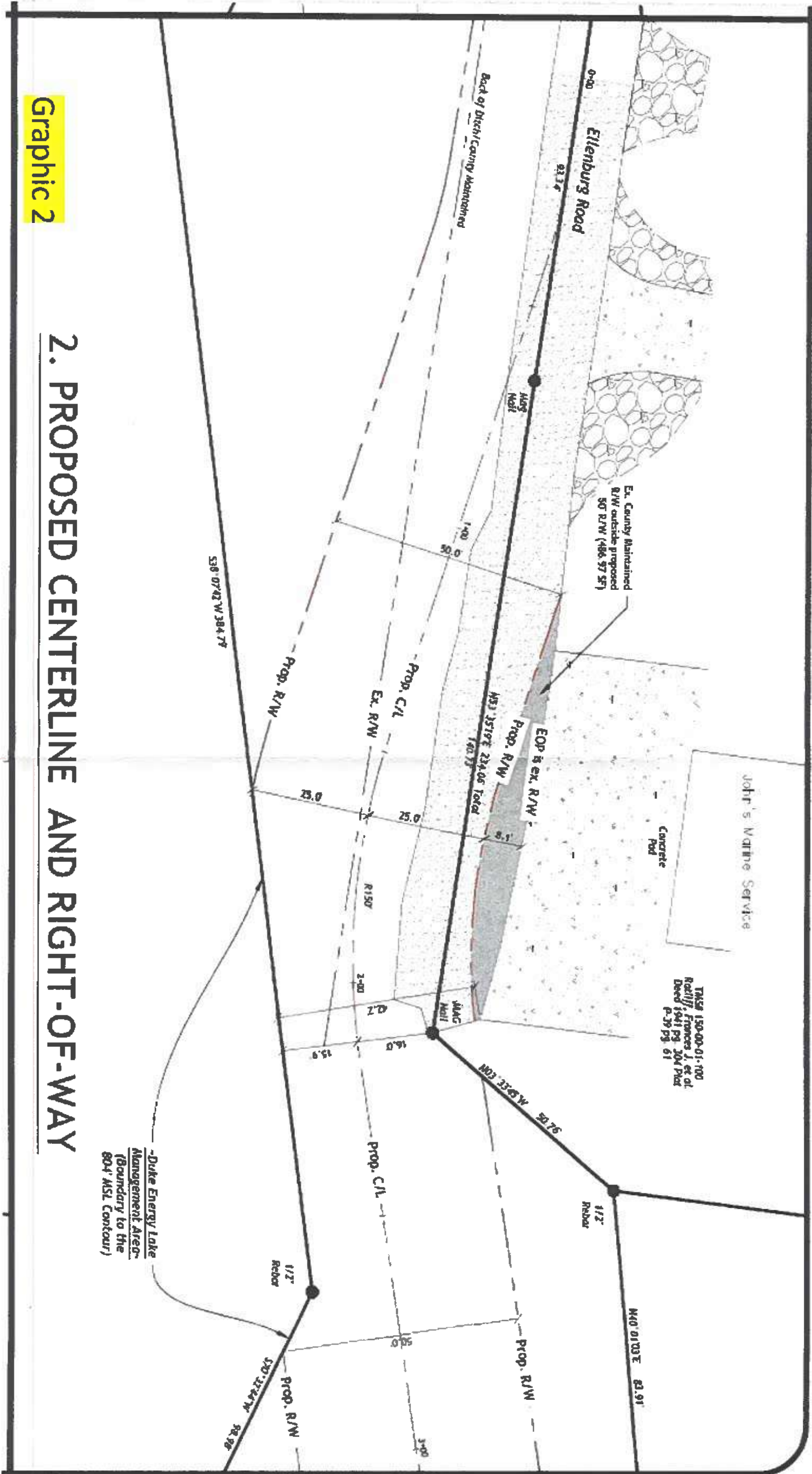
13



Graphic 1

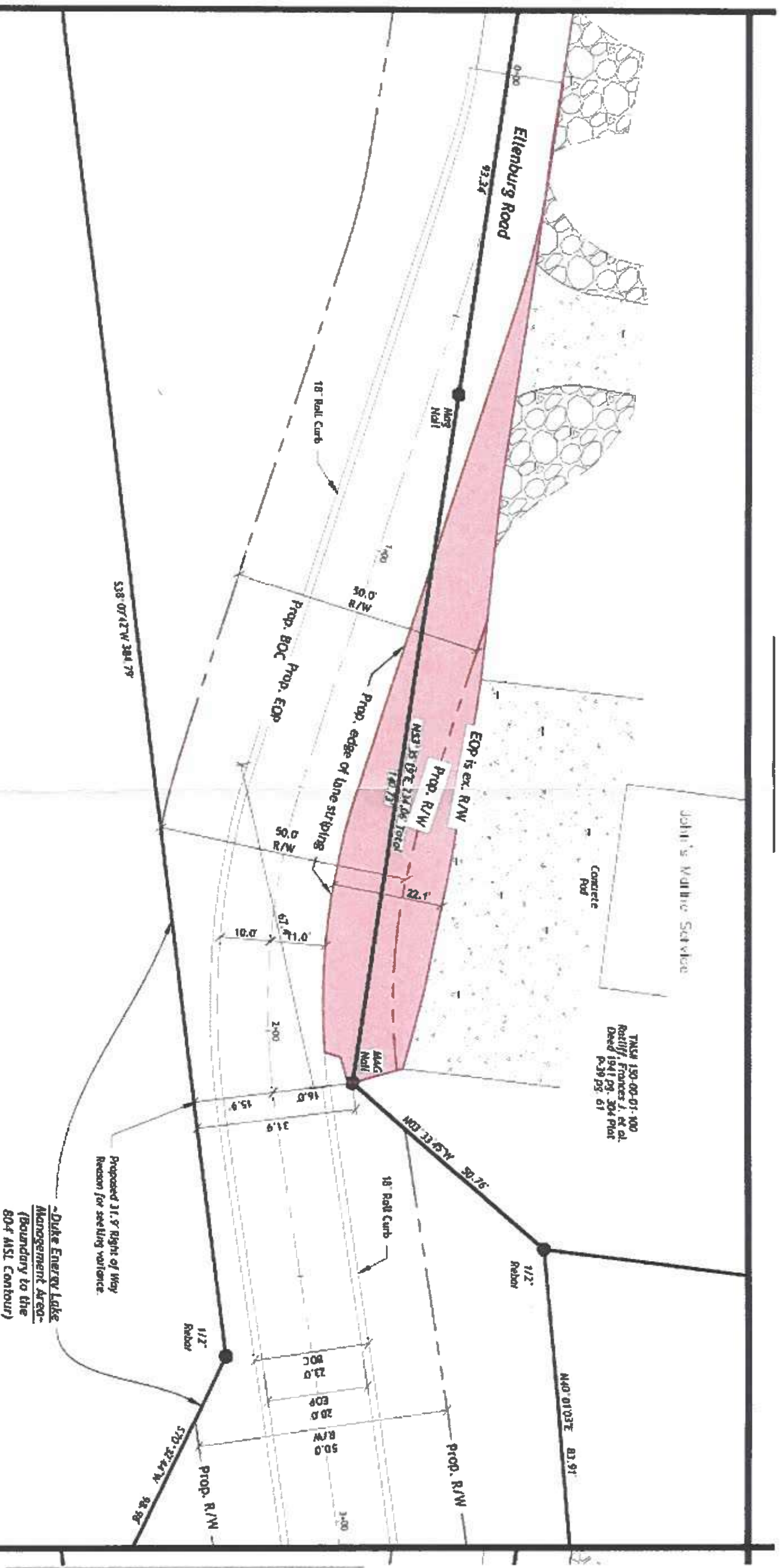
1. EXISTING

4



Graphic 2

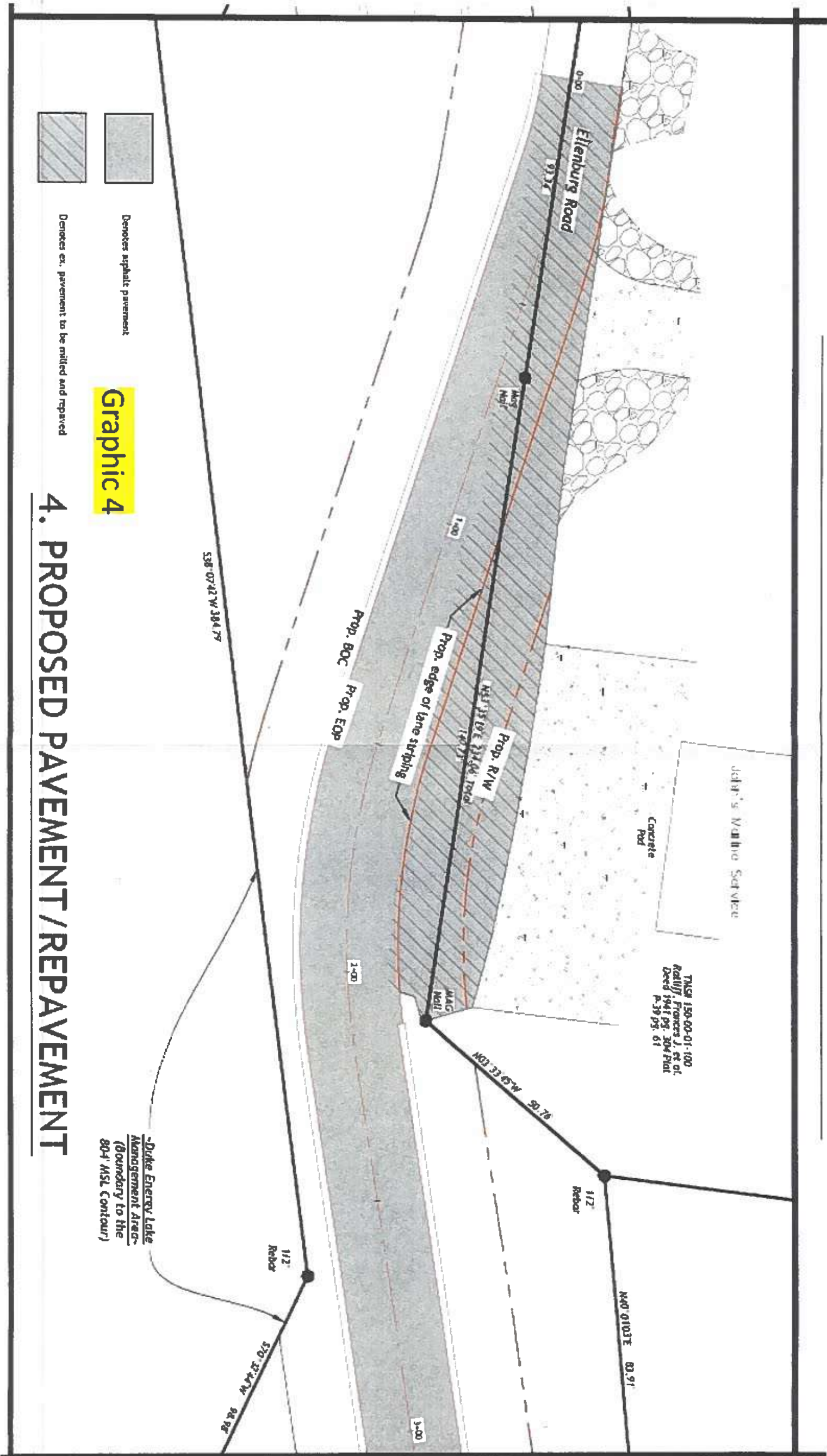
2. PROPOSED CENTERLINE AND RIGHT-OF-WAY



Graphic 3

3. PROPOSED ROAD DIMENSIONING

6



Graphic 4

4. PROPOSED PAVEMENT/REPAVEMENT

7



896 N. Walnut Street, Seneca, SC 29678

• 864.886.0098 • Fax 864.886.0075

To Whom It May Concern,

I, John Hamrick, am the owner of this property located at the end of Ellenburg Road, Tax Map # 150-00-01-459. I am aware Andy Lee is working to get a variance for this property. I am in full support and appreciate any consideration given.

Thank you,

A handwritten signature in black ink that reads "John Hamrick".

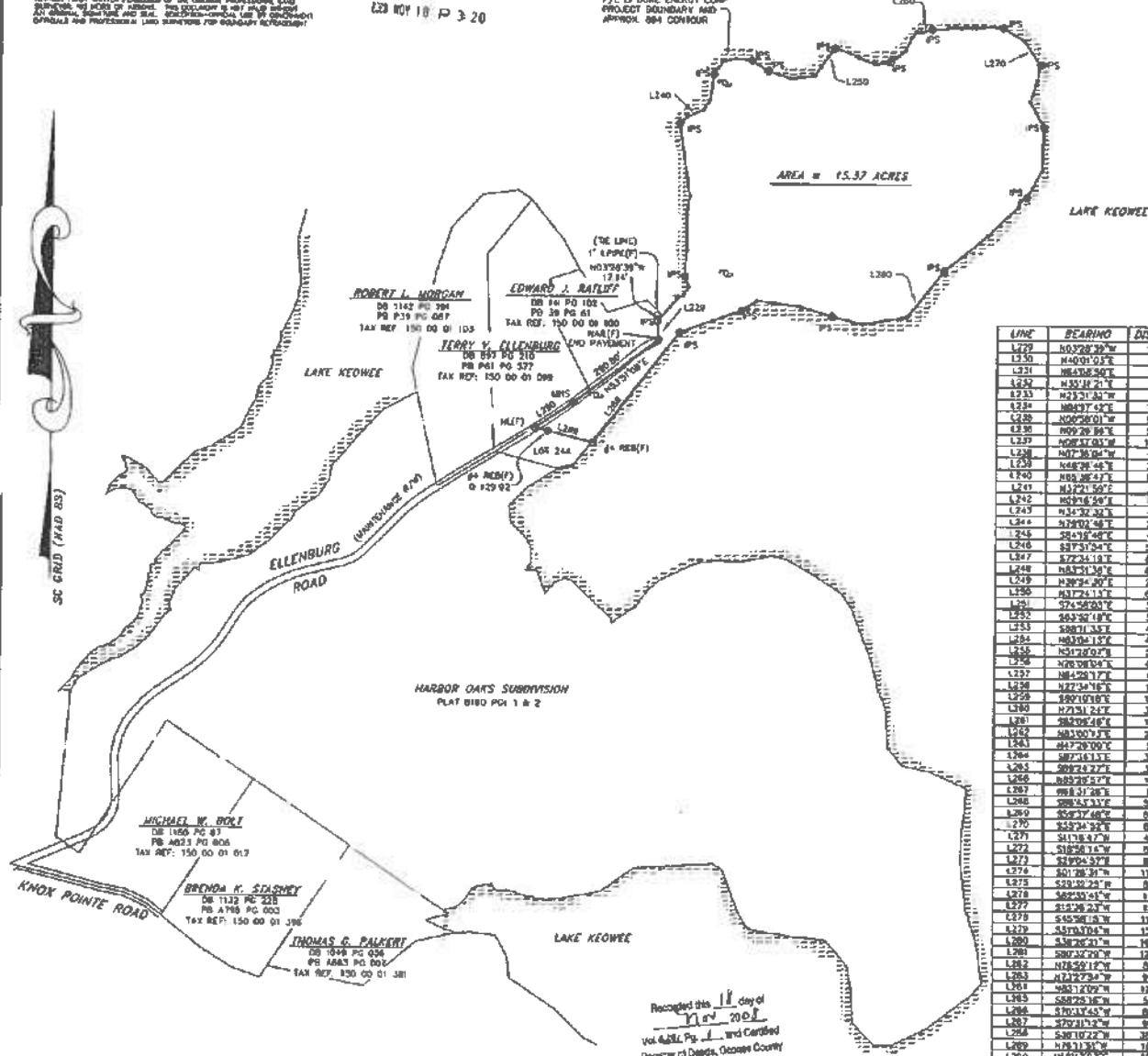
John Hamrick

A handwritten number "8" inside a blue circle, located in the bottom right corner of the page.

Copyright © 2003 CBS SURVEYING AND MAPPING, INC. ALL RIGHTS RESERVED
NO PORTION OF THIS PLAT MAY BE REPRODUCED BY PHOTOGRAPHY OR BY ANY OTHER MEANS WITHOUT PERMISSION OF THE SURVEYOR. THE SURVEYOR'S LIABILITY IS LIMITED TO THE PROFESSIONAL AND TECHNICAL SERVICES PROVIDED BY THE SURVEYOR. THE SURVEYOR'S LIABILITY IS LIMITED TO THE PROFESSIONAL AND TECHNICAL SERVICES PROVIDED BY THE SURVEYOR.

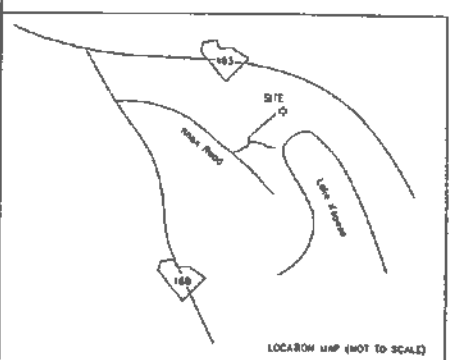
FILED IN RECORDS
SOUTH CAROLINA
REGISTERED PLAT
23 NOV 18 P 3 20

P.A. IS DUKE ENERGY CORP
PROJECT BOUNDARY AND
APPROX. 804 CONTOUR



LINE	BEARING	DISTANCE
L229	N032°36'30"W	50.30'
L230	N40°01'05"E	83.01'
L231	N64°06'50"E	17.55'
L232	N33°14'21"E	28.43'
L233	N23°21'30"W	31.99'
L234	N08°27'52"E	72.27'
L235	N00°26'01"W	98.83'
L236	N09°26'04"E	53.80'
L237	N08°14'03"W	158.64'
L238	N07°36'04"W	42.10'
L239	N48°36'45"E	78.58'
L240	N55°36'43"E	80.28'
L241	N32°14'50"E	30.18'
L242	N59°16'50"E	74.47'
L243	N34°39'40"E	41.77'
L244	N29°02'48"E	37.80'
L245	S84°18'48"E	45.81'
L246	S87°31'04"E	33.77'
L247	S77°24'18"E	87.34'
L248	N53°21'30"E	68.24'
L249	N26°34'20"E	79.89'
L250	N31°24'13"E	63.53'
L251	S74°58'00"E	37.50'
L252	S63°39'18"E	38.10'
L253	S58°21'37"E	42.13'
L254	N53°06'13"E	44.37'
L255	N51°28'07"E	51.78'
L256	N76°08'04"E	49.69'
L257	N84°28'12"E	61.57'
L258	N22°14'17"E	15.21'
L259	N90°10'01"E	13.30'
L260	N73°31'24"E	33.28'
L261	S88°08'46"E	18.03'
L262	N63°00'37"E	23.86'
L263	S88°14'33"E	34.74'
L264	S87°16'11"E	14.36'
L265	S89°24'27"E	16.84'
L266	S85°28'27"E	18.21'
L267	S88°51'28"E	8.81'
L268	S88°14'33"E	34.81'
L269	S58°17'48"E	67.00'
L270	S55°24'32"E	69.62'
L271	S41°18'47"E	44.01'
L272	S16°53'47"E	51.09'
L273	S19°54'57"E	80.04'
L274	S01°28'39"E	112.00'
L275	S28°18'24"E	67.86'
L276	S62°55'41"E	19.88'
L277	S24°28'27"E	15.73'
L278	S45°56'13"E	114.00'
L279	S59°18'45"E	156.12'
L280	S38°26'21"E	163.24'
L281	S88°42'20"E	124.26'
L282	N12°59'12"E	58.18'
L283	N12°12'23"E	94.39'
L284	N83°12'09"E	186.02'
L285	S68°26'16"E	51.22'
L286	S70°47'43"E	85.38'
L287	S72°11'27"E	88.73'
L288	S38°10'22"E	354.04'
L289	N78°11'31"E	168.55'
L290	N58°17'07"E	128.52'

Recorded this 11 day of
Nov 2003
Vol 4812, Pg 1 and Certified
Register of Deeds, Oconee County



NOTES:
 1. NO IMPROVEMENTS SUBJECT TO THIS SURVEY.
 2. PROPERTY SUBJECT TO THIS SURVEY IS SHOWN AS BEING UNDEVELOPED.
 3. PROPERTY SUBJECT TO THIS SURVEY IS SHOWN AS BEING UNDEVELOPED.
 4. PROPERTY SUBJECT TO THIS SURVEY IS SHOWN AS BEING UNDEVELOPED.
 5. PROPERTY SUBJECT TO THIS SURVEY IS SHOWN AS BEING UNDEVELOPED.
 6. PROPERTY SUBJECT TO THIS SURVEY IS SHOWN AS BEING UNDEVELOPED.
 7. PROPERTY SUBJECT TO THIS SURVEY IS SHOWN AS BEING UNDEVELOPED.
 8. PROPERTY SUBJECT TO THIS SURVEY IS SHOWN AS BEING UNDEVELOPED.
 9. PROPERTY SUBJECT TO THIS SURVEY IS SHOWN AS BEING UNDEVELOPED.
 10. PROPERTY SUBJECT TO THIS SURVEY IS SHOWN AS BEING UNDEVELOPED.



PLAT PREPARED FOR:
CRESCENT RESOURCES LLC
1610 DALLAS/FT. WORTH PARKWAY
SUITE 200
CHARLOTTE, N.C. 28277

BY ORDER OF THE REGISTER OF DEEDS, OCONEE COUNTY, SOUTH CAROLINA
I, _____, REGISTERED SURVEYOR
No. 6689
RECEIVED NOV 17 2003

NOTE: SEE PLAT BY THIS OFFICE IN PLAT
SLUG B143 PAGES 7 & 8.

PLAT NO. 2013000001
DATE: 11/18/03
PAGE 1 OF 1

BOUNDARY SURVEY FOR:
CRESCENT COMMUNITIES S.C., LLC

SURPLUS TRACT NO. 7174-82 INDC. AS SHOWN
 BORNSHIP: KEOWEE WAREWATER TAX ID: 130 00 01 416
 COUNTY: OCONEE STATE: SOUTH CAROLINA
 DATE: JULY 21, 2003 JOB NO: 1166100

DATE	REVISIONS	DESCRIPTION
11/4/2008		SHOW REMAINING PROPERTY

CBS Surveying & Mapping Inc.
 122 EAST ROBINSON STREET
 RET: DARTHEE, SC 29540 (864) 408-3080
 10⁰⁰ 008410

16 (31) 9

FW: Ellenburg Road - BZA hearing

2 messages

James Coley <jcoley@oconeesc.com>

Mon, Nov 29, 2021 at 12:13 PM

To: Wesley White <wesley@ridgewatereng.com>, Andy Lee <andyonkeowee@gmail.com>

For your records.

Thanks,

From: Kyle Reid**Sent:** Monday, November 29, 2021 9:58 AM**To:** James Coley <jcoley@oconeesc.com>**Cc:** David Root <droot@oconeesc.com>; Vivian Kompier <vkompier@oconeesc.com>**Subject:** RE: Ellenburg Road - BZA hearing

James,

Here are the bullets from my conversation with the developer and his engineers concerning the development at the end of Ellenburg Rd. (these are not commentary on the variance requested for the BZA and the below was based on hypotheticals as no plan was presented):

- The developer asked about where Ellenburg Rd stops being county maintained. I told them it was the end of the asphalt and that we did not have deeded right-of-way as the road is maintained by prescriptive easement. I also showed him what we have been maintaining as the extent of our right-of-way.
- They asked about upgrading the road and told me getting right-of-way from the adjacent property owner would likely be difficult. They asked about being able to place the road entirely on their property with a reduced right-of-way than the 50' standard required by the ordinance. I told them that any variance from the road standards would have to be heard by the BZA.
- They asked if there was anything additional that they would need to consider. I told them without a sketch plan it would be hard to hit all the points, but with a subdivision more than 10 lots there would have to be a traffic impact study for Ellenburg Rd that would need to be done at the preliminary plat phase along with an encroachment permit to tie onto the end of the county maintained portion of Ellenburg Rd.
- They asked me about the new road in the development becoming a county maintained road. I told them that the road would need to meet all county standards and have an approved turn around.
- They asked me about the being able to put a gate on the road. I told them it could not be a county maintained road if there was a gate.

As for the proposed variance from the road standards, I would not see an appreciable impact for us to maintain the road because of the fact that our road would terminate at the area with a narrowed right-of-way. They would have to grant us right-of-way in the area they are proposing to relocate the road which would enhance our ability to maintain it. The only other question I would have is for them to show the ability to get the road, shoulders, drainage, and utilities in the proposed narrowed right-of-way.



Thank you,

W. Kyle Reid

Assistant Director of Public Works

Oconee County Roads & Bridges

15022 Wells Hwy – Seneca, SC 29678

Phone: (864) 886-1072

Fax: (864) 886-1071

CONFIDENTIALITY NOTICE: All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA).

This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential, proprietary, and/or privileged information protected by law. If you are not the intended recipient, you may not read, use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail or telephone immediately and destroy all copies of the original message.

From: James Coley

Sent: Tuesday, November 23, 2021 1:37 PM

To: David Root <droot@oconeesc.com>; Vivian Kompier <vkompier@oconeesc.com>; Kyle Reid <kreid@oconeesc.com>

Subject: RE: Ellenburg Road - BZA hearing

Kyle,

Can you please write up notes for your meeting with the developer, and how their proposal impacts roads and bridges, and your site meeting with them? I will incorporate your materials into a report to the board with the staff recommendations.

Have a great thanksgiving.

Thanks,

James Coley

From: David Root

Sent: Monday, November 22, 2021 12:53 PM

To: James Coley <jcoley@oconeesc.com>; Vivian Kompier <vkompier@oconeesc.com>; Kyle Reid

Making sure you all had this section in mind also:

Sec. 26-8. - Variance from road standards.

(a) Any variance from these road standards shall be consistent with the intent of this article, and shall be approved in writing by the board of zoning appeals. Any person or entity requesting a variance from road standards shall submit a written request for a variance to the planning director of the county. A variance can only be granted for actions to take place in the future. No variance may be granted for past actions.

(b) Prior to scheduling a variance hearing before the board of zoning appeals, the person or entity requesting said variance shall work with the county planning department and the county road department in an effort to eliminate or minimize the need for a variance. After reasonable efforts and no other solution can be reached, a hearing shall be scheduled before the board of zoning appeals. The county staff shall submit written reports to the board of zoning appeals setting forth the county regulation in question, the efforts made to remedy the situation, and a recommendation setting forth the county's position regarding the variance. These written reports shall be submitted to the person or entity requesting the variance at least five days before the variance hearing.

(c) Notice of the variance hearing shall be provided by first-class mail to the person or entity requesting the variance at least 15 days prior to the hearing. Notice of the hearing shall also be published in a newspaper of general circulation in the county at least 15 days before the hearing.

(d) Any party may be represented by counsel. Any person or entity that would be directly impacted by the granting or denial of the variance may participate as a party in the hearing, provided notice of intent is submitted in writing to planning department at least seven days prior to the hearing. The planning department shall immediately notify all other parties of the new party's participation. The county may support or oppose the variance request or be neutral.

(e) The board shall make the initial determination concerning the variance request and may consider any and all evidence it deems relevant concerning the variance issue. The paramount issue for all variance requests shall be the reasonable safety of the road under the proposed circumstances. If the board concludes that a safe road can be constructed without strict application of the regulations set forth in this article or other county ordinances and policies, the board may then consider issues such as the cost of right-of-way acquisition, placement of utilities, and unusual circumstances in determining whether to grant a variance. The board should use reasonable discretion in its decision making.

(f) A person or entity whose request for a variance has been denied by the board may appeal the board's decision to the transportation committee of the county council.

James and Vivian – do you all need anything from me or Kyle prior to the hearing?

– David

David A. Root

Oconee County Attorney

415 South Pine Street



Attorney client / work product protections reserved

CONFIDENTIALITY NOTICE: All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA).

This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential, proprietary, and/or privileged information protected by law. If you are not the intended recipient, you may not read, use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail or telephone immediately and destroy all copies of the original message.

Andy Lee <andyonkeowee@gmail.com>
Reply-To: andyonkeowee@gmail.com
To: Adam Chapman <adamcorychapman@gmail.com>

Mon, Nov 29, 2021 at 12:43 PM

[Quoted text hidden]

2 attachments



image001.jpg
6K



image001.jpg
6K

Variance Criteria Overview

General criteria for granting a variance. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:

- a) *There are extraordinary and exceptional conditions pertaining to a particular piece of property.*

The parcel itself is a peninsula, it's bounded by water on all sides with exception of the center of the county road as a boundary. The peninsula is narrow in a small portion of the parcel and is unique in that the property line is the center of the road and does not have it's own right of way. There is only access easement to the parcel. These conditions are extraordinary and exceptional because of the limitations created by geography and topography within this parcel. The way a parcel of land lays, the geography, the topography are all acceptable reasons for granting a variance.

- b) *These conditions do not generally apply to other property in the vicinity.*

In the geographic vicinity of this piece of property most roads have a 50 foot right of way because they are not geographically constrained. This property is bounded by a body of water. Most parcels in the vicinity are not bound by the water on both sides. Because of the unique geography of this parcel, meeting the current road ordinance goes beyond creating an unnecessary hardship and instead creates only impossibility of use. This impossibility creates a scenario which meets the criteria for granting a variance.

- c) *Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.*

Without granting this variance to the roads ordinance the application of the ordinance will unreasonably restrict the use of the property. The property was purchased prior to this ordinance being adopted and if you will reference the Deed Restrictions for the parcel you will see that these restrictions are designed in mind with an end use for single-family residential development which was and still remains the intent behind this purchase. The developments in the vicinity of this property have larger homesites and larger homes. The application of this ordinance effectively prohibits building like kind or similar developments for which this property was purchased for, as per the deed.

- d) *The authorization of a variance will not be substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.*

- 1) **The proposed improvement will relocate the existing edge of county pavement, as shown on exhibit 2, to provide John's Marine an additional 22 feet of area to maneuver, outside of the County maintained roadway.**
- 2) **We will extend his current driveway to meet the new roadway so that it is then contiguous to his drive and ramp, causing no disturbance in his business use.**
- 3) **Probably most helpful to improve current conditions for his operation is the installation of a cul-de-sac at the termination of the county road. This would be located 100% within the boundaries of our parcel, as you can see on Graphic 2 and does not encroach onto his property. John's Marine, his customer base, and**

the delivery truck drivers will be able to utilize this space to turn around trucks and trailered boats. John's Marine is currently using the county road as a parking lot and to turn around delivery trucks according to himself and what has been submitted by the public. Granting this variance would alleviate that current hardship by expanding the paved area and providing a paved cul-de-sac that is built to accommodate a circling school bus or fire truck. This should effectively eliminate the need for FedEx/UPS truck to turn around in adjacent owners driveways, road shoulders, or have a need to block the road. This will certainly benefit him and his customers to be able to turn around there.

- 4) We are improving the affected area an ageing county road to current county specifications, an improvement to the current conditions of the roadway. This improvement is at no cost to John's Marine, the neighbors, or to the taxpayers.**
- 5) 19 more homesites also provides the opportunity for 19 more boats to service at the most convenient of distances. John's Marine, who already has an excellent customer base and strong reputation in our community as a top mechanic, will have a slightly expanded customer base in the community if he chooses to take on new clientele. Also, the impact of construction vehicles travelling the road way into the development is for a limited window of time while homes are being built.**

William Anderson "Andy" Lee

As an Oconee County native Andy is a 5th generation builder and developer. After graduating from Walhalla High School and a tour of service in the United States Navy he returned to Oconee and has worked in construction and development. He is also a local small businessman having purchased the brokerage in 2011 after serving as construction manager for the firm 5+ years prior. Andy has developed over 40 Lake Keowee communities and successfully marketed and sold these homesites through Lake Keowee Real Estate.

Reah Land Smith

Also an Oconee County native, Reah has been with the Lake Keowee Real Estate since 2013 and in the real estate industry since 2010. Reah played an integral role in the development, marketing, and sales of the last 8 developments in the brokerage. She currently resides on Lake Keowee.

OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

Minutes

6:00 PM – November 30, 2021

Members in Attendance

Gwen Fowler
Marty McKee
Bill Gilster
Bill Decker

Tim Mays
Jim Codner
John Eagar

Staff

James Coley
Vivian Kompier

Media

Lauren Pierce, The Journal

ITEM 1 – Call to Order – Mr. Codner called the meeting to order at 6:00 PM.

ITEM 2 – Approval of minutes of May 24, 2021 meeting – Mr. Eagar made a motion to approve; seconded by Mr. McKee. Vote 4/0 to approve, with Mr. Mays, Mr. Gilster and Mr. Decker recusing themselves.

ITEM 3 – Brief statement about rules and procedures – Mr. Codner outlined the proceedings of the meeting going forward:

- Applicant will provide an 8-minute presentation to state their request. Mr. Codner asked presenters not to be overly verbose.
- For the opposition to the request, the Board asked that one or two people summarize the opposition—concerns, problems, etc.
- Citizen comments – Mr. Codner asked that speakers avoid identical comments in the interest of brevity. He added that the Board has received close to 100 emails that they have reviewed and they understand the issues. It is important that everyone have their say, but asked everyone to be brief if at all possible.
- Applicant rebuttal
- Board member questions, with input from Planning Staff when requested.
- Voting

ITEM 4 – Variance request application #VA21-010: Seamon Whiteside and Associates, Inc. – Paul Talbert is requesting a variance allowing the side setback

for lot lines dividing attached single family units to be reduced to 0', thus allowing construction of individually platted, attached single family units. TMS #271-00-01-940/943/942/941/939/938 unaddressed parcel with the closest address of 201 W. Cherry Rd., Seneca, SC 29678.

Applicant's opening statement and provision of evidence:

Paul Talbert stated he was representing the engineer of record for the subject development, Phase II of The Pier North. Mr. Talbert read the responses to questions on the variance application.

- 1. Describe the extraordinary and exceptional condition that pertains to the subject property that does not generally apply to other land structures in the vicinity:** *The owner wishes to develop the subject property as attached single family units that are individually platted for sale. The code currently does not accommodate individually platted attached single family units due to the 5' side setback requirement for single family residential lots in the control free district. (Sec. 38-10.2) The owner requests a variance allowing the side setback for lot lines dividing attached single family units to be reduced to 0', thus allowing the construction of individually platted, attached single family units. All other setbacks, including side setbacks on end units, will meet Oconee County code. This will allow the owner to offer attached single family units for sale, providing an increased variety of housing products at various price points in the district. The availability for sewer on site due to access to private water treatment offers an opportunity for a higher density not present in other areas of the district.*
- 2. Are the circumstances affecting the subject property the result of actions by the applicant/owner? Explain:** *No, the circumstances are due to an incompatibility between the existing single family zoning ordinance and the desire to provide attached single family dwellings on individually platted lots.*
- 3. Describe the ways in which application of the requirement(s) of the ordinance effectively prohibit or unreasonably restrict the utilization of the subject property:** *The requirement for a 5' side setback on all single family residences prevents the development of attached single family units for sale rather than rental.*
- 4. Will the proposed variance result in an activity that 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? Explain:** *Yes, the proposed variance will not harm, but enhance the character of the district. The subject property is adjacent to multifamily apartments. Allowing attached single family units will provide a more seamless transition in density and use from the adjacent multifamily units to the proposed single family detached units and other surrounding single family development. The use of attached single family units will also allow units to be clustered, thus providing greater opportunity for common open space, as seen in the site plan. The*

increased opportunity for home ownership rather than rental, will increase the investment of those living in the subdivision in the surrounding community.

Discussion with the Board followed.

Public Comment:

- Mr. Codner read/summarized emails submitted by the public into the record.
- Mr. Patrick Tierney, Citizen, stated that he could not discern where the proposed development was located from the back-up material provided.
- Mr. Chris Leonard, Citizen, asked if townhomes will be priced at a price for first-time home buyers. If so, stated that would be a good idea.
- Mr. Matomas, Citizen, expressed his opposition to the proposed variance. He lives in Point Harbor and is concerned about devaluation of the established homes in the area and increased boat traffic.

Applicant rebuttal:

- Mr. Talbert was given the opportunity to address the public comments. He clarified the exact location of the proposed variance using the projected map.
- Mr. Chip Orson, Four Star Group, who manages land acquisition for the developer addressed the question regarding price points for the townhomes. Mr. Orson added that within his years of experience he has not seen similar developments negatively affect the valuation of neighboring properties.
- Mr. Talbert stated that the opposition to boat traffic was not applicable to the variance request as the property is not on the water.
- Mr. Talbert addressed the issue of density that was raised in emails read into the record. He stated that if the variance would be denied, the density would not change. With regards to the traffic concerns, he advised they have commissioned and completed a traffic study. The project has received SCDOT approval and any improvements to traffic flow, to any of the surrounding streets will be addressed in the development as required by the traffic study and SCDOT.
- Ms. Tricia Chason, Entitlement Manager, Four Star Group, advised that turn lanes (right-hand and left-hand) will be constructed off of Cherry Road into the development, so it will be widened significantly. There will be two entrances into the development, one off Cherry Road and one off J P Stevens Road. There are no improvements required for the J P Stevens entrance. There is another access point that will be for emergency vehicles only; it will be gated to prevent additional traffic. Ms. Chason added that the traffic study also analyzed the surrounding intersections and found no improvements were needed. She advised that SCDOT has a funded project that is in development now to improve the intersection at J P Stevens Road and Cherry Road.

Staff comments:

- Ms. Kompier stated that the property in question is zoned Control Free, with no density limitations. She confirmed that density is not an issue tonight; it is strictly lot lines.

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

- a. Motion – Mr. Eagar made a motion, seconded by Mr. Mays. No discussion.
- b. Vote

In-favor	Opposed
7	0

Mr. Codner noted that the criterion passed.

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

- a. Motion – Mr. Eagar made a motion, seconded by Mr. McKee. No discussion.
- b. Vote

In-favor	Opposed
7	0

Mr. Codner noted that the criterion passed.

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; and

- a. Motion – Mr. Gilster made a motion, seconded by Mr. Decker. Discussion followed.
- b. Vote

In-favor	Opposed
7	0

Mr. Codner noted that the criterion passed.

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.

- a. Motion – Mr. Eagar made a motion; seconded by Mr. Gilster. Discussion followed.
- b. Vote

In-favor	Opposed
7	0

Mr. Codner noted that the criterion passed.

5. Mr. Codner asked – Based on the evidence presented to the Board, do I hear a motion that the proposed variance be **Approved**.
 - a. Motion – Mr. Eagar made a motion; seconded by Mr. Decker. No discussion.
 - b. Vote

In-favor	Opposed
7	0

Mr. Codner noted that variance request was approved.

Item 5 – Variance request application #VA21-011: Ridgewater Engineering and Surveying – Joe Meaders is requesting an 18.1’ variance from the 50’ right-of-way for the entrance of the subdivision due to the end of the existing road not making full access into the property and only having a prescriptive ditch-to-ditch right-of-way. TMS #150-00-01-459 an unaddressed parcel with the closest address of 599 Ellenburg Rd, Seneca, SC 29672.

Applicant’s opening statement and provision of evidence:

Reah Smith, Development Team, Lake Keowee Real Estate, spoke on behalf of the applicant for the variance. She presented evidence that the property has geographic and physical constraints that require the variance and that each of the four criterion can be met to approve the variance. Ms. Smith added that the Road Ordinance that is referenced was adopted after the property was purchased. Ms. Smith described the positive impact the variance will have on John’s Marine and the nearby County roads. Board members asked questions to clarify certain points.

Staff comments: Mr. Coley explained that the request is a road variance, not necessarily a zoning ordinance, and Planning staff have met with staff from the Roads & Bridges Department to discuss. Notable findings from the meetings include agreement that the current road right-of-way is prescriptive and ends at the pavement on either side of the road, the variance is for a section that is 100 ft. in length and 31.9 ft. at its narrowest point, and the applicant is shifting the proposed entrance south from the center of the road so that it is all on their property. Mr. Coley also noted that granting this variance would not allow construction to begin immediately. The applicant would still need Roads & Bridges’ approval for their plan to fit road shoulders, appropriate drainage, and all utilities in a narrow right-of-way. In addition, a traffic study would need to be completed as well as approvals for access and turn radiuses from Emergency Management.

Public comment time:

- Rick McDuff, Attorney, Spokesman for John’s Marine (Ratliff family), stated the opposition to the ordinance. Points of opposition included:

- The portion of the road in question is not owned by Oconee County. Ownership is split between the developer and Ratliff's, with the majority by the Ratliff's.
- The belief that the BZA has no authority to make this decision; must be decided between the two private parties.
- No evidence a prescriptive easement has been obtained by the County
- Applicant is attempting to change a contour of an easement that they are not a party to
- Negative impact on John's Marine and the Ratliff property and absence of legal remedies to address the impact

Discussion with the Board followed.

- Edward John "Jay" Ratliff, Jr., outlined the Ratliff family's opposition to the variance, the history of the business and the negative impact of the approval of the variance.

Discussion with the Board followed.

- Mike Johnson, citizen, expressed his support for the variance approval, citing the changes to the County ordinance that regulates roads and right-of-ways over the years, specifically regarding private roads.
- Maggie Johnson, citizen, spoke in support of the variance approval and property owner's right to use their property as allowed.
- Chad Knot, citizen, expressed his opposition to the variance approval noting issues with the legality of Board deciding this application, infringement of the Duke 804 line, traffic, and the impact on John's Marine.
- Chris Holder, citizen Greenville, SC, stated his opposition to the variance approval. Mr. Holder referred to the negative impact on John's Marine specific to the space needed to navigate boat trailers and traffic.
- Jon Martin, citizen, stated his opposition to the variance with concern that John's Marine will lose their business and/or Oconee County taxpayers will have to defend decision in appellate court.
- Bruce Hadley, citizen, expressed his concern that the Board has no jurisdiction over this application as the road is private land and there is no plan to allow for a similar business if John's Marine is forced out of business
- Barry Steele, citizen, expressed his opposition to the variance approval based on his concerns with erosion and limited room for tractor trailers used for deliveries.
- Doug Cooper, Harbor Oaks HOA President, expressed his opposition to the variance approval citing safety concerns with regards to increased traffic.
- Mr. Codner made a motion to take a 5-minute break, seconded by Mr. Eagar. Mr. Codner called for a vote. The motion passed unanimously 7/0
- Mr. Codner made a motion that the Board reconvene, seconded by Mr. McKee. Mr. Codner called for a vote. The motion passed unanimously 7/0
- Mr. Codner read a sample of emails submitted by the public into the record.

Applicant rebuttal: Mr. Larry Brandt, attorney for the applicant, presented a summary rebuttal to the argument against the requested variance. A question-answer session with the Board followed. Andy Lee, Developer, addressed the opposition presented during public comment specifically the size of the cul-de-sac, piece of land between the two properties, encroachment into the 804, flood plain easement with regards to the 810, existence and “ownership” of the prescriptive easement, stabilization of the shoreline, and traffic. Discussion with Board followed. Ms. Smith made closing remarks.

Board discussion: Discussion by the Board included, but was not limited to, the Board’s jurisdiction in this case considering the conflicting legal opinions of the applicant and the opposition, John’s Marine, and traffic and pedestrian safety—specifically **section 26-8 (a) Variance from road standards** of the Oconee County Ordinances. Mr. Codner made a motion to table the variance request, with the supposition directing Planning Staff answer the question of who owns the property (road), and the two parties meet and try to resolve this issue—specifically the piece of land between the two properties—coming back to the Planning Department to schedule a new hearing; seconded by Mr. McKee. Mr. Codner called for a vote. The vote was approved unanimously 7/0.

Item 6 – Adjourn

Mr. Codner asked for a motion to adjourn

Motion – Mr. Mays made a motion; seconded by Mr. Eagar

Vote – Mr. Codner called for a vote. Motion was unanimously approved 7/0.

Meeting was adjourned at 6:58 PM.

OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

Variance VA21-011 "Arrowhead Road Variance"

Public Comment - First Name, Last Name - please print legibly

~~Rick McDuff~~ ~~Hilly~~

~~John Ratliff~~
~~Jimmy~~

1. Mike Johnson - Private Citizen
2. Maggie Johnson
3. EDWARD RATLIFF
4. Rick McDuff - ATTORNEY FOR JOHN'S MARINE
5. ~~Lucretia Morgan - Private Citizen~~
6. Sherri Crisp
7. GARY COLDRAN
8. CHAD KNOTT
9. CHRIS HOWER
10. John Reeves
11. RODGER CHAPMAN
12. Jon Martin
13. Frank Powell

OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

Variance VA21-011 "Arrowhead Road Variance"

Public Comment - First Name, Last Name - please print legibly

1. Bruce Hadley
2. ~~Bruce~~ Darryl S. Teala
Darryl
3. Doug Cooper
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____

Applicant's opening statement and provision of evidence:

Public comment-time:

Mr. Codner then opened up the public comment portion of the meeting and asked people to be concise with their comments as there are many people signed up to speak.

#1

Name	For	Against	Why?
Patrick Tierney			
Chris Lenard			
Rick McDuff Atty		✓	Everything
Edward Ratliff		✓	
Mike Johnson	✓		
Maggie Johnson	✓		
Chad Knott		✓	Everything
Chris Holder		✓	Traffic
John Martin		✓	
Bruce Hadley		✓	
Barry Steel		✓	
Doug Cooper		✓	
Larry Brandt	✓		

TABLE OF CONTENTS

Page 1: Exhibit 1 Exhibit Survey of Ellenburg Road Zoning Request

Page 2: Exhibit 2--Aerial of the Parcel and surrounding immediate area

Page 3: Graphics 1-4 Overview

Page 4: Graphic 1--Existing Roadway

Page 5: Graphic 2--Proposed Centerline and Right-of-Way

Page 6: Graphic 3--Proposed Road Dimensioning

Page 7: Graphic 4--Proposed Pavement/Repavement

Supplements:

Page 8: Letter from Parcel Owner

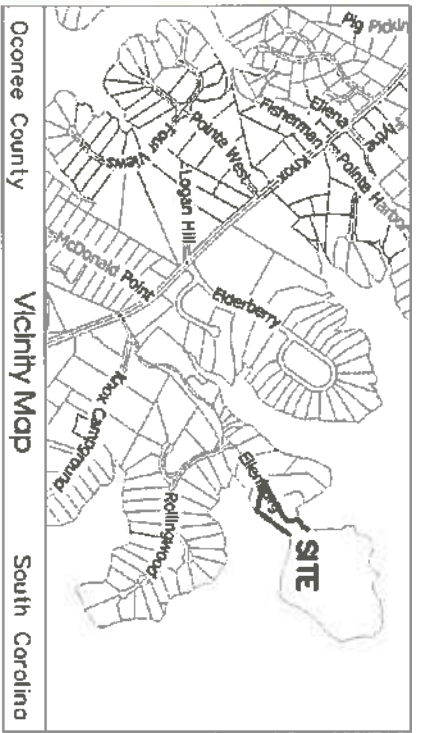
Page 9: Plat of Parcel from 2008

Page 10: Letter from Assistant Director of Public Works (stapled)

Page 11: Variance Criteria Overview (stapled)

Page 12: Developer Bios

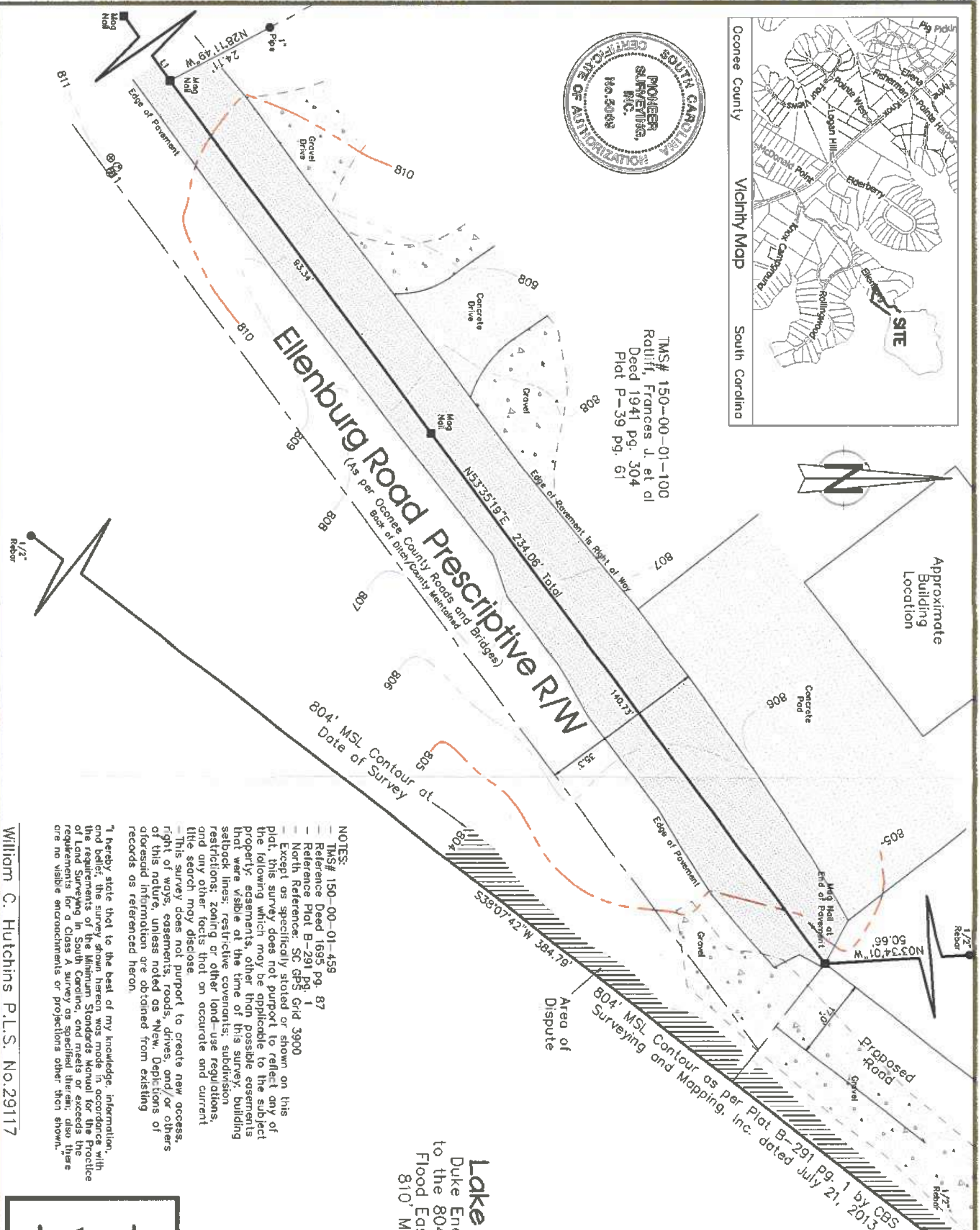
(Outside Packet) Deed for Parcel with Deed Restrictions



TMS# 150-00-01-100
 Rotiff, Frances J. et al
 Deed 1941 pg. 304
 Plat P-39 pg. 61



Approximate
 Building
 Location



LINE	BEARING	DISTANCE
L1	N54°54'41"E	56.82'

- Legend
- (New) (Found)
 - 1/2" Rod/Rebor
 - Mag Nail
 - △ Computed Point
 - ⊕ Telephone Pedestal
 - ⊙ Utility Pole

Lake Keowee
 Duke Energy Boundary
 to the 804' MSL Contour.
 Flood Easement to the
 810' MSL Contour.

NOTES:
 - TMS# 150-00-01-459
 - Reference Deed 1695 pg. 87
 - Reference Plat B-291 pg. 1
 - North Reference: SC GPS Grid 3900
 - Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject property: easements, other than possible easements that were visible at the time of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, and any other facts that on accurate and current title search may disclose.
 - This survey does not purport to create new access, right of ways, easements, roads, drives, and/or others of this nature, unless noted as "New." Depictions of aforesaid information are obtained from existing records as referenced herein.

William C. Hutchins P.L.S. No. 29117

PIONEER SURVEYING
 PioneerLandSurvey@gmail.com
 PioneerLandServices.com
 906 Freeman Road
 Liberty S.C. 29657
 (864) 231-8820

Drawn By	Field Crew	Map #
SG	SG, NS	20354As_Built



Exhibit Survey
 and Certification of
**Ellenburg Road
 Variance Request**
 Date: August 26, 2021


Exhibit 1

①

①




Exhibit 2



RIDGEWATER
ENGINEERING & SURVEYING

2010 N. 10th St.
Mesa, AZ 85201
PH: 480.944.2000
WWW.RIDGEWATERAZ.COM



Scale: 1" = 100'

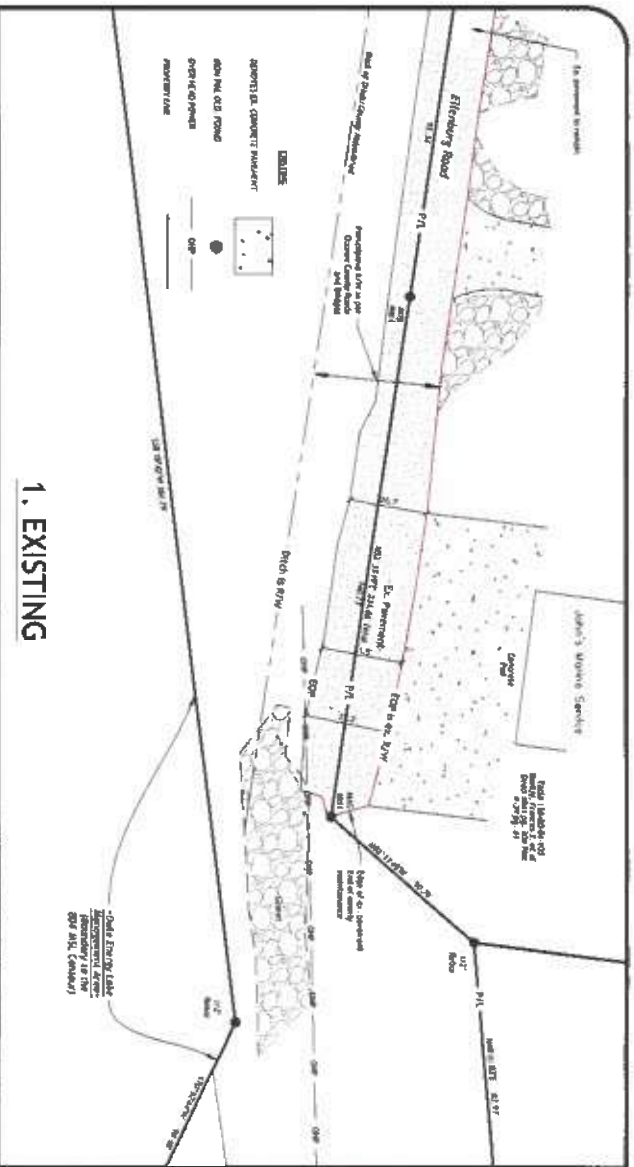


Professional Engineer
State of Arizona
No. 12345
Exp. 12/31/2025

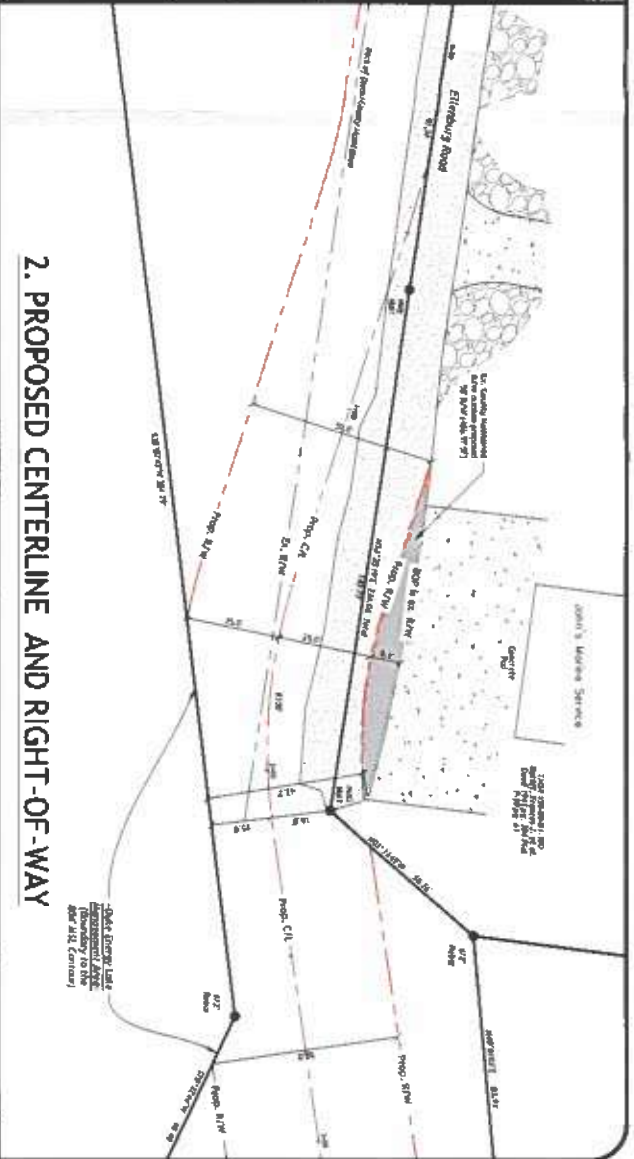
Arrowhead Point

Quinn Covert,
Scott Gardner

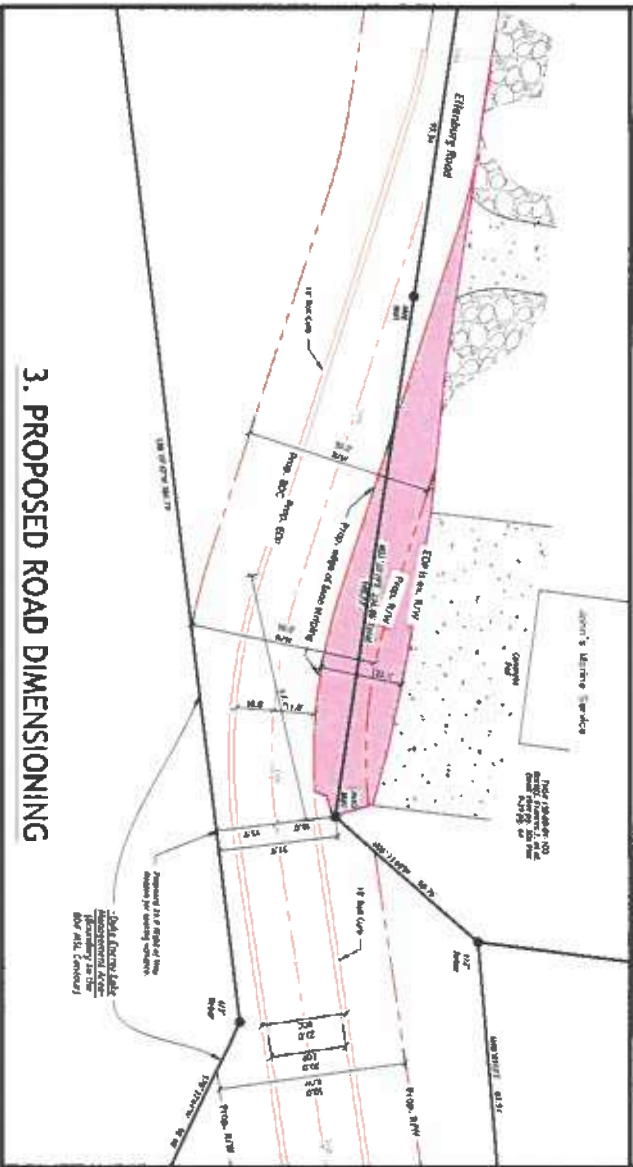
Exhibit 2



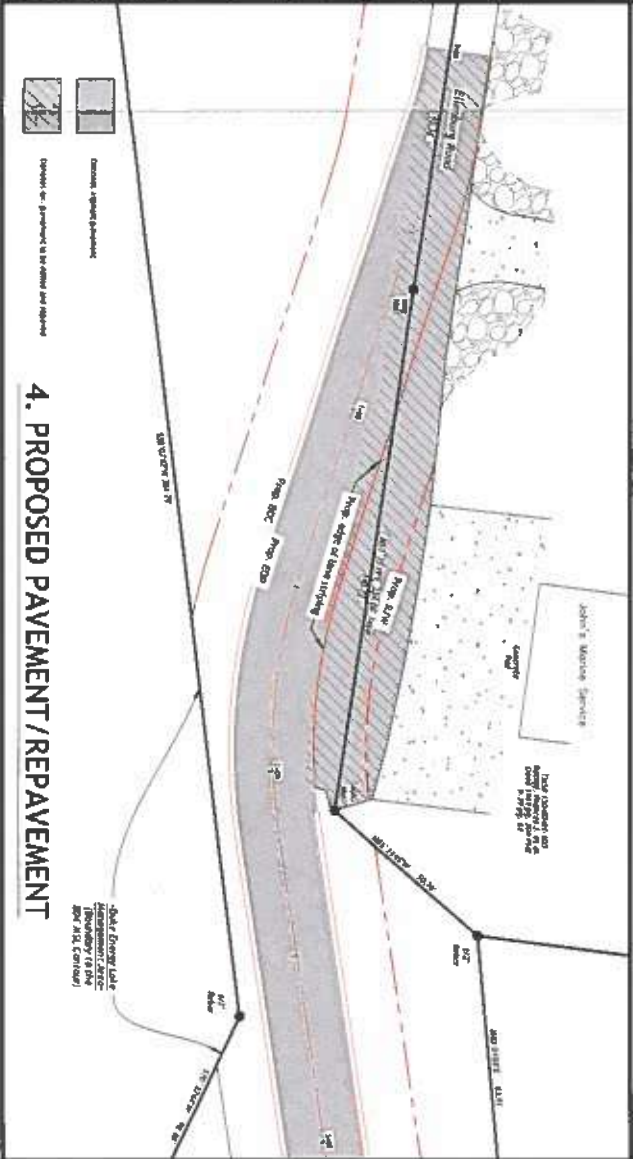
1. EXISTING



2. PROPOSED CENTERLINE AND RIGHT-OF-WAY



3. PROPOSED ROAD DIMENSIONING



4. PROPOSED PAVEMENT / REPAVEMENT

Graphics 1-4

SITE LEGEND

C/L	Centerline of Road
EDP	Edge of pavement
BCR	Back of curb
R/W	Right-of-way
R	Facility
Prop.	Proposed
Ex.	Existing

CAUTION



RIDGEWATER
ENGINEERING & SURVEYING

PO BOX 806
ANDERSON, SC 29622
(864) 728-6989
RIDGEWATER@GMAIL.COM

Scale: 1" = 10'-0"

North Arrow



Arrowhead Point

Oconee County,
South Carolina

DRAWN BY: KDC
CHECKED: JMW
JOB NUMBER: 21286

DATE: 11/20/21
SCALE: AS SHOWN

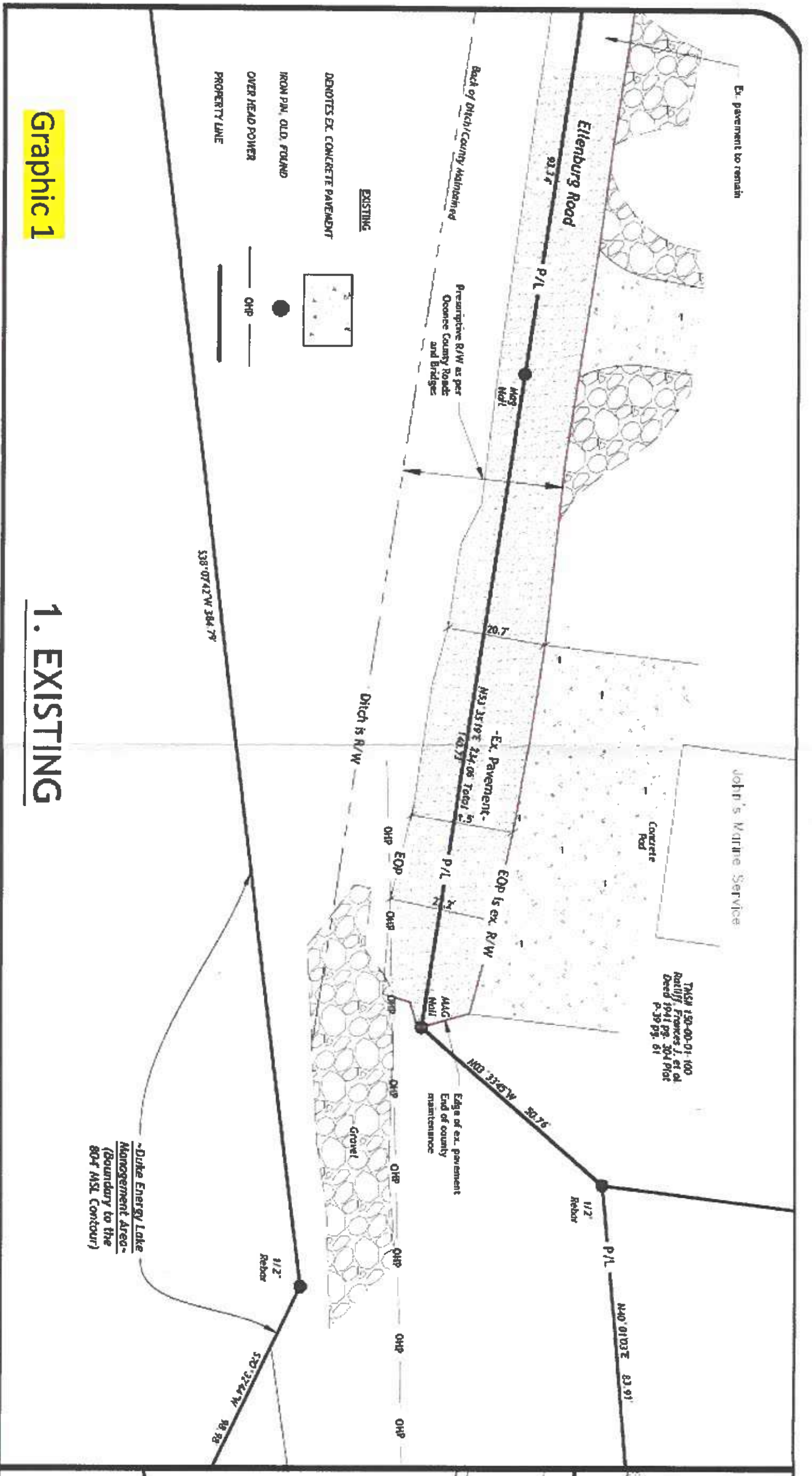
PLANNING COMMISSION #16

SHEET

Variance Request

C - 2

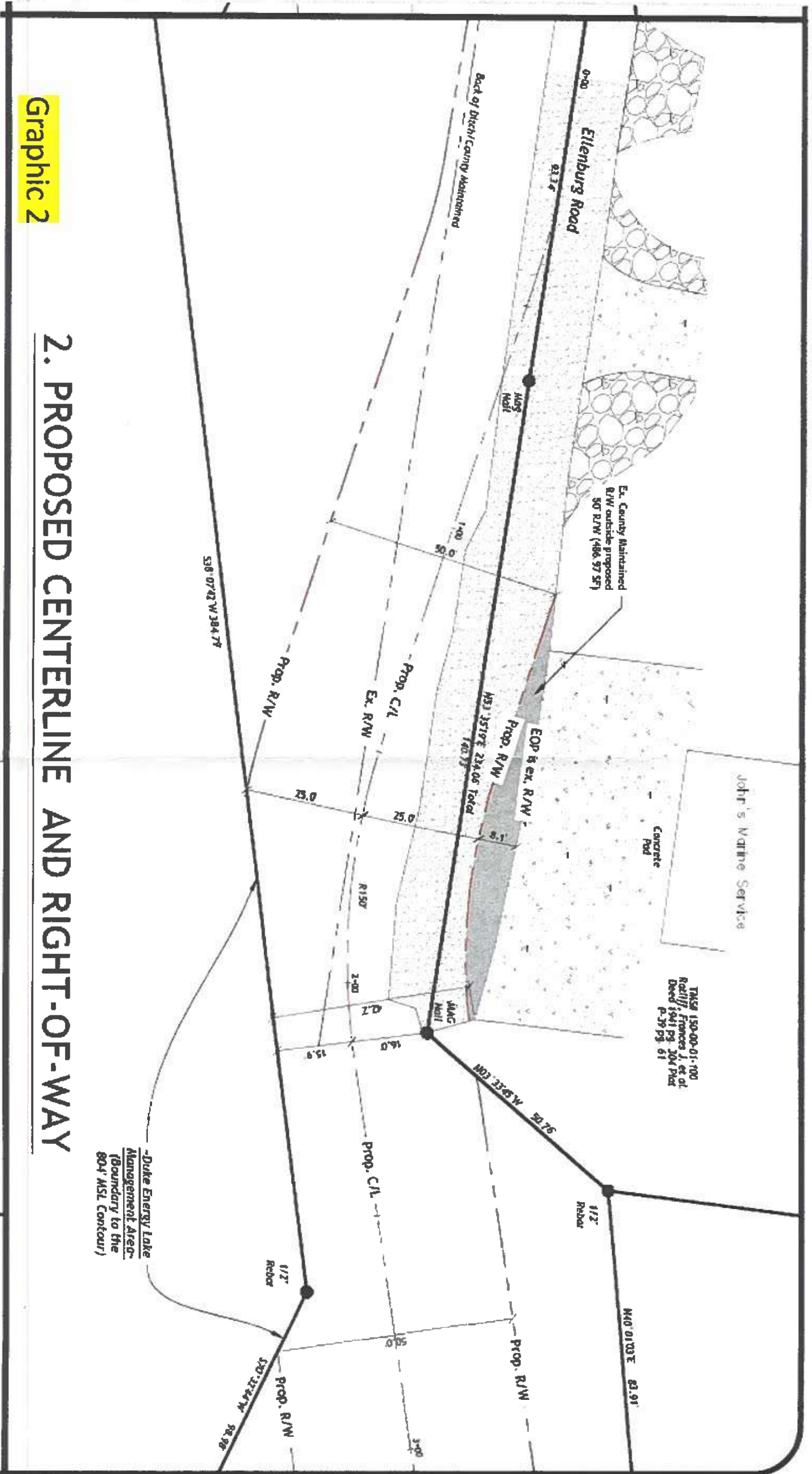
13



Graphic 1

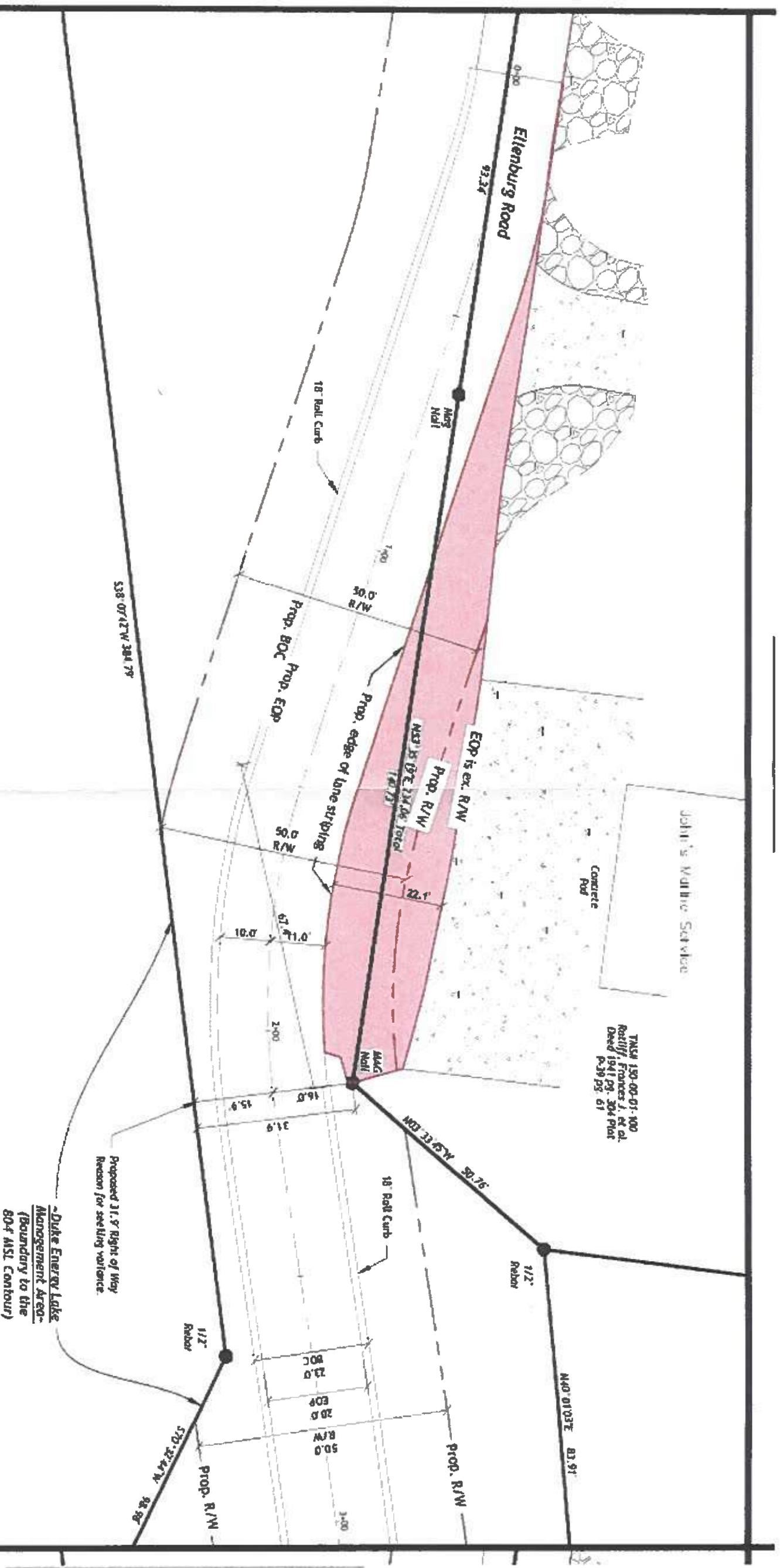
1. EXISTING

4



Graphic 2

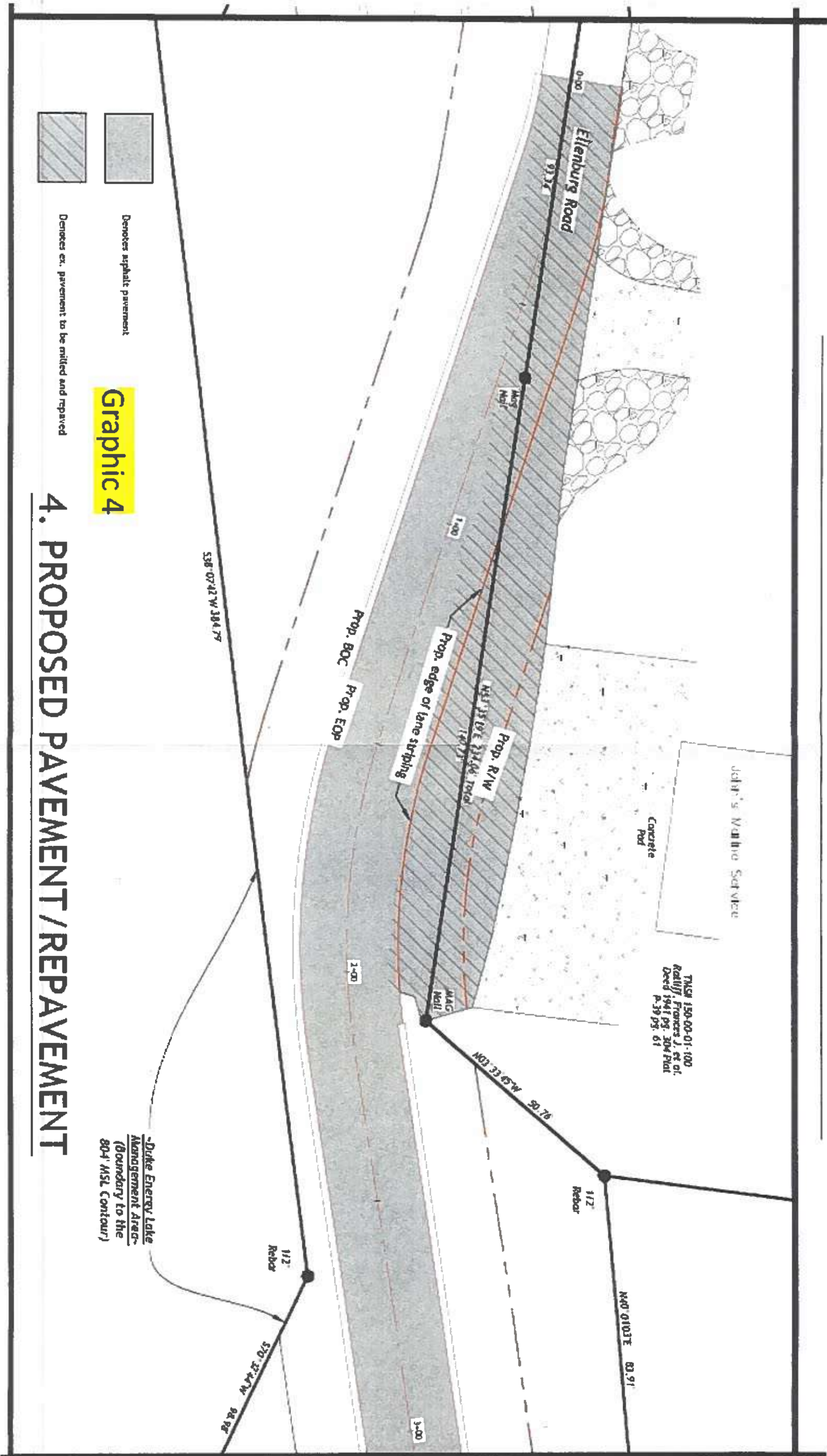
2. PROPOSED CENTERLINE AND RIGHT-OF-WAY



Graphic 3



3. PROPOSED ROAD DIMENSIONING

6



Graphic 4

4. PROPOSED PAVEMENT/REPAVEMENT

-  Denotes ex. pavement to be milled and repaired
-  Denotes asphalt pavement

7



896 N. Walnut Street, Seneca, SC 29678

• 864.886.0098 • Fax 864.886.0075

To Whom It May Concern,

I, John Hamrick, am the owner of this property located at the end of Ellenburg Road, Tax Map # 150-00-01-459. I am aware Andy Lee is working to get a variance for this property. I am in full support and appreciate any consideration given.

Thank you,

A handwritten signature in blue ink that reads "John Hamrick".

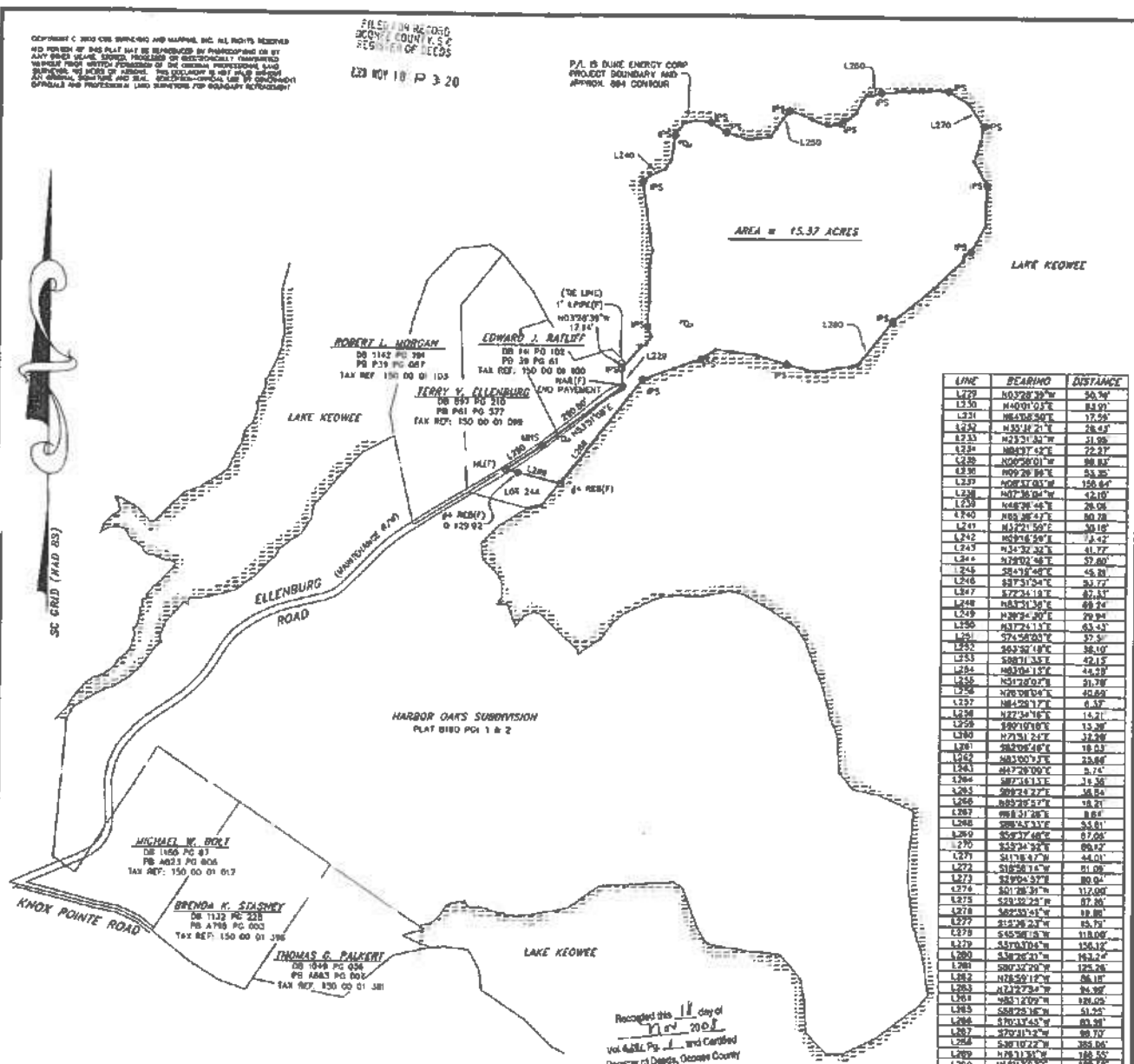
John Hamrick

A handwritten mark in blue ink, consisting of a circle with a stylized letter 'Y' or '8' inside.

Copyright © 2003 CBS SURVEYING AND MAPPING, INC. ALL RIGHTS RESERVED
 NO PORTION OF THIS PLAT MAY BE REPRODUCED BY PHOTOGRAPHY OR BY ANY OTHER MEANS WITHOUT PERMISSION OF THE SURVEYOR. THIS PLAT IS THE PROPERTY OF CBS SURVEYING AND MAPPING, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. THE SURVEYOR'S PROFESSIONAL LIABILITY INSURANCE POLICY DOES NOT COVER THIS SURVEY. THE SURVEYOR'S PROFESSIONAL LIABILITY INSURANCE POLICY DOES NOT COVER THIS SURVEY.

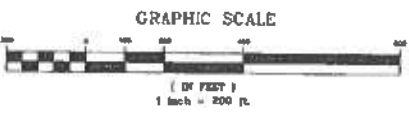
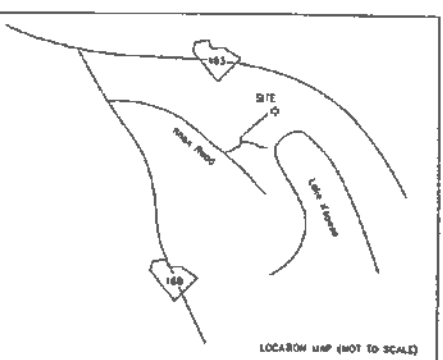
FILED 10/20/03
 DEWEE COUNTY, S.C.
 REGISTERED PLAT
 230 NOV 18 P 3 20

P.A. IS DUKE ENERGY CORP
 PROJECT BOUNDARY AND APPROX. 884 CONTOUR



LINE	BEARING	DISTANCE
L229	N03°28'30"W	50.30'
L230	N40°01'05"E	53.01'
L231	N65°08'50"E	17.55'
L232	N30°14'21"E	28.43'
L233	N23°21'40"W	31.99'
L234	N08°37'52"E	72.27'
L235	N00°00'01"W	98.83'
L236	N09°20'04"E	53.80'
L237	N08°14'03"W	158.64'
L238	N07°36'04"W	42.10'
L239	N48°26'41"E	78.58'
L240	N55°36'47"E	80.28'
L241	N32°14'50"E	50.18'
L242	N05°16'50"E	74.47'
L243	N34°39'40"E	41.77'
L244	N29°02'48"E	37.80'
L245	S84°18'48"E	45.81'
L246	S87°31'04"E	33.77'
L247	S77°24'18"E	87.34'
L248	N53°21'38"E	88.24'
L249	N26°34'20"E	79.89'
L250	N31°24'14"E	63.53'
L251	S74°58'00"E	37.55'
L252	S63°30'18"E	58.10'
L253	S58°21'45"E	42.13'
L254	N03°06'15"E	44.37'
L255	N51°28'07"E	51.78'
L256	N76°08'04"E	49.89'
L257	N84°20'17"E	6.57'
L258	N22°14'51"E	15.21'
L259	S90°10'01"E	13.30'
L260	N73°31'24"E	33.28'
L261	S88°08'46"E	18.03'
L262	N63°00'37"E	23.86'
L263	S98°14'37"E	9.74'
L264	S87°16'11"E	14.36'
L265	S89°24'27"E	16.84'
L266	S85°28'27"E	18.21'
L267	S88°51'28"E	8.81'
L268	S98°14'37"E	5.81'
L269	S58°17'48"E	67.00'
L270	S55°24'52"E	69.62'
L271	S41°18'47"E	44.01'
L272	S165°14'47"E	51.09'
L273	S49°54'57"E	80.04'
L274	S01°28'39"E	117.00'
L275	S28°18'24"E	67.86'
L276	S62°55'41"E	19.88'
L277	S42°28'27"E	15.73'
L278	S45°56'13"E	114.00'
L279	S59°18'45"E	156.12'
L280	S38°26'21"E	163.27'
L281	S88°42'20"E	124.26'
L282	N12°50'17"E	58.18'
L283	N71°27'24"E	94.30'
L284	N83°12'09"E	186.02'
L285	S68°26'16"E	51.22'
L286	S70°47'43"E	85.38'
L287	S70°11'27"E	89.73'
L288	S38°10'22"E	354.04'
L289	N78°11'31"E	168.55'
L290	N58°17'07"E	128.52'

Recorded this 11 day of
 Nov 2003
 Vol 4812, Pg 1 and Certified
 Register of Deeds, Oconee County



NOTES:
 1. NO IMPROVEMENTS SUBJECT TO THIS PLAT ARE TO BE CONSIDERED UNLESS SHOWN THEREON.
 2. PROPERTY SUBJECT TO THIS PLAT IS NOT TO BE CONSIDERED AS BEING SUBJECT TO ANY OTHER PLAT UNLESS SHOWN OTHERWISE.
 3. ALL RIGHTS RESERVED BY THE SURVEYOR.
 4. THIS PLAT IS THE PROPERTY OF CBS SURVEYING AND MAPPING, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.
 5. THE SURVEYOR'S PROFESSIONAL LIABILITY INSURANCE POLICY DOES NOT COVER THIS SURVEY.



PLAT PREPARED FOR:
CRESCENT RESOURCES LLC
 1610 BELLANTINE COMMONS PARKWAY
 SUITE 200
 CHARLOTTE, N.C. 28227

WORTH CAROLINA
 I HEREBY STATE THAT I AM THE OWNER OF ANY AND ALL RIGHTS RESERVED BY ME IN THIS PLAT AND THAT I HAVE NOT BEEN ADVISED BY ANY OTHER PARTY THAT I AM OBLIGATED TO RECORD THIS PLAT FOR ANY OTHER PURPOSE. I HAVE NOT BEEN ADVISED BY ANY OTHER PARTY THAT I AM OBLIGATED TO RECORD THIS PLAT FOR ANY OTHER PURPOSE. I HAVE NOT BEEN ADVISED BY ANY OTHER PARTY THAT I AM OBLIGATED TO RECORD THIS PLAT FOR ANY OTHER PURPOSE.

NOTE: SEE PLAT BY THIS OFFICE IN PLAT
 SLUG 8143 PAGES 7 & 8.

BOUNDARY SURVEY FOR:
CRESCENT COMMUNITIES S.C., LLC

SURPLUS TRACT NO. 7174-82 INDEA 45 SHOWN
 BOUNDARY: KEOWEE INDIAN WATER TAX ID: 130 00 01 416
 COUNTY: OCONEE STATE: SOUTH CAROLINA
 DATE: JULY 21, 2003 JOB NO: 1166100

DATE	REVISIONS	DESCRIPTION
11/4/2008		SHOW REMAINING PROPERTY

CBS
CBS Surveying & Mapping Inc.
 122 EAST ROBINSON STREET
 DARTHEE, SC 29540 (864) 408-3080
 Ret: 1000 008:10

10 (31) 9

FW: Ellenburg Road - BZA hearing

2 messages

James Coley <jcoley@oconeesc.com>

Mon, Nov 29, 2021 at 12:13 PM

To: Wesley White <wesley@ridgewatereng.com>, Andy Lee <andyonkeowee@gmail.com>

For your records.

Thanks,

From: Kyle Reid**Sent:** Monday, November 29, 2021 9:58 AM**To:** James Coley <jcoley@oconeesc.com>**Cc:** David Root <droot@oconeesc.com>; Vivian Kompier <vkompier@oconeesc.com>**Subject:** RE: Ellenburg Road - BZA hearing

James,

Here are the bullets from my conversation with the developer and his engineers concerning the development at the end of Ellenburg Rd. (these are not commentary on the variance requested for the BZA and the below was based on hypotheticals as no plan was presented):

- The developer asked about where Ellenburg Rd stops being county maintained. I told them it was the end of the asphalt and that we did not have deeded right-of-way as the road is maintained by prescriptive easement. I also showed him what we have been maintaining as the extent of our right-of-way.
- They asked about upgrading the road and told me getting right-of-way from the adjacent property owner would likely be difficult. They asked about being able to place the road entirely on their property with a reduced right-of-way than the 50' standard required by the ordinance. I told them that any variance from the road standards would have to be heard by the BZA.
- They asked if there was anything additional that they would need to consider. I told them without a sketch plan it would be hard to hit all the points, but with a subdivision more than 10 lots there would have to be a traffic impact study for Ellenburg Rd that would need to be done at the preliminary plat phase along with an encroachment permit to tie onto the end of the county maintained portion of Ellenburg Rd.
- They asked me about the new road in the development becoming a county maintained road. I told them that the road would need to meet all county standards and have an approved turn around.
- They asked me about the being able to put a gate on the road. I told them it could not be a county maintained road if there was a gate.

As for the proposed variance from the road standards, I would not see an appreciable impact for us to maintain the road because of the fact that our road would terminate at the area with a narrowed right-of-way. They would have to grant us right-of-way in the area they are proposing to relocate the road which would enhance our ability to maintain it. The only other question I would have is for them to show the ability to get the road, shoulders, drainage, and utilities in the proposed narrowed right-of-way.



Thank you,

W. Kyle Reid

Assistant Director of Public Works

Oconee County Roads & Bridges

15022 Wells Hwy – Seneca, SC 29678

Phone: (864) 886-1072

Fax: (864) 886-1071

CONFIDENTIALITY NOTICE: All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA).

This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential, proprietary, and/or privileged information protected by law. If you are not the intended recipient, you may not read, use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail or telephone immediately and destroy all copies of the original message.

From: James Coley

Sent: Tuesday, November 23, 2021 1:37 PM

To: David Root <droot@oconeesc.com>; Vivian Kompier <vkompier@oconeesc.com>; Kyle Reid <kreid@oconeesc.com>

Subject: RE: Ellenburg Road - BZA hearing

Kyle,

Can you please write up notes for your meeting with the developer, and how their proposal impacts roads and bridges, and your site meeting with them? I will incorporate your materials into a report to the board with the staff recommendations.

Have a great thanksgiving.

Thanks,

James Coley

From: David Root

Sent: Monday, November 22, 2021 12:53 PM

To: James Coley <jcoley@oconeesc.com>; Vivian Kompier <vkompier@oconeesc.com>; Kyle Reid

Making sure you all had this section in mind also:

Sec. 26-8. - Variance from road standards.

(a) Any variance from these road standards shall be consistent with the intent of this article, and shall be approved in writing by the board of zoning appeals. Any person or entity requesting a variance from road standards shall submit a written request for a variance to the planning director of the county. A variance can only be granted for actions to take place in the future. No variance may be granted for past actions.

(b) Prior to scheduling a variance hearing before the board of zoning appeals, the person or entity requesting said variance shall work with the county planning department and the county road department in an effort to eliminate or minimize the need for a variance. After reasonable efforts and no other solution can be reached, a hearing shall be scheduled before the board of zoning appeals. The county staff shall submit written reports to the board of zoning appeals setting forth the county regulation in question, the efforts made to remedy the situation, and a recommendation setting forth the county's position regarding the variance. These written reports shall be submitted to the person or entity requesting the variance at least five days before the variance hearing.

(c) Notice of the variance hearing shall be provided by first-class mail to the person or entity requesting the variance at least 15 days prior to the hearing. Notice of the hearing shall also be published in a newspaper of general circulation in the county at least 15 days before the hearing.

(d) Any party may be represented by counsel. Any person or entity that would be directly impacted by the granting or denial of the variance may participate as a party in the hearing, provided notice of intent is submitted in writing to planning department at least seven days prior to the hearing. The planning department shall immediately notify all other parties of the new party's participation. The county may support or oppose the variance request or be neutral.

(e) The board shall make the initial determination concerning the variance request and may consider any and all evidence it deems relevant concerning the variance issue. The paramount issue for all variance requests shall be the reasonable safety of the road under the proposed circumstances. If the board concludes that a safe road can be constructed without strict application of the regulations set forth in this article or other county ordinances and policies, the board may then consider issues such as the cost of right-of-way acquisition, placement of utilities, and unusual circumstances in determining whether to grant a variance. The board should use reasonable discretion in its decision making.

(f) A person or entity whose request for a variance has been denied by the board may appeal the board's decision to the transportation committee of the county council.

James and Vivian – do you all need anything from me or Kyle prior to the hearing?

– David

David A. Root

Oconee County Attorney

415 South Pine Street



Attorney client / work product protections reserved

CONFIDENTIALITY NOTICE: All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA).

This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential, proprietary, and/or privileged information protected by law. If you are not the intended recipient, you may not read, use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail or telephone immediately and destroy all copies of the original message.

Andy Lee <andyonkeowee@gmail.com>
Reply-To: andyonkeowee@gmail.com
To: Adam Chapman <adamcorychapman@gmail.com>

Mon, Nov 29, 2021 at 12:43 PM

[Quoted text hidden]

2 attachments



image001.jpg
6K



image001.jpg
6K

Variance Criteria Overview

General criteria for granting a variance. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:

- a) *There are extraordinary and exceptional conditions pertaining to a particular piece of property.*

The parcel itself is a peninsula, it's bounded by water on all sides with exception of the center of the county road as a boundary. The peninsula is narrow in a small portion of the parcel and is unique in that the property line is the center of the road and does not have it's own right of way. There is only access easement to the parcel. These conditions are extraordinary and exceptional because of the limitations created by geography and topography within this parcel. The way a parcel of land lays, the geography, the topography are all acceptable reasons for granting a variance.

- b) *These conditions do not generally apply to other property in the vicinity.*

In the geographic vicinity of this piece of property most roads have a 50 foot right of way because they are not geographically constrained. This property is bounded by a body of water. Most parcels in the vicinity are not bound by the water on both sides. Because of the unique geography of this parcel, meeting the current road ordinance goes beyond creating an unnecessary hardship and instead creates only impossibility of use. This impossibility creates a scenario which meets the criteria for granting a variance.

- c) *Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.*

Without granting this variance to the roads ordinance the application of the ordinance will unreasonably restrict the use of the property. The property was purchased prior to this ordinance being adopted and if you will reference the Deed Restrictions for the parcel you will see that these restrictions are designed in mind with an end use for single-family residential development which was and still remains the intent behind this purchase. The developments in the vicinity of this property have larger homesites and larger homes. The application of this ordinance effectively prohibits building like kind or similar developments for which this property was purchased for, as per the deed.

- d) *The authorization of a variance will not be substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.*

- 1) **The proposed improvement will relocate the existing edge of county pavement, as shown on exhibit 2, to provide John's Marine an additional 22 feet of area to maneuver, outside of the County maintained roadway.**
- 2) **We will extend his current driveway to meet the new roadway so that it is then contiguous to his drive and ramp, causing no disturbance in his business use.**
- 3) **Probably most helpful to improve current conditions for his operation is the installation of a cul-de-sac at the termination of the county road. This would be located 100% within the boundaries of our parcel, as you can see on Graphic 2 and does not encroach onto his property. John's Marine, his customer base, and**

the delivery truck drivers will be able to utilize this space to turn around trucks and trailered boats. John's Marine is currently using the county road as a parking lot and to turn around delivery trucks according to himself and what has been submitted by the public. Granting this variance would alleviate that current hardship by expanding the paved area and providing a paved cul-de-sac that is built to accommodate a circling school bus or fire truck. This should effectively eliminate the need for FedEx/UPS truck to turn around in adjacent owners driveways, road shoulders, or have a need to block the road. This will certainly benefit him and his customers to be able to turn around there.

- 4) We are improving the affected area an ageing county road to current county specifications, an improvement to the current conditions of the roadway. This improvement is at no cost to John's Marine, the neighbors, or to the taxpayers.**
- 5) 19 more homesites also provides the opportunity for 19 more boats to service at the most convenient of distances. John's Marine, who already has an excellent customer base and strong reputation in our community as a top mechanic, will have a slightly expanded customer base in the community if he chooses to take on new clientele. Also, the impact of construction vehicles travelling the road way into the development is for a limited window of time while homes are being built.**

William Anderson "Andy" Lee

As an Oconee County native Andy is a 5th generation builder and developer. After graduating from Walhalla High School and a tour of service in the United States Navy he returned to Oconee and has worked in construction and development. He is also a local small businessman having purchased the brokerage in 2011 after serving as construction manager for the firm 5+ years prior. Andy has developed over 40 Lake Keowee communities and successfully marketed and sold these homesites through Lake Keowee Real Estate.

Reah Land Smith

Also an Oconee County native, Reah has been with the Lake Keowee Real Estate since 2013 and in the real estate industry since 2010. Reah played an integral role in the development, marketing, and sales of the last 8 developments in the brokerage. She currently resides on Lake Keowee.

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

Staff Opinion

BZA #VA21-011 Ridgewater Engineering and Surveying – Joe Meaders is requesting an 18.1' variance from the 50' Right of Way for the entrance of the subdivision due to the end of the existing road not making full access into the property and only having a prescriptive “ditch to ditch” right-of-way. TMS # 150-00-01-459 is an unaddressed parcel with the closest address of 599 Ellenburg Rd, Seneca, SC 29672

Applicant has requested a variance from the road standards under Sec 26-8 of the Oconee County Code of Ordinances. They have requested the variance from Sec 26-3(e)(1) Public Road Minimum right-of-way, pavement, and shoulder width shall be as follows: minor local 50' right-of way.

The applicant is connecting to the existing Ellenburg Rd, a county road, with a new road to develop land past the end of the existing road. Their design as presented would shift the road to the south, establishing a new road layout with curb and gutter on the south side of the road and curb and gutter on both sides past the end of the current road.

- Currently the road right-of-way is prescriptive and ends at the edge of pavement.
- The right-of way request is for a section of the road approximately 100 foot in length with a varying width, which at its narrowest is 31.9 foot
- Sketch is shifting the road to the applicant's side of the property line.

The applicant has meet with the Roads and Bridges Department (notes attached at the end), and based on the initial conversation the Department does not believe that the relocation of the road would have an adverse effect of road maintenance. If the variance is approved they would still need to show the ability to place the road, shoulders, drainage, and utilities in the proposed, narrowed, right-of-way, would need to have a traffic study completed, and would need approvals on access and turning radius with emergency management.

James,

Here are the bullets from my conversation with the developer and his engineers concerning the development at the end of Ellenburg Rd. (these are not commentary on the variance requested for the BZA and the below was based on hypotheticals as no plan was presented):

- The developer asked about where Ellenburg Rd stops being county maintained. I told them it was the end of the asphalt and that we did not have deeded right-of-way as the road is maintained by prescriptive easement. I also showed him what we have been maintaining as the extent of our right-of-way.
- They asked about upgrading the road and told me getting right-of-way from the adjacent property owner would likely be difficult. They asked about being able to place the road entirely on their property with a reduced right-of-way than the 50' standard required by the ordinance. I told them that any variance from the road standards would have to be heard by the BZA.
- They asked if there was anything additional that they would need to consider. I told them without a sketch plan it would be hard to hit all the points, but with a subdivision more than 10 lots there would have to be a traffic impact study for Ellenburg Rd that would need to be done at the preliminary plat phase along with an encroachment permit to tie onto the end of the county maintained portion of Ellenburg Rd.
- They asked me about the new road in the development becoming a county maintained road. I told them that the road would need to meet all county standards and have an approved turn around.
- They asked me about the being able to put a gate on the road. I told them it could not be a county maintained road if there was a gate.

James L. Ratliff, Owner/Operator
John's Marine Service
599 Ellenburg Road
Seneca, SC 29672
November, 22 2021

Jim Codner, Chairman
Oconee County Board of Zoning Appeals
415 South Pine Street
Walhalla, SC 29691

LETTER of OPPOSITION to Variance request application #VA 21-011 – TMS #150-00-01-459 an unaddressed parcel with the closest address of 599 Ellenburg Rd, Seneca, SC 29672

Dear Mr. Codner,

My family and I are in opposition to the development of the proposed 19-home subdivision as presented on the sketch prepared by Ridgewater Engineering & Surveying. My father (John Ratliff) started John's Marine Service to serve boaters on Lake Keowee in 1972. In 1982, he opened his shop at 599 Ellenburg Road which borders TMS #150-00-01-459, the unaddressed parcel in the variance request application. I now own and operate the repair shop and my son is also learning the trade. The unaddressed parcel was purchased in 2008 by GLOBE, LLC & FARMES, LLC (agent John Hamrick). At that time, I was starting to operate the business because my father was diagnosed with Alzheimer's. John Hamrick approached my father multiple times attempting to negotiate with him to sell his property. Fortunately for my family, my father did not sell. Prior to my father passing away, I became the owner of the business to support my parents and my family. This business is our livelihood and the means of support for my family for approximately four decades at the present location.

The proposed development, which is titled "Arrowhead Point" on the sketch plan attached to the variance request application, will have a detrimental and crippling impact to my business and property. The area directly adjoining the 31.9-foot bottleneck is my repair shop. In addition to the bottleneck, yesterday a sketch was added to the meeting backup material. At first glance, it appeared that this will not hinder my business, however upon further examination, he is proposing to take part of my property for his much-needed county right-of-way. The sketch contains a proposed re-pavement and an added county right-of-way which will hinder access for me to utilize my property per Oconee County Code of Ordinance 26-7.f.1. This ordinance prohibits parking within 3-feet of the pavement. Traffic in this area will directly impact my ability to operate the marine service business. Customers typically deliver their boats by trailer and they routinely need assistance with backing and parking their boats. I routinely back boats from the front of my property multiple times daily. When pulling boats out on the ramp or maneuvering them on land, a wide turning radius is needed. We must use all of our property to make

the turn and back down the road into the shop or onto the ramp for lake-testing. Since we are on a dead-end road, there have been no issues with operation since the shop was built almost 40 years ago in 1982. Creating a bottleneck directly in this path with the size of the planned development will create a dangerous situation for my business and the public. Traffic from the residential and proposed rental homes will also remain a hazard, not only for my business and customers but also the surrounding public and neighbors walking and bicycling on Ellenburg Road. When the owner purchased this parcel in 2008, he was aware of the shop's existence and the impact to the public. This proposed variance will have a crippling impact on my customer's ability to deliver their boats for repair and service.

We also have a boat ramp to accommodate customers who don't own a trailer or have access to a trailer. We haul boats out of the lake using our ramp and our trailers for service and repairs. Disabled boats are often towed to our docks by water to have emergency repairs performed.

Beyond the boat service business that my father created and I have sustained, we perform various deeds for the good of the general public. Over the years, we rescued families who were lost or stranded on the lake. We assisted boaters who've had engine fires and those with sinking boats. Due to our shop's central location on Lake Keowee, it gives us quick access to assist distressed boaters. Our long-standing reputation in the community enables people to have us on "speed-dial" to handle emergency situations. Once while lake testing a boat, I was flagged to the county park for emergency response to a distressed family. I went closer and learned a person went under and did not resurface. I dove in the water and began an underwater search. After several free dives, I found the victim on the bottom of the lake and I pulled him to shore. Unfortunately, the outcome was not positive, and the individual did not survive. For my service, Oconee County honored me with recognition at a county council meeting for my emergency response (Proclamation P2012-06). I only wish it would have been for saving a life. The public good has been served by our business for almost 40 years and many boaters stand ready to give statements of support to its continued operation.

After obtaining the variance application #VA 21-011 via a Freedom of Information Act request and reviewing the applicant's response to the fourth question, it was disingenuous of the applicant to assert that "no detriment will be created to the adjacent uses or the public good" given that my boat service business is directly adjacent, has been in operation since 1982 and it is obvious that it will be impacted. As a former Crescent developer, the buyer of TMS #150-00-01-459 the unaddressed parcel, knew what he was purchasing and the detrimental impact it would have on my adjacent business, my livelihood, my family and the public. The unaddressed parcel was purchased with inadequate entry for the size of the planned development and the owner is now asking for a variance that will have a substantial detriment to me, the adjacent user, and a substantial detriment to the public good.

As the Zoning and Appeals Board evaluates the variance application #VA 21-011, below are our responses.

Application Responses to Section 38-7.1:

Question 2:

Are the circumstances affecting the subject property the result of actions by the applicant/owner?

Response:

The applicant/owner purchased this property knowing that the direct access to their parcel was much less than 31.9-foot width at its narrowest point. County maintenance on Ellenburg Road

has been established at 585 Ellenburg (adjacent property up the road from 599 Ellenburg Road) for decades. John's Marine has owned and maintained the property between 585 Ellenburg and the unaddressed parcel described as Arrowhead Point since the shop was built in 1982 as a private road. On July 31, 2021, we noticed construction activities were performed without our knowledge or consent to backfill portions of the property between 599 Ellenburg Road and the Lake Keowee full pond FERC boundary and possibly below the FERC boundary. We approached the vehicles to inquire as to who authorized this activity. Their response was that they didn't know and they produced no documentation. These activities appear to create the condition for seeking a variance for less footage than would otherwise be needed for the 50-foot county ordinance. Video evidence of the backfill activities is available upon request.

Question 4:

Will the proposed variance result in an activity that will not be of substantial detriment to the adjacent uses or to the public good, and the character of the district will not be harmed by the granting of the variance?

Response:

Granting this variance will have a substantial detriment to the adjacent uses by John's Marine Service, the marine service customers, the general public, and the Ratliff family. These uses have been in place for over 40 years and are for the good of the public. The granting of this variance will in essence put John's Marine Service out of business. As aforementioned, for John's Marine to properly and safely service boats, a wide swath of land is necessary for boats to be maneuvered safely, stored on the property while being repaired and have access to the ramp for lake testing. Storage of disabled boats has been paramount to my business to enable John's Marine to diagnose and repair the issues. The central location of John's Marine on Lake Keowee has allowed me to be of service in emergent situations, where at a moment's notice, I can respond to people in distress in their boats on the lake. My son and I hope to continue to provide service for the next half of a century on Lake Keowee.

Granting this variance will also have a substantial detriment to the public good for safety reasons. Ellenburg Road is a quiet road without much car traffic and the surrounding community love and respect John's Marine. The unexpected increase in car traffic on Ellenburg Road from the size of the development that is being proposed will create safety issues for the surrounding property owners who are accustomed to walking their dogs, riding their bikes and have been for 40 years.

Of additional, significant concern is the potential fire safety hazards from a roadway not suitable to meet the size of the residential development that is being proposed. The small direct access will impact the ability of emergency vehicles for emergency response.

Obviously, if the variance is granted, the construction to expand the roadway will be very impactful to my business as it will be difficult to maneuver boats efficiently and safely and it will create a substantial business interruption.

My family and I request the board deny Variance Request Application #VA 21-011 due to the impacts on my business, the good of the public, and my family. We desire to continue serving the public by owning and operating John's Marine as we have for the past 49 years, of which 40 years have been at its present location.

Sincerely,



James L. Ratliff
Owner/Operator John's Marine Service

Distribution:

Impacted property owners of 599 Ellenburg Road:

Frances J Ratliff

Sherri D Akers

Amy L Cawthon

Edward John Ratliff Jr.

James L Ratliff

Board of Zoning Representatives:

Gwen Fowler

Bill Gilster

Marty McKee

Tim Mays

John Eager

William Decker

has been established at 585 Ellenburg (adjacent property up the road from 599 Ellenburg Road) for decades. John's Marine has owned and maintained the property between 585 Ellenburg and the unaddressed parcel described as Arrowhead Point since the shop was built in 1982 as a private road. On July 31, 2021, we noticed construction activities were performed without our knowledge or consent to backfill portions of the property between 599 Ellenburg Road and the Lake Keowee full pond FERC boundary and possibly below the FERC boundary. We approached the vehicles to inquire as to who authorized this activity. Their response was that they didn't know and they produced no documentation. These activities appear to create the condition for seeking a variance for less footage than would otherwise be needed for the 50-foot county ordinance. Video evidence of the backfill activities is available upon request.

Question 4:

Will the proposed variance result in an activity that will not be of substantial detriment to the adjacent uses or to the public good, and the character of the district will not be harmed by the granting of the variance?

Response:

Granting this variance will have a substantial detriment to the adjacent uses by John's Marine Service, the marine service customers, the general public, and the Ratliff family. These uses have been in place for over 40 years and are for the good of the public. The granting of this variance will in essence put John's Marine Service out of business. As aforementioned, for John's Marine to properly and safely service boats, a wide swath of land is necessary for boats to be maneuvered safely, stored on the property while being repaired and have access to the ramp for lake testing. Storage of disabled boats has been paramount to my business to enable John's Marine to diagnose and repair the issues. The central location of John's Marine on Lake Keowee has allowed me to be of service in emergent situations, where at a moment's notice, I can respond to people in distress in their boats on the lake. My son and I hope to continue to provide service for the next half of a century on Lake Keowee.

Granting this variance will also have a substantial detriment to the public good for safety reasons. Ellenburg Road is a quiet road without much car traffic and the surrounding community love and respect John's Marine. The unexpected increase in car traffic on Ellenburg Road from the size of the development that is being proposed will create safety issues for the surrounding property owners who are accustomed to walking their dogs, riding their bikes and have been for 40 years.

Of additional, significant concern is the potential fire safety hazards from a roadway not suitable to meet the size of the residential development that is being proposed. The small direct access will impact the ability of emergency vehicles for emergency response.

Obviously, if the variance is granted, the construction to expand the roadway will be very impactful to my business as it will be difficult to maneuver boats efficiently and safely and it will create a substantial business interruption.

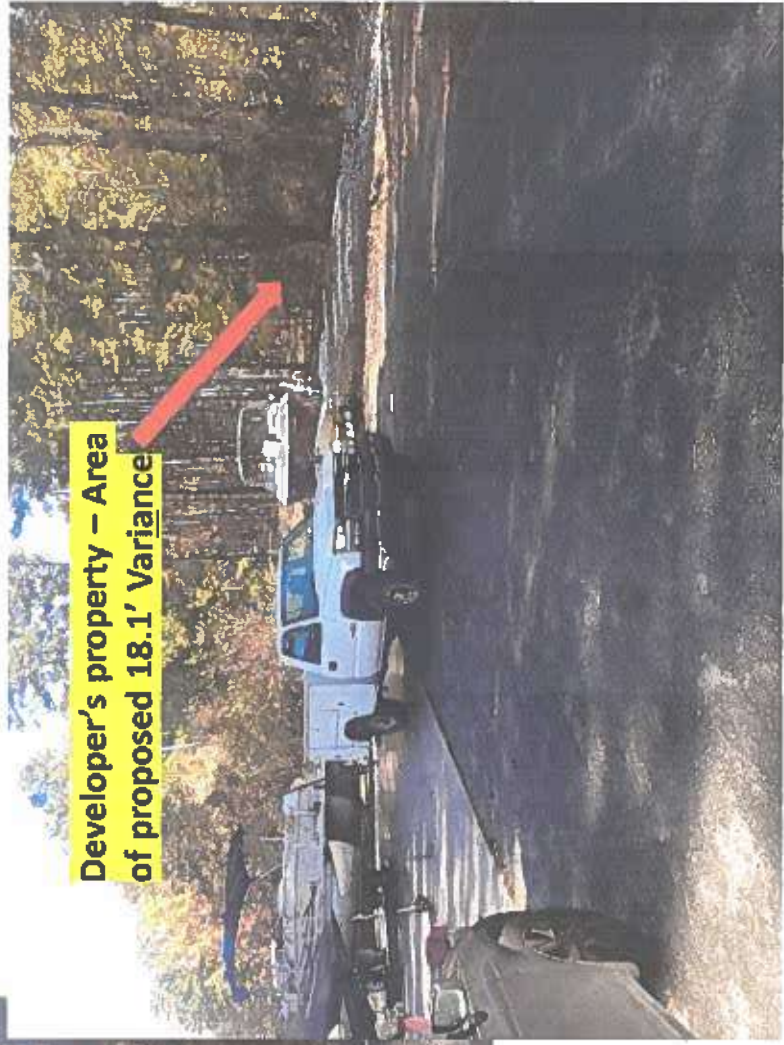
Ellenburg Road - 2021





2







4/2019
 1985 2019

John's Marine Svc
 2014 Aerial

Legend

📍 599 Ellenburg Rd

599 Ellenburg Rd

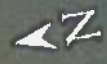
End of yellow lines



Developer's property -
 why isn't right-of-way on
 this side?

Google Earth

100 ft





599 Ellenburg Rd

Legend

599 Ellenburg Rd

John's Maine Svc

2004 Aerial

End of yellow lines

Developer's property -
why isn't right-of-way on
this side?

Google Earth

Image © 2012, Google, Inc

100 ft



Legend

📍 599 Ellenburg Rd

John's Marine Svc
2018 Aerial

**Developer's property -
why isn't right-of-way on
this side?**

End of yellow lines



200 ft

Google Earth



Developer's property -
why isn't right-of-way on
this side?

599 Ellenburg Rd

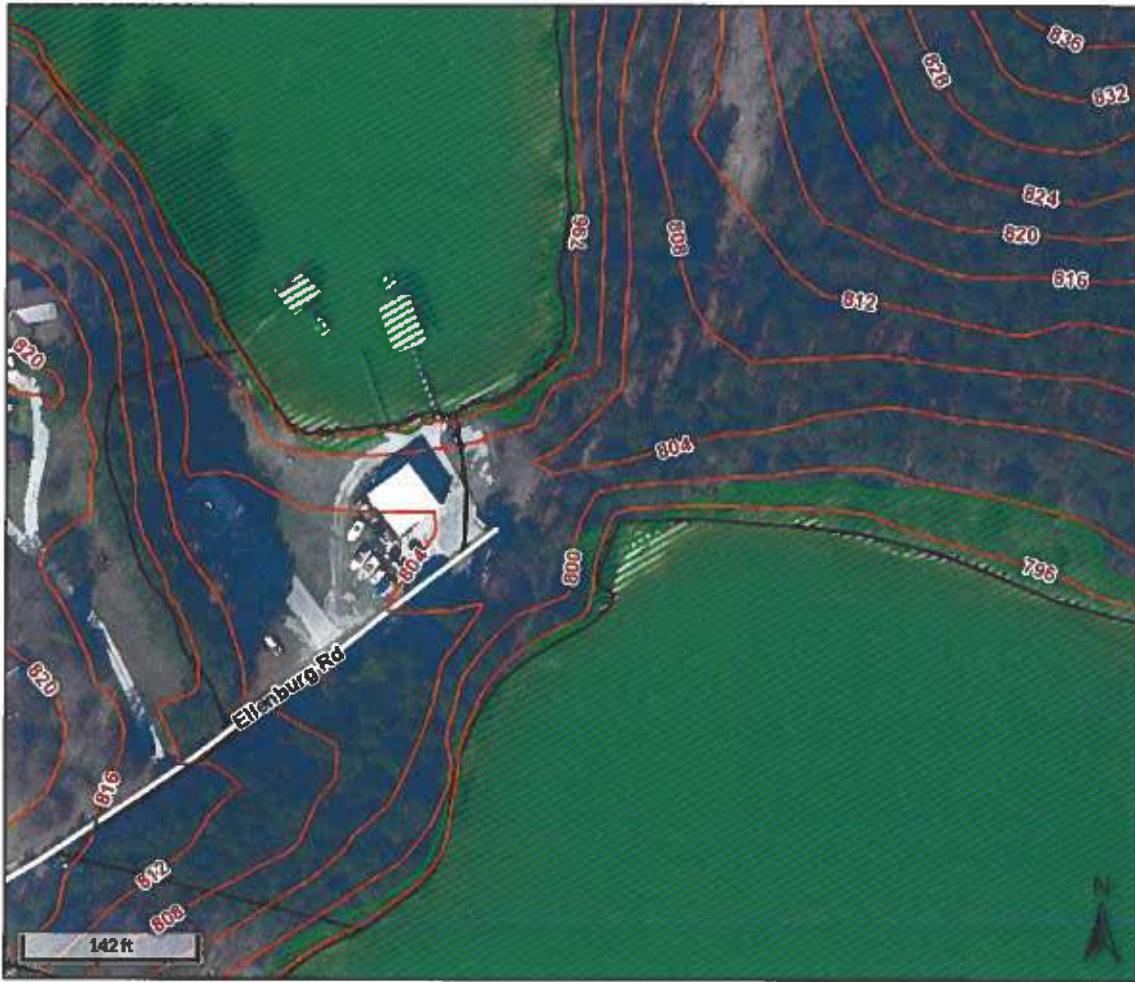
End of yellow lines
from first paving

End of yellow lines
from 2nd paving

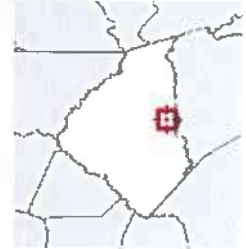
Google Earth

Imagery Date: 4/20/2018 34°47'18.06" N 82°55'49.29" W Elevation: 821 ft eye alt: 11453 ft





Overview



Legend

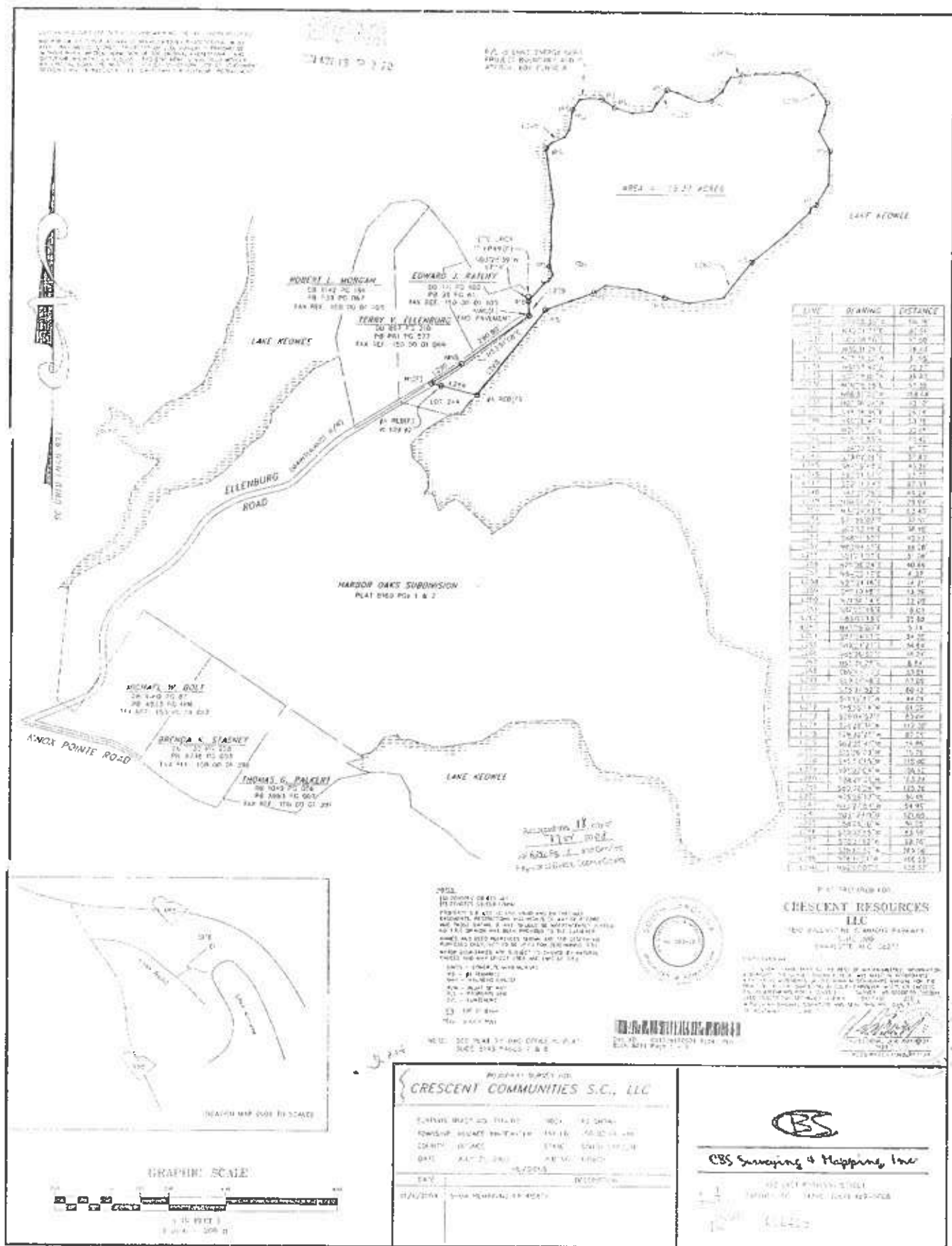
- Parcels
- Landhook
- Roads
- Topography
- FEMA Flood Zones**
- A: 1% Annual chance of Flood Hazard
- AE: 1% Annual chance of Flood Hazard with BFE
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD

Parcel ID	150-09-01-041	Alternate ID	15176	Owner Address	KNOTT CHADWICKS & NICOLE L	Last 2 Sales			
Sec/Twp/Rng	n/a	Class	n/a	Address	233 MOSSY CREEK PT	Date	Price	Reason	Qual
Property Address	555 ELLENBURG RD	Acreage	0.72		CLEVELAND, GA 30528	7/5/2011	\$183500	n/a	Q
District	11					n/a	0	n/a	n/a
Brief Tax Description	LOT 39 HARBOR OAKS (.720 AC)								

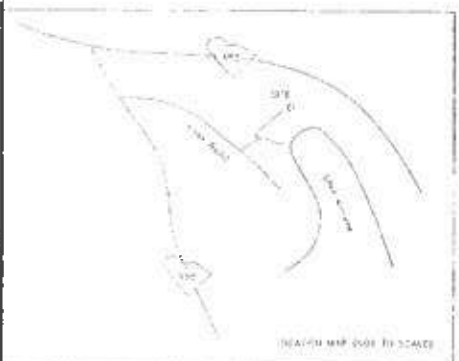
(Note: Not to be used on legal documents)

Date created: 11/30/2021
 Last Data Uploaded: 11/29/2021 9:27:50 PM

Developed by Schneider GEOSPATIAL



LINE	BEARING	DISTANCE
1	N 89° 15' 00" E	10.00
2	S 89° 15' 00" E	10.00
3	S 00° 00' 00" E	10.00
4	N 89° 15' 00" W	10.00
5	N 89° 15' 00" W	10.00
6	S 89° 15' 00" W	10.00
7	S 89° 15' 00" W	10.00
8	S 89° 15' 00" W	10.00
9	S 89° 15' 00" W	10.00
10	S 89° 15' 00" W	10.00
11	S 89° 15' 00" W	10.00
12	S 89° 15' 00" W	10.00
13	S 89° 15' 00" W	10.00
14	S 89° 15' 00" W	10.00
15	S 89° 15' 00" W	10.00
16	S 89° 15' 00" W	10.00
17	S 89° 15' 00" W	10.00
18	S 89° 15' 00" W	10.00
19	S 89° 15' 00" W	10.00
20	S 89° 15' 00" W	10.00
21	S 89° 15' 00" W	10.00
22	S 89° 15' 00" W	10.00
23	S 89° 15' 00" W	10.00
24	S 89° 15' 00" W	10.00
25	S 89° 15' 00" W	10.00
26	S 89° 15' 00" W	10.00
27	S 89° 15' 00" W	10.00
28	S 89° 15' 00" W	10.00
29	S 89° 15' 00" W	10.00
30	S 89° 15' 00" W	10.00
31	S 89° 15' 00" W	10.00
32	S 89° 15' 00" W	10.00
33	S 89° 15' 00" W	10.00
34	S 89° 15' 00" W	10.00
35	S 89° 15' 00" W	10.00
36	S 89° 15' 00" W	10.00
37	S 89° 15' 00" W	10.00
38	S 89° 15' 00" W	10.00
39	S 89° 15' 00" W	10.00
40	S 89° 15' 00" W	10.00
41	S 89° 15' 00" W	10.00
42	S 89° 15' 00" W	10.00
43	S 89° 15' 00" W	10.00
44	S 89° 15' 00" W	10.00
45	S 89° 15' 00" W	10.00
46	S 89° 15' 00" W	10.00
47	S 89° 15' 00" W	10.00
48	S 89° 15' 00" W	10.00
49	S 89° 15' 00" W	10.00
50	S 89° 15' 00" W	10.00
51	S 89° 15' 00" W	10.00
52	S 89° 15' 00" W	10.00
53	S 89° 15' 00" W	10.00
54	S 89° 15' 00" W	10.00
55	S 89° 15' 00" W	10.00
56	S 89° 15' 00" W	10.00
57	S 89° 15' 00" W	10.00
58	S 89° 15' 00" W	10.00
59	S 89° 15' 00" W	10.00
60	S 89° 15' 00" W	10.00
61	S 89° 15' 00" W	10.00
62	S 89° 15' 00" W	10.00
63	S 89° 15' 00" W	10.00
64	S 89° 15' 00" W	10.00
65	S 89° 15' 00" W	10.00
66	S 89° 15' 00" W	10.00
67	S 89° 15' 00" W	10.00
68	S 89° 15' 00" W	10.00
69	S 89° 15' 00" W	10.00
70	S 89° 15' 00" W	10.00
71	S 89° 15' 00" W	10.00
72	S 89° 15' 00" W	10.00
73	S 89° 15' 00" W	10.00
74	S 89° 15' 00" W	10.00
75	S 89° 15' 00" W	10.00
76	S 89° 15' 00" W	10.00
77	S 89° 15' 00" W	10.00
78	S 89° 15' 00" W	10.00
79	S 89° 15' 00" W	10.00
80	S 89° 15' 00" W	10.00
81	S 89° 15' 00" W	10.00
82	S 89° 15' 00" W	10.00
83	S 89° 15' 00" W	10.00
84	S 89° 15' 00" W	10.00
85	S 89° 15' 00" W	10.00
86	S 89° 15' 00" W	10.00
87	S 89° 15' 00" W	10.00
88	S 89° 15' 00" W	10.00
89	S 89° 15' 00" W	10.00
90	S 89° 15' 00" W	10.00
91	S 89° 15' 00" W	10.00
92	S 89° 15' 00" W	10.00
93	S 89° 15' 00" W	10.00
94	S 89° 15' 00" W	10.00
95	S 89° 15' 00" W	10.00
96	S 89° 15' 00" W	10.00
97	S 89° 15' 00" W	10.00
98	S 89° 15' 00" W	10.00
99	S 89° 15' 00" W	10.00
100	S 89° 15' 00" W	10.00



CRESCENT RESOURCES LLC
 1000 FALLVIEW DR. SUITE 1000
 FORT WORTH, TX 76104

CRESCENT COMMUNITIES S.C., LLC
 1000 FALLVIEW DR. SUITE 1000
 FORT WORTH, TX 76104

DATE: 08/15/2013
 TIME: 10:00 AM

PROPERTY SURVEY FOR
CRESCENT COMMUNITIES S.C., LLC

SUBJECT: 1000 FALLVIEW DR. SUITE 1000
 COUNTY: TARRANT COUNTY, TEXAS
 DATE: 08/15/2013

BY: [Signature]
 FOR: [Signature]

CBS
 Surveying & Mapping, Inc.
 1000 FALLVIEW STREET
 FORT WORTH, TX 76104

19 10
370

FILED FOR RECORD
OCONEE COUNTY, S.C.
REGISTER OF DEEDS

Doc ID: 001584250016 Type: DEE
OK 1695 Pg 87-102

007066

Prepared by: 2008 DEC - 8 A 8:49
Parker, Poe Adams & Bernstein LLP
Three Wachovia Center
401 South Tryon St.
Suite 3000
Charlotte, NC 28202

Tract No. S-7114.02

Return to: Crescent Resources, LLC
Attn: S. Higginson
7810 Ballantyne Commons Parkway
Suite 200
Charlotte, NC 28277

EXCISE TAX - \$6,824.65

OCONEE COUNTY
STATE TAX 4795.70
COUNTY TAX 2028.95
EXEMPT _____

STATE OF SOUTH CAROLINA)
:)
COUNTY OF OCONEE)

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that

CRESCENT COMMUNITIES S.C., LLC, a Delaware limited liability company, ("Grantor"), whose address is 400 South Tryon Street, Suite 1300, Charlotte, NC 28285-0107, in consideration of the sum of One Million Eight Hundred Forty-Four Thousand Four Hundred and No/100 Dollars (\$1,844,400.00), to it in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release, subject to the easements, restrictions, reservations, covenants, conditions and other exceptions set forth below, unto FARMES, A South Carolina Limited Partnership, an undivided 27% interest as tenant in common, and GLOBE, A South Carolina Limited Partnership, an undivided 73% interest as tenant in common ("Grantee"), whose address is 104 Greystone Court, Seneca, SC 29672, and its successors and assigns, all that certain tract of land described in Exhibit A attached hereto ("Property").

The Property is conveyed subject to the following easements, restrictions, reservations, covenants, conditions and other exceptions (collectively, "Exceptions"):

Recorded this 9 day of Dec. 2008 Book 2008 Page 2415
Fee
Auditors Oconee County, S.C.
Sandra R. Nix

- (1) flood easements in favor of Duke Energy Carolinas, LLC (formerly known as Duke Power Company and Duke Energy Corporation) and riparian rights of others, including, but not limited to, the flood easement to flood to the 810 foot contour line and all other reservations, restrictions and conditions contained in that deed recorded in Deed Book 635, Page 298 and Deed Book 652, Page 58;
- (2) transmission line and retail electric line rights-of-way, if any, reserved by or granted to Duke Energy Carolinas, LLC;
- (3) ad valorem taxes for the year 2008 and subsequent years

PPAB 1504113v2

THIS PROPERTY DESIGNATED AS
MAP 150 SUB 00 BLK 01 PARC 444 16
ON OCONEE COUNTY TAX MAPS
Sandra R. Nix
OCONEE COUNTY ASSESSOR

FILED FOR RECORD
OCONEE COUNTY, S.C.
REGISTER OF DEEDS

- (4) "rollback" or other deferred ad valorem property taxes;
- (5) matters affecting title to the Property as shown on the Plat or which would be shown on a current and accurate survey of the Property (including any encroachments);
- (6) easements, covenants, restrictions and conditions of record, and rights-of-way of public and private streets and roads, including, but not limited to, the right-of-way shown on the Plat as "Ellenburg Road";
- (7) easements, restrictions and rights-of-way as may be apparent from an inspection of the Property;
- (8) zoning, subdivision, land use and other laws, regulations or ordinances applicable to the Property; and
- (9) the General Deed Restrictions attached hereto as Exhibit B and incorporated herein by reference.

TOGETHER WITH, subject to the Exceptions, all and singular the rights, members, hereditaments and appurtenances to the Property belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, subject to the Exceptions, all and singular the Property, unto Grantee and Grantee's heirs, successors and assigns forever.

Subject to the Exceptions, the Grantor covenants to warrant specially the title to the Property against the lawful claims of any person claiming from, through or under it.

{SIGNATURE PAGE FOLLOWS}

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed this 3rd day of December, 2008.

Signed, Sealed and Delivered in the Presence of:

CRESCENT COMMUNITIES, S.C., LLC,
a Delaware limited liability company

Sandra S. Lewis
Print Name: Sandra S. Lewis
Witness #1

By: J. Scott Munday
J. Scott Munday
Vice President

Kay H. Arnette
Print Name: Kay H. Arnette
Witness #2

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

Personally appeared before me the undersigned witness who being duly sworn deposes and says that he/she saw the within named J. Scott Munday, Vice President of CRESCENT COMMUNITIES S.C., LLC, a Delaware limited liability company, sign, and as its act and deed deliver the foregoing instrument for the uses and purposes therein mentioned, and that he/she, together with Kay H. Arnette (witness #2), the other witness subscribed above, witnessed the execution thereof.

Sandra S. Lewis
(Witness #1 sign here)

Sworn to and subscribed before me this the 3rd day of December, 2008.

Kay H. Arnette
Notary Public

Notary Public for North Carolina

My Commission Expires: June 28, 2009

[NOTARIAL STAMP-SEAL]



EXHIBIT A

All references to recording information shall refer to documents that were recorded in the Office of the Register of Deeds for the county in which the Property is located.

All that certain tract of land located in Keowee Whitewater Township, Oconee County, South Carolina, designated as "AREA = 15.37 ACRES" on plat recorded in Plat Book B291, Page 1 ("Plat"); AND BEING all or a portion of the land conveyed to S. C. Land & Timber Corp. (presently known as Crescent Resources, LLC) by deed from T. B. Ellenburg (K-54) recorded in Deed Book 9H, Page 214; by deed to Crescent Land & Timber Corp. (presently known as Crescent Resources, LLC) from Fay Ellenburg and Jerry Ellenburg (K-872) recorded in Deed Book 10N, Page 62; by deed to S. C. Land & Timber Corp. from Bertha D. Sloan and James E. Sloan (K-313) recorded in Deed Book 9Q, Page 154; by deed to S. C. Land & Timber Corp. from Doris C. R. Thacker, et al (K-10) recorded in Deed Book 9E, Page 7; and by deed to Crescent Communities S.C., LLC from Crescent Resources, LLC recorded in Deed Book 1511, Page 228.

Tax Parcel No.: 150-00-01-444

FILED FOR RECORD
DOUGHER COUNTY, S.C.
REGISTER OF DEEDS

EXHIBIT B

GENERAL DEED RESTRICTIONS - 8 A 8:49

THE PROPERTY SHALL BE CONVEYED SUBJECT TO THE FOLLOWING RESTRICTIONS, WHICH SHALL ENCUMBER THE PROPERTY AND SHALL RUN WITH TITLE TO THE PROPERTY.

1. **Definition of "Property" and "Lot".** As used herein, (i) "Property" means all of the property conveyed by Grantor to Grantee pursuant to this deed; and (ii) "Lot" means any portion of the Property that constitutes a legally established separate lot or parcel of land (whether created by the recordation of a subdivision plat or otherwise), as such lots or parcels of land may exist from time to time (collectively, "Lots"). If the Property consists of only one lot or parcel of land, then the term "Property" is synonymous with the term "Lot." If the Property consists of two or more lots or parcels of land, whether such lots or parcels exist on the date the Property is conveyed to Grantee or are later created by subdivision of the Property or other legal means, then each of those lots or parcels is a "Lot" for the purposes of these Restrictions.

2. **Single Family Use.** The Property shall be used only for detached, single-family residence purposes, together with the accessory buildings and structures permitted pursuant to Section 6 below. No more than one detached single-family residential dwelling may be constructed on any Lot. No condominium, townhouse, duplex, apartment or other multi-family residential uses are permitted on the Property. Further, no camper, trailer, motor home, boat (including, without limitation, any boat docked adjacent to the Property), recreational vehicle or similar habitable or transportable unit or structure shall be allowed to remain on or adjacent to the Property as a place of residence. The single-family residence restrictions set forth above shall not prohibit the construction of pools, tennis courts or other recreational facilities or amenities such as are commonly constructed and maintained for the benefit of lot owners within planned unit developments; provided that such recreational facilities or amenities shall be solely for the common use of the owners of one or more Lots and, provided further, that no such recreational facilities may be located within any Buffer Area (defined below).

3. **Restricted Activities.** The following activities are prohibited on the Property:

- (a) Raising, breeding, or keeping of animals, livestock or poultry of any kind, except that dogs, cats or other usual and common household pets (which are registered, licensed and inoculated as required by law) may be permitted on the Property;
- (b) Any activity which violates local, state, or federal laws or regulations;
- (c) Institutional uses, including, but not limited to, group homes, day care centers, churches, temples or shrines, rest homes, schools, medical care facilities, lodges, inns and beds and breakfasts; and

- (d) Any business or trade, except that an owner or occupant residing on a Lot may conduct business activities within a dwelling on that Lot so long as: (i) the existence or operation of the business activity is not apparent or detectable by sight, sound or smell from outside the dwelling unit; (ii) the business activity conforms to all zoning requirements for the Lot; (iii) the business activity does not involve regular visitation of the Lot by clients, customers, suppliers or other business invitees; (iv) the business activity does not involve any service or delivery business in which more than one vehicle used in such business would be parked overnight on a Lot, or for which any parts, equipment supplies, raw materials, components or tools are stored on a Lot; and (v) the business activity is consistent with the residential character of the Property and does not constitute an unreasonable disturbance to adjoining land owners or others, a nuisance or a hazardous or offensive use. The foregoing shall not preclude occasional garage sales, moving sales, rummage sales or similar activities provided that such activities are not held on the same Lot more than once in any six-month period. The terms "business" and "trade," as used in this provision, shall be construed to have their ordinary, generally accepted meanings and shall include, without limitation, any occupation, work or activity undertaken on an ongoing basis which involves the provision of goods or services to persons other than the provider's family and for which the provider receives a fee, compensation or other form of consideration, regardless of whether: (i) such activity is engaged in full or part-time, (ii) such activity is intended to or does generate a profit, or (iii) a license is required. The leasing of a Lot for single-family residential use shall not be considered a business or trade within the meaning of this subsection.

4. Prohibited Conditions. None of the following structures or improvements may be located upon the Property:

- (a) Structures, equipment or other items which are visible from any road or adjacent property which have become rusty, dilapidated or otherwise fallen into disrepair;
- (b) Towers, antennas or other apparatus for the transmission or reception of television, radio, satellite or other signals of any kind which are located outside of the dwelling on a Lot other than (i) a customary antenna, which shall not extend more than ten feet above the top roof ridge of the dwelling; and (ii) a satellite disc or dish no larger than 18 inches in diameter;
- (c) Any freestanding transmission or receiving towers or any non-standard television antennae; and
- (d) Chain-link fences.

5. Quality Craftsmanship/Dwelling Size. All buildings and outbuildings erected upon the Property shall be built on site of new materials of good grade, quality and appearance and shall be constructed in a good and workmanlike manner, conforming to all applicable building codes. Further, all dwellings must meet the following construction requirements:

- (a) If the dwelling is located on a Waterfront Lot (a "Waterfront Lot" is a lot, any portion of which is located within 100 feet (measured horizontally regardless of the actual ground measurement which may vary based upon the topography) of the Common Boundary Line (defined in Section 8 below)), then: (i) one story dwellings shall not contain less than 2,000 square feet of Heated Living Area (defined below); (ii) one and a half story dwellings shall not contain less than 2,200 square feet of Heated Living Area; and (iii) two (or more) story dwellings shall not contain less than 2,400 square feet of Heated Living Area;
- (b) If the dwelling is not located on a Waterfront Lot, then: (i) one story dwellings shall not contain less than 1,600 square feet of Heated Living Area; (ii) one and a half story dwellings shall not contain less than 1,800 square feet of Heated Living Area; and (iii) two (or more) story dwellings shall not contain less than 2,000 square feet of Heated Living Area;
- (c) All dwellings and accessory structures shall be completely supported with solid brick, brick or stone covered block, or stucco covered foundation;
- (d) Roofs shall have not less than a 6 in 12 inch pitch, and not less than a 12 inch overhang, and shall be covered with asphalt or fiberglass shingles, terra cotta tile, real or man-made slate, copper sheathing or wood shingles or pre-painted metal roofing;
- (e) The exterior surfaces of all dwellings and accessory structures shall be covered only with brick, stone, hard stucco (synthetic stucco is not permitted), wood, or siding consisting of wood, composite or vinyl material; provided, that any horizontal siding must be completely supported to maintain a straight and even outer surface and must be fully and properly finished; and
- (f) Exteriors of all dwellings and accessory structures must be completed within one year after the commencement of construction, and a certificate of occupancy issued within two years after commencement of construction.

As used herein, "Heated Living Area" excludes basement areas (defined as any level in which at least one perimeter wall is below, or partially below, grade), unless such basement areas have two or more perimeter walls above surrounding grade, and such basement areas are fully heated and air-conditioned and constructed to a quality equal to the above grade levels of the dwelling. In addition, Heated Living Area excludes vaulted ceilings areas, attics, unheated porches, attached or detached garages, porte-cocheres and unheated storage areas, decks and patios. The term "story" shall mean a finished horizontal division of Heated Living Area extending from the floor of such division to the ceiling above it. The term "half story" shall mean a story which

contains 50 percent or less Heated Living Area than the story in the house containing the most Heated Living Area.

6. **Permitted Accessory Structures.** Except as otherwise expressly set forth herein, no buildings, structures or improvements of any kind may be located on a Lot other than one detached, single-family residential home, and the following permitted accessory structures:

- (a) Storage and shop outbuildings, including detached garages, workshops, storage and utility buildings, greenhouses and similar buildings, not exceeding the height of the roof of the residence on the Lot. The total square footage contained within all such outbuildings combined shall not exceed 2,000 square feet. All outbuildings shall be permanently affixed to the Lot and shall be covered with the approved exterior materials described in Section 5(e) above. Further, no outbuildings shall be located wholly or partially within any Buffer Area (as defined below).
- (b) Recreational structures, including decking, gazebos, covered patios, playhouses, barbecue pits and similar structures. The total square footage contained within such structures when combined shall not exceed 1,000 square feet in area. Further, no such structure shall be located wholly or partially within any Buffer Area (as defined below).
- (c) To the extent permitted at the time of construction and installation by Duke Energy Carolinas, LLC (or its successor, with respect to ownership and/or management authority over the Lake, if applicable) ("Duke Energy") and all applicable governmental authorities, waterfront structures, including fixed piers, boat slips or floats, covered docks, boat ramps, decking and sitting areas attached to piers, walkways and other similar structures. Grantee acknowledges by acceptance of this deed that policies, laws and regulations regarding its ability to construct or install such structures may change from time to time before or after Grantee's acquisition of the Property and Grantor makes no representation or warranty as to Grantee's ability to construct or install such structures either now or in the future. Such structures may be located wholly or partially within the Buffer Area provided no more than a total of 200 square feet of such structures shall be located within the Buffer Area on any Lot.

7. **Site Development Requirements.** Each Lot shall be subject to the following specific development requirements.

- (a) No portion (or portions) of a Lot greater than 2,000 square feet shall be: (i) denuded of ground cover or topsoil, (ii) graded, (iii) excavated or (iv) covered with earth or other natural or man-made fill material, unless all required building, grading and erosion control permits have been issued by the applicable municipal authorities.
- (b) All denuded, graded, excavated or filled areas shall be stabilized and replanted on or before: (i) the 30th day following the initial denuding, grading, excavation, or

filling (unless footings and foundations are being installed upon the disturbed area and construction is being diligently and continuously pursued upon such area); or (ii) such time as construction is completed or interrupted for a period of 30 continuous days. In addition to, or in the absence of local or state government regulations on such land disturbance, none of the activities described in (i) through (iv) in Section 7(a) above shall be allowed to commence without compliance with the following requirements:

- (i) The surveying and flagging of the Buffer Area (defined below) and any portion of the Buffer Area that may be disturbed as a result of any activities permitted hereunder;
- (ii) The flagging of all trees in the Buffer Area that equal or exceed six inches in diameter, as measured four and one-half feet from the base of each tree. The trees, Buffer Area (defined below) and disturbed areas referenced in Sections 7(a) and (b) shall be clearly and distinctly flagged, staked or otherwise designated in order to prevent the unintentional violation of these restrictions by parties performing work upon the Property; and
- (iii) The proper installation (in accordance with manufacturer's instructions) of construction silt fencing on the lower perimeters of all areas within the Lot to be disturbed, and any other areas which may be impacted by silt runoff from any disturbed areas located on the Lot.

8. Buffer Area Restrictions. As used herein, the term "Buffer Area" shall mean any portion of the Property that is located within 50 feet (measured horizontally regardless of the actual ground measurement which may vary based upon the topography) of the 300 foot contour elevation ("Contour Line") of Lake Keowee ("Lake"); provided, however, that the inner boundary of the Buffer Area (i.e. the boundary that is inland from the Lake) shall not be less than fifty feet (measured horizontally regardless of the actual ground measurement which may vary based upon the topography) from the common boundary ("Common Boundary Line") of the Property and the Lake. No portion of the Buffer Area may be disturbed in any way, including any disturbance or removal of topsoil, trees and other natural growth. Neither the Common Boundary Line nor the Contour Line of the Lake shall change as a result of erosion or stabilization measures occurring following the conveyance of the Property to Grantee. Notwithstanding the second sentence in this Section 8, the following activities are permitted within the Buffer Area:

- (a) Trees which are less than six inches in diameter, as measured four and one-half feet from the base of each tree may be removed. Any tree removal shall be performed using hand held gas or electric chain saws and/or manual handsaws. No other mechanical equipment or vehicles may be used in removing any trees. Additionally, trees having a greater diameter than that set forth above that have become diseased or damaged through natural processes may be removed in the same manner.

- (b) Within each Lot, an access corridor may be created within the Buffer Area for the purpose of providing lake access to install shoreline stabilization or to install and use water access structures (such as docks or boat ramps) that have been approved in advance by Duke Energy and otherwise comply with Section 6(e) above. The access corridor may not exceed 15 feet in width. Trees with diameters equaling or exceeding six inches, as measured four and one-half feet from base, may be removed within the access corridor and grading or ground disturbance (which otherwise complies with the restrictions set forth herein) may be performed if reasonably necessary to provide access to the Lake for the purposes described above in this Section 8(b).
- (c) Underbrush (defined as nuisance shrubs, vines and similar plant growth beneath the tree canopy, and generally growing less than six feet in height) may be removed.
- (d) Pruning and trimming of trees is permitted, provided that pruning is limited to tree branches beginning with the lowest to the ground and extending up the tree trunk no more than one-half of the total height of the tree. Trimming may also be performed on any limbs or branches that are diseased or naturally damaged.
- (e) The use of rip-rap, bulkheading or other shoreline stabilization methods or materials may be initiated with the prior written approval by Duke Energy and any shoreline stabilization shall be performed in compliance with Duke Energy's Shoreline Management Guidelines which are in effect at the time such stabilization occurs. Generally, Duke Energy allows structural stabilization to extend only to a height one foot above the Contour Line of the Lake. If Duke Energy authorizes Grantee to perform certain shoreline stabilization, then at all points where shoreline stabilization occurs, the inner boundary line of the Buffer Area (i.e. the boundary line opposite the Contour Line of the Lake) shall be adjusted inward (i.e. away from the Contour Line of the Lake) by the same distance that the stabilization structures or improvements extend from the Contour Line of the Lake into the Lot, provided, however, that in no event shall the width of the undisturbed Buffer Area be reduced to less than 50 feet between any portion of the interior edge of the stabilization structures or improvements and any residence or other structure or improvement located on the Lot (other than docks, boat ramps, or other water access structures which have been approved in writing by Duke Energy).
- (f) An access road ("Roadway") for pedestrian and vehicular ingress, egress and regress may be installed, constructed, maintained and repaired within the Buffer Area at those locations where the width of the Property is less than 130 feet; provided, however, that the Roadway (and the construction activities associated therewith) are not allowed within any portion of the Buffer Area that is located more than 150 feet east of the Edward J. Rattiff property, as shown on the plat recorded in Plat Book B143, Pages 7 and 8 in Oconee County Register of Deeds.

In addition to the rights of enforcement set forth in Section 11 below, if the terms of this Section 8 are violated, then the owner of the Lot on which such violation occurs ("Violating Owner") shall, within 30 days after the Violating Owner discovers, receives notice of or otherwise has knowledge of the occurrence of the violation, retain a qualified environmental consultant to develop a plan to restore the Buffer Area to the condition of the Buffer Area that existed prior to the violation ("Buffer Restoration Plan") and submit the Buffer Restoration Plan to Grantor for review. All costs related to the development of the Buffer Restoration Plan shall be paid by the Violating Owner. Grantor shall either approve the Buffer Restoration Plan in writing or object to the Buffer Restoration Plan and deliver to the Violating Owner written notice specifying the objections. If Grantor approves the Buffer Restoration Plan, then the Violating Owner shall, at its expense, promptly perform the work required under the Buffer Restoration Plan in strict accordance with the Buffer Restoration Plan and diligently and continuously pursue the work required under the Buffer Restoration Plan to completion. If Grantor objects to the Buffer Restoration Plan, then the Violating Owner shall revise the Buffer Restoration Plan to address the objections made by Grantor and shall submit the revised Buffer Restoration Plan to Grantor for review. The foregoing process shall continue until Grantor approves the Buffer Restoration Plan. If the Violating Owner fails to comply with the terms of this paragraph, then Grantor shall have the right to perform all of the obligations of the Violating Owner under this paragraph and to charge the Violating Owner for all the costs thereof (including attorney fees and court costs incurred in collecting such costs). Any claim against a Violating Owner for such costs, together with interest accrued thereon and collection costs shall constitute a personal obligation of the Violating Owner and shall be secured by an equitable lien on the Violating Owner's Lot. The lien shall attach and be effective from the date of recording of a lien notice in the appropriate office of the County in which the Property is located. A copy of the lien notice shall be mailed to the Violating Owner within 30 days after the recording of the lien notice. The lien may be enforced by judicial foreclosure upon the Lot to which the lien attached in the same manner as a mortgage is judicially foreclosed under the laws of the State in which the Property is located. In any foreclosure, the Violating Owner shall be required to pay the reasonable costs and attorneys' fees in connection with the preparation and filing of the lien notice and the foreclosure. Notwithstanding anything contained in these General Deed Restrictions (including the terms of Section 11) to the contrary, the right to require, review and approve the Buffer Restoration Plan shall be limited to Grantor and its successors or assigns by merger or consolidation or by written assignment (including any property owners' association created with respect to all or any portion of the Property).

9. **No Claims.** No owner of a Lot or of any Benefited Property (defined below) shall have any claim or cause of action against Grantor or its affiliates arising out of the exercise, or non-exercise, or enforcement, or failure to enforce, or the amendment, release or grant of variance with respect to any covenant, condition, restriction, easement or other right reserved hereunder or referred to herein.

10. **No Delay.** No delay or failure on the part of Grantor to invoke an available remedy with respect to a violation of any restriction contained herein shall be held to be a waiver by Grantor of any right available to it upon the recurrence or continuance of said violation or the occurrence of a different violation.

11. Rights of Enforcement. The covenants, conditions and restrictions set forth herein shall run with the title to the Property and shall benefit Grantor and all property ("Benefited Property") owned on the date hereof by Grantor or its subsidiaries located within one thousand feet of any portion of the Property (other than any property located within the FERC boundaries of the Lake). If any Lot owner, its heirs, successors, tenants, or assigns shall violate or attempt to violate any of the covenants, conditions or restrictions contained herein, Grantor and any subsequent owner of any portion of the Benefited Property may enforce the covenants, conditions and restrictions set forth herein by any remedy available at law or in equity, either to prevent or remediate such violation, or recover damages for such violation, or both. Grantor (but not any other Benefited Property owner) shall have an easement over the Property for the purpose of entering a Lot in order to monitor or enforce compliance with these covenants, conditions and restrictions without court order. The party bringing such action shall be entitled to recover its reasonable attorney's fees and expenses incurred in such proceedings from the person or entity violating or attempting to violate the same. Nothing herein shall be held to impose any restriction on any other land owned by Grantor, its subsidiaries or affiliates.

12. Modification, Amendment, Variances. Grantor hereby reserves the right for itself and its successors or assigns, to amend or modify, release or grant variances with respect to the covenants, conditions, easements and restrictions set forth herein. As used in this Section 12, the term "successors or assigns" shall be limited to Grantor's successors or assigns by merger or consolidation or by written assignment.

13. Reserved Easement. Grantor hereby reserves unto itself and any successors in title, (i) a ten foot wide easement extending into the Property from and along each boundary line of the Property for the installation and maintenance of utility lines, drainage ditches or facilities or any other related improvements that may be required by Grantor or its successors or assigns; and (ii) a 15 foot wide easement extending into the Property from and along any public or private road rights-of-way for the installation and maintenance of utility lines, drainage ditches or facilities or any other related improvements that may be required by Grantor or its successors or assigns.

14. Subdivision. The Property may not be subdivided in a manner that will result in any Lot being created which is less than 29,000 square feet.

15. No Modular or Mobile Homes. No more than one mobile, manufactured or modular home or structure having the characteristics or appearance of a mobile, modular or manufactured home, including, without limitation, any mobile, modular or manufactured home as defined by the building codes or other applicable laws of the state in which the Property is located, shall be located upon the Property.

STATE OF NORTH CAROLINA)
)
 COUNTY OF MECKLENBURG)
**AFFIDAVIT FOR TAXABLE
 OR EXEMPT TRANSFERS**

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says;

1. I have read the information on this affidavit and I understand such information.
2. The property being transferred is located in Keowee Whitewater Township, bearing Oconee County Tax Map Number 150-00-01-444, was transferred by Crescent Communities S.C., LLC to FARMES, A South Carolina Limited Partnership, and GLOBE, A South Carolina Limited Partnership on December 4, 2008.
3. Check one of the following: The deed is
- (a) subject to the deed recording fee as a transfer consideration paid or to be paid in money or money's worth.
 - (b) subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
 - (c) exempt from the deed recording fee because (See Information section of affidavit): _____
 (If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See Information section of this affidavit.):
- (a) The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$ 1,844,400.00
 - (b) The fee is computed on the fair market value of the realty which is _____.
 - (c) The fee is computed on the fair market value of the realty as established for property tax purposes which is _____.

5. Check Yes _____ or No to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "Yes," the amount of the outstanding balance of this lien or encumbrance is: _____.

6. The deed recording fee is computed as follows:

- (a) Place the amount listed in item 4 above here: \$ 1,844,400.00
- (b) Place the amount listed in item 5 above here: _____
(If no amount is listed, place zero here.)
- (c) Subtract Line 6(b) from Line 6(a) and place result \$ 1,844,400.00
here:

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$ 6,824.65.

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Authorized Agent for Crescent Communities S.C., LLC.

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

J. Scott Munday

Responsible Person Connected with the Transaction
J. Scott Munday
Vice President

SWORN to before me this 3rd day of
December, 2008.

Kay H. Arnette
Notary Public for North Carolina
My Commission Expires: June 28, 2009



FILED FOR RECORD
MECKLENBURG COUNTY, S.C.
REGISTER OF DEEDS
2008 DEC -8 A 8:49

INFORMATION

Except as provided in this paragraph, the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

Exempted from the fee are deeds:

- (1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars;
- (2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;
- (3) that are otherwise exempted under the laws and Constitution of this State or of the United States;
- (4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interests in the realty that are being exchanged in order to partition the realty;
- (6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 53 of Title 39;
- (7) that constitute a contract for the sale of timber to be cut;
- (8) transferring realty to a corporation, a partnership, or a trust in order to become, or as, a stockholder, partner, or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by the grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee even if the realty is transferred to another corporation, a partnership, or a trust;
- (9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A "family partnership" is a partnership whose partners are all members of the same family. A "family trust" is a trust in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. "Family" means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any the above. A "charitable entity" means an entity which may receive

deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);

(10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;

(11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership;

(12) that constitute a corrective deed or a quitclaim deed used to confirm title already vested to the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed;

(13) transferring realty subject to a mortgage to the mortgagee whether by a deed in lieu of foreclosure executed by the mortgagor or deed pursuant to foreclosure proceedings;

(14) transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty; and

(15) transferring title to facilities for transmitting electricity that transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.

Vivian Kompier

From: Rudy Carbone <rckc91@bellsouth.net>
Sent: Monday, November 22, 2021 11:24 AM
To: James Coley
Subject: Re: Property Zoning Variance

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Thank you for your attention regarding my request.

Rudolph Carbone
313 Shorewinds Ct
Seneca. SC. 29672

Sent from my iPad

On Nov 22, 2021, at 11:09 AM, James Coley wrote:

Thank you for your email concerning the variance. In order for your comment to be added to the review materials for the board, it must be signed. You may resubmit your comment to this email chain with your name, and it will be added to the documentation at the hearing.

Best regards,

James Coley

Director

Oconee County Planning and Zoning

415 S. Pine Street

Walhalla, SC 29691

Phone: (864) 638.4218

CONFIDENTIALITY NOTICE: *All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA). This correspondence is intended exclusively for the individual or entity to which it is addressed, and may contain information that is proprietary, privileged, confidential or otherwise legally exempt from disclosure.*

If you are not the intended recipient, you may not read, use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail or telephone immediately and destroy all copies of the original message.

From: rckc91 [mailto:rckc91@bellsouth.net]

Sent: Sunday, November 21, 2021 4:06 PM

To: Planning Info

Subject: Property Zoning Variance

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To: County Board of Zoning Appeals

I ask you to deny the zoning variance at the end of Ellenberg Road, Seneca. This variance would basically put John's Marine Service (serving Lake Keowee residents for 35 years) out of business. The reason being that this road variance would make it impossible for John's Marine to operate their business as is now done. There are many Lake Keowee property owners that do not have boat trailers because of the cost and the problem of where to park the unsightly trailers. At John's Marine, Keowee boat owners can bring their boats over to this business and have their boats pulled out of the water and receive full maintenance.

There is only one other Lake marine service on Lake Keowee located at the far south end of the lake. This facility is a long way to obtain boat repair and maintenance for the heavily populated middle and north end residents of the lake. There are several marine maintenance companies that will come and do boat repairs at your boat but they are prohibited to change oil, etc at the dock because of lake pollution.

This closure would not only effect a long standing family business but many boat owners who depend on this conveniently located establishment for their boat service. I ask that you deny or at least come up with some compromise arrangement that would accommodate all parties concerned. Perhaps a cud-da-sac could satisfy the community entry point and allow the marina to maneuver their boats in and out of their shop so maintenance could continue to be performed.

**Thank you for your attention to this matter
A Lake Keowee Boat Owner**

Vivian Kompier

From: Pamela Chambers <pgc1621@gmail.com>
Sent: Saturday, November 20, 2021 8:21 PM
To: Planning Info
Subject: Oppose variance

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I am opposed to the the variance that would allow deviation from the 50' road width.

Vivian Kompier

From: Elaine Chapa <elainemchapa@gmail.com>
Sent: Sunday, November 21, 2021 5:08 PM
To: Planning Info
Subject: Variance for Ellenburg Rd

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I oppose the 50' road width variance request for this road. I do not want any adverse impact to the existing Marine business that exists now, as it is one of a very few boat up marine services on the lake.

Please don't allow the variance requested by this developer.

Elaine Chapa.
Oconee county resident.

Get [Outlook for iOS](#)

Vivian Kompier

From: Pamela Colden <coldrenpj@gmail.com>
Sent: Tuesday, November 23, 2021 12:17 PM
To: James Coley
Cc: a Coldren Gary; Doug Cooper
Subject: Fwd: Variance request for Ellenburg Rd #VA 21-011
Attachments: 2021092095151957.jpg; IMG_8216 (1).jpg; IMG_8214 (1).jpg

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

As residents of Oconee County and Harbor Oaks, we emphatically agree with Doug Cooper's letter to you dated November 23, 2021, We live on Ellenburg Road and are very aware of the traffic and existing dangers. Several developments nearby are "walkers" and pass by daily. Many trucks, including many semi trucks, travel on Ellenburg Road daily to deliver to John's Marine, a business and good neighbor which is vital to Lake Keowee residents. Large trucks and cars pulling boats already have problems turning around at the end of the street. The requested variance will positively make matters worse! As it is now, we do not let our grandchildren ride their bikes or play near the entrance of our driveway. There are no sidewalks on Ellenburg Road. In fact, there are not even curbs! We have had incidents of trucks trying to turn around and driving over expensive landscaping.

We also question why a developer can get variances but residents do not.

This is not a case of "people on the lake do not want other people on the lake". This is about the safety of the current residents and many cars, trucks and people who travel on Ellenburg Road.

We are against the current proposed variance!

Sincerely,
Gary and Pam Coldren

----- Forwarded message -----

From: Doug Cooper <cooperd5908@gmail.com>
Date: Tue, Nov 23, 2021 at 10:13 AM
Subject: Variance request for Ellenburg Rd #VA 21-011
To: <jcoley@oconeesc.com>
Cc: Pam Coldren <coldrenpj@gmail.com>, Don and Barbara Herriott <dherriot@aol.com>, Cindy Smoak <cindy.smoak@gmail.com>

I am currently the President of Harbor Oaks Home Owners Association and am writing this on behalf of our 37 lot community.

We are strongly opposed to granting of this variance at the present time given the current state of the road and the already many safety issues we have.

Harbor Oaks spent several thousand dollars last year altering the entrance at Rollingwood drive to enhance the safety of both Ellenburg Rd and Rollingwood Dr drivers and pedestrians. There is a lot more traffic on this road than most would imagine. Much of it John's Marine and delivery traffic. We have has several issues in the past and it is very much an issue given the developers current construction on upper Ellenburg Rd. When I discussed

our concerns with the developer regarding road safety, he responded "those roads are built for cars, if people don't want to get hurt they need to stay off them". This was very alarming and indicative of the developers concern for current or future residents. Many days we have had entire lanes of Ellenburg Rd blocked for most of the day with subcontractors parking. Photos attached.

John's Marine receives typically 1-2 semi trailers per week. With the current configuration of the road, these trucks must pull into Rollingwood Dr. and then back up all the way down to John's Marine to unload. This blocks pretty much the whole road during this process. This is not too much of a hindrance at this time because the road is a dead end. If 19-20 more homes are put beyond John's Marine major improvements would need to be made to facilitate semi traffic to John's Marine, the new homes for construction deliveries over the next several years, as well as moving vans. The proposed Plat only shows a single road into the development with a small cul-de-sac so all this additional semi traffic will have all back down from Rollingwood. The semis would also block most in and out traffic during all these activities creating frustration and safety issues for future residents beyond John's Marine (they need to be considered also).

We have always known that the peninsula at some point would be developed but given the actual access to the property as the lot is platted no one ever dreamed it would be for 19 homes, many of which will most likely be rentals which adds significantly to daily traffic.

Additionally, John's Marine has operated for 40yrs from that location and is a great neighbor and partner with our community. I know they have many issues with this variance and are even challenging if the county has authorization to rule on land within the Duke/FERC license.

We appreciate your desire to add more tax revenue to Oconee County, but we would ask that the safety of both current and future residents be considered and deny this variance request and have the land developed in a manner compliant with the lands actual accessibility.

Respectfully,

Doug Cooper
566 Ellenburg Rd
Seneca, SC 29672
843-819-3320

--

Pam Coldren

Vivian Kompier

From: Doug Cooper <cooperd5908@gmail.com>
Sent: Tuesday, November 23, 2021 10:13 AM
To: James Coley
Cc: Pam Coldren; Don and Barbara Herriott; Cindy Smoak
Subject: Variance request for Ellenburg Rd #VA 21-011
Attachments: 2021092095151957.jpg; IMG_8216 (1).jpg; IMG_8214 (1).jpg

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I am currently the President of Harbor Oaks Home Owners Association and am writing this on behalf of our 37 lot community.

We are strongly opposed to granting of this variance at the present time given the current state of the road and the already many safety issues we have.

Harbor Oaks spent several thousand dollars last year altering the entrance at Rollingwood drive to enhance the safety of both Ellenburg Rd and Rollingwood Dr drivers and pedestrians. There is a lot more traffic on this road than most would imagine. Much of it John's Marine and delivery traffic. We have has several issues in the past and it is very much an issue given the developers current construction on upper Ellenburg Rd. When I discussed our concerns with the developer regarding road safety, he responded "those roads are built for cars, if people don't want to get hurt they need to stay off them". This was very alarming and indicative of the developers concern for current or future residents. Many days we have had entire lanes of Ellenburg Rd blocked for most of the day with subcontractors parking. Photos attached.

John's Marine receives typically 1-2 semi trailers per week. With the current configuration of the road, these trucks must pull into Rollingwood Dr. and then back up all the way down to John's Marine to unload. This blocks pretty much the whole road during this process. This is not too much of a hindrance at this time because the road is a dead end. If 19-20 more homes are put beyond John's Marine major improvements would need to be made to facilitate semi traffic to John's Marine, the new homes for construction deliveries over the next several years, as well as moving vans. The proposed Plat only shows a single road into the development with a small cul-de-sac so all this additional semi traffic will have all back down from Rollingwood. The semis would also block most in and out traffic during all these activities creating frustration and safety issues for future residents beyond John's Marine (they need to be considered also).

We have always known that the peninsula at some point would be developed but given the actual access to the property as the lot is platted no one ever dreamed it would be for 19 homes, many of which will most likely be rentals which adds significantly to daily traffic.

Additionally, John's Marine has operated for 40yrs from that location and is a great neighbor and partner with our community. I know they have many issues with this variance and are even challenging if the county has authorization to rule on land within the Duke/FERC license.

We appreciate your desire to add more tax revenue to Oconee County, but we would ask that the safety of both current and future residents be considered and deny this variance request and have the land developed in a manner compliant with the lands actual accessibility.

Respectfully,

Doug Cooper
566 Ellenburg Rd
Seneca, SC 29672
843-819-3320

Vivian Kompier

From: Gary Crumbley <garycrumbley@yahoo.com>
Sent: Sunday, November 21, 2021 8:55 AM
To: Planning Info
Subject: Disapprove Variance adjacent request to John's Marine

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I would hate to see along time Family owned business suffer due to a developer trying to be greedy.

My family and friends have relied on John's for years to service our boats and would hate for that to change.

Thanks you for your consideration

Gary Crumbley

Vivian Kompier

From: David Schmidt <dhs3092@gmail.com>
Sent: Saturday, November 20, 2021 10:59 PM
To: Planning Info
Subject: Variance Request on Ellenburg Dr for proposed new subdivision

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I would like to formally ask that you do not acknowledge or accept a proposed variance to allow a new subdivision at the expense and detriment of an established Oconee County business (Johns Marine Service). We have always utilized this establishment for our repair needs since moving to Oconee ourselves some thirty four years ago.

Unfortunately the developer made an investment in property that was not developable without a variance and should not be allowed this exception after the fact.

Additionally my concerns arise out of the fact in allowing such variance would indeed create a precedence that would open the floodgates for others to request similar variances throughout our beautiful county.

Please keep these items in mind as you consider the variance request and opt in favor of an existing county businesses request to deny such variance.

Sincerely,

David Schmidt
864-304-4452

Vivian Kompier

From: Steve Guthman <stguthman@banksouth.com>
Sent: Sunday, November 21, 2021 2:19 PM
To: Planning Info
Cc: johnsmarinesc@gmail.com
Subject: Zoning variance - affecting John's Marine Service

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Board Members,

I've lived on the lake 15 years and use John's marine on a regular basis to service my boat. Without Jimmy I'd be forced to find expensive alternatives. I do not own a boat trailer, and very few people I know own trailers. We absolutely rely on Jimmy's water access.

I understand development, and I understand growth. I do not understand the need to destroy a 3rd generation family-owned business.

I'm hoping you deny the variance request for the greater good.

Respectfully,

Steve Guthman, Production Partner

o: 864.990.4356 **c:** 770.634.0533

e: stguthman@banksouth.com **f:** 864.412.0648

w: www.sueannguthman.com

a: 105-A Ram Cat Alley, Seneca, SC 29678

NMLS # 690971 | **MLO NMLS #** 1966538



Disclaimer

This email and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. This communication represents the originator's personal views and opinions, which do not necessarily reflect those of BankSouth. If you are not the original recipient or the person responsible for delivering the email to the intended recipient, be advised that you have received this email in error, and that any use, dissemination, forwarding, printing, or copying of this email is strictly prohibited. If you received this email in error, please immediately notify postmaster@banksouth.com.

Vivian Kompier

From: joan schmidt <joan3184@gmail.com>
Sent: Saturday, November 20, 2021 10:53 PM
To: Planning Info
Subject: Variance request on new subdivision

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To Whom It May Concern:

We are totally against the proposed variance being requested that will interfere with the operation of John's Marine Service on Ellenburg Road. We also live off Knox Road and have used John's Marine Service for 30 years. We have found them to be outstanding community members and business owners and we do not want to see an established Oconee business suffer due to the requested variance for an new subdivision.

Thanks for your consideration and hopefully protecting an established Oconee County Business.

Joan Schmidt
23053 McDonald Point Rd
Seneca, SC. 29672.
Sent from my iPad

Vivian Kompier

From: Donald Keller <kellerdonald@icloud.com>
Sent: Sunday, November 21, 2021 10:44 AM
To: Planning Info
Subject: Variance request Ellenburge rd Seneca

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To voters on board of zoning Oconee County. Nov 30 th. Please be advised
I am in opposition to the approval of this variance request. The reasons are both obvious and numerous.

Kind regards ,
Donald Keller

Vivian Kompier

From: Daniel McNew <dwmcnew318@gmail.com>
Sent: Tuesday, November 23, 2021 3:51 PM
To: James Coley
Subject: Variance Request. Location TMS# 150-00-01-459 Ellenburg Road, Seneca

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

As Harbor Oaks residence, we are opposed to the above variance request.

The reason we are opposed is the congestion and additional traffic that will occur as well as safety concerns on Ellenburg Road. In addition, John's Marina which has served this Lake Keowee area for 40 years would be adversely affected if 19 home sites were approved.

We understand that the property in question has every right to be developed; however, we suggest a density much less than 19 home sites be considered. This would eliminate the need for the variance request and reduce the traffic and safety concerns on Ellenburg Road.

Regards:

Dan and Carol McNew
151 Rollingwood Drive
Seneca, SC 29672

561-346-9692
dwmcnew318@gmail.com

Vivian Kompier

From: jaysavan@netzero.net
Sent: Tuesday, November 23, 2021 8:34 AM
To: Planning Info
Cc: ksavan@hotmail.com
Subject: Variance request application #VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Hello,

We are writing in strong opposition to the referenced variance request. The 50' right-of-way in County ordinance exists for a reason and an 18.9' variance would amount to a completely unacceptable 37.8% exception. Setting aside the various negative implications for local neighborhoods and business - namely, John's Marine Service - this deviation from County ordinance is unacceptable on its face.

We will be in attendance at the County Board of Zoning Appeals meeting on November 30, but want to register our strong opposition to this variance request.

Thank you,

Karen M Savan

William Jay Savan

103 Rollingwood Drive, Seneca SC 29672

314 603 0595 mobile

jaysavan@netzero.net

Top News - [Sponsored By Newser](#)

- [Defense Lawyer's Remark on Arbery's Toenails Spurs Outrage](#)
- [Kyle Rittenhouse Has a Bone to Pick With Biden](#)
- [5 Cops Indicted on Charges of Murdering Man](#)

Vivian Kompier

From: Mark Taylor <mataylorusa@hotmail.com>
Sent: Tuesday, November 23, 2021 9:02 AM
To: Planning Info
Subject: Variance Request Opposition - Ellenburg Rd.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To whom it may concern,

This purpose of this email is to express my strong objection to the variance request near John's Marine Service at 599 Ellenburg Rd., Seneca, SC 29672. I will not be able to attend the appeals meeting on 11/30, so please accept this email as a strong voice against this variance.

The property in question for the proposed 19 home development will already have access without significantly increasing the traffic congestion and "bottlenecking" that will occur with the 19 extra homes. This additional, unnecessary traffic on Ellenburg Rd. will also have a severe, negative effect on John's Marine Service, which I have used for years.

What makes Jimmy Ratliff and his business unique is that I can pull up to his shop by water. Jimmy is then able to trailer my boat for me and pull it into his shop; all of which he can do safely b/c he is at the DEAD END of Ellenburg Rd. It is my understanding that the vast majority of his customers do the exact same thing that I do - arrive by water and utilize Jimmy's trailering service.

If this variance is approved, it will have an extreme negative impact on Jimmy Ratliff's business, one of which has been part of the Seneca community for three generations. Additionally, it will create a very dangerous traffic situation with so much thru traffic trying to access these 19 homes from an access point that is not a "must-have" but just a "nice-to-have" (Ellenburg Rd.).

I urge you to please to deny this variance request for the overall good of the community that surrounds that area, and most importantly, to preserve the current operation of John's Marine Service, which the entire lake has benefitted from for over 30 years.

I am not against allowing the developer to make use of recently acquired property; there is just no reason for that developer to severely damage and/or possibly shut down a family business and its livelihood in the process....all for an ADDITIONAL , unnecessary entrance to his subdivision.

Thank you for your careful consideration in this matter.

Sincerely,

Mark Taylor
209 New Timber Trail
Seneca, SC 29672

Vivian Kompier

From: Van Laeke <van24@att.net>
Sent: Monday, November 22, 2021 1:43 PM
To: James Coley
Subject: RE: REQUEST FOR ZONING VARIANCE AT END OF ELLENBERG ROAD, SENECA

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

My name is Kenneth Van Laeke, 141 Northshores Drive, Seneca 29672-0445. Phone 864 886-1217. Have been a resident of Oconee County for thirty years. My comments reflect the opinions of several Waterside Crossing residents. Thank you for your consideration.

Ken Van Laeke

From: James Coley [mailto:jcoley@oconeesc.com]
Sent: Monday, November 22, 2021 11:13 AM
To: 'Van Laeke'; Planning Info
Cc: johnsmarine@gmail.com
Subject: RE: REQUEST FOR ZONING VARIANCE AT END OF ELLENBERG ROAD, SENECA

Thank you for your email concerning the variance. In order for your comment to be added to the review materials for the board, it must be signed. You may resubmit your comment to this email chain with your name, and it will be added to the documentation at the hearing.

Best regards,

James Coley

Director
Oconee County Planning and Zoning
415 S. Pine Street
Walhalla, SC 29691
Phone: (864) 638.4218



CONFIDENTIALITY NOTICE: All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA). This correspondence is intended exclusively for the individual or entity to which it is addressed, and may contain information that is proprietary, privileged, confidential or otherwise legally exempt from disclosure.

If you are not the intended recipient, you may not read, use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail or telephone immediately and destroy all copies of the original message.

From: Van Laeke [mailto:van24@att.net]
Sent: Sunday, November 21, 2021 9:46 AM
To: Planning Info
Cc: johnsmarine@gmail.com
Subject: REQUEST FOR ZONING VARIANCE AT END OF ELLENBERG ROAD, SENECA

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To: County Board of Zoning Appeals

We ask you to deny the zoning variance at the end of Ellenberg Road, Seneca. This variance would basically put John's Marine Service (serving Lake Keowee residents for 35 years) out of business. The reason being that this road variance would make it impossible for John's Marine to operate their business as is now done. There are many Lake Keowee property owners that do not have boat trailers because of the cost and the problem of where to park the unsightly trailers. At John's Marine, Keowee boat owners can bring their boats over to this business and have their boats pulled out of the water and receive full maintenance.

There is only one other Lake marine service on Lake Keowee located at the far south end of the lake. This facility is a long way to obtain boat repair and maintenance for the heavily populated middle and north end residents of the lake. There are several marine maintenance companies that will come and do boat repairs at your boat but they are prohibited to change oil, etc at the dock because of lake pollution.

A separate issue, we believe, is building 19 homes in this constricted area at the end of Ellenberg Road will be a nightmare for emergency vehicles.

Sincerely,

Concerned Waterside Crossing Residents

Vivian Kompier

From: Gail White <scflgirl61@gmail.com>
Sent: Saturday, November 20, 2021 7:53 PM
To: Planning Info
Subject: Variance request for property on Ellenburg Rd

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

We are writing in regards to the variance request at Ellenburg Rd. We are against this request as it will be harmful to the business located at 599 Ellenburg and this area does not need another subdivision on this road. The road is too narrow and adding another 19 home will be irresponsible on behalf of our county council.

Please donor allow this to happen. Thank you for your understanding in this matter.

Stanley and Gail White
23057 McDonald Point Rd
Seneca, SC

Vivian Kompier

From: Vince Wilson <daddyo2373@gmail.com>
Sent: Saturday, November 20, 2021 8:14 PM
To: Planning Info
Subject: Zoning variance

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Dear

I strongly oppose the variance request for more than 50 foot road width for property located beside John's Marine.

This is a family owned business that is vital to their family and is vital for Oconee County.

The proposed subdivision needs to adhere to the given law as it is and leave this family business alone.

Sincerely,

Vince Wilson

Vivian Kompier

From: Sherri Akers <sherridakers@yahoo.com>
Sent: Friday, November 26, 2021 2:42 PM
To: Planning Info
Subject: Vote No to Variance

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I wanted to voice my opposition to the variance at 599 Ellenburg Rd. First of all, if this pointe is developed, boaters will lose access to sandy beaches. Also, Ellenburg Road cannot handle an increase in traffic. John's Marine Service is a commercial business that has served this community 50 years next year. Over the last 30 years traffic has steadily increased with new subdivisions and deliveries. Many customers come by water and this is invaluable. There is no where else that is lakefront that John's Marine could relocate to without having a detrimental effect on their business. I think the lake can survive without 19 more homes at the expense of a small, family run business. Don't you? So please vote NO!

Sincerely,
Sherri Crisp

[Sent from Yahoo Mail for iPhone](#)

Vivian Kompier

From: James Coley
Sent: Monday, November 29, 2021 9:43 AM
To: 'cawthonamy@yahoo.com'
Subject: -RE: Variance Request #VA 21-011

Ms. Cawthon,

Thank you for your email. Your statement will be added to the backup material which will be given to the board.

Best regards,

James Coley

Director
Oconee County Planning and Zoning
415 S. Pine Street
Walhalla, SC 29691
Phone: (864) 638.4218



CONFIDENTIALITY NOTICE: *All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA). This correspondence is intended exclusively for the individual or entity to which it is addressed, and may contain information that is proprietary, privileged, confidential or otherwise legally exempt from disclosure.*

If you are not the intended recipient, you may not read, use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail or telephone immediately and destroy all copies of the original message.

From: cawthonamy@yahoo.com [mailto:cawthonamy@yahoo.com]
Sent: Sunday, November 28, 2021 7:46 PM
To: Planning Info
Subject: Variance Request #VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To whom it may concern:

I am voicing my opposition to the variance at the end of 599 Ellenburg Rd, Seneca, SC. I grew up on this road and was here when there weren't any subdivisions and only 4 homes at the end of this road. Over the last 15 years traffic has steadily increased as more development has occurred. Ellenburg Rd is hardly wide enough to handle the traffic now, much less adding 19 more homes. Where the entrance to the development will be is right in front of John's Marine Service, where my Dad built his business and my brother now owns. He specifically chose this location because it was rural and would have little impact for residents. For 40 years my Dad, then my brother, have grown this business at this location. By putting an entrance to a subdivision right at their front door, it will not only hinder the accessibility for customers, but cause a traffic jam that will also be a safety issue. Fire and emergency vehicles will not readily be able to access the entrance to the development with less than a 50 foot road. There will be no way to go around or have traffic move over. I'm sure the owner & or developer knew this when he approached my Dad before he ever bought this property, trying to buy him out. It seems to me he always knew he needed our property to access and develop this point. Since he couldn't buy it, now greed is the motivating factor behind this variance. Their attitude of "there is a way around everything" is evident in this matter. I want my family business to be a 4th and 5th generation owned business that my son or grandson/granddaughter can choose to make their livelihood and not worry about being run over when backing up a boat or walking to their car.

John's Marine Service is a commercial business that would significantly suffer with this variance. Although the owner & or developer stated there were NOT any commercial businesses that would be negatively affected in their application is simply a lie. I'm sure the owner & or developer is fully aware of this as the developer has been a long standing customer of John's Marine. This is why I'm opposed to this variance and why I hope you'll vote NO!

Sincerely,
Amy Cawthon

[Sent from Yahoo Mail on Android](#)

Vivian Kompier

From: islandspenders@aol.com
Sent: Wednesday, November 24, 2021 12:55 PM
To: Planning Info
Subject: John's Marine

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Please do not approve the variance that will extremely hinder the fantastic service at John's marine. To change things that will hinder or even put John's Marine out of business is not acceptable in my opinion.

They have been here for over 35 years and "progress: should not put them out of business. Their service is top notch and very much needed on the lake.

Thank you for your time,

Michael Babyak

Vivian Kompier

From: Bailey Gary <baileygrouse@gmail.com>
Sent: Friday, November 26, 2021 6:21 AM
To: Planning Info
Subject: Zoning variance request

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

We are in opposition to Variance Requests #VA21-010 and #VA21-011. This change would have a severe adverse effect on an important local business, John's Marine, putting its future existence in peril as well as safety concerns. Thank you for your consideration. Gary and
Irma Bailey, 124 Pointe Harbor Dr., Seneca, S.C.

Sent from my iPad

Vivian Kompier

From: Dale Blazek <axman49@gmail.com>
Sent: Thursday, November 25, 2021 9:35 AM
To: Planning Info
Subject: Variace Request

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I understand that a variance request was been filed concerning a widening of a road. ((#VA 21-011). As I understand it the owner/developer after eight years is requesting to widen the road which will have a late impact on the business for Jon's Marina. This establishment has been in business for over 35 years and services more than 50% of boat owners, (Mostly east side of lake Keowee). The owner knew this when he purchased the property. Unless Duke energy is willing to give a variance to John's Marina for more lake access I do not support the variance request #VA 21-011that Rigeewater Engineering has submitted.

Dale Blazek
axman49@gmail.com
519 Tall Ship Dr. Unit#215
(704) 458-8752

November 29, 2021

To: Board of Zoning Appeals

I am writing to voice concern of the request for variance to extend Ellenburg Road with the addition of 19 homes to the area. I feel this will negatively impact the business of John's Marine which has been a staple to the lake community for decades. The amount of additional traffic in the area would appear to be challenging for the existing business and their clients. While I am a proponent of progress – I do feel the number of additional homes to be built under this request as well as the added traffic would be detrimental to the business as well as the surrounding community.

I appreciate your consideration of the concerns raised.

Regards,



Chris Kanipe

Vivian Kompier

From: Paul Crisp <1blimp@embarqmail.com>
Sent: Saturday, November 27, 2021 10:49 AM
To: Planning Info
Subject: No to Variance

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To whom it may concern:

I am opposed to the variance adjacent to 599 Ellenbug Rd, Seneca, SC. Allowing a developer to put a 19 home subdivision entrance right in front of a business, with less than 50 feet is a major safety issue. Fire trucks and emergency vehicles would not be able to safely navigate a curvy, narrow road that will have that much more traffic. Customers of John's Marine use the area in front of and beside the shop to turn and park boats, deliveries are made by multiple vendors daily and residents and customers would constantly find themselves in traffic jams. This would have a negative impact! John's Marine has been in business for 49 years and at its current location for almost 40. They have been an asset to the Lake Keowee area that can never be replaced. Having boats come by water to be fixed, serviced or towed when they break down on the lake is a big convenience and a big part of John's Marine. Businesses like these are what has built this area into what it is today. We are going to lose exactly what attracts people to this area and why they've been moving here for years. These are just a few reasons why this variance should not be approved. We can't lose the foundation that built us.

Sincerely,
Paul Crisp

Sent from my iPhone

Vivian Kompier

From: kenneth culver <culvrken@bellsouth.net>
Sent: Friday, November 26, 2021 5:14 PM
To: James Coley
Subject: Variance and short term rental

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Hello all-

We just wanted to state our view that we are against the road variance and short term rental community being proposed by the new development next to Johns Boat shop and repair. The cove is already full with boat traffic from high falls park and other communities that allow short term rentals and Ellenburg road can not handle anymore traffic. We also do t think it is fair to John's Boat repair as this will jeopardize his business. He has been an outstanding member of our community and provides a valuable service to all. Please vote to preserve our area and help our small local vendors! Thank you for your time and consideration!

Sincerely,
Ken and Anna Culver
Lot 20 The Peninsula
Seneca, SC

Sent from my iPhone

Vivian Kompier

From: Mandy Ellison <mandyfellison@gmail.com>
Sent: Friday, November 26, 2021 1:25 PM
To: James Coley
Subject: Ellenburg Road Variance

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I am writing to voice my opposition to this variance. Ellenburg Road can not support the additional traffic that 19 home sites will bring. As a Realtor, I also know for a fact that this development is being heavily marketed to investors who will be building short term rentals, which will be disastrous for not only the survival of John's Boat Repair, but the other residences on Ellenburg Rd.

Please do not grant this variance.

Mandy Ellison

Sent from my iPhone

Vivian Kompier

From: lenamfox@aol.com
Sent: Sunday, November 28, 2021 4:47 PM
To: Planning Info
Subject: Variance application #VA21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To whom it may concern.

I would like to express my objection to the variance for the purpose of extending Ellenburg Road, making way for a new subdivision. I have lived in the area for 10 years, and have come to appreciate the effort made to protect our lake and the natural habitats of native wildlife as well as vegetation. Property owners are expected to respect the county restrictions for disturbing vegetation in the 50' buffer. I do not believe that this restriction should be lifted to increase developer profits. Please say "NO" to this variance.

Lena Fox

Vivian Kompier

From: Michael Grant <mgrant0491@gmail.com>
Sent: Sunday, November 28, 2021 4:09 PM
To: Planning Info
Subject: Fwd: Variance on Ellenburg Rd

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

>

>

>

> To: BZA Board

>

> I am a resident on Ellenburg Road and I strongly oppose Variance Request VA 21-011. This road is already winding and narrow. There are many people in Harbor Oaks and surrounding neighborhoods walking their dogs and walking for exercise. With no shoulder to get off the road, it is very dangerous. Adding 19 more homes will only increase the danger.

>

> Approving this variance will have a detrimental impact on John's Marine Service, which has been here for nearly 40 years. This shop was here when the developer purchased the property and he was aware of the narrow entrance into this parcel. Now he wants to come in and develop this small parcel without the appropriate entrance required by Oconee County Roads and Bridges. They are not asking for just a few feet. The 18' variance is a substantial portion of the required 50'. Approving such a large variance sets the precedent moving forward. Why even have the requirement, if such a large portion can be deviated? This was put in place for safety reasons and emergency access. Safety should be the top priority for the county. I urge the council members to vote NO to this variance!

>

> Thank you, Michael Grant

Vivian Kompier

From: Bruce Hadley <bruce@hvacprecision.com>
Sent: Monday, November 29, 2021 7:55 AM
To: Planning Info
Subject: Variance #VA21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I am not for allowing a variance for the above listed property. please call me if you have further questions 301-252-1452

Bruce Hadley
167 Northshores drive
Seneca sc 29672

--

This email has been checked for viruses by AVG.

<https://www.avg.com>

Vivian Kompier

From: James Coley
Sent: Monday, November 29, 2021 9:27 AM
To: 'Catherine Halvorsen'
Subject: RE: John's Marine

Ms. Halvorsen,

Thank you for your email. Your statement will be added to the backup material which will be given to the board.

Best regards,

James Coley

Director
Oconee County Planning and Zoning
415 S. Pine Street
Walhalla, SC 29691
Phone: (864) 638.4218



CONFIDENTIALITY NOTICE: *All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA). This correspondence is intended exclusively for the individual or entity to which it is addressed, and may contain information that is proprietary, privileged, confidential or otherwise legally exempt from disclosure.*

If you are not the intended recipient, you may not read, use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail or telephone immediately and destroy all copies of the original message.

From: Catherine Halvorsen [mailto:halmom@aol.com]
Sent: Saturday, November 27, 2021 10:18 AM
To: Planning Info
Cc: carlhalvorsen@gmail.com
Subject: John's Marine

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

My husband and I received a letter from Jimmy at John's Marine about the variance request to be voted on at your November 30th meeting. John's Marine has been our go to boat service company for the many years we have lived in Keowee Key. Jimmy provides a valuable service to our community and the surrounding subdivisions. If passage of this variance impacts his business negatively I would expect your board to vote NO. It would be wrong to give this developer the relief he is looking for when it becomes detrimental to a business that has operated in our county for three generations.

Catherine Halvorsen

5 Crest Drive

Salem, SC

Vivian Kompier

From: Don Herriott <herriottdon@gmail.com>
Sent: Friday, November 26, 2021 10:51 AM
To: James Coley
Cc: Doug Cooper
Subject: Ellenburg road variance

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

The President of our Harbor Oaks HomeOwners association wrote to you about the safety concerns for the new development at the end of Ellenburg road. These issues certainly need to be addressed prior to granting any variance. In particular the ``Let them eat cake ``type of quote from the developer "those roads are built for cars, if people don't want to get hurt they need to stay off them". In the worst case if any limited variance is granted rather than discouraging a healthy activity such as walking the developer should provide a seperate walking path along Ellenburg.

--

Best Regards,

Don and Barbara Herriott
143 Rollingwood Drive

Vivian Kompier

From: Banks Hudson <wbhudson136@gmail.com>
Sent: Sunday, November 28, 2021 9:57 AM
To: Planning Info
Subject: Variance Request Ellenburg Road

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Oconee County Board of Zoning Appeals
415 South Pine Street
Walhalla, SC

Members of the Board:

We write to express our concern regarding the variance request you will hear this coming Tuesday, November 30. We wish to express our objection to granting the variance. It would appear, as we read the request, that the subdivision developer wishes to enhance the access to the property being developed to the detriment of an adjacent property and business, John's Marine Service, which stands to lose the majority of its business if the variance is allowed because it would eliminate water access to the business. As long time customers of the business, we very much understand the problem.

As we understand it, the developer has owned the undeveloped property for more than ten years, and purchased it with full knowledge of the width of the right of way and how that would impact any future development. Rather than try to destroy an adjacent business, perhaps the developer should have considered the issue before purchasing.

We ask the Board to deny the request.

Sincerely,

Sidney and Banks Hudson
17 Marina Village Way
Salem, SC

Sent from my iPad

Vivian Kompier

From: Michael Huskey <mrville@yahoo.com>
Sent: Saturday, November 27, 2021 8:25 AM
To: James Coley
Cc: cooperd5908@gmail.com; Lucretia Morgan Morgan; Pamela Colden; cindy.smoak@gmail.com; dherriot@aol.com; Jimmy Ratliff; Rita Huskey
Subject: Variance Request for Ellenburg Rd #VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Dear Sir

My name is Mike Huskey and I am a resident of Harbor Oaks community off of Ellenburg Road. I am writing you this letter to strongly oppose the proposed variance.

I am currently the VP of Operations and Supply Chain for Fiberon, a subsidiary of Fortune Brand Holdings. Our company is in the building and construction products business with a complete devotion to safety. This means that we take the safety of our products and our associates who make them very seriously. I am responsible for the Environmental - Health & Safety for the Fiberon division (EH&S) which includes 700 + people.

When I look at the proposed variance through my EH&S lens I see what we term a "SIF". This indicates a situation where there is Strong possibility for Serious Incident or Fatality. The current condition of Ellenburg (curves), limited sight distance, the speed at which contractors and others navigate the road is already dangerous. Our residents use the road for walking and exercising our Pets.

The proposed 19 home project will exacerbate an already congested condition. I work with Fire Marshalls and Rescue personnel on all of our (Fiberon) projects and I cannot believe that any one of them would approve this request.

I respectfully request that the county look at this from the safety of the current residents, the safety of John's Marine business that will certainly be impacted, and the certain creation of a Serious Incident or Fatality condition.

Regards,

Mike Huskey

Vivian Kompier

From: Jan Ratliffe <janratliffe@gmail.com>
Sent: Friday, November 26, 2021 6:20 PM
To: Planning Info
Subject: 599 Ellenburg Rd variance

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To whom it may concern:

I live at 599 Ellenburg Rd, Seneca, SC. This has been my home since 1981 and our business, John's Marine Service, since 1982. The developer bought the adjoining property many years after John's Marine had been established, making numerous attempts to purchase our property. He knew when he initially purchased the property that there was not sufficient footage to build a development entrance. Even after my husband, John Ratliff, was diagnosed with Alzheimer's, the developer still approached him with minimal offers that could not begin to rebuild John's Marine Service.

Safety is the biggest concern with the lack of a 50 foot entrance to a 19 home subdivision. With the narrow width of the existing road and the bottleneck that will occur in front of our shop, traffic will not safely flow. Fire trucks cannot access the development with less than 50 feet, along with other emergency vehicles that will have to maneuver around UPS, FedEx, tractor trailers and vehicles towing boats. This can mean a difference between life and death.

John's Marine is a 3rd generation family business that solely supports me, my son and grandson. If this variance passes we will never be able to relocate on the water, have a ramp or docks by Duke Power's current stipulations. This is why I'm opposing this variance and ask that you do the same.

Sincerely,
Jan Ratliff

Vivian Kompier

From: James Coley
Sent: Monday, November 29, 2021 9:14 AM
To: 'Jerre Wippermann'
Subject: RE: Variance request application

Mr. Wippermann,

Thank you for your email. Your statement will be added to the backup material which will be given to the board.

Best regards,

James Coley
Director
Oconee County Planning and Zoning
415 S. Pine Street
Walhalla, SC 29691
Phone: (864) 638.4218

CONFIDENTIALITY NOTICE: All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA). This correspondence is intended exclusively for the individual or entity to which it is addressed, and may contain information that is proprietary, privileged, confidential or otherwise legally exempt from disclosure. If you are not the intended recipient, you may not read, use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail or telephone immediately and destroy all copies of the original message.

-----Original Message-----

From: Jerre Wippermann [mailto:hapifeet53@aol.com]
Sent: Friday, November 26, 2021 12:28 PM
To: Planning Info <planninginfo@oconeesc.com>
Subject: Variance request application

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Please let it be known I am against #VA21-011.

Thank you
Jerre Wippermann

Sent from my iPad

Vivian Kompier

From: Kenyon Luce <kenyonluce@gmail.com>
Sent: Saturday, November 27, 2021 10:37 AM
To: Planning Info
Cc: Kenyon J. Luce
Subject: Variance Request Application #VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

We are in opposition to Variance Request Application #VA 21-011 as it will severely impact the business of John's Marina located at 599 Ellenburg Road. This is a third generation business that has been at this address for over 35 years, and is of immense benefit to Lake Keowee boat owners like us.

We ask that you deny this variance request.

Regards,

Kenyon J. Luce Donna W. Luce

416 Long Reach Drive
Salem, SC 29676

Vivian Kompier

From: george nassor <geonassor@gmail.com>
Sent: Sunday, November 28, 2021 8:33 PM
To: Planning Info
Subject: Variance requests: VA21-010 and VA21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To whom it may concern,

This letter is to request that you do not grant the above variances which are on your docket on November 30 in Walhalla.

Being an adjoining property owner the increased construction and traffic will be a problem for the local property owners. More importantly the proposed building would irreparably damage the business of Johns Marine Service, a respected local business that has been here for 35 years and 2 generations.

There just isn't enough room for the proposed construction and current rules would prohibit it. I don't see how changing the rules is good for anyone but the property owner trying to make money on the construction. Johns Marine is a valued neighbor and it would be terrible to ruin this families business so someone else can cram more houses into the neighborhood than is practical.

Thank you,
George Nassor
114 Pointe Harbor Dr
Seneca, SC

Sent from [Mail](#) for Windows

Vivian Kompier

From: Alicia Palmere <apalmere@comcast.net>
Sent: Friday, November 26, 2021 12:53 PM
To: James Coley
Subject: Support for John's

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Hello,

As a fellow neighbor, we support your efforts to not allow the development near your land. Best of luck!

Sincerely,
Alicia Palmere

Sent from [Mail](#) for Windows

Vivian Kompier

From: MARK-LAURA SANSBURY <sanslark@aol.com>
Sent: Sunday, November 28, 2021 5:15 PM
To: Planning Info
Subject: Variance request. 11/30 meeting

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

In reference to the request for variance VA 21-010, we would respectfully request that this variance NOT be approved /granted at the Ellenburg Rd location.

We are in the neighboring development (Pointe Harbor) and are well aware of the restrictions this area entails. This road is very narrow and a dead-end road. There are safety issues to consider: pedestrian walkers, added heavy construction equipment, and bottleneck issues near the marina, and simply tremendous volume added to a narrow business road.

Also this variation and resulting subdivision would negatively affect a long standing and valuable business to the lake community, John's Marine Service.

Lastly, allowing this deviation variance would be setting a dangerous precedent to upcoming similar proposals.

We would respectfully request that you oppose this variance!

Respectfully submitted,

Mark and Laura Sansbury
Pointe Harbor East

Sent from my iPad

Vivian Kompier

From: Sarah Cawthon <scawthon50@gmail.com>
Sent: Thursday, November 25, 2021 6:17 PM
To: Planning Info
Subject: Variance Request #VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

My name is Sarah Cawthon and I am opposed to the variance because it will pose a safety hazard to all of the people who walk and ride bikes in the area. With the traffic of 19 homes through a bottle neck area and being only feet john's marine service it will create a hazard to pedestrians and their customers.

Also having 19 septic tanks on a small parcel of land, which is almost an island, poses a significant environmental risk.

Vivian Kompier

From: James Coley
Sent: Monday, November 29, 2021 9:44 AM
To: 'Joe Sears'
Subject: *RE: Variance request #VA 21-011

Mr. Sears,

Thank you for your email. Your statement will be added to the backup material which will be given to the board.

Best regards,

James Coley

Director
Oconee County Planning and Zoning
415 S. Pine Street
Walhalla, SC 29691
Phone: (864) 638.4218



CONFIDENTIALITY NOTICE: *All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA). This correspondence is intended exclusively for the individual or entity to which it is addressed, and may contain information that is proprietary, privileged, confidential or otherwise legally exempt from disclosure.*

If you are not the intended recipient, you may not read, use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail or telephone immediately and destroy all copies of the original message.

From: Joe Sears [mailto:jmsears41@gmail.com]
Sent: Sunday, November 28, 2021 8:30 PM
To: johnsmarinesc@gmail.com; Planning Info
Subject: Variance request #VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I am expressing my opposition to the variance request above as I believe it will create a negative situation for the marine business which has operated there for 35 years as well as the proposed 19 home development. The location is already congested as is. It appears that the developer has already backfilled an area covered in large crushed stone at the requested area.

I am familiar with the location and I think the requested variance will create an undesirable atmosphere for the marine business and homeowners.

Joe Sears

Vivian Kompier

From: James Coley
Sent: Monday, November 29, 2021 9:18 AM
To: 'Greg Skene'
Subject: _RE: Variance Request #VA 21-011

Mr.Skene,

Thank you for your email. Your statement will be added to the backup material which will be given to the board.

Best regards,

James Coley

Director
Oconee County Planning and Zoning
415 S. Pine Street
Walhalla, SC 29691
Phone: (864) 638.4218



CONFIDENTIALITY NOTICE: *All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA). This correspondence is intended exclusively for the individual or entity to which it is addressed, and may contain information that is proprietary, privileged, confidential or otherwise legally exempt from disclosure.*

If you are not the intended recipient, you may not read, use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail or telephone immediately and destroy all copies of the original message.

From: Greg Skene [mailto:gskene9946@aol.com]
Sent: Friday, November 26, 2021 4:11 PM
To: Planning Info
Subject: Variance Request #VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

For 15 years Johns Marine Service has serviced my boat that I get to via water. I do not have a trailer thus having it serviced directly off the lake at Johns Marine is critical to me.

We are against granting the Variance per request VA 21-011

Regards

Greg Skene
205 Windlake Drive
Seneca, SC 29672

Cell 770 316 6000

Vivian Kompier

From: Tom Wippermann <twipp730@aol.com>
Sent: Friday, November 26, 2021 12:23 PM
To: Planning Info
Subject: Variance request application

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I wish to go on record as being against #VA21-011.

Tom Wippermann

Vivian Kompier

From: Roswitha Yenawine <roswithaf@live.com>
Sent: Sunday, November 28, 2021 6:06 PM
To: Planning Info
Subject: Variance Request #VA21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Zoning Board Members,
please allow me to voice my objection to the variance request. Many of the current residents , in Keowee Key and other neighborhoods, need the access to repair services by water.
Not any less objectionable is the fact that an established business and family is to be up-rooted against their will.
As all people, that buy lake property, are expected to check with Duke if the lot is dockable. Maybe Joe Meaders should have contacted Duke if he could gain access by building a dyke to the property.
Sincerely,
Roswitha Yenawine

Vivian Kompier

From: Ross Dalton <rosswdalton@hotmail.com>
Sent: Monday, November 29, 2021 12:44 PM
To: Planning Info
Subject: Objection comment to Variance Request app #VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I am in opposition of the above referenced variance application. I believe it would have an immediate and detrimental impact to a local family-owned business we have patronized for over 16 years. This unique business is set up for its unique clientele and should be allowed to continue to operate as they have for many decades. This variance could create a situation where they would go out of business. There are no options to relocate the business in its current state to give its customers the current level of service and access. Please consider denying this variance application.

Thank you.

Ross Dalton
25 Skipper Lane
Salem, SC 29676

Vivian Kompier

From: dan fasolino <dan_fasolino@yahoo.com>
Sent: Monday, November 29, 2021 1:47 PM
To: Planning Info
Subject: VA 21-011 Ridgewater Engineering

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Hello,

With regards to Mr. Meader's request, I wonder why there is a request for variance from the 50' right of way and not a request for any leniency to perform the necessary steps to meet the 50' right of way? Particularly when the needed improvements could be added and performed during the construction of the new road. This appears merely an attempt to avoid cost and not the efforts of a good neighbor.

I share Mr. Ratliff's concerns about the impact on John's Marine in the absence of suitable passage.

It would also be concerning to favor one business venture over another where one gains a single financial windfall at the continued peril of another.

Thank you for your time,
Dan Fasolino
201 Pinecroft Ct.
(864) 888-7157

Vivian Kompier

From: Alan Fayard <alanfayard@gmail.com>
Sent: Monday, November 29, 2021 3:06 PM
To: Planning Info
Subject: #VA 21-010

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Board of Zoning Appeals,

I request you work with the developer requesting this variance so as not to have any negative impact on John's Marine Service. As a boat owner I take my boat via water for service at John's Marine Service. I do not own a trailer so I do not have the ability to take my boat out of the water and take it someplace for service.

While I can understand that a housing development could be good for our county I also believe limiting on water boat services can negatively impact our county and peoples desire to buy houses on Lake Keowee. Additionally I have been told the developer purchased this land knowing there was an issue in getting road access, which should have been addressed prior to purchase. I request that you deny this variance request.

Sincerely,
Alan E Fayard
513 High Hammock Drive
Seneca, SC 29672
7703299874

Vivian Kompier

From: clement germanier <germanic@bellsouth.net>
Sent: Monday, November 29, 2021 3:57 PM
To: Planning Info
Subject: Variance John's Marine service

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Board of Zoning Appeals,

"What part of English does this developer not understand. John's Marine Service has been there for three generations. It is located so that customers have lake access with no safety concerns. If the developer wants use of the property he has access to, let him build a hotel / eating place up the road. The customers could use the lake for enjoyment away from the established business, Johns Marine. We against this variance.

Sincerely,

Clement and Patricia Germanier
Long time residents of Oconee County

Vivian Kompier

From: jdrichardson@mindspring.com
Sent: Monday, November 29, 2021 3:20 PM
To: James Coley; James Coley
Cc: coldrenpj@gmail.com; cooperd5908@gmail.com
Subject: Variance request for Ellenburg Rd #VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

We are homeowners in Harbor Oaks Subdivision and members of the Harbor Oaks Home Owners Association. We strongly oppose the granting of the variance at this time, unless the county can provide detailed plans on how they are going to assure the safety of home owners traveling on Ellenburg Rd. Adding an additional 19 lots and homes on a road that was never designed for that level of traffic will only increase the unsafe conditions on Ellenburg Rd especially during development of the land and the new community. We have experienced several unsafe conditions on Ellenburg Rd during recent property development along the road. Granting the variance to develop the land will only increase the number of unsafe conditions particularly with heavy construction vehicles. Also, adding 19 lots will increase the traffic on Ellenburg Rd significantly after full development especially if any of the properties are rentals.

We appreciate your desire to add more tax revenue to Oconee County, but we would ask that the safety of both current and future residents be considered and deny this variance request.

Sincerely,

John & Suzanne Richardson
311 Greentree Ct.
Seneca, SC 29672
jdrichardson@mindspring.com

Vivian Kompier

From: Aubrey Miller <aubs78@gmail.com>
Sent: Monday, November 29, 2021 4:13 PM
To: Planning Info
Subject: Subject VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Please accept this written statement as for the public hearing sections regarding the variance request for VA-21-011.

In Oconee County, one of our most significant resources is our Lakes and waterways. The county slogan reflects this philosophy by declaring us the land beside the water. Unfortunately, we have, on many occasions, not been the best stewards of this slogan. My family has been a member of this community for decades. I have watched the lake be overrun with development, much of which only benefits a select few. The water edge is being filled in with silt, and aquatic grasses are taking over. One day we will look back and wish we would have placed better land controls over our most prized resource.

When administering any land development regulations, the most challenging part of a board's responsibility is picking a winner and a loser because there is rarely a clear-cut solution where both sides can win. In this case, we have a parcel of land on a point, a valuable point if subdivided. We also have an ordinance that requires a 50-foot right-of-way to be dedicated to access this property. The applicant is asking that you allow them to dedicate less right-of-way so they can subdivide more property. Under the current ordinance, if they only subdivided three lots, they could access the areas with just a driveway. Instead, they would like to have 19 lots, including six lots that are flag lots, and any other zoning in the county would be illegal. The current map in the agenda shows a much larger right-of-way than the 31.9 feet show and creates many questions about what is happening. So much so that our planning staff has even asked for updated plans questioning the right-of-way width because they had the same questions about the plans that I did. The developer or the engineer has yet to provide these. Instead, they are going to ask that you grant them a variance without a clear idea of what is taking place if it is not essential to them to produce correct plans, how important it should be for the community to accept a variance request.

The zoning ordinance has some clear regulations that are required to be met to grant a variance. I have reviewed these questions and provided some of my comments on them below. I will point out that the applicant must prove they need an exception from these and the Board must find in favor of all four to grant the exception. Failure of one question should mean the variance is denied.

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

The agenda provided does not show any proof from the developer or staff as to what extraordinary and exceptional condition applies to this property. Did the developer negotiate with the neighboring property owner for 18.1 more feet and was denied. Did the 19 lots exist before the adoption of the ordinance, making it non-conforming? The requirements are placed on the property owner to show why this should be answered in the affirmative. Just reviewing the plans, one can conclude that the property owners want to have more lots than three allowed, and this variance is expected.

2. The conditions do not generally apply to other properties in the area.

It would seem that every other subdivision of greater than three parcels in the area has complied with this requirement. Unless we are going to amend the provisions of 50 feet, making it smaller, I believe the Board must vote against approving this question.

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.

The Owner could still subdivide the property into three parcels or sell the whole existing parcel. By denying this, we are not creating unreasonable property restrictions or taking the property. In other words, the property can still be used reasonably. An owner does not have any assurances that they can be allowed a more advantageous use when the property does not meet the ordinances. The Board of Zoning appeals should not find in the affirmative on this question since the property still has value and use without a public right-of-way.

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.

a. The Board of zoning appeals may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted. The fact that the property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.

Question 4(A) speaks for itself. The granting of a variance would allow for a 19 unit subdivision that would otherwise not be allowed. The last sentence address one of the prime arguments of most developers. Just because 19 lots may be more profitable does not mean it is better for the community. The Board should find against this question.

In addition to all these statements, the agenda package of the zoning appeals leaves much to be desired. The lack of information leaves much up to assumption. The county staff should provide more details, a staff report of their findings, the specific ordinances the applicant is seeking a variance from, and the applicant's application. How can a citizen, much less a board member, be expected to make an informed decision if the information of the decision cannot be obtained easily.

Regards,

Aubrey Miller

197 Knox Landing Drive

Seneca, SC 29672

Vivian Kompier

From: Lucretia Morgan <lbm1969@gmail.com>
Sent: Monday, November 29, 2021 12:04 PM
To: Planning Info
Subject: VA21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Dear Board of Zoning members,

I am an adjacent property owner on Ellenburg Road and I OPPOSE the variance requested by the developer for his subdivision.

Aside from my reason for the negative impact of MORE traffic on Ellenburg Road and the safety concerns which I'm sure you're aware of, this variance will pose a hardship on John's Marine Service.

Allowing this variance will grant over 36% of the required 50' for new roads. We're not talking about 5 or 6 feet, but over 18'. The developer that purchased the property back in 2008 must have done his due diligence and known what he was buying. After all, he developed numerous subdivisions on this lake, including Harbor Oaks just up the road.

If this variance is granted, it will be the first step in squeezing John's Marine out of the area. I live on an unrestricted lot near this business and knew it would be loud and have a lot of boating traffic coming in and out of the cove. An upscale subdivision will not be so "forgiving" when having to wait on him to back boats into his shop or when a customer brings a trailered boat in and has trouble parking. They also won't like looking at a shop with boats parked near the entrance to their nice subdivision.

The price paid for the property in 2008 is reflected for what is nearly an island and how many homes this limited access will allow. Also, in order to build the proposed 19 homes, the covenants were changed in 2016 to decrease the overall square footage for multi-stories, otherwise 19 homes would not "fit" with all of the setbacks including the 804 boundary.

Finally, in looking at the plat done by the developer's surveyor, the 804' DUKE/FERC boundary is within all of the area not meeting the 50' minimum width. Can the county rule on property that is within this boundary?

I urge the council to vote NO on this variance. All of the surrounding property is not only residential as stated in the applicant's variance application. It WILL certainly have a detrimental impact on John's Marine, the most direct adjacent property.

Thank you,
Lucretia Morgan
Ellenburg Road
Seneca, SC 29672

Vivian Kompier

From: Yahoo! <mwmurray@bellsouth.net>
Sent: Monday, November 29, 2021 11:06 AM
To: Planning Info
Subject: Subdivision variance

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Please do not grant the request to have a deviation in the width of the road where John's Marine is located. John's Marine has been in that location for over 35 years, to grant that variance would put them out of business. We have been residents here for 24 years and have always used John's to service our boat. We do not have a trailer and being able to use water access means a great deal to us and many others. Practice what you preach. Support our local business and do not take away their livelihood Walter and Marilyn Murray. 4 Anchorage lane. Salem

Vivian Kompier

From: Michael Phillips <michaelphillips@charter.net>
Sent: Monday, November 29, 2021 4:01 PM
To: James Coley
Subject: Opposition to request

Importance: High

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I'm emailing in support of John's Boat Repair and in opposition to the neighborhood proposed at the end of Ellenburg Road. When is enough, enough? That road cannot support the traffic of a new subdivision, plus with the existing boat traffic problems in that area and infrastructure issues, why do we need another subdivision anyway? And, I understand its mainly big money looking to sell lots to investors of short term rentals. When will this stop? Please do not approve of the variance requested by these developers which put's John's Boat Repair business in jeopardy and furthers the developers greed to exploit this beautiful lake and what's left of the peacefulness in and around High Falls Park.

Michael and Suzanne Phillips – LOT 11 The Peninsula on Lake Keowee

Vivian Kompier

From: Harry Shucker-Retired <Harry.Shucker@furman.edu>
Sent: Monday, November 29, 2021 11:58 AM
To: Planning Info
Subject: Variance Request application #21011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To whom it may concern,

I want to voice my concerns as to the requested variance to the deviation from the 50ft width per road to a 31.9 ft. road width which will interfere with the customer base of John's Marine. John's Marine has had the same location for over 35 years and we have often taken our boat over there for service.

To put an additional 15 to 19 homes using the road in front of John's Marine will make the ability to trailer our boat and many others to use very little space for parking as well as for turning the boat into the shop or into the water. Traffic on the road will be disrupted and cause disruption of flow or serious accidents.

We live in Oconee County and are familiar with that area both from the land as well as from the lake. The point is probably suitable for 3 or 4 homes but 15 to 19 homes are simply destroying nature to make more money by the developer. Since the Lake is already overdeveloped, I think it is way past time to consider lake and land preservation so that a beautiful area does not continue to be desecrated for profit without regard for businesses that have been there for 35 years.

I think it is time to take a stand about what is an appropriate use of land along the lakeshore and how others are being affected by overdevelopment. We have lived on the lake for 23 years and have watched development after development destroy the natural beauty of the area for the sake of profits.

Thank you for your consideration of denying this requested variance.

Sincerely,

Dr. Harry B. Shucker

This individual is retired from Furman University. The content of this email does not necessarily represent the views of the University.

Vivian Kompier

From: Stoker <stokerjn@sbcglobal.net>
Sent: Monday, November 29, 2021 4:31 PM
To: Planning Info
Subject: OC Board of Zoning Appeals meeting 11/30/21, Variance request application #21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To the Zoning Appeals Board,

I am writing to express my opposition to variance application #21-011.

John's Marine Service is a valuable asset to everyone who boats on Lake Keowee. It is one of the few businesses on the Lake to which a customer can take his or her boat for service by water. Its existence at its present location is a great convenience to boaters in a way that land-locked repair facilities cannot duplicate. It is also important to have a place where boat rescue services, or Good Samaritans can tow a disabled boat for quick repairs, which is not possible otherwise.

The proposed development would include 19 houses to be used as homes and rental vacation houses. The increased traffic for the period of construction of the road and buildings due to construction equipment, and the ongoing traffic of 19 vacation houses would certainly have a negative impact on John's Marine Service. This could be minimized with a proper road moved further to the south, but the variance being requested would allow the developer to get away with creating and leaving a hazardous and difficult situation.

John's Marine Service has been at its present location for over 35 years. It has been owned and operated by the same family all of that time. It predates any plans to develop the virtual island beyond it. It is located at the dead-end of Ellenburg Road, beyond which is a low isthmus. The elevation of the isthmus is below the 804 line

I have been a happy customer of John's Marine Service for over eleven years. I am opposed to this application for a variance which I believe would be detrimental its continued existence.

Thank you all for your service to Oconee County,

Sincerely,

Joseph N. Stoker

401 S. Lynhurst Ct.
Seneca, SC 29672

Vivian Kompier

From: Stoudenmire, B. Joel <JStoudenmire@nexsenpruet.com>
Sent: Monday, November 29, 2021 1:00 PM
To: Planning Info
Subject: Opposition to #VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I am an Oconee County resident and I am strongly opposed to #VA 21-011 variance requested seeking a variance to the 50 foot right of way. How can you adversely impact and destroy the business that has been operating there for over 35 years? The property owner seeking the variance bought his property knowing exactly what the rules and conditions were. The traffic volume on this small amount of property will be overwhelming. There is too much development on the lake now and what was once a beautiful, peaceful lake will be ruined. Please do the right thing and vote no.

B. Joel Stoudenmire

Nexsen Pruet, LLC
104 South Main Street, Suite 900
Post Office Drawer 10648 (29603)
Greenville, SC 29601
T: 864.282.1127, F: 864.477.2621
JStoudenmire@nexsenpruet.com
www.nexsenpruet.com

www.nexsenpruet.com

NEXSEN | PRUET

*** FIRM CONFIDENTIAL COMMUNICATION *** This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments. If you reply to this message, Nexsen Pruet, LLC may collect personal information including your name, business name and other contact details, and IP address. If you have any questions, please contact Privacy@nexsenpruet.com.

Vivian Kompier

From: THOMAS WAY <tcway@sbcglobal.net>
Sent: Monday, November 29, 2021 12:42 PM
To: Planning Info
Subject: Planning meeting on 11/30,2021 re: VA21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Members of the Board of Zoning Appeals,

I'm writing as a long time and present resident of Oconee County and requesting that you deny the deviation request VA21-011 requesting a deviation of road width from 50' to 31.9' and prescriptive right-of-way. If granted this variance will prohibit me from using the marine services of John's Marine Service located at 599 Ellenburg Rd in Seneca. I have used this service for years for all of my boat servicing needs and it is my view that the variance would severely limit my ability to access John's Marine as I can only do so by water and Jimmy needs to use his ramp to pull my boat out of the water for it's servicing needs. I see no reason that the current road width will restrict access to the developers property, but rather the developer might be more interested in putting John's marine out of business such that it does not affect the appeal of prospective home buyers for homes in his parcel. John's Marine Service has been at this location for more than 35 years and the developer was aware of this when he bought the property. Also, the proposed development will certainly add much more traffic on this road and as such it seems that narrowing the road width will limit John's Marine access to conduct business and only exacerbate a probable traffic issue.

Please deny this Variance Request.

Respectfully,

Thomas Way
357 Stardust Ln
Seneca, SC 29672

tcway@sbcglobal.net
864-359-7002

Vivian Kompier

From: Alison Saavedra <alison.m.saavedra@gmail.com>
Sent: Tuesday, November 30, 2021 4:26 PM
To: Planning Info
Subject: John's Marine Service

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Dear Oconee County,

John's Marine Service has been my go to for boat work for years. One of the best things about this company is that they are excellent at what they do technically and with their customer service. The reason they can do this is because of their location - right on the water. They can serve customers who normally leave their boats in the water year round.

As Mr. Ratliff has said in his letter to you and at the hearing this evening, the matter of relocation is not feasible and will get rid of a third generation family owned business that grew up right in Oconee County. I respectfully ask that you take this info into consideration when reviewing the parcel of land for development.

Thank you,
Alison Saavedra

Vivian Kompier

From: beth schonert <bschonert@hotmail.com>
Sent: Tuesday, November 30, 2021 9:43 AM
To: Planning Info
Subject: Variance Request #VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To Whom It May Concern:

I am writing to state my vehement opposition to this requested variance. It will severely impede John's Marine Service, a long-standing local business, and their ability to continue serving the community in the best way they can. Jimmy Ratliff's availability to service the boats we have on the lake, both in the water in an emergency manner, and by trailering to his business, are vital to the lake community we call home. I personally have relied on, and always been impressed with, the service he provides in such a timely manner. Without boating on the lake, there isn't nearly as much of a draw, and without the most important boat repair services Jimmy provides, we wouldn't be able to enjoy the lake in nearly the same way. We all know, boats break, a lot! We see, so often, that these decisions side with the new requests regardless of the effect on the existing community, but **I strongly urge you to do what is right, and side with the existing local community, and long-standing local business, John's Marine**, in this instance! It is to the greatest advantage of the area that his dependable service remains unimpeded and available to all of those who live on the lake.

Again, please vote against Variance #VA 21-011, and do what's best for the current residents of Lake Keowee!!

Beth Schonert
Jake Schonert
Camery Schonert
Hayden Schonert
Residents of Beacon Shores, Seneca, SC

Vivian Kompier

From: Terri <mitmfood2014@gmail.com>
Sent: Monday, November 29, 2021 5:03 PM
To: johnsmarinesc@gmail.com
Cc: Planning Info
Subject: variance

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Dear Mr. Ratliff,

We have read your letter regarding the upcoming variance request that would negatively impact your business. My husband I have been to your property and understand how this would affect your business and the traffic.

We are for responsible progress in the county. This proposed variance is not responsible and it is rather selfish that your business should either suffer or have to close down. It seems like people put their opportunity for profits above caring about somebody else's livelihood. We will be there to support you at the meeting as well.

Carl and Theresa Meyerring
175 Tabor Ramp Rd.
Westminster, SC 29693

God Bless America

Terri Meyerring
Meat'n in the Middle
864-723-1185

Contact us for your catering needs



Vivian Kompier

From: Cathy Nance <cmnance4@gmail.com>
Sent: Tuesday, November 30, 2021 12:55 PM
To: Planning Info
Subject: Variance request application #VA21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Board of Zoning appeals,

As a customer of John's Marine Service and a resident of Oconee County, we oppose the subject variance request. We are very concerned that John's Marine ability to service our boat and those of hundreds of other customers will be adversely impacted by the proposed variance. We strongly urge that you vote against this variance and prevent the negative impact on a long established family business.

Sincerely,
Catherine M Nance
39 Quartermaster Dr.
Salem, SC 29676
864-918-4463

Vivian Kompier

From: Chad Knott <chad@yonahhomecompany.com>
Sent: Monday, November 29, 2021 6:58 PM
To: James Coley
Subject: Ellenburg Variance Request VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To Whom It May Concern:

My wife and I own a home at 555 Ellenburg Road, Seneca, SC 29672. We are members of and are part of the Harbor Oaks Subdivision. We are opposed to the variance for the following reasons, and believe that Oconee County is required to take the following matters into consideration:

First, pursuant to Chapter 38-212 of the Oconee County Code of Ordinance, "A Variance is a waiver of the dimensional terms of the zoning chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of the chapter would result in unnecessary and undue hardship; and does not involve a change in the use of the property." Please note that the purchaser and current owner of the property, Farmes, a limited partnership, and Globe, a limited partnership, consists of John Hamrick and Frances Hamrick, as general partners. As you may or may not be aware, Mr. John Hamrick has regularly been involved in the real estate industry over the last 30 years, and has been active in the development and marketing of property for Crescent resources, including my subdivision, Harbor Oaks. Mr. Hamrick is well aware of the subdivision regulations which have been in effect prior to his acquisition of this property. These subdivision regulations require a 50' right of way. The subdivision regulations were established and approved to provide for the safety of the public and to provide a means of maintaining that safety if site line of distance and other factors necessitated more control, and to provide a mechanism for traffic to leave the road bed, where necessary, to deviate from collision due to mistake or error by oncoming traffic by having sufficient right of way for doing so. The variance request is a 36.2% percent reduction in the right of way, and remarkably, the variance of 18.1 feet represents nearly 56.7% of the final right of way. Oconee county's considering and granting such a right of way is absurd and is against the public interest for the following reasons:

1) Denying the variance does not impede the property owner's right to use the property. The owner of the property can acquire a building permit to build a home on the property without the need to obtain a variance. For that matter, they can construct up to three homes without a variance. The variance is needed for development and subdivision of the property only. As a result, the financial considerations of the benefit of the variance cannot be a consideration in whether the board should approve or deny the variance. Please see the case of S.C. Rush vs. City of Greenville, 143 S.E.2d 527 (The Supreme Court of South Carolina), which held that "going further and assuming that they will suffer substantially in a financial way, and this is obviously the only hardship that could possibly be expected to result to them, that alone is not sufficient. Although it is an element in the situation which is entitled to fair and careful consideration, mere disadvantage in property value or income, or both, to a single owner of property, resulting from application of zoning restrictions ordinarily does not warrant relaxation in his favor on the ground of practical difficulty or unnecessary hardship." Therefore, the variance should not be granted because the property owner can in fact utilize the property, they can build on it without the variance.....they simply need the variance for development and financial gain. Further, Section 38-7.1 of the Oconee County Code of Ordinances provides that granting a variance should be considered when (subsection (3)) "the application of this chapter to the particular piece of property would

effectively prohibit or unreasonably restrict the utilization of the property". The failure of Oconee county to grant the variance does not prohibit the utilization of the property nor does it restrict the utilization of the property. In addition, Section 38-7.1 (4) b. provides that "The board of zoning appeals may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted. The fact that the property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance." For the above reasons, Oconee county should not grant the variance.

2) The zoning regulations requiring a 50' right of way for a new subdivision were in place prior to their acquisition of the property. The property owner knew, or should have known of the regulations. Mr. John Hamrick was in the real estate business and was very familiar with subdivision regulations for Oconee County. When I purchased my property on Ellenburg road, my realtor told me that John Hamrick was going to build his retirement home on the tract. Many of us, familiar with the subdivision regulations, knew that the property did not have sufficient right of way for subdivision. The current owner purchased the property in 2008 pursuant to the plat recorded in plat book B291, page 1. This plat, last revised November 4, 2008, clearly shows that the property does not have sufficient right of way width for a subdivision pursuant to subdivision regulations which were in place at the time of the purchase. Also in S.C. Rush vs. City of Greenville, 143 S.E.2d 527 (The Supreme Court of South Carolina), the court held that "Where one purchases realty with intention to apply for variance, he cannot contend that restrictions caused him such peculiar hardship that entitles him to special privileges which he seeks". Therefore, the Supreme Court of South Carolina has reached the conclusion and has held that Farnes and Globe cannot purchase the property in 2008 with zoning regulations in effect which require a 50' right of way for subdivision development, and then now seek a variance from said regulations such that subdivision development will occur.

3) The property in which the variance is sought is below the 810' flood elevation line. Please see the drawings included with the variance application. Please also make a site visit. The current property owner purchased the property subject to "flood easements in favor of Duke Energy Carolinas, LLC and riparian rights of others, including, but not limited to, the flood easement to flood to the 810 foot contour line.....". Please see page one of their deed recorded in deed book 1695, pages 87-102. While we cannot predict the future, it is possible that Duke may allow the flooding of Lake Keowee such that the road would be under water. This is clearly a public hazard, and Oconee county faces significant liability for accident and injury associated with the approval of a public road which, by its design, could be underwater. I know of no place in Oconee County where access to a subdivision is approved in an area where the access road is below the 810' flood easement area. The thought of granting such a variance is ludicrous. Again, please make a site visit to see the area first hand.

4) The nature of the location of the variance, and the curvature of the road bed within and adjacent to the variance area will cause accidents between vehicles of oncoming traffic, particularly all of those potential property owners traversing in and out of the variance area with boat trailers. Again, I would encourage you to make a site visit. John's marine is a business which has been in place on Ellenburg road since lake keowee has been built. It is often that trucks, boats, and boat trailers, are regularly parked on the concrete pad and the property adjacent thereto in anticipation of repairs. While these boats and trailers are parked outside the right of way, they are parked within inches of the right of way and create significant line of sight problems for the variance area. As you can see from the diagrams provided by the engineering company, the subdivision access road has to make a deviation to the south and then quickly back north to prevent traffic from driving into Lake Keowee. I am confident that drivers will end up driving off of the road bed and into lake keowee in order to prevent being hit by oncoming traffic. This variance request is not simply reducing a right of way down to ~32 feet and the road is straight, and there is plenty of land adjacent thereto to absorb the mistakes and errors of drivers. This particular location is a combination of multiple traffic concerns and public safety concerns which include line of sight distance issues, curvature of the primary access road.....which is in the variance area, and immediate drop offs into Lake Keowee on both the north and south sides of the variance area.

5) The nature of Oconee county's prescriptive interest in Ellenburg Road will cause confusion, and additional road maintenance and liability for Oconee County. Oconee county's obligations to maintain Ellenburg Road are limited to maintaining Ellenburg road upon which asphalt has been laid, but nothing more. However, Oconee does in fact have an obligation to maintain this area of Ellenburg road regardless of what the developer constructs. The developer intends to construct a new road which is adjacent to, and splinters off from the existing paved surface of Ellenburg Road which Oconee County will continue to have to maintain. Therefore, as a driver is traveling East on Ellenburg Road, especially at night, the driver will be confused as to whether to travel straight...which will be the natural manner in which the driver will be inclined to travel versus deviating south to travel on the new road. As you can see, this will cause and create confusion and traffic accidents. I am not aware of any other location in Oconee county where such a road and traffic anomaly exists. This reason alone is sufficient to deny the variance as it is clearly against the public interest.

6) Granting such a variance will clearly impact and impede the activities at John's marine, an existing business which has been active and provides a required service to the local lake keowee boat owners. This would be contrary to Oconee County code of ordinance 38-7.1 (4) which states that "The authorization of a variance will not be of substantial detriment to adjacent uses". John's marine is regularly pulling into and out of Ellenburg Road backing boats down the boat ramp, pulling boats out of the boat ramp, pulling boats into and out of his shop. Traffic into and out of the proposed subdivision, whether from construction traffic, or property owners, will ultimately, and negatively impact John's marine.

For all the above reasons the variance should be denied, and I stand ready to take this issue to the Supreme court of South Carolina.

I would like the opportunity to speak at the hearing if Oconee County allows the public to speak as such a hearing. I would kindly ask that you let me know if there are any special circumstances required of me in order to speak.

Best Regards,

Chad Knott

Vivian Kompier

From: Jodie Paul <jkp1675@gmail.com>
Sent: Tuesday, November 30, 2021 1:55 PM
To: Planning Info
Cc: Danny Paul
Subject: Ellenburg Rd. Variance Opposition

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

We are writing to officially voice our opposition to the variance request for a new road on the end Ellenburg. We live close by and drive down there often so we have first hand knowledge of the set up and the work that has already been done to set up this road even though approval for the variance has not been granted. The proposed narrower road will be a big safety issue. How will fire trucks and construction equipment be able to safely pass through there? Where will the run off water go? Toward the adjoining business? Off the road into the 804? If the runoff causes a washout on the steep side of the road how will emergency vehicles access the neighborhood? The developer only has access to half of the current road. How are they going to safely run utilities under there without undermining the steep 804 side of the road or the side owned by John's Marine? There is a reason the County specified that 50 feet is a minimum for these roads - for safety. The developer knew this going into the project. John's Marine has been there the whole time - the fact that a business is blocking their big plans and there is a county ordinance prohibiting what they want to do are not surprises. The fact that the county will get tax revenue from this project should not be a reason for the safety of the neighborhood to be impacted. For these reasons we oppose the variance.

Dan and Jodie Paul
333 Elderberry Way
Seneca SC 29672

Vivian Kompier

From: DAVID & EVELYN KACZKOWSKI <kaz41@bellsouth.net>
Sent: Tuesday, November 30, 2021 4:44 PM
To: Planning Info
Subject: Ratcliff

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Zoning committee: As a former customer of this fine business, I appreciate the years of service provided to this community and wish to endorse John's Marina in this dispute. Sincerely submitted by: David and Evelyn Kaczowski 103 Silo Aly Seneca, SC 29672 864-973-8434

Vivian Kompier

From: davidhumphrey@charter.net
Sent: Monday, November 29, 2021 5:52 PM
To: Planning Info
Subject: Opposition to Variance Request

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To all concerned,

In reference to Variance Request Application #VA 21-011, please know that I oppose approval for that variance. A variance requested should not have such a dramatic impact on the surrounding properties, especially that of a 3rd generation business that has no good alternative. You may very well put someone out of business that is well liked and respected in this community, and has been around for a very long time.

Thank you,
David Humphrey
60 Commodore Drive
Salem SC 29676

James Coley

From: Doug Cooper <cooperd5908@gmail.com>
Sent: Tuesday, November 30, 2021 3:26 PM
To: James Coley
Cc: Chad Knott; Lucretia Morgan
Subject: Variance meeting tonight
Attachments: IMG_2966.jpg; ATT00001.txt

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

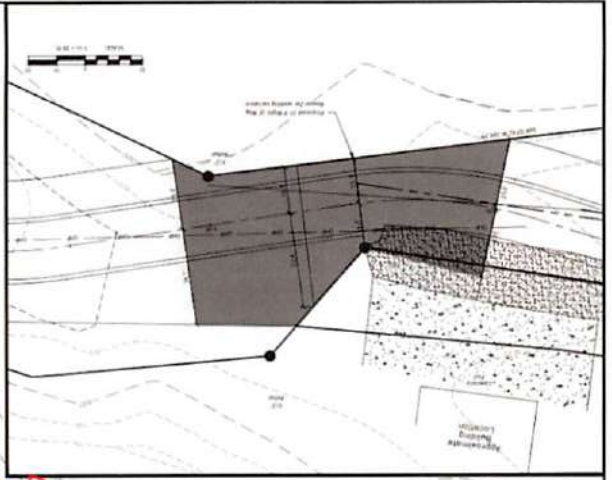
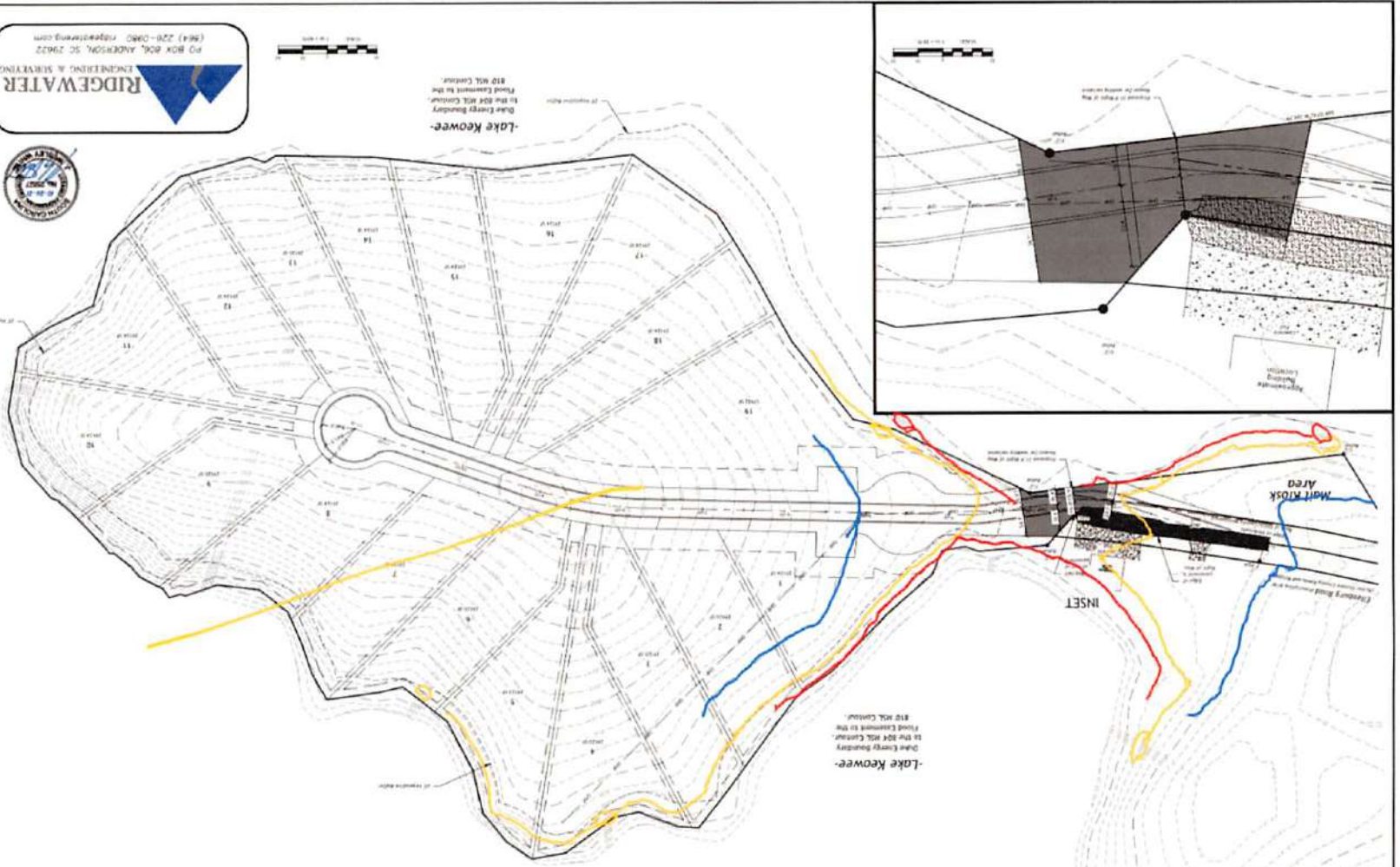
I want to submit this marked up drawing the developer submitted for tonight. He and others have claimed there are not markings on the drawings to know where the 804 is. As you can see just by zooming in using any PDF reader you clearly see the topology lines.
Blue is the 810' Flood line
Yellow is the 804'
Red is the 802'

Where everything is currently staked is more in line with the 802' line than the 804'. While the entire project is below the 810' line.

Doug

OWNER	DATE	REVISION

16. EXISTING ROAD SHOWN FOR CLARITY. EXISTENCE OF ROAD NOT GUARANTEED.
 PROPERTY LINE AND LANE LINE SHOWN TO AVOID THE ROAD LINE CONTAINING
 PROPERTY. VERTICAL CURVE NUMBER IS GIVEN IN SQUARE FEET. ALONG LANE
 21. MATERIAL CLASSIFICATION TO THE ROAD LINE CONTAINING
 19 TOTAL LOTS
 19 TOTAL LOTS - 27,762 SQ. FT. (13 ACRES)
 MINIMUM LOT WIDTH - 80 FT.



SKETCH PLAN

OWNERS CERTIFICATION

I, the undersigned, certify that the foregoing and the documents mentioned herein are true and correct and that I am the owner of the property described herein.

DESIGN PROFESSIONAL CERTIFICATION

I am a duly licensed professional engineer in the State of South Carolina and I am duly licensed in the State of South Carolina. I am duly licensed in the State of South Carolina. I am duly licensed in the State of South Carolina.

CERTIFICATE OF PROJECT APPROVAL

THIS PROJECT HAS BEEN REVIEWED AND APPROVED FOR CONSTRUCTION BY THE BOARD OF ZONING APPEALS OF THE TOWN OF GREENVILLE, SOUTH CAROLINA.

LOCATION MAP

Arrowhead Point

TMS # 150-00-01-459
 D.B. 1695, PAGE 87
 P.B. 0291, PAGE 1

NO. OF ACRES: 13.27
 MILES OF NEW ROAD: 1.1402 FT.
 NO. OF LOTS: 19
 DATE: 10-29-2021
 TIME: CFD
 OVERLAY DISTRICT: HOME/RESIDENT OVERLAY
 CHECKED BY: MOC
 JOB NUMBER: 1728
 DATE: 10-29-2021
 DESIGNER: MOC

RIDGEWATER
 ENGINEERING & SURVEYING
 P.O. BOX 906, ANDERSON, SC 29622
 (864) 228-0860, ridge@ridgewater.com

Vivian Kompier

From: Ed Zanowicz <zano737@gmail.com>
Sent: Tuesday, November 30, 2021 1:53 PM
To: Planning Info
Cc: johnsmarinesc@gmail.com
Subject: No to Variance on Ellenburg Road @ John's Marine Service

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Dear Oconee Council,

I strongly object to the proposed variance request on Ellenburg Road adjacent to John's Marine Service. I'm against this for the following reasons. First, and most important, this narrow road will compromise safety between the marina workers and cars entering and leaving the proposed subdivision. Second, the developer knew about the marine business at the time he purchased the property and nothing has changed since he made since closing the deal. Three, not only would it be financially prohibitive from moving the business elsewhere on the lake, it is highly doubtful Duke Energy would even grant a permit to build such a large facility. Many boaters (and me included) on this side of the lake regularly use John's Marine service for our boating needs and would have to drive a great distance to get the same quality service.

Thank you for your consideration on this matter, and hope you do the right thing and refuse this variance request.

Respectfully,
Ed & Terry Zanowicz
Seneca

Vivian Kompier

From: Kim Masiello <kim.masiello1@gmail.com>
Sent: Monday, November 29, 2021 9:34 PM
To: Planning Info
Subject: Requested Variance near John's Marine Service

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To Whom it May Concern

We are long time customer's of John's Marine both via the road and the water. Jimmy's shop is one of the most recommended on the lake. His business would be negatively affected by this proposed variance. He provides a necessary service to many of the residents in the area. Please do not allow this variance to pass.

Sincerely

Gary and Kim Fortier

Vivian Kompier

From: Hjkenney <hjkenney@aol.com>
Sent: Tuesday, November 30, 2021 1:04 PM
To: Planning Info
Subject: Say no to Variance Request #VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Good day Oconee County Board of Zoning,

I had planned on attending tonight's meeting, however am a bit under the weather and have elected to stay home.

I would like to voice my opposition to zoning variance request #VA 21-011.

The board should not be approving a variance from a home builder/developer that is going to negatively impact a business that has been in operation for 35 years. A business that is utilized by countless residents of Oconee County who live on Lake Keowee and access it by water.

Please come up with a better solution.

Thank you.

Howard J. Kenney
704 Cypress Bay Lane

Vivian Kompier

From: Joseph Fleskoski <jhfleskoski@icloud.com>
Sent: Monday, November 29, 2021 6:23 PM
To: Planning Info
Subject: #5 on agenda 11-30-21

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Dear Board Members

After reviewing the proposal on Variance Request to change a 50' Right of Way for a subdivision entrance for Joe Meaders, I believe this is wrong and an injustice to John's Marine and the boaters needing help and repairs. John's Marine is a unique repair shop and provides quality service for boaters on the lake and those trailering their boats to John's Marine. I am sure the Oconee County Board of Zoning Appeals would not want to hurt a longtime business and tax payer for the county who may need to close their doors because of the variance request. The expense to move a business is going to be outrageous, especially when John's Marine Service is operating just fine. Why turn other people's life apart to support the financials of a builder or even the county.

I am sure you will do what is right. Thank you for hearing me out.

Joe Fleskoski
229 Oak Stone Dr
West Union, SC. 29696
714-402-4066

Sent from my iPhone

James Coley

From: Joel Phillips <joelphillips@rocketmail.com>
Sent: Monday, November 29, 2021 11:58 PM
To: James Coley
Cc: joelphillips@rocketmail.com; Alan.Stuart@duke-energy.com; Krystal Brock
Subject: Variance request for Ellenburg Rd #VA 21-011 (In violation of Shoreline Management Guidelines)

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I am a homeowner within the Harbor Oaks subdivision for 11 years and respectfully request the denial of the above variance.

Regarding the above proposed variance, why would Oconee County/Duke power desire to approve construction of a new road that runs through the 804 boundary line and ultimately would be so proximal to lake water that automotive discharge would flow into the lake. At the very least, wouldn't Duke require an environmental study to determine impacts on water quality and marine life in order to not violate the licensing requirements delineated by FERC. For that matter, why would Duke consider a developer's request(if it does violate shoreline management guidelines), when said developer knew the rules when purchasing the land and the the alternative is preservation of a natural landmass for wildlife habitat, a goal more consistent with FERC licensing directives.

Additionally, John's Marine physical building is close enough to Ellenburg Rd that backing boats into the shop, launching boats, and deliveries all occupy/obstruct the road(not an issue at present as the area represents the current end of the road).

With development of up to 19 lots, some short term rentals, increased traffic flow will result in safety issues.

The communities along Knox and Ellenburg roads are very active with numerous walkers, joggers and cyclists on any given day. Ellenburg is a winding, blind curve road. While the developer has voiced his complete disregard for resident safety, adding 19 homes with higher volumes due to short term renters will create a very dangerous situation along the road.

Sincerely,

Joel C. Phillips, M.D.
124 Rollingwood Dr
Seneca, SC 29672
864-525-7132

Sent from my iPad

Vivian Kompier

From: John Graves <johncgraves@yahoo.com>
Sent: Monday, November 29, 2021 6:19 PM
To: James Coley
Subject: Zoning hearing

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To whom it may concern, I am totally against this development request it is over development in the worst case... Instead of a nice development this will be known as Helter Skelter. This is totally crazy filled with lunacy. I could not believe anyone in their right mind would approve this no matter what the County gets out of taxes. It will forever be known as a place not to go. And what of the county park do you want that to go to a new subdivision too? The people who will vote on this have an obligation to the citizens of the county and not to Rich developers. The developers will take the money and run... And the county will be left dealing with these problems forever.

November 30, 2021

Board of Zoning Appeals

Seneca, SC

planninginfo@oconeesc.com

cc: johnsmarinesc@gmail.com

RE: Variance Request Application #VA 21-011

Board Members:

It is our understanding that there is a variance request to be voted on tonight regarding access to a proposed subdivision across from John's Marine Service on Lake Keowee. We believe that the proposed road variance (from 50 feet to 31.9 feet) in front of John's Marine will create several issues of concern to the business, its hundreds of customers and future residents of the new subdivision.

As a 25 plus year customer of John's Marine, we are concerned that the construction vehicles and the ultimate increase in traffic on Ellenburg Road as a result of this new subdivision will create safety issues and difficulty trailering boats in/out. Ellenburg Road, in front of John's Marine, is narrow currently and requires one vehicle to drive on the shoulder if someone is passing while pulling a boat.

There are only a few qualified boat technicians on Lake Keowee and we do not want to lose one of them due to increased traffic and tight maneuvering space. Small business is the heart of our lake communities; John's Marine Service has been in business for over 50 years in the same location.

We hope your committee will carefully reconsider this plan and allow for John's Marine Service to continue serving its customers and our communities safely.

Respectfully submitted,

Joyce & Vince Malanga

210 Port View Ct.

Seneca, SC 29672

malangav@bellsouth.net

joycemalanga@bellsouth.net

Vivian Kompier

From: Laura Boggs <teamboggsrealtors@gmail.com>
Sent: Tuesday, November 30, 2021 9:05 AM
To: Planning Info
Subject: Zoning concerning John's Marine

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I have great faith that the right thing is going to be done with this case. I feel that it would be an absolute tragedy for the board to allow this developer to impact and possibly put this man out of business to create more rental properties on the lake. I also feel that it was gone about in a less than honorable way to get to this point. I believe that Mr Ratcliff spoke his concerns very early in the process and that the powers that be had already sided with Mr Hamrick.. I hope to be wrong about that last thought.

John's Marine has been helping people on the lake for my whole life! He has come to the aid of boaters when they were stuck on the lake and make quick repairs to let them get back out to having a fun time! Why would we push such a Vidal business off the lake? One that benefits all the people and not just 19 of them with this new development? I understand that money is money and unfortunately that sometimes wins off that fact alone but please I beg of you to think of the community as a whole and vote against this zone!

Thanks for your consideration
Laura Boggs

Sent from my iPhone

Vivian Kompier

From: L. Geltz <lgeltz08@gmail.com>
Sent: Monday, November 29, 2021 7:32 PM
To: Planning Info
Subject: John's Marine Service

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To whom it may concern,

As a resident of Oconee County, I oppose the variance pending. Please consider the effects of ANY changes to our county that would impede or negatively affect existing businesses and residence. Thank you for your time and consideration.

I VOTE.

LINCOLN GELTZ
201 S. CRAGGMORE DRIVE
SALEM, S.C. 29676

-
Office - 313-886-0807
Cell - 313-415-0885

Vivian Kompier

From: Mike Cauble <emltomc@gmail.com>
Sent: Tuesday, November 30, 2021 3:36 PM
To: Planning Info
Subject: variance request application #VA 21-011: Ridgewater Engineering

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

November 25, 2021

Oconee County (SC) Board of Zoning Appeals

RE: Variance request #VA 21-011: Ridgewater Engineering

This writing is submitted to **oppose the approval of subject variance by registered Oconee voters Michael and Martha Cauble.**

We respectfully request the consideration of our opinion by this email in lieu of our attendance at the public meeting due to Covid health risks.

This variance request is not a matter of a small discrepancy, but 18 of 50 feet deficiency in right-of-way, amounting to over 1/3 deviation from the requirements. In fact, the present and existing status of this entry site is unchanged since the current owner purchased the property. Denial of the variance does not add any additional impairment beyond owner's initial acceptance of the site.

Approval of the variance does negatively impact and likely forces the termination of the long-term existing use of the adjacent property owned by the Ratliff family and operated as John's Marine. As a Keowee waterfront property owner since 2004, we attest that our boating recreation access to Lake Keowee has been enabled and enhanced by the boat maintenance and repair services offered by John's Marine. We represent a multitude of similar Lake Keowee recreational users with boats not under factory warranty, who will derive far greater benefit from the continued operation of John's Marine, than from this variance which will only enable and accommodate the maximum number of domiciles to be sold by the developer.

We concede that enabling the maximum number and density of homes on Lake Keowee does enhance Oconee County tax revenue, but oppose this as a primary determinate of variance decisions. We believe that government should play a primary protective role in preserving the quality of life and investment of pre-existing property owners by not undermining the effects of their prior investment decisions which were based upon prior zoning conditions.

John's Marine has been a long-term asset contributing to the growth of Lake Keowee by its reputable and trusted service to recreational boating users of the lake- a stated purpose of Duke Energy's permit. John's Marine is dependent upon its existing site and investment in their site-dependent facilities to actively perform work and operate this business. Approval of this variance constitutes a compromise of existing zoning requirements in favor of maximizing return on passive investment by developers. Oconee County should instead enforce its existing zoning conditions to support prior property owner investments by not approving subject variance.

Respectfully submitted,

Michael C. Cauble

Martha C. Cauble

--

Mike Cauble

cell phone [828-423-5742](tel:828-423-5742)

Vivian Kompier

From: DAVID & EVELYN KACZKOWSKI <kaz41@bellsouth.net>
Sent: Tuesday, November 30, 2021 4:44 PM
To: Planning Info
Subject: Ratcliff

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Zoning committee: As a former customer of this fine business, I appreciate the years of service provided to this community and wish to endorse John's Marina in this dispute. Sincerely submitted by: David and Evelyn Kaczowski 103 Silo Aly Seneca, SC 29672 864-973-8434

Vivian Kompier

From: Rebecca Payne <rebeccapayne2232@gmail.com>
Sent: Tuesday, November 30, 2021 2:33 PM
To: Planning Info
Subject: John's Marine Service

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To whom it may concern:

I am one of the many customers of John's Marine that lives on the lake. His marine shop being on the water has been a huge asset to me and my family for several years now. As with many of his clients that have their boats on the lake, many of us don't even own trailers and would not be able to get service without the use of John's Marine's dock.

Needless to say, I admittedly oppose this variance.

Respectfully,

Rebecca Payne
805 Treehaven Ct.
Seneca, SC 29672
757-412-8518

Vivian Kompier

From: Dick Stanford-Retired <dick.stanford@furman.edu>
Sent: Tuesday, November 30, 2021 3:16 PM
To: Planning Info
Cc: johnsmarinesc@gmail.com
Subject: Variance request application #VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I oppose variance request application #VA 21-011.

Respectfully, Richard Stanford
153C Deckhouse Lane
Salem, SC 29676

rstanford@furman.edu
8644212877

This individual is retired from Furman University. The content of this email does not necessarily represent the views of the University.

Vivian Kompier

From: Rosalynd Resendiz <rresendiz@tricorbraun.com>
Sent: Monday, November 29, 2021 8:25 PM
To: Planning Info
Subject: FW: VA 21-011 Ridgewater Engineering and Surveying

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To whom it may concern,

I'm in opposition to the variance that is proposed by Joe Meaders. John's Marine has been operating in the same location now for three generations. The developer knew about John's Marine when the land for the subdivision was purchased.

Oconee County should choose to allow progress while protecting our family businesses. Many patrons in Oconee County use this road and water way to access John's Marine. Without proper access, it would hurt their business and hurt many of us who live on Lake Keowee, pay taxes, and appreciate ease of access to get boat repair. John's Marine is a staple to Lake Keowee much like other Seneca Marina or the Lighthouse. These are known spots that make Lake Keowee special and allow for special services and activities.

We ask you to oppose this variance and protect the interest of our small, family owned businesses. I would personally come tomorrow night but my family has Covid. Please use this as my voice.

Thanks,

Rosalynd Resendiz | Vice President of Supply Chain | **TricorBraun**

Direct 314 983 2054 | Cell 864 247 2888 | rresendiz@tricorbraun.com
6 CityPlace Drive | Suite 1000 | Saint Louis, MO 63141



**[CLICK HERE](#) TO READ THE LATEST ISSUE OF THE TRICORBRAUN PULSE,
YOUR MONTHLY GO-TO SOURCE FOR SUPPLY CHAIN UPDATES AND INFORMATION.**

The information contained in this communication may be confidential and may be privileged; it may be disseminated by the recipient(s) only to persons in their own company with a need to know, for their own use only and not for redissemination. This email is for the use of the intended recipient(s) only. If you believe you have received this email in error, please notify the sender immediately and then delete it. If you are not the intended recipient, you must not keep, use, disclose, copy or distribute this email without the author's prior permission; any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. To the extent this communication pertains to the provision of goods or services it is subject to and includes our terms and conditions which will be stated in writing at such time as we enter into a transaction with you.

Vivian Kompier

From: Ryan Baker <b2r2b202@gmail.com>
Sent: Monday, November 29, 2021 9:15 PM
To: Planning Info
Subject: Oppose....

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To whom it's may concerns,

I oppose the variance VA# 21-011. John's Marine Service has been tremendous service to those who need the boating services anywhere in Oconee County. Find another solution or leave Jimmy's business alone.

Best Regards,
Ryan Baker

Vivian Kompier

From: Toni Blackwell <tbwell90@gmail.com>
Sent: Tuesday, November 30, 2021 3:58 PM
To: Planning Info
Subject: Variance

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I oppose the variance VA# 21- 011

Vivian Kompier

From: tyhix68@gmail.com
Sent: Tuesday, November 30, 2021 12:05 PM
To: Planning Info
Subject: Opposition to Variance Application #VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To Whom It May Concern,

I am writing to you today to voice my sincere opposition to this variance. I have owned a home and boat on Lake Keowee for approximately 15 years. Jimmy Ratliff and John's Marine Service have serviced my boat the entire time. I bring my boat to John's Marine Service on a boat trailer via this road and it's already a pretty tight fit as it is today. Narrowing the road for this variance would eliminate the ability to get my boat to John's Marine Service, which would be a travesty. I don't know where else I would go, as Jimmy has the best reputation on the Lake.

John's Marine Service is a pillar of the Lake Keowee boating community. Jimmy Ratliff is a hard working, honest, and honorable businessman, and hundreds of boat owners such as myself rely on him and his high quality service for our boats. Why would anyone allow the road to be narrowed, thus not only ruining the business for John's Marine Service, but also making it impossible for us boat owners to bring our boats to Jimmy for service.

I urge you to vote "No" on this variance and allow us to continue bringing our boats to John's Marine Service via this road in it's current condition/width.

Thank you for your consideration,
Ty Hix

John's Marine Service
599 Ellenburg Road
Seneca, SC 29672

January 19, 2022

Board of Zoning Appeals
Mr. Codner, Chairperson
415 South Pine Street
Walhalla, SC 29691

Re: Meeting Minutes - November 30, 2021 Board of Zoning Appeals related to application VA21-011 (Ridgewater Engineering and Surveying TMS#150-00-01-459 an unaddressed parcel with the closest address of 599 Ellenburg Rd, Seneca, SC 29672) -

Correction to the meeting minutes as drafted to include:

- this letter, dated January 10, 2022, which addresses the inaccurate and incomplete content in the draft minutes, and
- my letter to you, dated November 22, 2021, expressing my opposition to Variance VA21-011, which I handed to you, the Board members and various members of the public during the November 30, 2021 meeting, and
- the 75-80 emails that you indicated that the Board of Zoning Appeals received from the public regarding VA21-011.

Dear Mr. Codner,

The Ratliff family has reviewed the draft minutes and back up material from the November 30, 2021 Board of Zoning Appeals meeting and is requesting that the Board reject and/or revise the minutes due to the incomplete and inaccurate content. The minutes do not accurately document the concerns voiced during the meeting regarding John's Marine Service from both the public, as well as, the Ratliff family. These minutes are selective in what was included, and substantive information is missing.

Below are some of the examples of the incompleteness and inaccuracies in the minutes. This list is not exhaustive and only represents a portion of the concerns.

Applicant's [hereinafter referred to as Developer] opening statement and provision of evidence:

1) *Statement in Minutes:* "She [Reah Smith, Development Team, Lake Keowee Real Estate] providing evidence that the property has geographic and physical constraints that require the variance and that each of the four criterion can be met to approve the variance. "

Reasons for Rejection:

- The minutes are silent on Ms. Smith's evidence for the 4-criterion required for the Board to authorize a variance. Of particular note, the alleged evidence developer offered to support the statement that the variance will not be of substantial detriment to adjacent uses is completely missing from the minutes.

- 2) Statement in Minutes:** *“Ms. Smith added that the Road Ordinance that is referenced was adopted after the property was purchased.”*

Inaccurate/Deficient Representation to the Board:

It appears that the developer may have provided a deficient statement and clarification by the Board was not sought. Ms. Smith indicated that the Road Ordinance was adopted after the purchase of the property [12/2008]. However, her statement did not indicate that the 50' road requirement had been in place for subdivisions prior to that purchase date by the developer. See The Oconee County Council Meeting Minutes dated April 4, 2006 referencing the adopted and approved Ordinance 2006-12 “AN ORDINANCE AMENDING SECTION 6: SUBDIVISION & LAND USE DEVELOPMENT OF ORDINANCE 99-14, OCONEE COUNTY UNIFIED PERFORMANCE STANDARDS AND LAND USE DEVELOPMENT REGULATIONS AS ADOPTED BY ORDINANCES 2001-04, 2002-05 & 2004-14” wherein the ordinance states the 50' right-of-way road requirement.

Ms. Smith states: *“Before getting into the criteria [the four criterion] required to obtain a variance], I would like to clarify that the purchase of this parcel predates the existing Road Ordinance. At the time of the purchase no variance would have been needed to go straight into construction, however, given that we entered one of the most severe economic recessions in US history it would have been unwise to do so.”*

The Board did not ask her to clarify the date of purchase of the parcel and whether there was an existing Road Ordinance at the time of purchase which required a 50' right-of-way for a road. The Ordinance 2006-12 clearly states the 50' right-of-way for road development.

- 3) Statement in Minutes:** *“Ms. Smith described the positive impact the variance will have on John’s Marine and the nearby County roads.”*

Reason for Rejection:

While the minutes state the developer indicated that there would be an alleged positive impact on John’s Marine, the minutes are silent on the specific alleged positive impacts.

Staff comments:

- 4) Statement in Minutes:** *“Mr. Coley explained that the request is a road variance, not necessarily a zoning ordinance, and Planning staff have met with staff from the Roads & Bridges Department to discuss. Notable findings from the meetings include agreement that the current road right-of-way is prescriptive and ends at the pavement on either side of the road, the variance is for a section that is 100 ft in length and 31.9ft at its narrowest point, and the applicant is shifting the proposed entrance south from the center of the road so that it is all on their property.”*

Incomplete or incorrect statements by staff:

Staff also commented in the meeting: *“The 31’9 feet minimum does not restrict their [Road and Bridges Department’s] ability to maintain the road. They [Road and Bridges Department] have made no statement as to same. For road maintenance, for right now, they are maintaining with zero right-of-way on the side of road.”*

This statement was in response to a question by the Board as to why the County requires a 50' right-of-way and whether road can still be maintained with only the 31'9 feet minimum. The response by Staff is incorrect as Road and Bridges is NOT maintaining the portion of the road in front of 599 Ellenburg and has not in the past maintained same either.

On another note, there was no indication at the meeting whether the staff addressed with the Roads & Bridges Department whether the shifting of the road to the South would bring the road below the 804' MSL contour, which is the Duke Energy property and Lake Keowee FERC boundary. Nor did the Board seek clarification as to that issue.

Public Comment Time:

5) Statement in Minutes: Rick McDuff, Attorney, Spokesman for John's Marine (Ratliff family), stated the opposition to the ordinance. Points of opposition included:

- The portion of the road in question is not owned by Oconee County. Ownership is split between the developer and Ratliff's, with the majority by the Ratliff's.
- The belief that the BZA has no authority to make this decision; must be decided between the two private parties.
- No evidence a prescriptive easement has been obtained by the County
- Applicant is attempting to change a contour of an easement that they are not a party to
- Negative impact on John's Marine and Ratliff property and absence of legal remedies to address the impact

Reasons for Rejection:

The minutes are incomplete. The minutes are silent on the following:

- Mr. McDuff pointed out inaccurate information on the aerial map provided by the developer. Specifically, Mr. McDuff correctly identified that John's Marine is located at 599 Ellenburg and not the entirety of the area encompassed in yellow on the developer's aerial map and referenced by Ms. Smith, during her initial presentation on behalf of the developer, as being part of John's Marine.
- Mr. McDuff stated that if the proposed road were to be approved, then John's Marine would be cut-off from road access and effectively shutdown, with no way for customers to bring boats on trailers to the service shop. Nor, would there be a way for deliveries to be made to the service shop or for boats to be retrieved from the lake on a trailer and brought to the service shop.
- The minutes are also silent on the fact the developer offered, for the first time during the meeting, to connect the concrete slab to the proposed new road, however, no legal details regarding ownership of the connecting portion as well as rights for customer's use were mentioned. Without the legal interests of John's Marine documented in a recorded document, then the business would effectively be shutdown.
- Mr. McDuff stated that there was no demonstration by the developer on how this proposed variance is *not* going to have a negative impact on the business. The business has been at its present location for 39 years and pre-dates the purchase by the developer by a "long shot".

- Mr. McDuff indicated that under Duke's Shoreline Management Plan, John's Marine is identified as commercial use, everything else in the area is residential. There is no other location on the lake to move John's Marine if it were to shutdown due to this proposal. There is no permitting for a commercial marina with multiple docks on Lake Keowee.
- The minutes are silent on the deficiencies in the documents provided by the developer specifically regarding the 804 contour line. There appear to be discrepancies between the Exhibit 1 with the contour lines and the Pioneer Surveying with regard to the 804.
- Mr. McDuff stated that the pitch of the proposed new road that will create what is referred to as a "birdbath" where the water will pool, then drain toward the Ratliff property. The developer has already done fill work and has created a deviation in the contour of the roadway and the "bird bath" effect is evident. The water is pooling in front the shop and has the potential to create flooding in the shop.
- Mr. McDuff indicated that there might be a way to put a private driveway for the developer to obtain access to their property. The density of the development would need to be reduced.
- Mr. McDuff indicated that there would be significant safety issues due to the potential higher use of the narrow roadway, vehicles having to dodge the large tractor trailers which deliver motors/large items, delivery vehicles, etc. These safety issues would be especially significant if multiple, emergency vehicles need to get into the property.

6) Statement in Minutes: *Edward John "Jay" Ratliff Jr. outlined the Ratliff family's opposition to the variance, the history of the business and the negative impact of the approval of the variance.*

Reasons for Rejection:

The minutes are selective and incomplete. The minutes are silent on the following:

- Mr. Edward John "Jay" Ratliff explained that a letter was being given by Mr. James "Jimmy" Ratliff (his brother) to each member of the Board in attendance as well as Mr. Coley, Ms. Kompier and to those in the public audience who expressed an interest in receiving a copy.
- Mr. Edward John "Jay" Ratliff stated that John's Marine Service has been in business since 1972 in Seneca and servicing boats at its present location since 1982. John's Marine is a 3-generation family business, which was started by his father. It is currently being run by his brother, Jimmy. Jimmy is mentoring his son, Cameron, in the business.
- Jay described the crippling, substantial detrimental impact of the variance on John's Marine business. The service business requires maneuvering boats and large trailers. Jimmy uses the entire road to pull boats out of the water, to put boats into the water, to maneuver boats into the shop for repair, to park boats and to maneuver trailers. A large number of boats are frequently maneuvered in that area. Boats that arrive by water need to be put onto a trailer, pulled from the water and maneuvered into the shop for repair. The variance would permit the developer to change the current road from a private driveway to a private road or public road, allowing much more vehicle traffic, and allow the developer to change the current location of the road. Such would substantially impact, to the detriment of John's Marine, the ability to maneuver, park and service boats/trailers, in addition to

severely limiting maneuvering by delivery trucks who bring in large motors, and equipment for boat repair.

- The John's Marine business is using the full area on Ellenburg Road for the service business, from 565 Ellenburg Road (which has been the end of County maintenance) to the area past the shop toward Arrowhead Point. The Ratliff family has maintained this portion of the road for almost 40 years. The road being a dead-end, the only vehicles using that portion are vehicles/boats/trailers/trucks associated with John's Marine, or the Ratliff private home.

7) Statement in Minutes: *"Mike Johnson, citizen, expressed his support for the variance approval, citing the changes to the County ordinance that regulates roads and right-of-ways over the years, specifically regarding private roads."*

Reasons for Rejection:

The minutes are selective and incomplete. The minutes are silent on the following:

- Mr. Johnson also indicated that he is a member of the Oconee County Planning Commission.
- It appears that Mr. Johnson provided an inaccurate statement and clarification by the Board was not sought. Mr. Johnson represented that private road ordinance changed in 2013, bringing private roads up to match the public road 50' right-of-way standard. He pointed out that any inference that the "developer should have known" "at time of purchase" "just probably would not be true," given that Mr. Johnson alleges the private road 50' right-of-way ordinance did not come into effect until 2013. The Board did not ask Staff to verify this, nor did the Board challenge that statement. Contrary to his statement, the 50' right-of-way road requirement had been in place for subdivisions as far back as at least 2006, which is prior to the 2008 purchase by the developer. As stated previously, the Oconee County Council Meeting Minutes dated April 4, 2006 reference the adopted and approved Ordinance 2006-12, wherein the 50' right-of-way road requirement is stated for private roads.
- Mr. Johnson failed to mention his employment relationship with the developer.

8) Missing Statement from Minutes:

Mr. Roger Chapman arose and spoke after Mr. Chris Holder and before Mr. John Martin. Mr. Roger Chapman, citizen, expressed that his concerns were addressed by previous speakers and that he recommended that the Board oppose the variance.

Reasons for Rejection:

The minutes are selective and incomplete. Mr. Chapman's recommendation that the Board oppose the variance was not included in the Minutes.

9) Statement in Minutes: *"Mr. Codner read a sample of emails submitted by the public into the record."*

Reasons for Rejection:

The minutes are incomplete and selective.

- Mr. Codner stated that the Board received approximately 75-80 emails and that the bulk of the emails support John's Marine. Mr. Codner's statement about the quantity of emails received, as well as, their support for John's Marine is missing from the Minutes and should be included.
- In comparison to the Board of Zoning Appeals documentation attached as "Backup Material" for other variance requests, the "Backup Material" documentation of

VA21-011 appears to be selective. For example, variance #VA20-4 contains approximately 125 emails which citizens sent to the Board. All 125 emails were included in Board of Zoning Appeals "Backup Material" documentation. For VA21-011, Mr. Codner summarized a very small portion during the meeting and none of the 75-80 emails that the Board received were included in Board of Zoning Appeals "Backup Material" documentation. Each email received should be included in the minutes.

Applicant rebuttal:

10) Statement in Minutes: *"Mr. Brandt, attorney for the applicant, presented a summary rebuttal to the argument against the requested variance.*

Reason for Rejection:

The minutes are silent on Mr. Brandt's rebuttal arguments.

11) Statement in Minutes: *"Any Lee, Developer, addressed the opposition presented during public comment specifically the size of the cul-de-sac, piece of land between the two properties, encroachment into the 804, flood plain easement with regards to the 810, existence and "ownership" of the prescriptive easement, stabilization of the shoreline, and traffic."*

Reasons for Rejection:

- The minutes are silent on the developer's rebuttal arguments.
- Andy Lee stated that tractor-trailers from John's Marine can use the first cul-de-sac as a turn-around. This statement appears to be inaccurate as a 53' tractor-trailer requires a minimum 55' turning radius; the standard 40' cul-de-sac for a subdivision will not accommodate this requirement. Additionally, tractor-trailers providing construction materials, moving freight liners and heavy equipment trucks will add to the congestion as they will also back down ~ 1/2 mile from the Harbor Oaks entrance.
- No evidence was provided during the meeting that the developer obtained approval with regard to the 804 backfill activities.
- No evidence was provided during the meeting that a shoreline stabilization plan for the road has been approved by the County or Duke Energy.

Many of the discrepancies noted above can be validated by watching the video from the Board of Zoning Appeals meeting on November 30, 2021 and comparing to publicly-available records.

The Ratliff family have submitted FOIA requests for the following:

- The minutes of the meetings between the Planning staff and the Road & Bridges Department that document the notable findings which were mentioned by Mr. Coley during the Staff Comments portion of the Board of Zoning Appeals meeting on November 30, 2021.
- The Ellenburg Road Maintenance Records
- The written reports of the Road and Bridges Code of Ordinance Section 26.8(b) that were submitted prior to the Board of Zoning Appeals meeting on November 30, 2021.
- Any emails or communications pertaining to the variance request and Ellenburg Road.

We appreciate your consideration in this matter and look forward to your response prior to the upcoming January 24th meeting that the minutes will be revised to include the aforementioned

information. As noted above, the contents of this letter are not exhaustive, but only provide some detail as to some of the important information that is missing from the minutes.

On a personal note, I'm shocked that I was not invited to participate in any of the meetings that the County held to discuss the changes being sought to the section of Ellenburg Road that my family has been maintaining for more than 40 years and which has a direct impact on my business and involves my property.

Thank you,

Jimmy Ratliff

Jimmy Ratliff
John's Marine Service

cc: John E. Ratliff
Sherri D. Crisp
Amy L. Cawthon
Frances J. Ratliff
County Council members:
John Elliot, Chair
Matthew Durham
Paul A. Cain, Esq.
Julian Davis III
James Glenn Hart

OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

Minutes

6:00 PM – January 24, 2022

Members in Attendance

Gwen Fowler

Tim Mays

Jim Codner

Bill Gilster

John Eagar

Staff

James Coley, Planning Director

Vivian Kompier, Planner/Zoning Administrator

David Root, Attorney

Media

Lauren Pierce, The Journal

ITEM 1 – Call to Order – Mr. Coley called the meeting to order at 6:00 PM.

ITEM 2 – Election of officers – Mr. Coley called for nominations for Chair. Mr. Eagar made a motion that Mr. Codner continue as Chair; seconded by Mr. Gilster with no discussion. Mr. Coley called for a vote. The motion was approved 5/0. Mr. Codner called for nominations for Vice-Chair. Mr. Eagar made a motion for Ms. Fowler to serve as Vice-Chair. Ms. Fowler declined the nomination. Mr. Codner made a motion for Mr. Eagar serve as Vice-Chair; seconded by Ms. Fowler with no discussion. Mr. Codner called for a vote. The motion was approved 5/0. Mr. Codner made a motion that Mr. Coley serve as Secretary; seconded by Mr. Eagar with no discussion. Mr. Codner called for a vote. The motion was approved 5/0.

ITEM 3 – Approval of 2022 calendar – Mr. Eagar made a motion that the proposed 2022 calendar be adopted; seconded by Mr. Mays with no discussion. Mr. Codner called for a vote. The motion was approved 5/0.

ITEM 4 – Brief statement about rules and procedures – Mr. Codner outlined the proceedings of the meeting going forward:

- Applicant will provide a presentation to state their request.
- Staff will be asked to make any comments regarding the request.

- Citizens are allowed to voice their approval or opposition to the proposed. Please do not repeat opinions that have already been stated into the record.
- Applicant rebuttal
- Board members will discuss in detail.
- Voting

ITEM 5 – Approval of minutes of November 30, 2021 meeting – Mr. Eagar made a motion to approve the November 30th minutes; Mr. Gilster seconded. Discussion: Mr. Codner noted that Mr. Ratliff sent an extensive letter pointing out issues with the minutes. Mr. Codner asked County Attorney, David Root to define and explain what minutes should provide. Mr. Root stated that minutes for public bodies are defined by statute. They should include when a meeting is held, the subject matter of the meeting, and who is present. With regards to the essence of what was spoken, the statute says minutes should capture the substance of what was said; it is not a transcript. Mr. Codner summarized that approval of the minutes would be agreement that the minutes are a fair representation of what happened in that meeting. When asked, Mr. Coley stated that he believes the minutes are a fair representation. Discussion included agreement that the proposed minutes are adequate and suggestion that all public comments, including the letter questioning the minutes, should be included with the approved minutes. Mr. Coley confirmed that as procedure, all citizen emails would be attached to the minutes as part of the record after the minutes are approved. In addition, the Ratliff letter will be attached to the minutes as well. Mr. Eagar noted the spelling of his name was incorrect in the minutes. Mr. Codner called for a vote. The motion was approved unanimously 5/0.

ITEM 6 - Variance request Continuation #VA 21-011: Ridgewater Engineering and Surveying – Joe Meaders is requesting an 18.1’ variance from the 50’ Right of Way for the entrance of the subdivision due to the end of the existing road not making full access into the property and only having a prescriptive ditch to ditch right-of-way. TMS # 150-00-01-459 an unaddressed parcel with the closest address of 599 Ellenburg Rd, Seneca, SC 29672. – Mr. Codner explained that this request is a continuation from the January meeting and the requesting and responding parties have presented their cases and all public comments have been entered into the record. Public comment was closed with the closing of the last meeting, with the exception of the letter received from Mr. Ratliff concerning the minutes. In preparation of this continuation, the Board asked staff to present a delineation of who owns the road in question and they asked the two parties to attempt to come to an agreement. Mr. Coley deferred to Mr. Root for clarification on ownership of the road. As a matter of parliamentary procedure, Mr. Root asked Mr. Codner to first take action to remove the request from the table before proceeding. Mr. Eagar made a motion to remove Variance request #VA21-011 from the table; seconded by Mr. Mays. Mr. Codner called for a vote. The motion was approved 5/0.

Mr. Root explained that there is no question on who owns the rights to the land underneath the road. The question at hand is the traveling surface of the road. Records show that Oconee County Roads & Bridges maintained the road to the end of the paved section for 20 years (the requirement for a prescriptive easement). However, Mr. Root has recently received affidavits that questioned his findings and he needs more time to research the facts.

Board questions: Mr. Root answered questions from members of the Board regarding the definition of the term prescriptive easement, clarifying the County's authority to approve or deny a request to change the location of a road (prescriptive easement), if and how right-of-ways should be considered, and clarification of the need for permit approval in the future.

Mr. Codner summarized the actions the Board can take at this juncture. Based on his conversations with the legal counsel for both parties, Mr. Root stated that a postponement may be in order. Attorneys for the applicant and the opposing party agreed. Mr. Eagar made a motion to postpone the request until the applicant asked for it to be reinstated on the BZA agenda; Mr. Gilster seconded the motion. Discussion led to amending the motion on the table. Mr. Codner amended the motion to limit the postponement for a total of six months. Mr. Codner called for a vote of motion as amended. The motion was approved 5/0.

ITEM #7 - Variance application #VA 21-012A: Variance allowing the side setback for lot lines dividing attached single family units to be reduced to zero feet thus allowing the construction of individually-platted, attached single family units. Variance application VA21-012B: 27' Variance from the 50' road right of way to allow for the new townhomes to be consistent with the existing townhomes. Resideum, LLC – Greg Kurzner is requesting these variances. TMS# 257-00-02-008 an unaddressed parcel with the closest address of 304 Breakwater Lane, Seneca, SC 29678.

Applicant's opening statement and provision of evidence: Greg Kurzner, Managing Member of Resideum LLC, presented their answers to the four questions on the Variance application, noting that they are trying to complete the development of a previously approved community in the fashion, consistent with the existing individually platted for sale units and to protect the integrity and investment of the current homeowners. He also noted that the required 50' road right-of-way was not in place at the time the development was originally designed, permitted and built.

Public Comment:

- Gary Moss, citizen, requested more information on how approval of the variance will affect the established homes off Shiloh Road.

- Craig Schweisinger, citizen, expressed his opposition to the request, including his concern for street parking and concern that the current HOA will control the new homes.
- Mr. Codner read emails received into the record.
 - Tim and Tanya Liddy voiced their support of the request.
 - Robert and Nancy Holmes voiced their support of the request.

Applicant rebuttal: Mr. Kurzner addressed Mr. Moss’ concerns providing details on setbacks, road right-of-ways, and landscaping plans. The Board discussed the County standards applied to private roads. Mr. Kurzner confirmed the established HOA will have authority over the proposed homes. Mr. Kurzner shared plans for guest parking to be part of the common area in this new phase.

Board Discussion: Board members asked questions to clarify the questions of parking.

Staff comments: None

Consideration of VA21-012A:

1. There **are** extraordinary and exceptional conditions pertaining to the particular piece of property:
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. Mays. No discussion.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

2. These conditions **do not** generally apply to other property in the vicinity:
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. Gilster. No discussion.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

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; and
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. Gilster. Brief discussion followed.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

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.
 - a. Motion – Mr. Eagar made a motion; seconded by Mr. Gilster. No discussion.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

5. Mr. Codner asked – Based on the evidence presented to the Board, do I hear a motion that the proposed variance be **Approved**.
 - a. Motion – Mr. Eagar made a motion; seconded by Mr. Gilster. No discussion.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that variance request was approved.

Consideration of VA21-012B:

1. There **are** extraordinary and exceptional conditions pertaining to the particular piece of property:
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. Mays. No discussion.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

2. These conditions **do not** generally apply to other property in the vicinity:
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. Mays. No discussion.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

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; and
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. Mays. No discussion.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

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.
 - a. Motion – Mr. Eagar made a motion; seconded by Mr. Gilster. No discussion.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

5. Mr. Codner asked – Based on the evidence presented to the Board, do I hear a motion that the proposed variance be **Approved**.
 - a. Motion – Mr. Eagar made a motion; seconded by Mr. Mays. No discussion.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the variance request was approved.

Item 8 – Variance application #VA21-013: Joe and Lynn Arve are requesting a 4.9’ variance from the 25’ required setback from the right-of-way to permit an existing foundation for a home. TMS# 149-04-01-050 with an address of 851 Little Bay Lane, Seneca, SC 29672.

Applicant’s opening statement and provision of evidence: Lynn Arve presented visuals to show the location of the existing foundation and where it violates the setback. She explained that not allowing the variance will impact and change the design of the home. Mr. Codner asked how it happened that the foundation is complete and in the setbacks. Ms. Arve explained it was an error by the foundation contractor.

Public comment:

- Don Bradford, President of Timber Bay Property Owners Association, voiced his opposition to approving the variance. He stated that this location of the house is

not the location that was approved by the POA's Architectural Committee and that no other home in the community has encroached on the County's setbacks. He noted that Ms. Arve had not offered any other solution to the problem. The Board asked Mr. Bradford if he has documentation of the Committee's review and approval. Mr. Coley stated the documents are part of the back-up. Mr. Bradford was asked what actions the POA would take if the BZA were to approve the variance. Mr. Bradford advised they are consulting an attorney and are presently unsure of the answer.

Applicant rebuttal: Ms. Arve stated she had not explored other solutions as they were cost prohibitive. The Board confirmed that the footer and foundation is all that is finished and that the garage is the only part of the house that is in the setback.

Staff comments: Mr. Coley confirmed that the variance application is valid, the foundation is clearly in the setback and it is within the Board's purview to discuss and decide.

Board discussion: The Board engaged in a discussion that included, but was not limited to, the difference between asking for permission vs. forgiveness, the fact that all other homes in the neighborhood had complied with the setbacks, an approval would make it harder for HOA/POAs to maintain certain characteristics of an entire community, the BZA's approval would not nullify the POA's ability for them to enforce their covenants, the relative small size of the variance requested and the liability of the foundation contractor responsible for the error.

1. There **are** extraordinary and exceptional conditions pertaining to the particular piece of property:
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. Mays. A brief discussion followed.
 - b. Vote

In-favor	Opposed
1	4

Mr. Codner noted that the criterion failed.

2. These conditions **do not** generally apply to other property in the vicinity:
 - a. Motion – Mr. Eagar made a motion, seconded by Ms. Fowler. A brief discussion followed.
 - b. Vote

In-favor	Opposed
0	5

Mr. Codner noted that the criterion failed.

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; and
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. Gilster. Brief discussion followed.
 - b. Vote

In-favor	Opposed
0	5

Mr. Codner noted that the criterion failed.

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.
 - a. Motion – Mr. Eagar made a motion; seconded by Ms. Fowler. A brief discussion followed.
 - b. Vote

In-favor	Opposed
0	5

Mr. Codner noted that the criterion failed.

5. Mr. Codner asked – Based on the evidence presented to the Board, do I hear a motion that the proposed variance be **Denied**.
 - a. Motion – Mr. Eagar made a motion; seconded by Mr. Gilster. No discussion.
 - b. Vote

In-favor	Opposed
4	1

Mr. Codner noted that the variance request was denied.

Item 9 – Variance application #VA21-014: Dennis and Michelle Hill are requesting a 1.86’ variance from the 25’ required setback from the right-of-way to permit an existing porch for a home. TMS# 162-05-01-057 with an address of 419 Peninsula Rd, West Union, SC 29696.

Applicant’s opening statement and provision of evidence: Mr. Dennis Hill, property owner, the details of their request and admitted it was an error on their part and asked for forgiveness. The Board asked questions for clarification. Details discovered include the house is under construction at the framing stage and the County learned of the encroachment in a complaint made by a neighbor.

Public comment:

- Mr. Codner read an email from Erin Fisher, property owner, in support of approving the variance into the record.

Applicant rebuttal: None

Board discussion: The Board discussed the size of the variance request, the fact that the only public comment was favorable, and that there is no HOA that opposes the variance request.

Staff comments: None

1. There **are** extraordinary and exceptional conditions pertaining to the particular piece of property:
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. Mays. A brief discussion followed.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

2. These conditions **do not** generally apply to other property in the vicinity:
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. Gilster. No discussion.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

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; and
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. Mays. Brief discussion followed.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

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.
 - a. Motion – Mr. Eagar made a motion; seconded by Mr. Gilster. No discussion.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

5. Mr. Codner asked – Based on the evidence presented to the Board, do I hear a motion that the proposed variance be **Approved**.
 - a. Motion – Mr. Eagar made a motion; seconded by Ms. Fowler. No discussion.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that variance request was approved.

Item 10 – Special Exception application SE21-005: Pandacon, LLC – Ben Collins is requesting a special exception for a rental cabin project in the Lake Overlay District. TMS# 209-00-01-051 with an address of 128 Tuscany Lane Seneca, SC 29672.

Applicant’s opening statement and provision of evidence: Mr. Ben Collins, Pandacon, LLC distributed supplementary back-up for his request. Mr. Collins asked the Board to consider the rationale of staff classifying the proposed rental cabin project as a commercial use when there are many single-family homes in Oconee County that are short-term or seasonal rentals that are not considered commercial. Mr. Collins presented a detailed case for the approval of the special exception, noting that the proposed development is consistent with the spirit and intent of the zoning ordinance, the lake overlay, and aspects of the Comprehensive Plan. Mr. Collins argued the cabins would be a welcomed and a needed residential component of the commercial businesses of Lake Keowee Marina. He also cited there are other privately owned short-term rentals in the neighboring areas. Mr. Collins stated that the special exception is for a land use exception; all other aspects of the development would still go through the Planning & Zoning department for their approval.

Staff comments: Mr. Coley confirmed that staff believes this is a commercial project and noted that there are many commercial businesses that are in the area that would have a hard time getting approved if they were being developed today. Mr. Coley also verified that the proposed development would be subject to the County’s approval and permitting process.

Board questions to applicant: The Board asked for clarification regarding the location of Tuscan Lane. Mr. Clay Schile, Lake Keowee Marina, provided the response.

Public comment:

- Mr. James Simmons, citizen, expressed his concern of not knowing the complete scope of the project—will the development continue to expand and require additional approvals from the Board. The classification of the cabins as single-family dwellings or rentals and noise abatement was also a stated concern of Mr. Simmons.
- Robert Moore, citizen, expressed his opposition to the request citing that exceptions to the Lake Overlay should only be given when there are no alternatives and it serves the common good.
- Steve Owings, citizen, expressed his opposition to the request citing his concern of rental properties and the unknown regarding the complete scope of the project.
- Robert Sedler, citizen, expressed his opposition to the request citing his concern to the complete scope of the project, noise abatement and boat parking of future renters.
- Danny Greg, citizen, express his opposition to the request citing his concerns for noise abatement and the unknown of the scope of the project.
- Amy Sedler, citizen, expressed her concern on where the potential renters will be enjoying the lake—i.e. swimming.

Applicant rebuttal: Mr. Schile responded to the stated objections, stating that the nature of a marina is public. He stated that their target customer for renting the cabins are families. When asked if the development can be realized without being in the overlay, Mr. Schile answered no, due to constraints on the property. He added that he is aware of noise issues and they control as much as they can, stating that noise comes from all sides. Mr. Collins provided more input to diminish the public's concerns over the development being labeled a commercial project. He deferred to Mr. Schile on the question of possibly more cabins at a later date.

Staff was asked if the conceptual drawings of the cabins provided in the supplementary documents could meet Appendix A. Mr. Coley stated that it is hard to make a decision on pictures and it would require a more detailed review, but it would be required to meet Appendix A. Mr. Coley also clarified his remarks on the existing commercial developments' ability to gain approval in the overlay if submitted today. Ms. Kompier added that Appendix A can be amended to meet the needs. Mr. Coley also clarified that the applicant did not note in the application that the variance request was specifically for three cabins.

Board discussion: Discussion included, but was not limited to, the negative aspects of short-term rentals, noise, and the purpose of the lake overlay.

1. In accordance with the comprehensive plan and is consistent with the spirit, purposes, and the intent and specific requirements of this chapter, to include the definition and intent of the district in which the special exception is being requested:
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. Mays. A brief discussion followed.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

2. In the best interests of the County, the convenience of the community and the public welfare:
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. Mays. A discussion followed that included limiting the number of cabins to be approved.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

3. Suitable for the property in question, and designed, constructed, operated, and maintained so as to be in harmony with appropriate in appearance to the existing or intended character of the general vicinity:
 - a. Motion – Mr. Eagar made a motion, seconded by Mr. Mays. Brief discussion followed.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

4. Suitable in terms of effects on highway traffic, parking and safety with adequate access arrangements to protect streets from undue congestion and hazards.
 - a. Motion – Mr. Eagar made a motion; seconded by Mr. Mays. Brief discussion followed.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the criterion passed.

5. Mr. Codner asked – Based on the evidence presented to the Board, do I hear a motion that the proposed special exception be **Approved** with a restriction that the maximum of three cabins can be built as shown on the submitted site plan under this special exception.
 - a. Motion – Mr. Eagar made a motion; seconded by Ms. Fowler. No discussion.
 - b. Vote

In-favor	Opposed
5	0

Mr. Codner noted that the special exception was approved.

Item 11 – Adjourn

Mr. Codner asked for a motion to adjourn

Motion – Mr. Eagar made a motion; seconded by Mr. Mr. Mays

Vote – Mr. Codner called for a vote. Motion was unanimously approved 5/0.

Meeting was adjourned at 8:45 PM.

OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

There will be no more
public comment for
VA21-011 – Arrowhead
Subdivision as this was
tabled at the last
meeting.

OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

VA21-012A/012B - Townhomes on Breakwater Lane

Public Comment - First Name, Last Name - please print legibly

1. Daryl Moss

2. Craig Sweeringer

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

13. _____

OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

VA21-014 - 419 Peninsula Road

Public Comment - First Name, Last Name - please print legibly

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

13. _____

OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

VA21-013 - 851 Little Bay Lane

Public Comment - First Name, Last Name - please print legibly

1. Don Bradford - HOA Pres,

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

13. _____

OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

SE21-005 - Rental Cabins - 128 Tuscany Lane

Public Comment - First Name, Last Name - please print legibly

1. JAMES SIMMONS - *Maina Pointe* *Noise Abatement* *Long-term residential* *Scope? 3? Commercial*
2. Robert Moore *Sanasa* *No - Expanding commercial* *Common good?*
3. Steve Owings *Maina Pointe* *Hospitality expansion*
4. *Crowds - Tiki Hut*
5. Robt Sadler *New home adjacent* *# cabins 2, 3, 4?*
6. *Event center*
7. Danny Craig *Alternate number?* *Noise*
- 8.
9. Ray Sadler *Where swims? Play*
- 10.
- 11.
- 12.
- 13.

TMS# 150-00-01-100
Ratliff, Frances J. et al
Deed 1941 pg. 304
Plat P-39 pg. 61

PARCEL LINE
PER OCONEE
COUNTY GIS

4,864 SF
0.112 ACRES

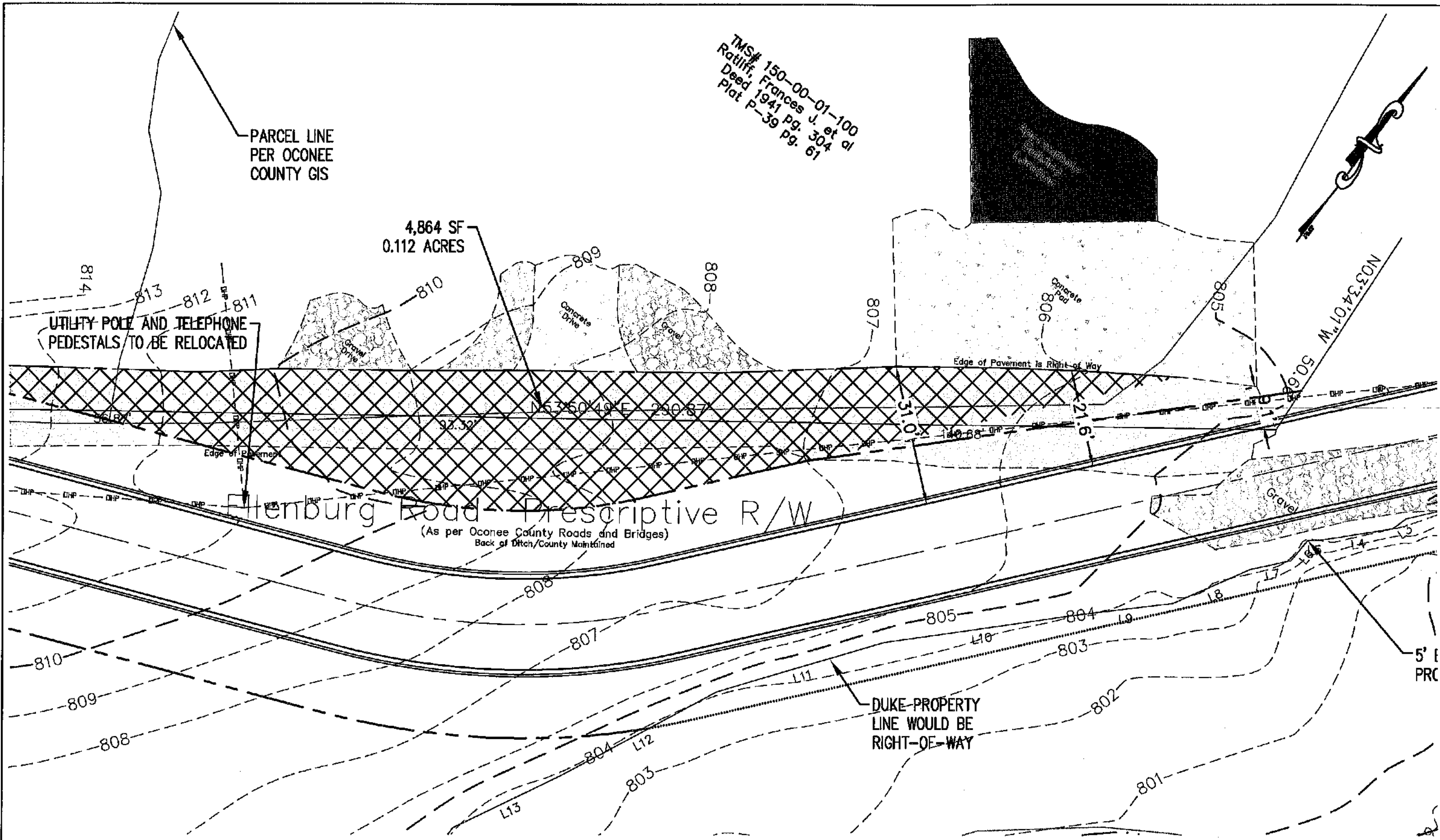
UTILITY POLE AND TELEPHONE
PEDESTALS TO BE RELOCATED

Ellenburg Road Prescriptive R/W
(As per Oconee County Roads and Bridges)
Back of Ditch/County Maintained

DUKE-PROPERTY
LINE WOULD BE
RIGHT-OF-WAY

Site Plan
SCALE: 1"=20'

Arrowhead Point
Project # 1764.1 3/21/22



John's Marine Service
599 Ellenburg Road
Seneca, SC 29672

April 22, 2022

Board of Zoning Appeals
Mr. Codner, Chairperson
415 South Pine Street
Walhalla, SC 29691

Re: Ratliff family opposition to variance application VA21-011 (Ridgewater Engineering and Surveying TMS#150-00-01-459 an unaddressed parcel with the closest address of 599 Ellenburg Rd, Seneca, SC 29672).

Opposition to the variance application to include:

- Property rights and ownership of 599 Ellenburg Road (TMS#150-00-01-100).
- Substantial detriment to adjacent property (John's Marine).

Dear Mr. Codner and Members of the Board of Zoning Appeals,

The Ratliff family requests denial of VA21-011 based on lack of resolution from the requirements outlined by the Board in the 11/30/2021 BZA meeting.

Below are the requirements on which the Applicant has failed to meet its Burden of Proof:

Property rights and ownership of 599 Ellenburg Road (TMS#150-00-01-100) includes a private driveway on the property and Applicant and County has failed to show that County has any rights over such:

- 1)** Oconee County Roads and Bridges employees provided a copy of the attached Plat dated 2008 to the Ratliff family documenting the Ellenburg Road termination to the west of the Ratliff property. [Attachment 1]
- 2)** The physical evidence of pavement transition and road striping are consistent with the documentation dated 2008 provided to the Ratliff family where the road terminates to the west of the Ratliff property. [Attachment 2]
- 3)** When the lake was built, the County terminated Ellenburg Road to the west of the Ratliff property line and the Ratliff family has maintained our property with a private driveway serving Jan Ratliff's private residence and John's Marine for over 40 years.
- 4)** The County has not performed maintenance on the private driveway and/or Ratliff property and the County has not offered any evidence of maintenance.
- 5)** Laurie Ellenburg Bright has provided an affidavit of the termination of Ellenburg Road as evidenced by the End of County Maintenance sign. Laurie resided on Ellenburg Road adjacent to the Ratliff property for a period of 40 years. She is a current resident of Oconee County. [Attachment 3]
- 6)** There are no restrictions, easements, or right of ways on the Ratliff property from the property lines on the Deed and Plat. [Attachment 4 and 5]
- 7)** The Ratliff family has maintained both sides of the private driveway for over 40 years.
- 8)** Oconee County does not have a prescriptive easement over 599 Ellenburg Road and the private driveway.

9) Oconee County has no jurisdiction to issue a variance over a private driveway.

Substantial detriment to adjacent property (John's Marine) remains and Applicant has failed to show otherwise:

- 1) There will be a crippling, substantial detrimental impact of the variance on John's Marine business. [Attachment 6]
- 2) There would be substantial detriment to John's Marine, preventing the ability to maneuver, park and service boats/trailers, in addition to severely limiting maneuvering by delivery trucks who bring in large motors, and equipment for boat repair. [Attachment 7]
- 3) The service business requires maneuvering boats and large trailers on the Ratliff property. [Attachment 7]
- 4) John's Marine uses the entire private driveway to pull boats out of the water, to put boats into the water, to maneuver boats into the shop for repair, to park boats and to maneuver trailers. [Attachment 7]
- 5) A large number of boats are frequently maneuvered on Ratliff property. [Attachment 7]
- 6) Boats that arrive by water need to be put onto a trailer, pulled from the water, and maneuvered into the shop for repair utilizing the private driveway in front of the shop.
- 7) The variance would permit the developer to change the current road from a private driveway to a private road or public road. This change would allow much more vehicle traffic (~200 cars per day as represented by Oconee County Roads and Bridges) which will prevent John's Marine from using the private driveway to maneuver and service boats as they have been doing for over 40 years in a very narrow stretch of land. This coupling of residential traffic and commercial traffic will be a disaster. [Attachments 8, 9 and 10]
- 8) There would be a substantial detriment to the health and safety of the public with approval of this variance with ~200 additional cars per day on a narrow road.

In conclusion, the Oconee County BZA does not have the authority to take Ratliff property. The applicant has failed to meet the burden of proof for criterion #4 (...substantial determinant to adjacent uses...).

The Oconee County BZA is encouraged to acknowledge these facts and vote against the variance.

We appreciate your consideration in this matter, and we will attend the BZA meeting on 4/25/2022 to continue to represent the Ratliff position.

Thank you,



Jimmy Ratliff
John's Marine Service

cc: Edward (Jay) Ratliff Jr.

Sherri D. Crisp

Amy L. Cawthon

Frances J. Ratliff

County Council members:

John Elliot, Chair

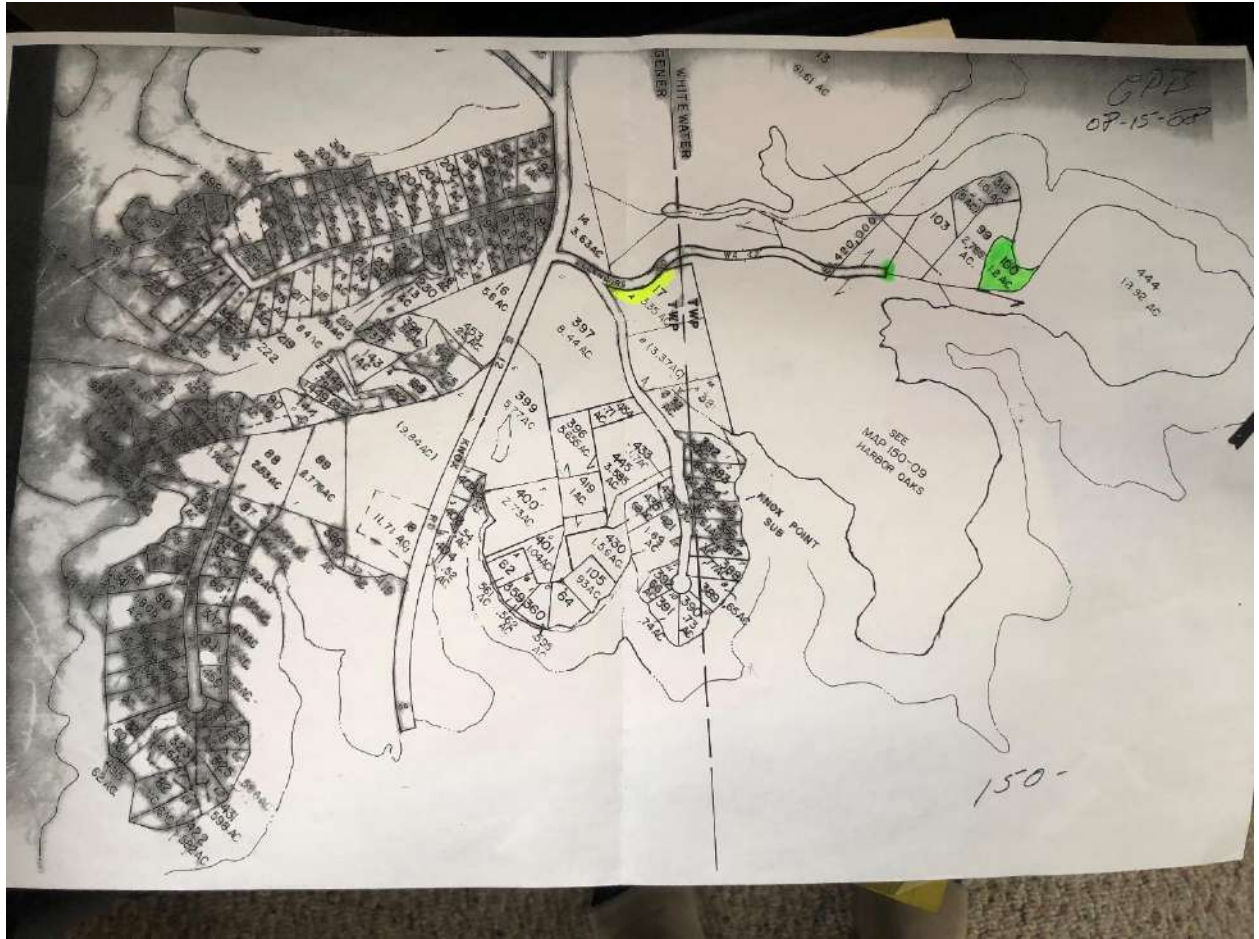
Julian Davis III

Matthew Durham

James Glenn Hart

Paul A. Cain, Esq.

Attachment #1 (Map of end of county maintenance provided to the Ratliff family in 2008):



Attachment 2 (Physical evidence of road termination):



14-l Page 102

State of South Carolina,
County of Oconee.

TITLE TO REAL ESTATE

County Doc. Tax in amt
of \$59.00 collected

RECORDED
ROY G. HAROLD
MAY 07 1981
CLERK OF COURT
OCONEE COUNTY, S. C.

Know All Men By These Presents, That we, Jennings Dewey Burton and Nancy R. Bearden Burton, formerly Nancy R. Bearden,

in the State aforesaid, for and in consideration of the sum of \$10.00 and other considerations to us paid by Edward J. Ratliff and Frances J. Ratliff in the State aforesaid, the receipt whereof is hereby acknowledged, have granted, conveyed, sold and released, and by these presents do grant, bargain, sell and release unto the said Edward J. Ratliff and Frances J. Ratliff, their heirs and assigns forever:

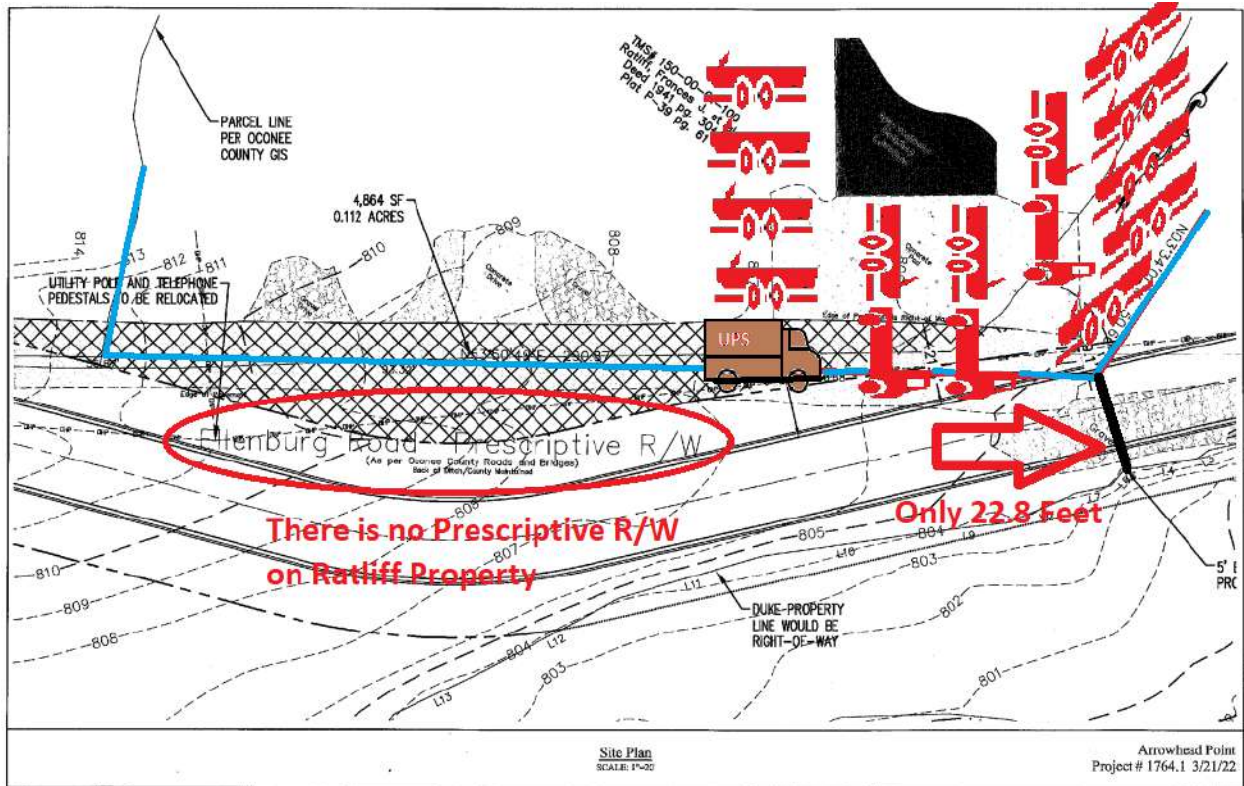
All that certain piece, parcel or tract of land lying and being situate in the State of South Carolina, County of Oconee, Keowee District, containing 1.225 acres, more or less, shown on plat thereof by Schumacher Engineering Service dated 8/28/74 and recorded in Plat Book P-39, page 61, records of Oconee County, South Carolina.

This being the identical property conveyed unto Nancy R. Bearden by deed of T. B. Eilandburg dated 8/30/74 and recorded in Deed Book 12-A, page 476, with a one-half interest having been conveyed to Jennings Dewey Burton by deed of Nancy R. Bearden Burton, formerly Nancy R. Bearden, by deed recorded in Deed Book 12-M, page 425, records of Oconee County, South Carolina.

This conveyance is made subject to any easements or rights-of-way for roadways or utilities heretofore conveyed by the grantors herein or any predecessor in title as may appear of public record or upon the ground.

Witness my hand and seal of office this 10th day of May 1981 at Oconee, South Carolina.
JENNINGS DEWEY BURTON
NANCY R. BEARDEN BURTON

Attachment 6 (Developer plan designed by Goldie and Associates):



Attachment 7 (John's Marine servicing boats on Ratliff property):

Pic #1: 20 foot pontoon being serviced



Pic #2: View standing in center of proposed 9.1 foot right of way



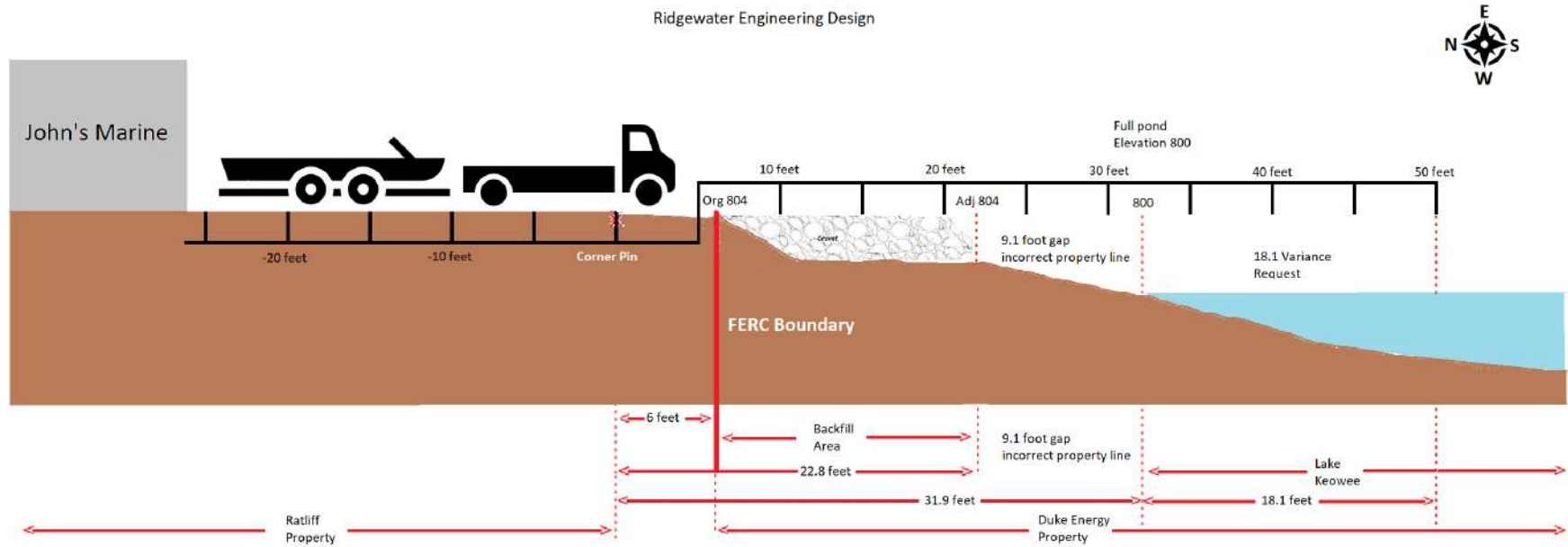
Pic #3: Customer pickup and delivery of boats.



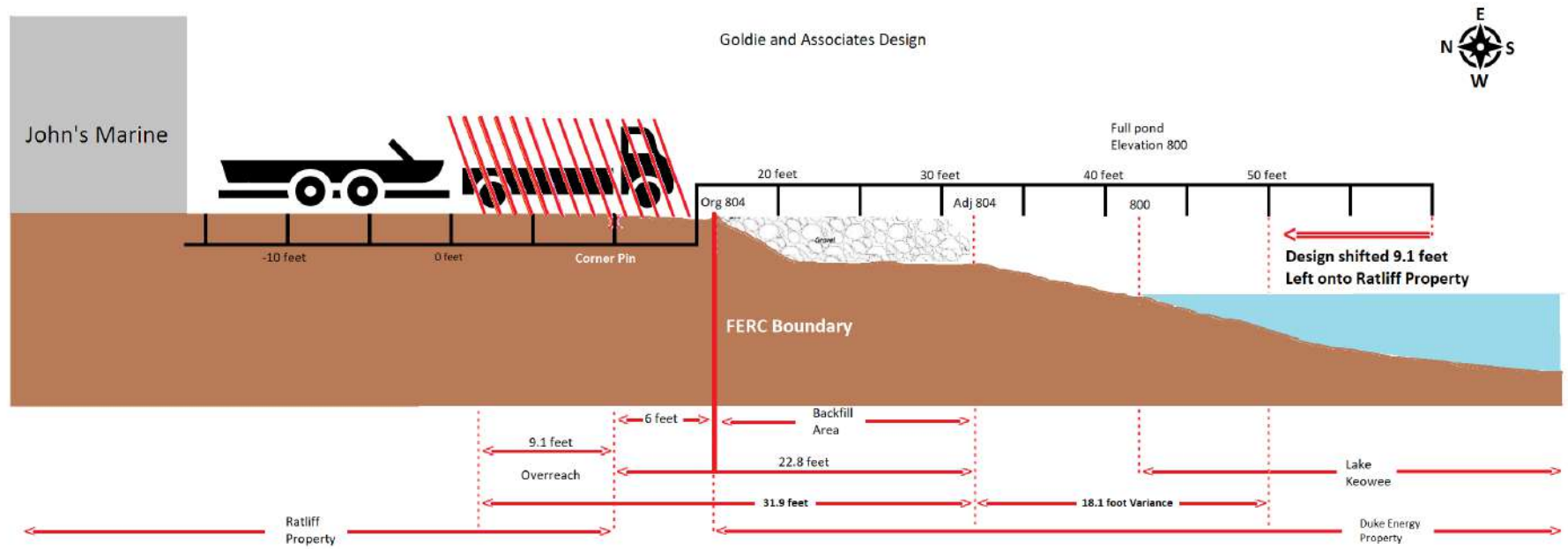
Pic #4: Google street view from 2008.



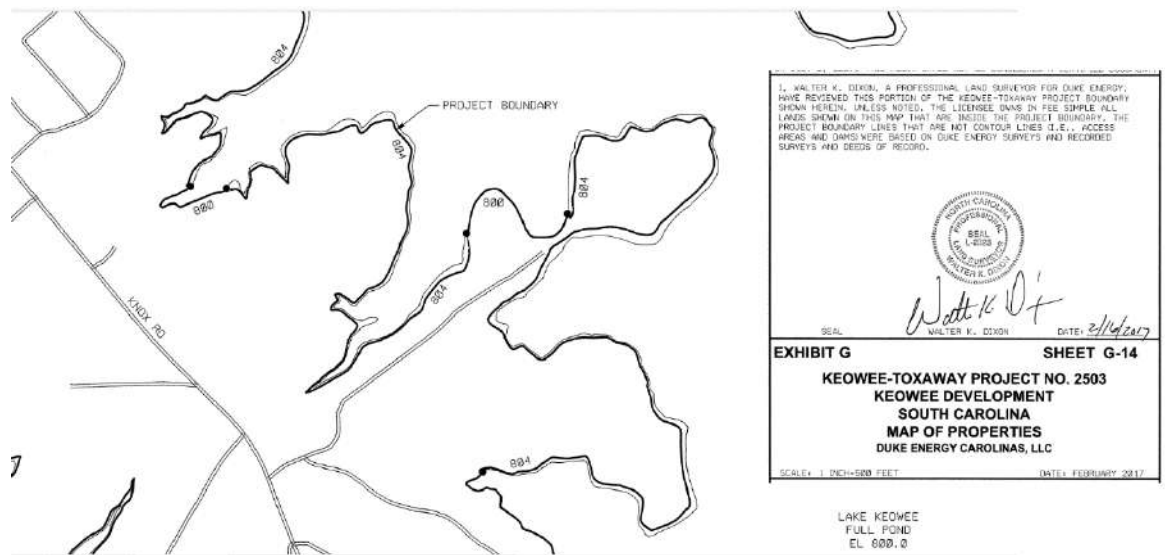
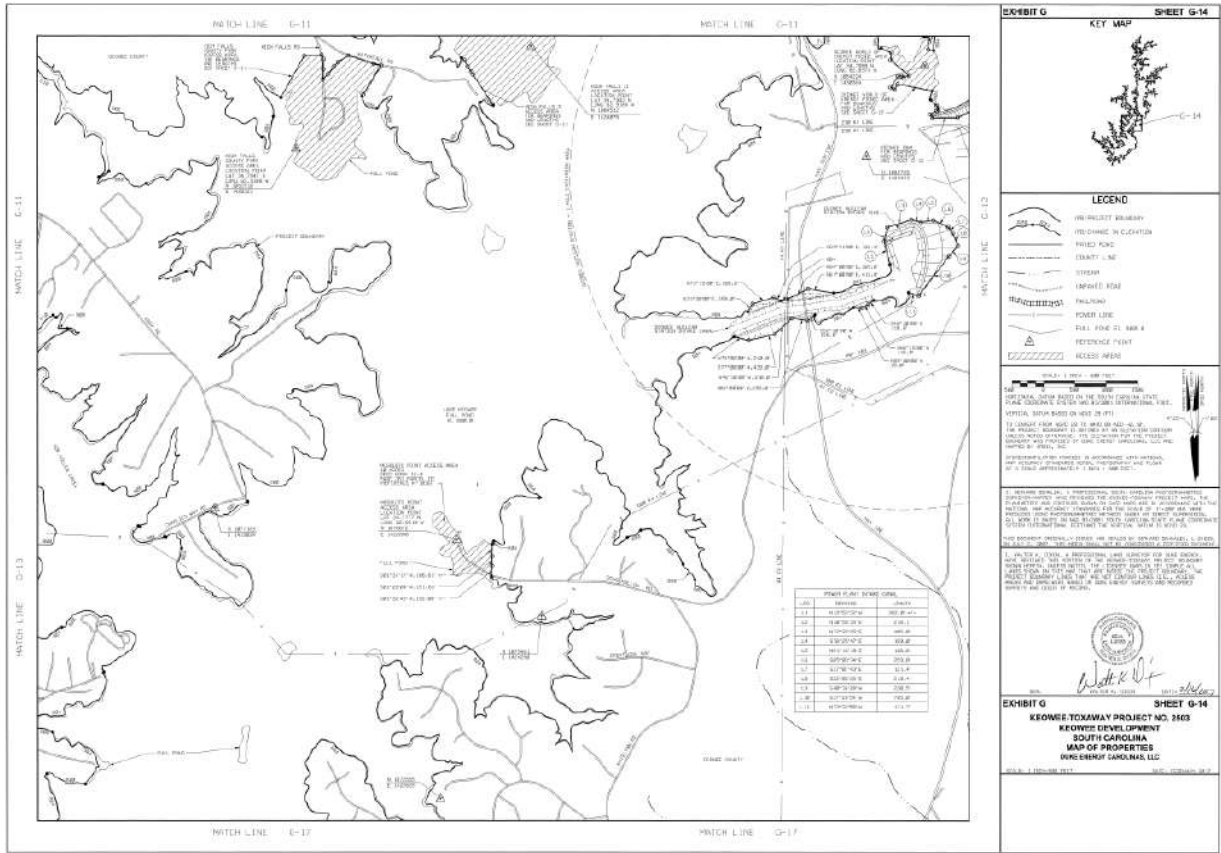
Attachment 8 (Scale diagram of Ridgewater Engineering design):

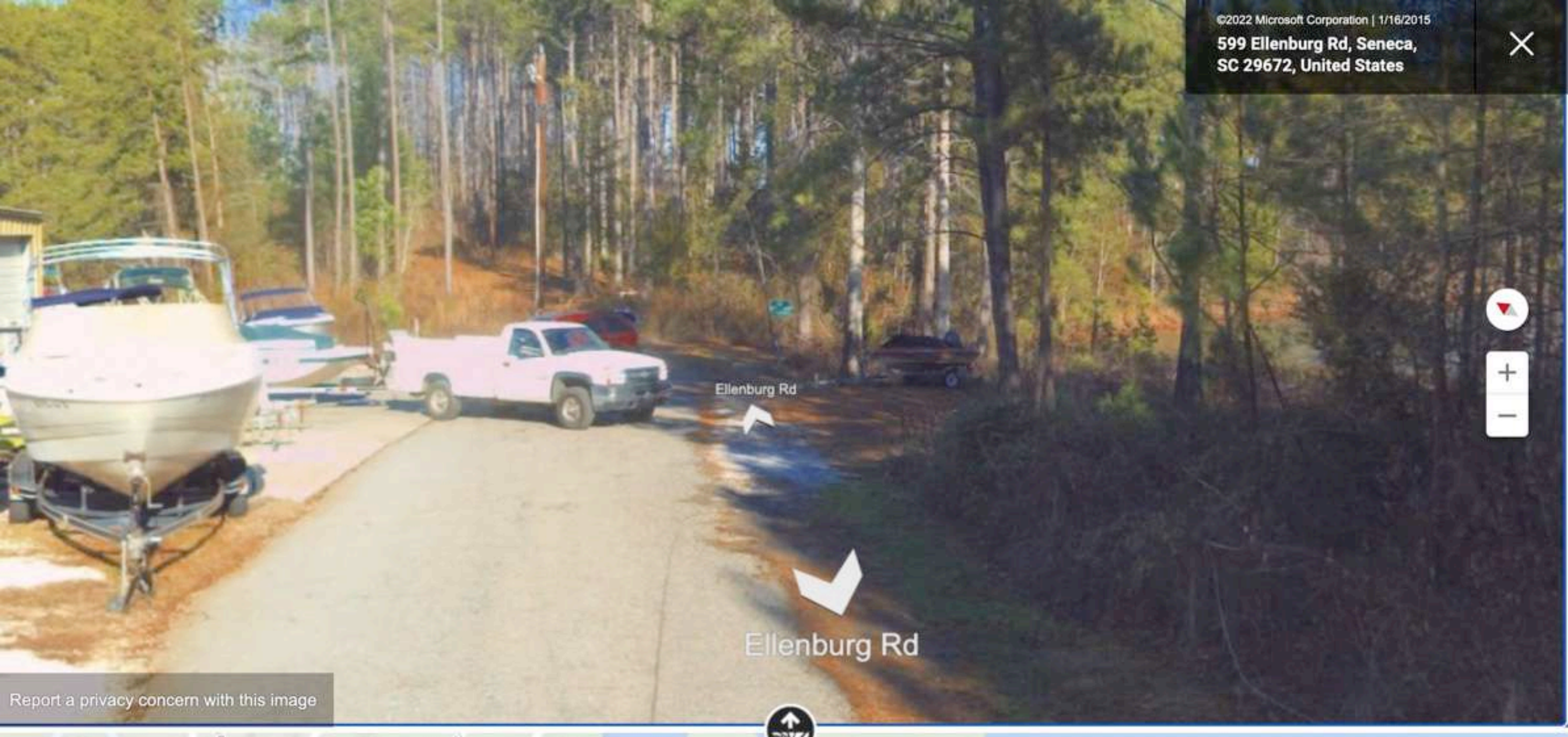


Attachment 9 (Scale diagram of Goldie and Associates design):



Attachment 10 (Project boundary map provided by Federal Energy Regulatory Commission):

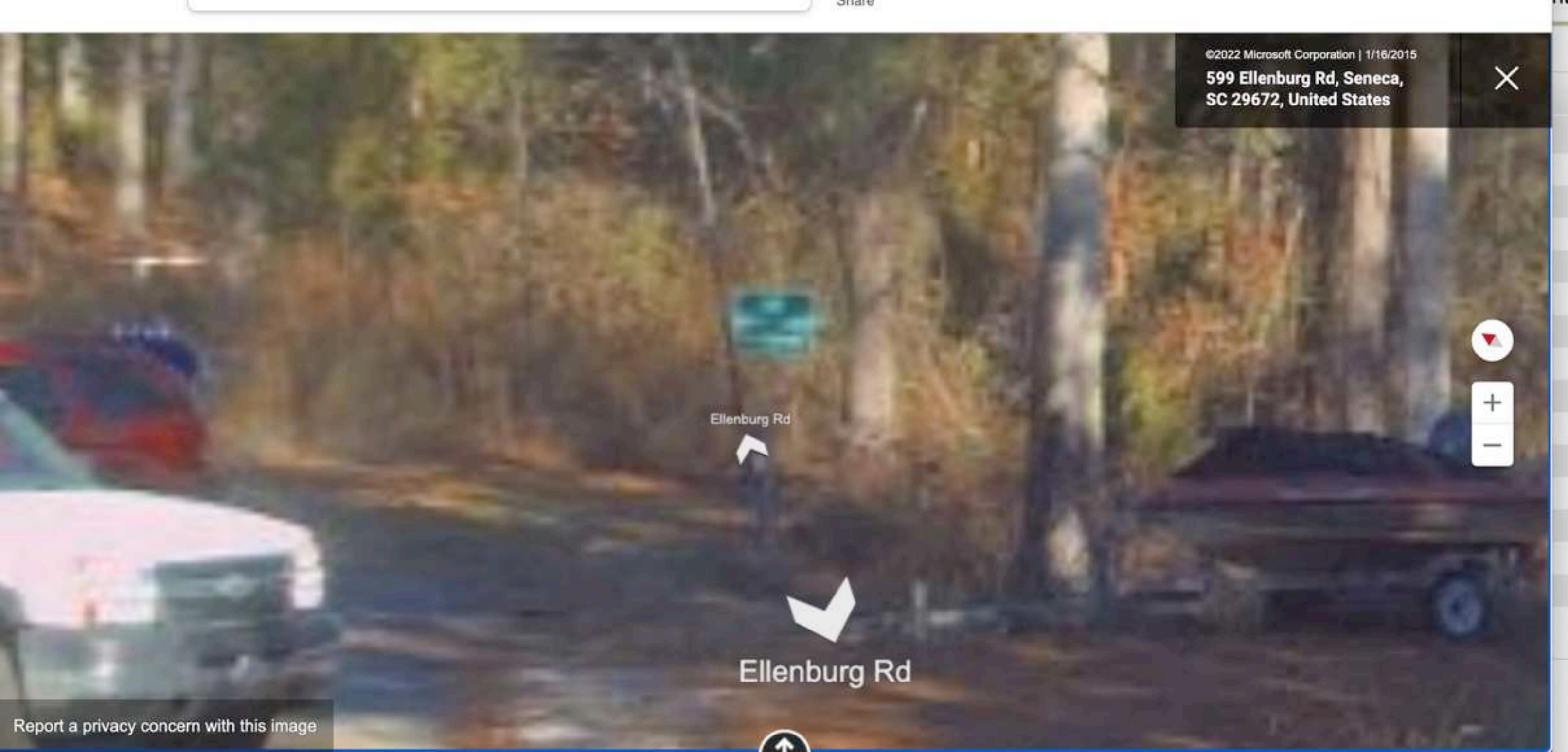




Ellenburg Rd

Ellenburg Rd





Ellenburg Rd



Ellenburg Rd





Oconee County
Board of Zoning Appeals
415 S. Pine Street
Walhalla, SC 29691



Arrowhead
Public Comment Sign-Up

1. KEN CHARLES
2. JAY RATLEFF
3. Larry C. Beard
4. John Richardson
5. DOUG COOPER
6. Bruce Dew
7. Rick McDuff
8. Serena Richardson
9. Chris Leonard
10. Murietta Morgan
11. _____
12. _____

9

8

7

10 = 1000000

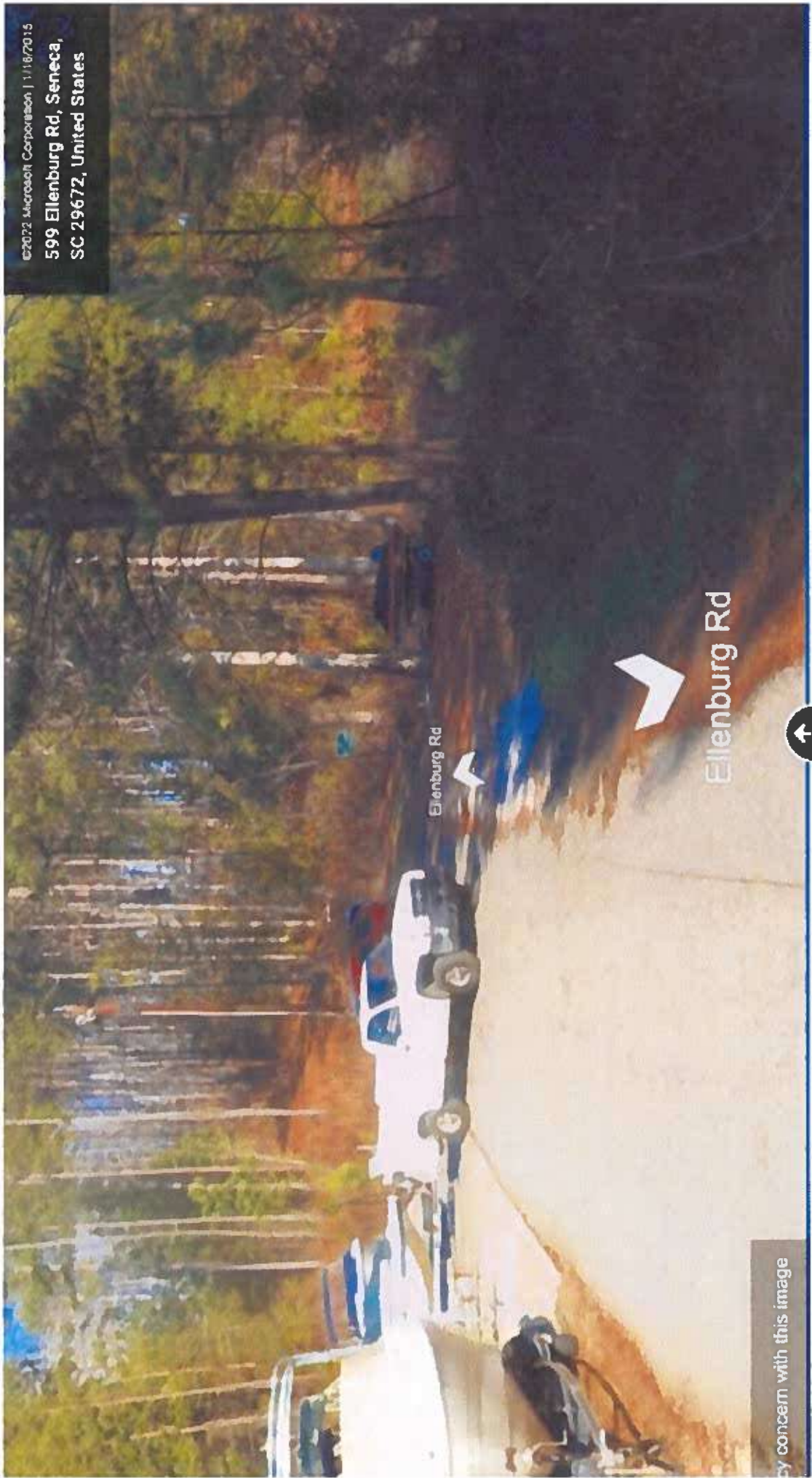
9

1000000

1000000 1000000 1000000

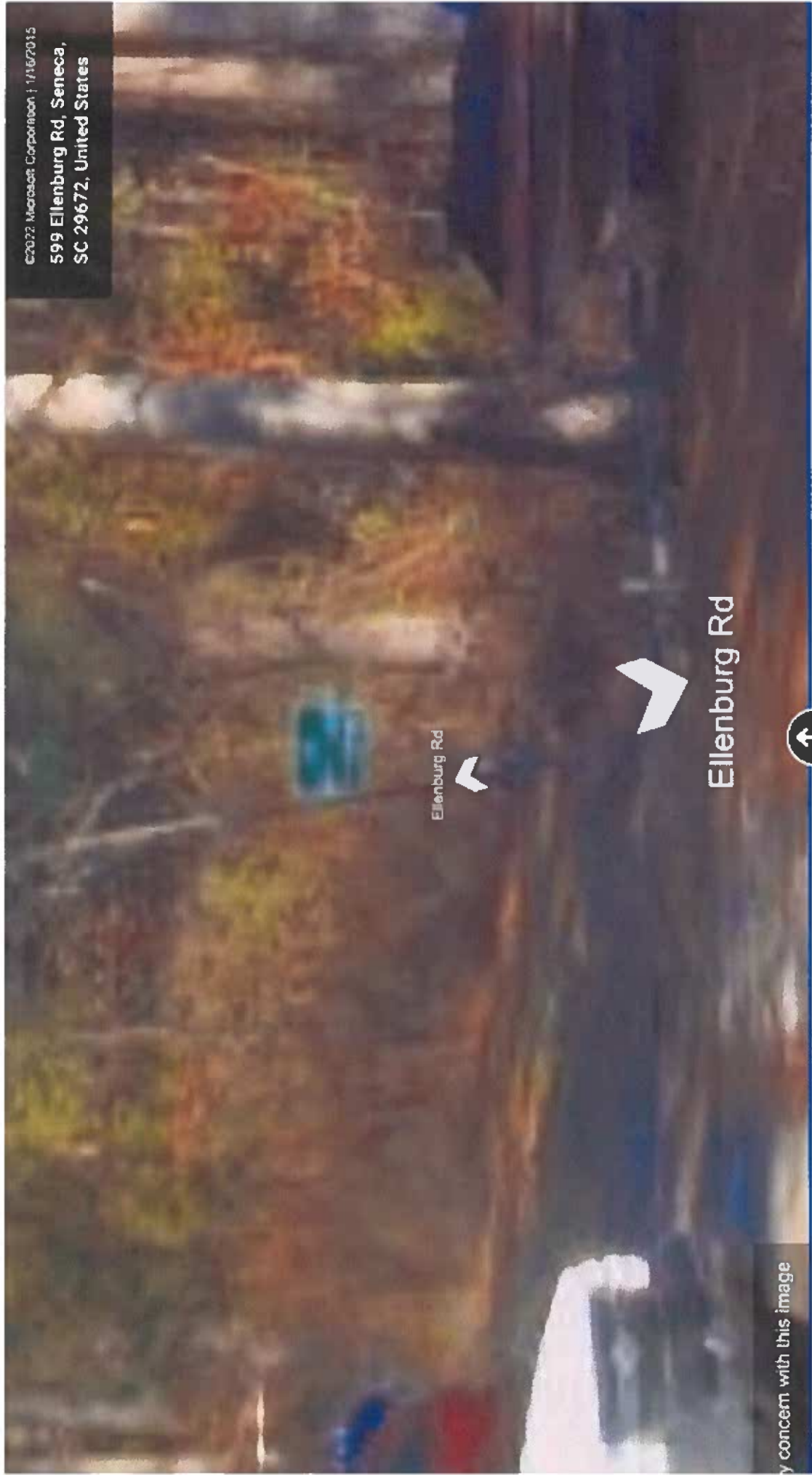
©2022 Microsoft Corporation | 11/18/2015

599 Ellenburg Rd, Seneca,
SC 29672, United States



by concern with this image





©2022 Microsoft Corporation | 1/16/2015
599 Ellenburg Rd, Seneca,
SC 29672, United States

Ellenburg Rd

Ellenburg Rd

y concern with this image



John's Marine Service
599 Ellenburg Road
Seneca, SC 29672

April 22, 2022

Board of Zoning Appeals
Mr. Codner, Chairperson
415 South Pine Street
Walhalla, SC 29691

Re: Ratliff family opposition to variance application VA21-011 (Ridgewater Engineering and Surveying TMS#150-00-01-459 an unaddressed parcel with the closest address of 599 Ellenburg Rd, Seneca, SC 29672).

Opposition to the variance application to include:

- o Property rights and ownership of 599 Ellenburg Road (TMS#150-00-01-100).
- o Substantial detriment to adjacent property (John's Marine).

Dear Mr. Codner and Members of the Board of Zoning Appeals,

The Ratliff family requests denial of VA21-011 based on lack of resolution from the requirements outlined by the Board in the 11/30/2021 BZA meeting.

Below are the requirements on which the Applicant has failed to meet its Burden of Proof:

Property rights and ownership of 599 Ellenburg Road (TMS#150-00-01-100) includes a private driveway on the property and Applicant and County has failed to show that County has any rights over such:

- 1)** Oconee County Roads and Bridges employees provided a copy of the attached Plat dated 2008 to the Ratliff family documenting the Ellenburg Road termination to the west of the Ratliff property. [Attachment 1]
- 2)** The physical evidence of pavement transition and road striping are consistent with the documentation dated 2008 provided to the Ratliff family where the road terminates to the west of the Ratliff property. [Attachment 2]
- 3)** When the lake was built, the County terminated Ellenburg Road to the west of the Ratliff property line and the Ratliff family has maintained our property with a private driveway serving Jan Ratliff's private residence and John's Marine for over 40 years.
- 4)** The County has not performed maintenance on the private driveway and/or Ratliff property and the County has not offered any evidence of maintenance.
- 5)** Laurie Ellenburg Bright has provided an affidavit of the termination of Ellenburg Road as evidenced by the End of County Maintenance sign. Laurie resided on Ellenburg Road adjacent to the Ratliff property for a period of 40 years. She is a current resident of Oconee County. [Attachment 3]
- 6)** There are no restrictions, easements, or right of ways on the Ratliff property from the property lines on the Deed and Plat. [Attachment 4 and 5]
- 7)** The Ratliff family has maintained both sides of the private driveway for over 40 years.
- 8)** Oconee County does not have a prescriptive easement over 599 Ellenburg Road and the private driveway.

9) Oconee County has no jurisdiction to issue a variance over a private driveway.

Substantial detriment to adjacent property (John's Marine) remains and Applicant has failed to show otherwise:

- 1)** There will be a crippling, substantial detrimental impact of the variance on John's Marine business. [Attachment 6]
- 2)** There would be substantial detriment to John's Marine, preventing the ability to maneuver, park and service boats/trailers, in addition to severely limiting maneuvering by delivery trucks who bring in large motors, and equipment for boat repair. [Attachment 7]
- 3)** The service business requires maneuvering boats and large trailers on the Ratliff property. [Attachment 7]
- 4)** John's Marine uses the entire private driveway to pull boats out of the water, to put boats into the water, to maneuver boats into the shop for repair, to park boats and to maneuver trailers. [Attachment 7]
- 5)** A large number of boats are frequently maneuvered on Ratliff property. [Attachment 7]
- 6)** Boats that arrive by water need to be put onto a trailer, pulled from the water, and maneuvered into the shop for repair utilizing the private driveway in front of the shop.
- 7)** The variance would permit the developer to change the current road from a private driveway to a private road or public road. This change would allow much more vehicle traffic (~200 cars per day as represented by Oconee County Roads and Bridges) which will prevent John's Marine from using the private driveway to maneuver and service boats as they have been doing for over 40 years in a very narrow stretch of land. This coupling of residential traffic and commercial traffic will be a disaster. [Attachments 8, 9 and 10]
- 8)** There would be a substantial detriment to the health and safety of the public with approval of this variance with ~200 additional cars per day on a narrow road.

In conclusion, the Oconee County BZA does not have the authority to take Ratliff property. The applicant has failed to meet the burden of proof for criterion #4 (...substantial determinant to adjacent uses...).

The Oconee County BZA is encouraged to acknowledge these facts and vote against the variance.

We appreciate your consideration in this matter, and we will attend the BZA meeting on 4/25/2022 to continue to represent the Ratliff position.

Thank you,



Jimmy Ratliff
John's Marine Service

cc: Edward (Jay) Ratliff Jr.

Sherri D. Crisp

Amy L. Cawthon

Frances J. Ratliff

County Council members:

John Elliot, Chair

Julian Davis III

Matthew Durham

James Glenn Hart

Paul A. Cain, Esq.



Attachment #1 (Map of end of county maintenance provided to the Ratliff family in 2008):



Attachment 2 (Physical evidence of road termination):





14-1 Page 102

State of South Carolina,
County of Oconee.

TITLE TO REAL ESTATE

RECORDED
MAY 27 1981
CLERK OF COURT
OCONEE COUNTY, S. C.

County Book Tax is amt
of \$11.00 collected

Know All Men By These Presents, That we, Jewelene Dewey Burton and Nancy R. Bearden Burton, formerly Nancy R. Bearden,

for and in consideration of the sum of \$10.00 and other considerations to us and by Edward J. Ratliff and Frances J. Ratliff in the main proceeds and amount derived from the sale of certain land and interest, and by these presents do hereby grant, sell and convey unto the said Edward J. Ratliff and Frances J. Ratliff, their heirs and assigns forever:

All that certain piece, parcel or tract of land lying and being situate in the State of South Carolina, County of Oconee, Newnan District, containing 1.123 acres, more or less, shown on plat thereof by Schumacher Engineering Service dated 9/18/78 and recorded in Plat Book F-19, page 41, records of Oconee County, South Carolina.

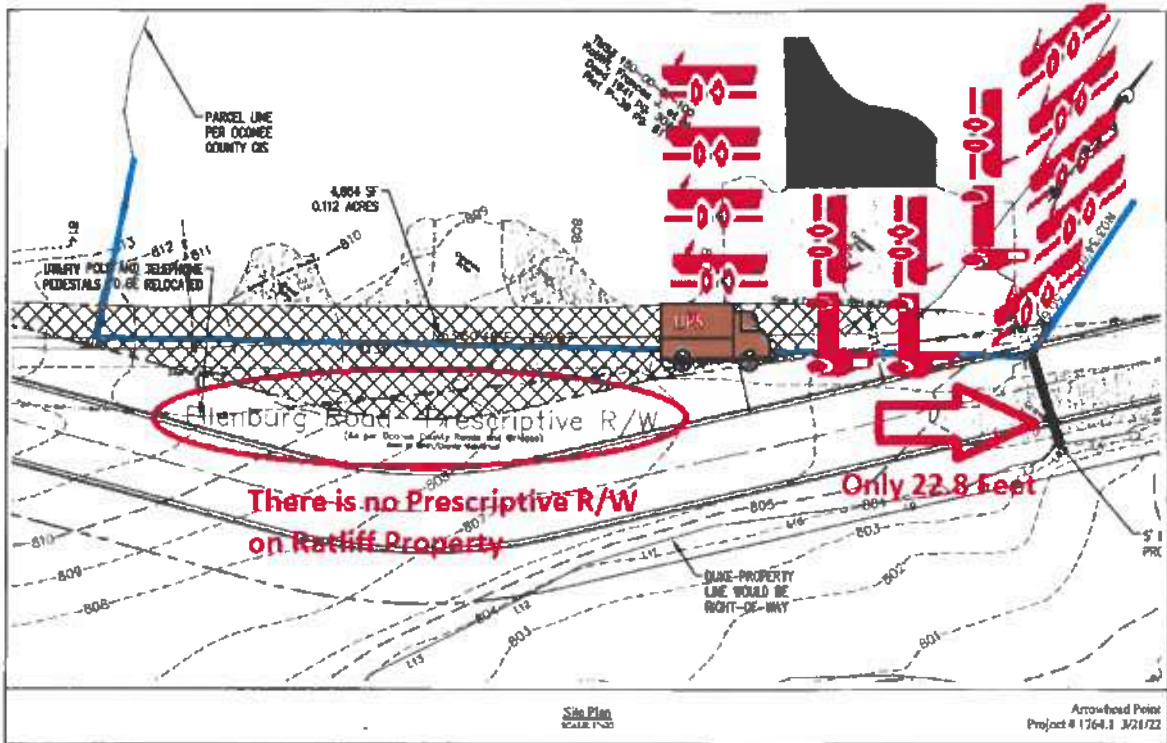
This being the identical property conveyed unto Nancy R. Bearden by deed of T. B. Ellerbe dated 8/18/74 and recorded in Deed Book 11-A, page 474, with a one-half interest having been conveyed to Jewelene Dewey Burton by deed of Nancy R. Bearden Burton, formerly Nancy R. Bearden, by deed recorded in Deed Book 11-A, page 423, records of Oconee County, South Carolina.

This conveyance is made subject to any easements or rights-of-way for roadways or utilities heretofore conveyed by the grantors herein or any predecessor in title as may appear of public record as upon the ground.



102

Attachment 6 (Developer plan designed by Goldie and Associates):





Attachment 7 (John's Marine servicing boats on Ratliff property):

Pic #1: 20 foot pontoon being serviced



Pic #2: View standing in center of proposed 9.1 foot right of way



Pic #3: Customer pickup and delivery of boats.



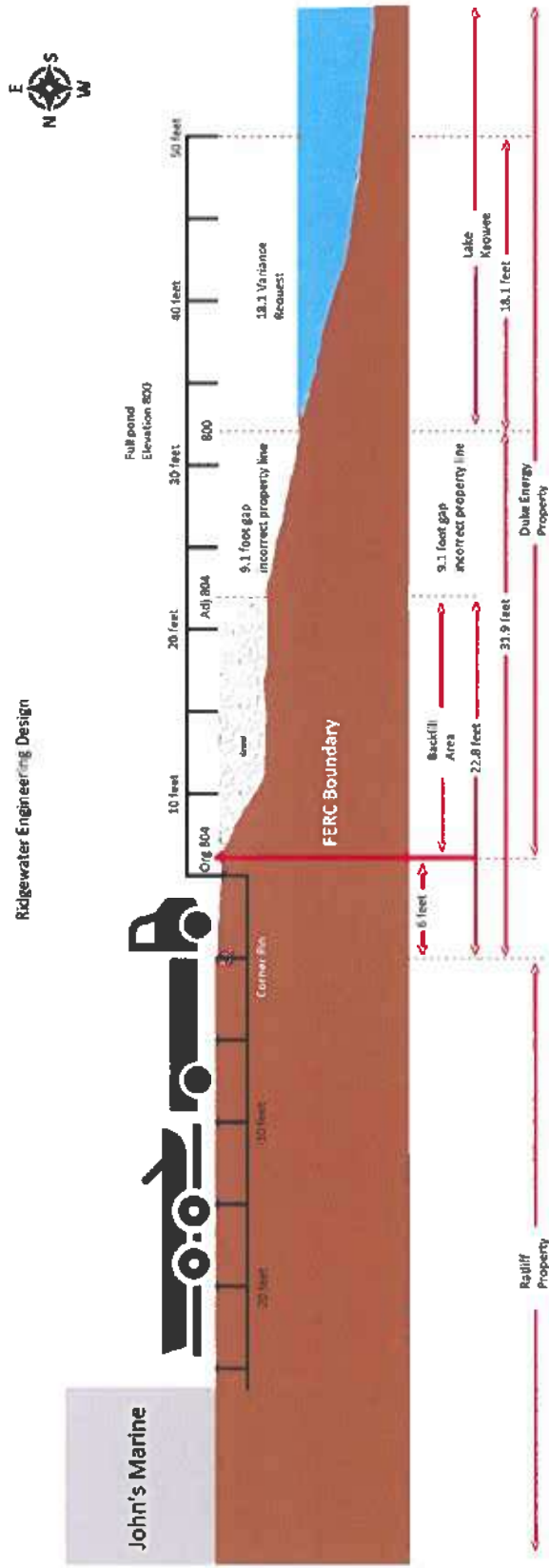
Pic #4: Google street view from 2008.



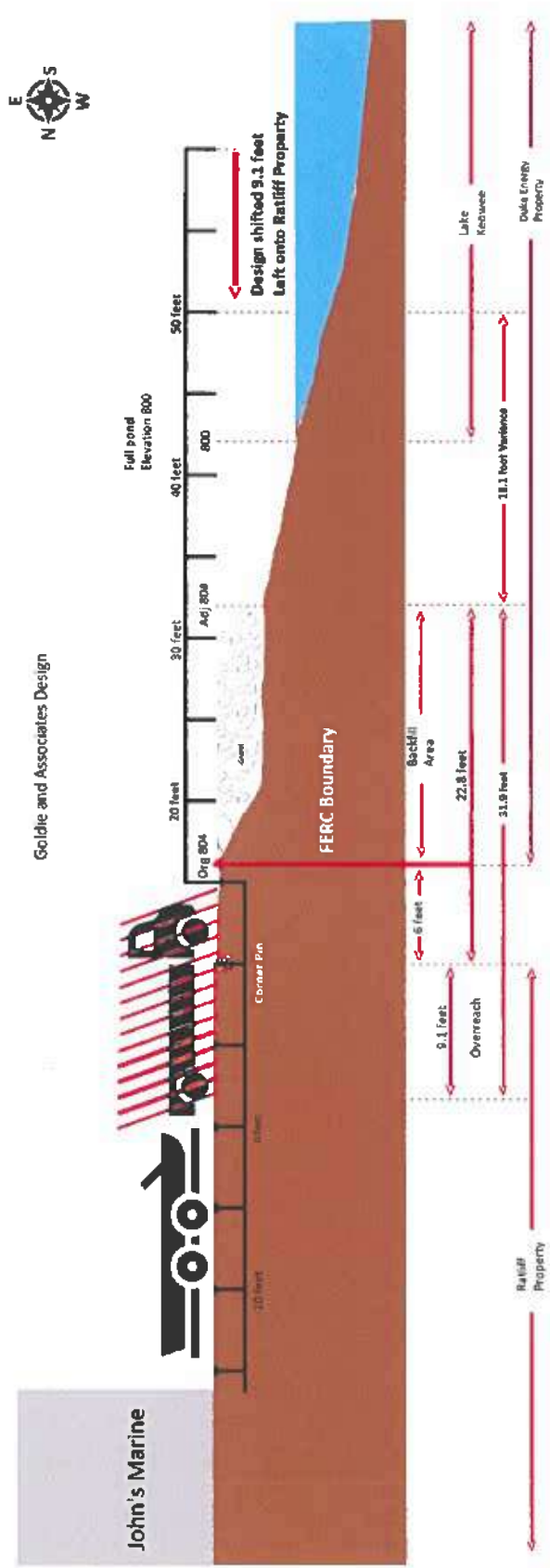
27

28

Attachment 8 (Scale diagram of Ridgewater Engineering design):

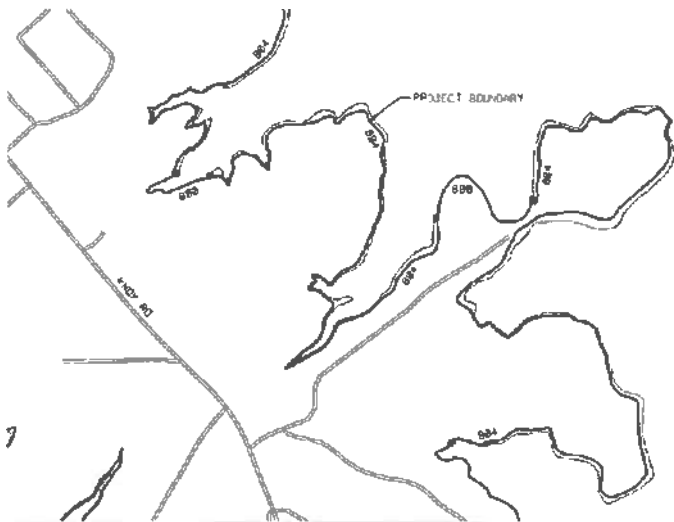
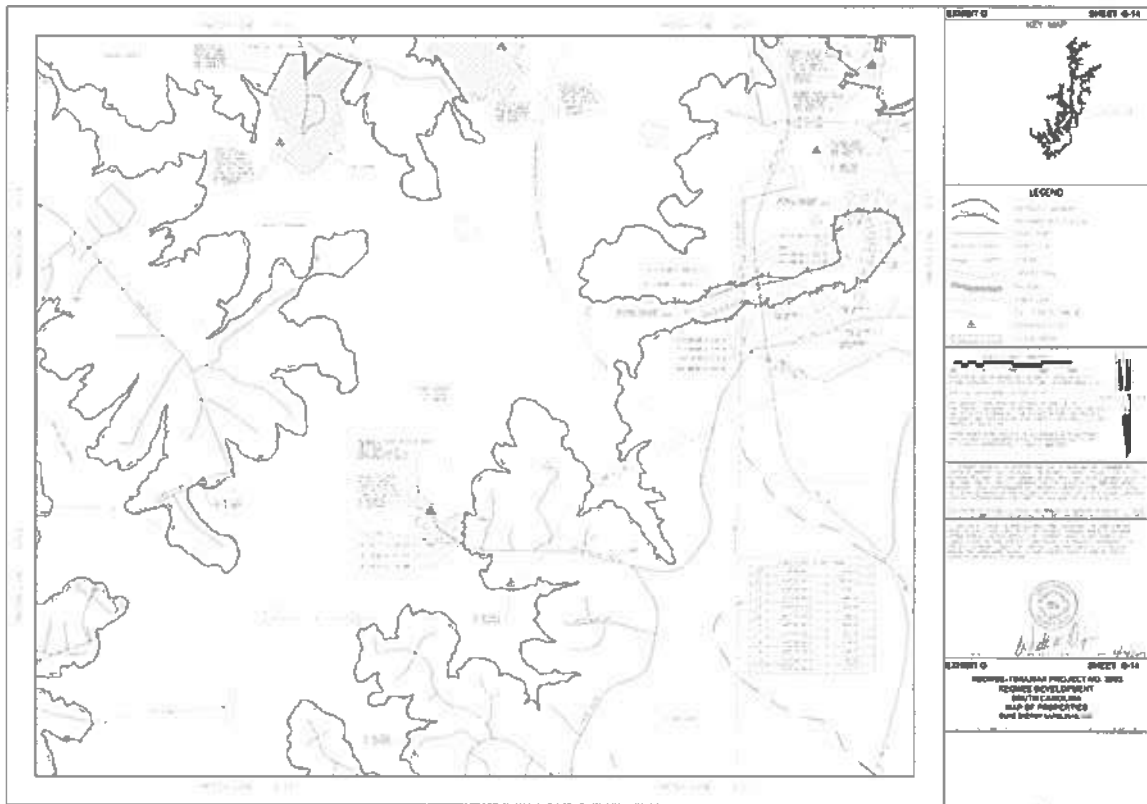


Attachment 9 (Scale diagram of Goldie and Associates design):





Attachment 10 (Project boundary map provided by Federal Energy Regulatory Commission):



I, WALTER A. DEWYN, A PROFESSIONAL LAND SURVEYOR FOR THE STATE OF SOUTH CAROLINA, HAVE PREPARED THIS PORTION OF THE ABOVE TITULAR PROJECT BOUNDARY SHOWN HEREIN, UNLESS NOTICED OTHERWISE, IN ACCORDANCE WITH THE PROVISIONS OF THE PROFESSIONAL LAND SURVEYING ACT, TITLE 40, CHAPTER 29, OF THE SOUTH CAROLINA CODE OF LAWS. THIS PORTION OF THE PROJECT BOUNDARY LINES SHOWN ON THIS MAP HAVE BEEN FIELD CHECKED AND COMPARED TO THE ORIGINAL SURVEY RECORDS AND FIELD NOTES AND ARE ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

WALTER A. DEWYN
DATE: 11/16/2017

EXHIBIT G SHEET G-14
KEOWEE-TOXAWAY PROJECT NO. 25403
KEOWEE DEVELOPMENT
SOUTH CAROLINA
MAP OF PROPERTIES
DUKE ENERGY CAROLINAS, LLC

SCALE: 1"=100' (SEE PLAN) DATE: 11/16/2017

LAKE KEOWEE
FULL POND
EL. 898.8

John's Marine Service
599 Ellenburg Road
Seneca, SC 29672

April 22, 2022

Board of Zoning Appeals
Mr. Codner, Chairperson
415 South Pine Street
Walhalla, SC 29691

Re: Ratliff family opposition to variance application VA21-011 (Ridgewater Engineering and Surveying TMS#150-00-01-459 an unaddressed parcel with the closest address of 599 Ellenburg Rd, Seneca, SC 29672).

Opposition to the variance application to include:

- o Property rights and ownership of 599 Ellenburg Road (TMS#150-00-01-100).
- o Substantial detriment to adjacent property (John's Marine).

Dear Mr. Codner and Members of the Board of Zoning Appeals,

The Ratliff family requests denial of VA21-011 based on lack of resolution from the requirements outlined by the Board in the 11/30/2021 BZA meeting.

Below are the requirements on which the Applicant has failed to meet its Burden of Proof:

Property rights and ownership of 599 Ellenburg Road (TMS#150-00-01-100) includes a private driveway on the property and Applicant and County has failed to show that County has any rights over such:

- 1)** Oconee County Roads and Bridges employees provided a copy of the attached Plat dated 2008 to the Ratliff family documenting the Ellenburg Road termination to the west of the Ratliff property. [Attachment 1]
- 2)** The physical evidence of pavement transition and road striping are consistent with the documentation dated 2008 provided to the Ratliff family where the road terminates to the west of the Ratliff property. [Attachment 2]
- 3)** When the lake was built, the County terminated Ellenburg Road to the west of the Ratliff property line and the Ratliff family has maintained our property with a private driveway serving Jan Ratliff's private residence and John's Marine for over 40 years.
- 4)** The County has not performed maintenance on the private driveway and/or Ratliff property and the County has not offered any evidence of maintenance.
- 5)** Laurie Ellenburg Bright has provided an affidavit of the termination of Ellenburg Road as evidenced by the End of County Maintenance sign. Laurie resided on Ellenburg Road adjacent to the Ratliff property for a period of 40 years. She is a current resident of Oconee County. [Attachment 3]
- 6)** There are no restrictions, easements, or right of ways on the Ratliff property from the property lines on the Deed and Plat. [Attachment 4 and 5]
- 7)** The Ratliff family has maintained both sides of the private driveway for over 40 years.
- 8)** Oconee County does not have a prescriptive easement over 599 Ellenburg Road and the private driveway.

9) Oconee County has no jurisdiction to issue a variance over a private driveway.

Substantial detriment to adjacent property (John's Marine) remains and Applicant has failed to show otherwise:

- 1)** There will be a crippling, substantial detrimental impact of the variance on John's Marine business. [Attachment 6]
- 2)** There would be substantial detriment to John's Marine, preventing the ability to maneuver, park and service boats/trailers, in addition to severely limiting maneuvering by delivery trucks who bring in large motors, and equipment for boat repair. [Attachment 7]
- 3)** The service business requires maneuvering boats and large trailers on the Ratliff property. [Attachment 7]
- 4)** John's Marine uses the entire private driveway to pull boats out of the water, to put boats into the water, to maneuver boats into the shop for repair, to park boats and to maneuver trailers. [Attachment 7]
- 5)** A large number of boats are frequently maneuvered on Ratliff property. [Attachment 7]
- 6)** Boats that arrive by water need to be put onto a trailer, pulled from the water, and maneuvered into the shop for repair utilizing the private driveway in front of the shop.
- 7)** The variance would permit the developer to change the current road from a private driveway to a private road or public road. This change would allow much more vehicle traffic (~200 cars per day as represented by Oconee County Roads and Bridges) which will prevent John's Marine from using the private driveway to maneuver and service boats as they have been doing for over 40 years in a very narrow stretch of land. This coupling of residential traffic and commercial traffic will be a disaster. [Attachments 8, 9 and 10]
- 8)** There would be a substantial detriment to the health and safety of the public with approval of this variance with ~200 additional cars per day on a narrow road.

In conclusion, the Oconee County BZA does not have the authority to take Ratliff property. The applicant has failed to meet the burden of proof for criterion #4 (...substantial determinant to adjacent uses...).

The Oconee County BZA is encouraged to acknowledge these facts and vote against the variance.

We appreciate your consideration in this matter, and we will attend the BZA meeting on 4/25/2022 to continue to represent the Ratliff position.

Thank you,



Jimmy Ratliff
John's Marine Service

cc: Edward (Jay) Ratliff Jr.

Sherry D. Crisp

Amy L. Cawthon

Frances J. Ratliff

County Council members:

John Elliot, Chair

Julian Davis III

Matthew Durham

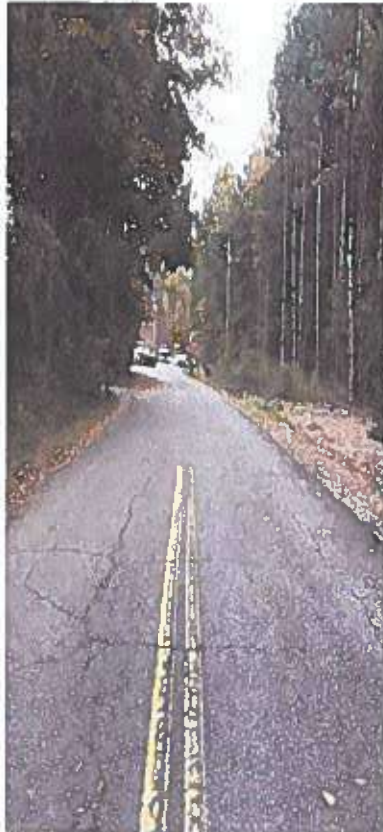
James Glenn Hart

Paul A. Cain, Esq.

Attachment #1 (Map of end of county maintenance provided to the Ratliff family in 2008):



Attachment 2 (Physical evidence of road termination):



Attachment 3 (Ellenburg affidavit End of County Maintenance)

STATE OF SOUTH CAROLINA)
)
COUNTY OF OCONEE)

AFFIDAVIT OF LAURIE ELLENBURG BRIGHT

BEFORE ME appeared, Laurie Ellenburg Bright, who deposes and says:

1. I reside at 178 Madison Pointe Drive, Seneca, South Carolina, 29678 and have personal knowledge of the matter set forth herein.
2. Prior to moving to my current residence in March 2021, I resided at 591 Ellenburg Road, Seneca, South Carolina 29672.
3. I grew up/resided at 591 Ellenburg Road for a period of 40 years. Intermittently, I left Ellenburg Road from 1995-2002.
4. I am the grand-daughter of T.B. Ellenburg, the original owner of the property who sold a portion of his farmland for the creation of Lake Keowee.
5. My grandfather, T.B., was given naming rights for the road and he chose to name it Ellenburg Road.
6. After the creation of Lake Keowee, I recall an "End of County Maintenance" sign between 575 Ellenburg Road and 585 Ellenburg Road. I drove past this "End of County Maintenance" sign for years. This "End of County Maintenance" sign was located near a bathtub that my grandfather used to water his cattle.

FURTHER AFFIANT SAYETH NAUGHT.

Laurie Ellenburg Bright
LAURIE ELLENBURG BRIGHT

SWORN to before me this 21st day of April, 2022.

James E. Moore
Notary Name: JAMES E. MOORE
Notary Public for State of S.C.
My Commission Expires: 7-24-2025



14-I Page 102

State of South Carolina,
County of Oconee.

TITLE TO REAL ESTATE

RECORDED
ON 11/10/78
11/10/78
CLERK OF COURT
OCONEE COUNTY, S. C.

County Tax, Tax is out
of \$25.00

Know All Men By These Presents, we, Jennings
Geary Burton and Nancy S. Beardon Burton, formerly Nancy S. Beardon,

do hereby convey to and in full payment of a sum of \$10.00 and other considerations
to us given Edward J. Ratliff and Frances J. Ratliff
in the State of South Carolina, County of Oconee, to have and to hold unto the said
Edward J. Ratliff and Frances J. Ratliff, their heirs and assigns forever:

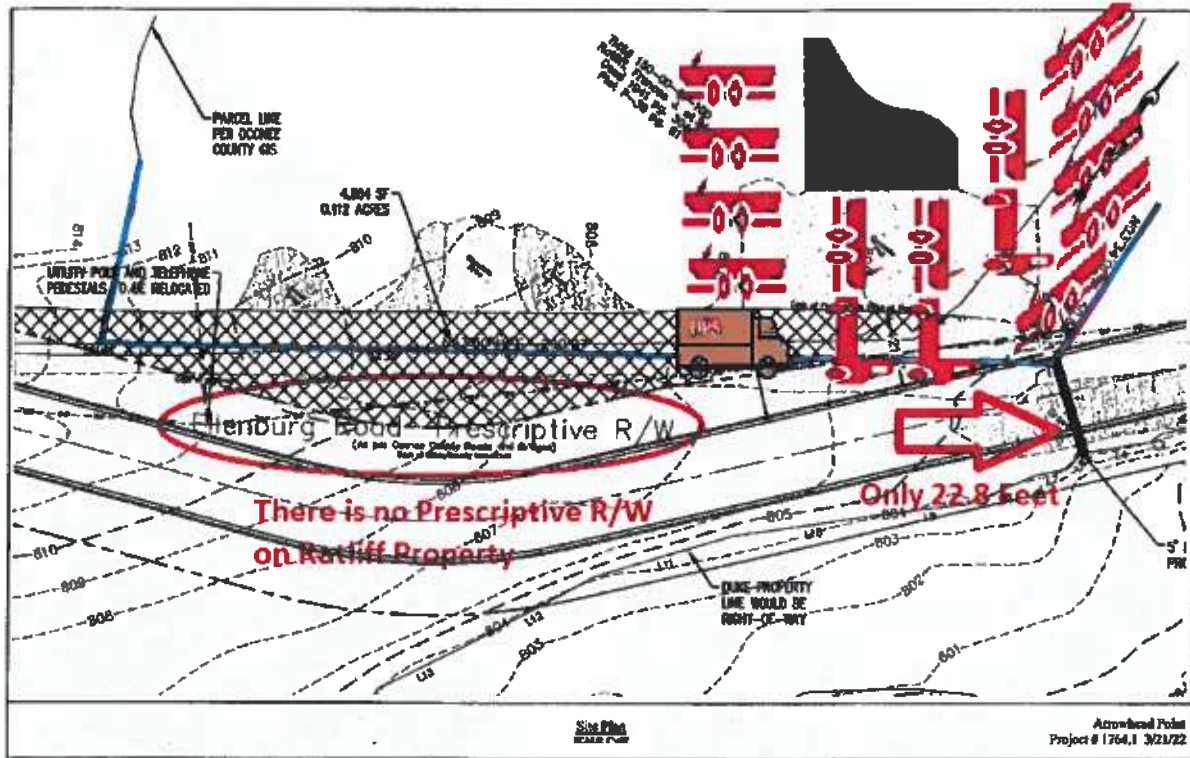
All that certain piece, parcel or tract of land lying and being
situate in the State of South Carolina, County of Oconee, Home
District, containing 1.225 acres, more or less, shown on plat thereof
by Schmeicher Engineering Service dated 1/10/76 and recorded in Plat
Book 2-10, page 41, records of Oconee County, South Carolina.

This being the identical property conveyed unto Nancy S. Beardon
by deed of T. B. Ellensberg dated 1/10/74 and recorded in Deed Book
13-A, page 474, with a one-half interest having been conveyed to
Jennings Geary Burton by deed of Nancy S. Beardon Burton, formerly
Nancy S. Beardon, by deed recorded in Deed Book 13-A, page 422,
records of Oconee County, South Carolina.

This conveyance is made subject to any easements or rights-of-way
for roadways or utilities hereinafter conveyed by the Grantors herein or
any predecessor in title as may appear of public record or upon the
ground.



Attachment 6 (Developer plan designed by Goldie and Associates):



Attachment 7 (John's Marine servicing boats on Ratliff property):

Pic #1: 20 foot pontoon being serviced



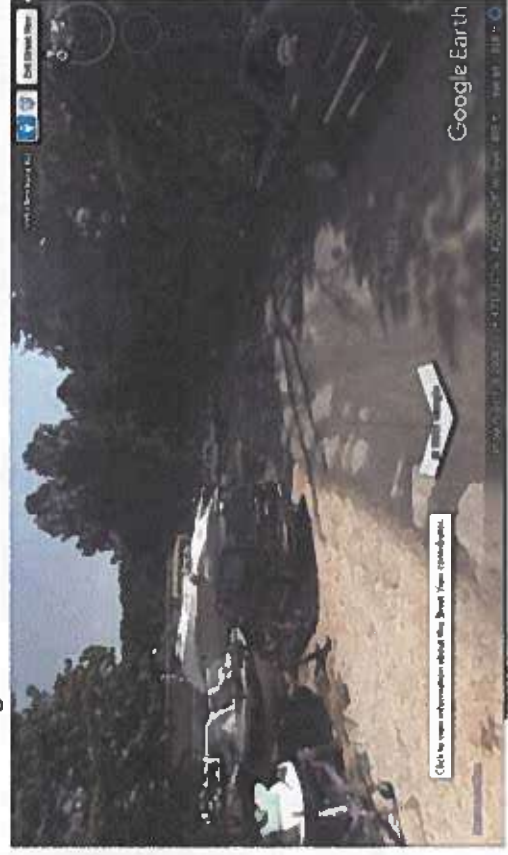
Pic #2: View standing in center of proposed 9.1 foot right of way



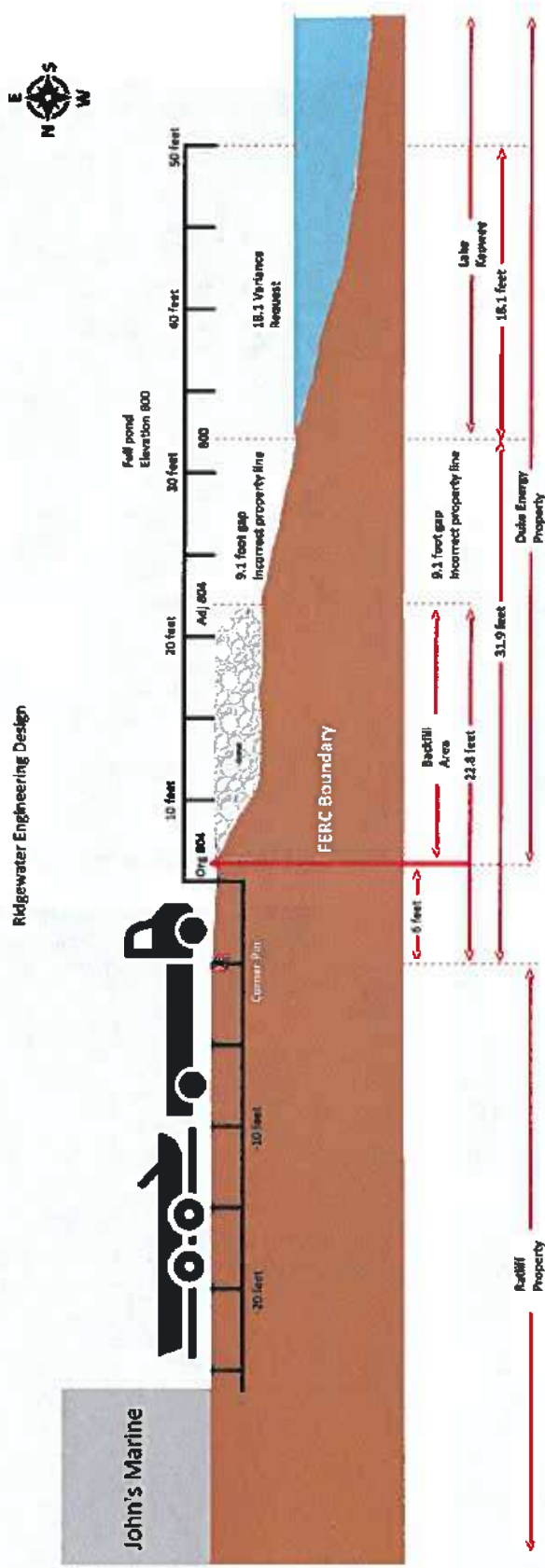
Pic #3: Customer pickup and delivery of boats.



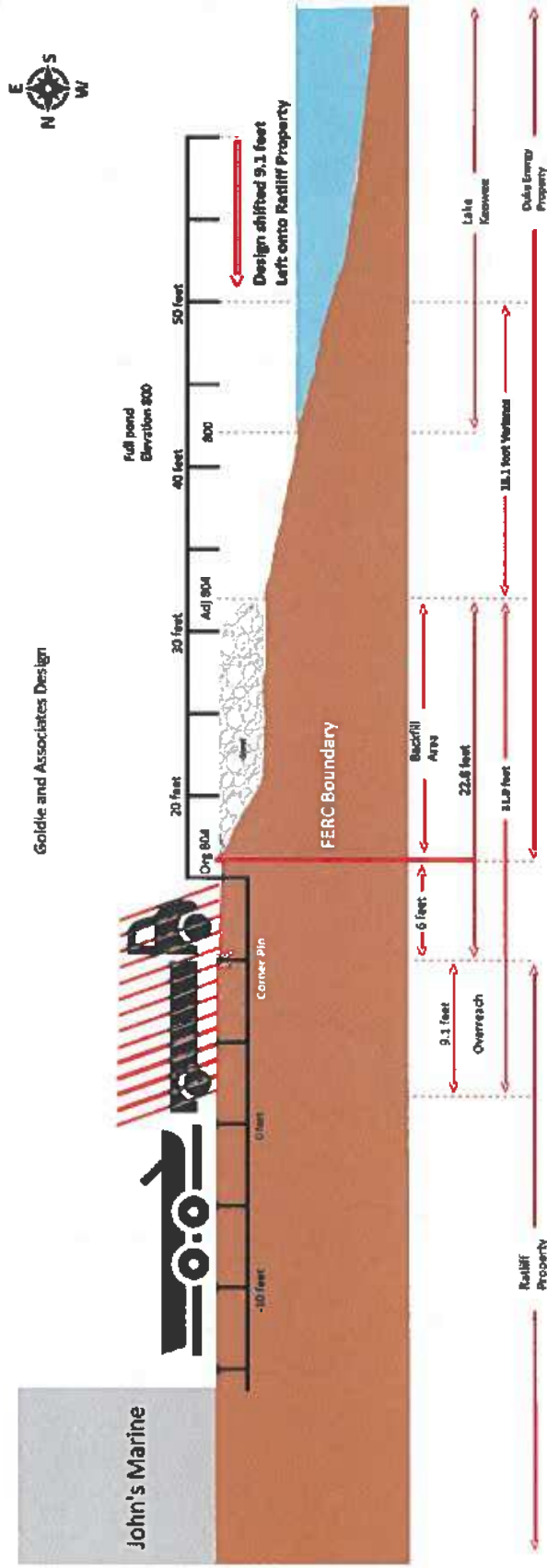
Pic #4: Google street view from 2008.



Attachment 8 (Scale diagram of Ridgewater Engineering design):



Attachment 9 (Scale diagram of Goldie and Associates design):



My name is Lucretia Morgan and I own property on Ellenburg Road. I would like to share a few comments regarding the initial meeting for this variance from November 2021.

Back in November, the applicant and his team presented a lot of information regarding this proposed subdivision. There were many statements made which were inaccurate and misleading.

In the November several people stated the property owner knew what he was purchasing and had access for only 4 homes at the time of purchase. Mr. Mike Johnson, who mentioned that he is a "Planning Commissioner for Oconee County" and "while he was not here representing the Planning Commission or Oconee County", he said he "brings experience with regard to public interests, private property rights and a discussion on these ordinances". Mr. Johnson failed to state he is also a real estate agent of the developer, Mr. Andy Lee. Mr. Johnson stated there are many roads in Oconee County with the required 20' driving surface, but not a 50' ROW. Many subdivisions were mentioned, such as Harbor Oaks, The Summit, Waterside and so on, NONE of these nor any other subdivision have a less than 50' ROW at the entrance. These smaller roads and ROW's do exist, however they are servicing only 2-6 homes within the subdivision, not at the subdivision entrance for 19 homes channeled into a small pinch point.

Mr. Johnson also mentioned the "Private Road Ordinance changed in 2013... and the ordinance amends Chapter 26-2 under Private Road Standards. The ordinance appears to bring private roads up to match private ROW, that 50'. Any conversation about the developer should have known just probably isn't true." Well it is true. While the standard he mentioned didn't go into effect until 2013, the 50' ROW was in existence in the Subdivision and Land Development signed by Oconee County Council on April 4, 2006 which you can find a copy of in the Oconee County Council Meeting Minutes, backup material starting on page 39. I've also provided you with a copy of this (Exhibit 1, 2 and 3). In addition, dating back to 2000, Ordinance 99-14 Oconee County Unified Performance Standards and Land Use Development Regulations, Section 6.7.3 Private Roads – Serving more than 10 homes. It states a private road shall have a minimum right of way easement of 50 feet. So yes, the developer knew what he was purchasing in 2008. In fact, in the County Council Meeting Minutes from August 1, 2000, the property owner, Mr. John Hamrick, attended the meeting and spoke in opposition of proposed subdivision ordinance due to the way the property would have to be divided. The 50' ROW for local and collector residential roads (public or private) was also part of this ordinance. This requirement was not new and predates the 2008 property purchase by at least 8 years.

There was also a question regarding the square footage of the homes being reduced in 2016. When asked during the meeting, the developer denied this. In your packet you will find in exhibit 4 and 5 copies of the 2008 and 2016 deeds. Clearly the minimum home size was changed from 2400 ft² on a two-story home to 2000 ft² on a 1, 1.5 or 2-story home, thus reducing the home size. The basement was also previously excluded as part of the home's square footage. In 2016, the basement was removed from this exclusion. This is not like-kind

to Harbor Oaks. Lot sizes average nearly one acre and homes average nearly 4400 heated square feet.

There was also extensive discussion during the November meeting regarding a 25' ROW the developer was attempting to impose on John's Marine and giving or deeding a 22' section of property to John's Marine. This was very misleading. First of all, there is no existing 25' ROW on this property. The developer proposed adding it which will leave a 2-4" strip of "no man's land". This strip is approximately 22' long and runs parallel to the front of the shop. John's Marine currently owns this piece of property and the developer is not giving him additional room. In fact, the developer has no property to give in front of the shop. They need the Ratliff's and a 25' ROW for the utilities. What they need will only impede the access he currently has in front of his shop.

Nineteen homes are not for only 19 people. There are Amazon, UPS, FedEx and other deliveries. Friends, family, renters also add to the traffic. It's not a thru-road, so every car that goes in, must come out the same way. According to Roads and Bridges this can equate to 200 vehicles per day.

A variance should not be approved based on only profitability. As stated in South Carolina Powers of board of appeals; variances and special exceptions per S.C. Code of Laws Title 6, Chapter 29, 6-29-800 A, SC Local Government Comprehensive Planning Enabling Act of 1994, "The fact that property may be utilized more profitably, if a variance is granted, may not be considered as grounds for a variance. Oconee County Code of Ordinances Section 32-5 also states the same. These are found in Exhibit 6 and 7.

In the applicant's Variance Criteria Overview (exhibit 8), he states that this property is bounded by a body of water and most parcels in the vicinity are not are not bound by the water on both sides. He also states that "due to the unique geography of this parcel, meeting the current road ordinance goes beyond creating an unnecessary hardship and instead creates only impossibility of use". The owner/developer has access to his property. He has the same access as he did at the time of purchase. Nothing has changed, including the 50' ROW for public and private roads. John's Marine has been in the same location since 1982 – for 40 years. The developer states that he is only asking for a variance on the right of way, not the road width. I ask you to consider why the 50' ROW was put in place. The purpose of such regulations is to protect and promote the public health, safety and general welfare of the citizens of Oconee County. This proposal for 19 homes to enter with anything less than the 50 right of way is not upholding these standards.

A G E N D A
OCONEE COUNTY COUNCIL MEETING
TUESDAY, August 1, 2000
7:00 PM
OCONEE COUNTY ADMINISTRATIVE OFFICES
415 SOUTH PINE STREET
WALHALLA, SC

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Public Comment Session (Not to exceed thirty minutes)
5. Second Reading of Ordinance 2000-09, "AN ORDINANCE TO AMEND ORDINANCE 99-14, UNIFIED PERFORMANCE STANDARDS ORDINANCE AND LAND DEVELOPMENT REGULATIONS TO INCLUDE SUBDIVISION AND LAND DEVELOPMENT & VARIANCE PROCEDURE FOR SUBDIVISIONS" – Mr. Tommy Abbott, Chairman, Planning Commission
6. Presentation of Draft Proposal for Fall Creek & Town Creek Landing Parks – Dr. Grant Cunningham
7. Consideration of Approval of Grant Application for Federal Assistance in the Amount of \$2,420,078 for the Airport – Mrs. Melissa Brown, Grants Coordinator
8. Consideration of Approval of FY2000 Solid Waste Bonus Grant Application in the Amount of \$10,000 – Mrs. Melissa Brown, Grants Coordinator
9. Consideration of Approval of Tentative Listing of Surplus Equipment to be Sold at Auction – Ms. Marianne Dillard, Purchasing Agent
10. Consideration of Approval to Dispose of Timber at the Vehicle Maintenance Facility – Ms. Marianne Dillard, Purchasing Agent
11. Consideration of Approval of Change Order for Road Department – Mr. Jon Caime, County Engineer
12. Consideration of Approval of Memorandum of Agreement Between Oconee County & Department of Juvenile Justice

Open Session Period Continued:

Mr. Steve Sokol addressed Council regarding the formation of the Oconee Keowee Alliance, which is opposed to the boat race during Waterfest 2000. Mr. Sokol further informed Council they had received 1200 signatures of people who are opposed to the boat race.

Mr. Steven Ancona spoke in opposition of the proposed subdivision regulations ordinance.

Mr. Warren Carpenter stated he supported the concept of the subdivision regulations ordinance, however, he felt it needed more study. Mr. Carpenter is opposed to the 100 foot set back for septic tanks, he requested the ordinance be sent back to the Planning Commission. (See attached statement)

Mr. Tom Markovich spoke in opposition of the subdivision regulations and requested that Council review it more closely. He also expressed feeling that the ordinance violated the Fifth Amendment and the Twelfth Amendment. (See attached statement)

Mr. John Hamrick also spoke in opposition of the way property would have to be divided under the proposed subdivision regulations.

Mr. Rick Thompson stated that if the ordinance is adopted, zoning in Oconee County will be adopted, he further stated he felt the ordinance should be less restrictive. (See attached statement)

Mr. B. J. Littleton stated he was in support of using the whole block where the courthouse is located for the courthouse. He also asked how many houses would you want to place on a .57 acre tract of land, the houses should not be crowded together, he also stated he felt the setbacks in the ordinance are reasonable.

Ordinance 2000-09:

Mr. Hall made a motion that Ordinance 2000-09, "AN ORDINANCE TO AMEND ORDINANCE 99-14, UNIFIED PERFORMANCE STANDARDS ORDINANCE AND LAND DEVELOPMENT REGULATIONS TO INCLUDE SUBDIVISION AND LAND DEVELOPMENT & VARIANCE PROCEDURE FOR SUBDIVISIONS" be referred to the next Council Meeting when full Council is present. However, this motion died for lack of a second.

Mr. Thomas made a motion, seconded by Mr. Hamilton, approved 2 - 1 (Mr. Hall voting against that Ordinance 2000-09 (titled above) be referred to the Law Enforcement, Safety, Health, Welfare & Services Committee for further study.

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC
COUNCIL MEETING DATE: 4/4/06
COUNCIL MEETING TIME: 3:00 pm

ITEM TITLE OR DESCRIPTION:

Salixville DRB Land Use Ordinance

BACKGROUND OR HISTORY:

Oconee County Road & Transportation Committee recommended significant amendments to the Subdivision & Land Use Ordinance.

SPECIAL CONSIDERATIONS OR CONCERNS:

Changes to the Subdivision & Land Use Ordinance are part of the ordinance of moratorium.

STAFF RECOMMENDATION:

Council adopt ordinance on first reading and refer to Planning Commission.

FINANCIAL IMPACT:

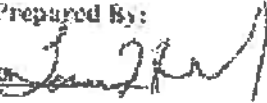
N/A

ATTACHMENTS:

Draft Subdivision & Land Use Ordinance

Submitted or Prepared By:

Toni Hendricks



Approved for Submittal to Council:



Ron H. Rehn, County Administrator

Reviewed by/initials:

_____: County Attorney

_____: Finance

(Revisions 3/24/06)

These revisions are in *bold italics*
(Office of Brad Norton)

Performance Standards, Chapter 6.

6.0 SUBDIVISION AND LAND DEVELOPMENT

6.1 AUTHORITY AND JURISDICTION

6.1.1 Authority

These land development and subdivision regulations are adopted under authority granted by Title VI, Chapter 29 (6-29-1120) et. seq. of the Code of Laws of South Carolina, 1976.

6.1.2 Jurisdiction

a. These regulations shall apply to the development and subdivision of land within the unincorporated areas of Geanee County as now or hereafter established and any incorporated municipality which contracts with the Geanee County Council for these regulations to be administered within such municipality. Regulations contained within this ordinance that apply to the construction and maintenance of roads shall apply to all roads and drainage structures, whether public or private, constructed within any unincorporated area of Geanee County and municipalities contracted with the Geanee County Council for administration of these regulations. Regulations contained within this Ordinance that apply to the construction and maintenance of roads, appertencies or drainage structures shall apply to all public and private roads, drives and driveways in the unincorporated areas of Geanee County; also included shall be all municipalities contracted with the Geanee County Council to administer these regulations. These regulations shall not apply to those roads completed, under construction, or approved by Geanee County prior to adoption of this Ordinance by County Council. In the event that a regulation in this ordinance conflicts with any other county regulation, the more stringent standard shall apply.

6.2 PURPOSE AND SHORT TITLE

6.2.1 Purpose

k. be signed in accordance with adapted T-07 | Addressing regulations.

l. allow at least one hundred (100) feet of sight distance for each ten (10) miles per hour of the posted speed limit where the private drive intersects a public road. The sight distance shall be measured from a seeing height of three and one-half (3.5) feet to an object one foot in height above the grade of the public road. If the proposed drive does not meet the sight distance requirement, a waiver must be signed by the individual(s) constructing the private drive stating that the owner(s) is liable and responsible for any accidents, injuries, problems, and property damage resulting from improper sight distance;

m. meet all applicable storm water management and sediment control regulations.

n. be approved in writing by Planning Commission staff prior to submission of plat(s) to the Registrar of Deeds for recording. The following shall be prominently printed on the plat(s) in all capital letters:

"THE ROAD RIGHT-OF-WAY EASEMENTS SHOWN ON THIS PLAT SHALL BE PRIVATE DRIVES NOT OWNED, MAINTAINED OR SUPERVISED BY OCONEE COUNTY, AND WERE NOT CONSTRUCTED PURSUANT TO ANY PLAN FOR FUTURE ACCEPTANCE BY OCONEE COUNTY. ROAD RIGHT-OF-WAY EASEMENTS SHOWN UPON THE PLAT SHALL NOT BE ACCEPTED FOR MAINTENANCE BY OCONEE COUNTY AT ANY TIME IN THE FUTURE, UNLESS CONSTRUCTED IN ACCORDNANCE WITH ADOPTED OCONEE COUNTY SUBDIVISION REGULATIONS."

o. Comply with the State Manual for Uniform Traffic Control Devices.

6.2.3 Private Roads - Private roads shall provide vehicular access and road frontage to developments, or sections of developments, containing more than ten (10) single-family residential lots. All private, non-dedicated roads shall be prominently indicated as such on plats prior to subdivision approval. Maintenance arrangements for such roads must be noted in writing on subdivision plat submittals and must be subsequently recorded. The development served by a private road shall have direct access into a public road, and no such private road shall be laid out so as to serve property outside the development. All private roads shall:

a. serve a minimum of eleven (11) lots;

h. Have a minimum right-of-way easement width of 100 (100) feet.

a. have a minimum road coverage requirement of thirty (30) feet for all lots;

d. be constructed in accordance with the regulations set forth in section 6.8 of these regulations.

e. be maintained by an individual, association of property owners, or active Home Owner's Association as recorded in appropriate deed covenants and restrictions.

f. be legally verified for compliance by a surveyor/engineer licensed by the State of South Carolina.

g. be named in accordance with adopted E-9: Addressing regulations.

h. meet all storm water management and sediment control regulations.

i. be properly approved in writing by Planning Director prior to submission of plat(s) to the Register of Deeds for recording. The following shall be prominently printed on the plat(s) in all capital letters:

"THE ROAD RIGHT-OF-WAY EASEMENTS SHOWN ON THIS PLAT SHALL BE PRIVATE ROADS, NOT OWNED, MAINTAINED OR SUPERVISED BY OCONEE COUNTY AND NOT CONSTRUCTED PURSUANT TO ANY PLAN FOR FUTURE ACCEPTANCE BY OCONEE COUNTY. ROAD RIGHT-OF-WAY EASEMENTS SHOWN UPON THE PLAT SHALL NOT BE ACCEPTED FOR MAINTENANCE BY OCONEE COUNTY AT ANY TIME IN THE FUTURE UNLESS CONSTRUCTED IN ACCORDANCE WITH THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE."

l. Comply with the State Manual for Uniform Traffic Control Devices.

With the exception of the requirements put forth in this section, all private roads shall meet the requirements of Section 6.8 Public Roads of the Subdivision and Land Development Ordinance.

Minutes, Oconee County Council Meeting

April 4, 2006

Ordinance 2006-11:

Mr. Lyles made a motion, seconded by Mr. Crumpton, approved 5 – 0 that Ordinance 2006-11, "AN ORDINANCE REGULATING THE USE OF COUNTY ROADS" be adopted on first reading.

Ordinance 2006-12:

Mr. Rinehart made a motion, seconded by Mr. Lyles, approved 5 – 0 that Ordinance 2006-12, "AN ORDINANCE AMENDING SECTION 6: SUBDIVISION & LAND USE DEVELOPMENT OF ORDINANCE 99-14, OCONEE COUNTY UNIFIED PERFORMANCE STANDARDS AND LAND USE DEVELOPMENT REGULATIONS AS ADOPTED BY ORDINANCES 2001-04, 2002-05 & 2004-14" be adopted on first reading.

Ordinance 2006-07:

Mr. Moore made a motion, seconded by Mr. Crumpton, approved 5 – 0 that Ordinance 2006-07, "AN ORDINANCE IMPOSING A SIX MONTH MORATORIUM ON THE APPROVAL OF SITE PLANS AND/OR BUILDING PERMITS FOR ANY CONSTRUCTION PROJECT WITHIN ONE THOUSAND (1,000') OF LAKES THAT ARE WITHIN OR ADJACENT TO OCONEE COUNTY UNLESS SAID PROJECT INCLUDES A TWENTY-FIVE (25') FOOT RIPARIAN BUFFER AND A SIX MONTH MORATORIUM ON THE APPROVAL OF SITE PLANS AND/OR BUILDING PERMITS FOR ANY SUBDIVISION AS DEFINED IN THIS ORDINANCE THAT WILL RESULT IN THE NEED TO UPGRADE A COUNTY ROAD IN ACCORDANCE WITH THIS ORDINANCE" be adopted on second reading.

Ordinance 2007-09

Mr. Crumpton made a motion, seconded by Mr. Rinehart, approved 5 – 0 that Ordinance 2007-09, "AN ORDINANCE REGULATING FALSE FIRE ALARMS TO WHICH OCONEE COUNTY RURAL FIRE DEPARTMENTS RESPOND" be adopted on first reading.

Auction Listing:

Mr. Crumpton made a motion, seconded by Mr. Moore, approved 5 – 0 that the attached listing of surplus properties be adopted and a date of May 6, 2006 be established for the auction.

Oconee County Planning Commission

415 S. Pine St. • Walhalla, South Carolina 29691
Phone (864) 638-4218 • Fax (864) 638-7046

3



Memorandum 42-00

May 23, 2000

To: Oconee County Council

From: Planning Commission *[Signature]*

Subject: Performance Standards Ordinance

Please find attached the following:

- 1. An amendment to the Performance Standards Ordinance.
- 2. The proposed Chapter 2 of the Performance Standards Ordinance.

The amendment will allow a variance procedure for the proposed chapter 2. The original ordinance allowed a variance for all chapters except chapter 2. This language will correct that omission.

The proposed chapter 2, Subdivision and Land Development has been reviewed and approved by the Planning Commission. Some parts of the chapter are contentious and council members will hear from some disgruntled developers. The chapter will solve many of the ongoing problems created by development.

Cc: Harrison Orr
Planning Commission w/enc1

**ATTACHMENT 1- PROPOSED AMENDMENT TO THE
PERFORMANCE STANDARDS ORDINANCE**

New section to 1.4.1 (h)

(h) Variance- to hear and decide requests for variance from the requirements of Chapter 2, of the Performance Standards Ordinance concerning the standards for the subdivision and land development, when strict application of the provisions of the ordinance would result in unnecessary hardship. Variances shall be decided by the Planning Commission pursuant to *Section 1.5.5.3* of this ordinance, *General Criteria for Granting a Variance*.

Performance Standards, Chapter 2.

2.0 SUBDIVISION AND LAND DEVELOPMENT

2.1 AUTHORITY AND JURISDICTION

2.1.1 Authority

These land development and subdivision regulations are adopted under authority granted by Title VI, Chapter 29 (6-29-1120) et. seq., of the Code of Laws of South Carolina, 1976.

2.1.2 Jurisdiction

These regulations shall apply to the development and subdivision of land within the unincorporated areas of Oconee County as now or hereafter established and any incorporated municipality which contracts with the Oconee County Council for these regulations to be administered within such municipality. Regulations are also contained herein which shall apply to the construction and maintenance of all roads whether or not they are part of subdivision development.

2.2 PURPOSE AND SHORT TITLE

2.2.1 Purpose

The purpose of this ordinance is to protect and promote the public health, safety and general welfare of the citizens of Oconee County, South Carolina, providing for the harmonious, progressive, and orderly development of land. These regulations are established for the following specific purposes, among others, as provided for in the South Carolina Local Government Comprehensive Planning Enabling Act Of 1994 (Section 6-29-1120 of the Code of Laws of South Carolina, 1976, et seq.):

- (1) to encourage the development of an economically sound and stable county;
- (2) to assure the timely provision of required streets, utilities, and other facilities and services to new land developments;
- (3) to assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments;

remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. In addition, the permit-issuing authority may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles. Notwithstanding the other provisions of this subsection, no temporary dead-end street in excess of one thousand (1,000) feet may be created unless no other practicable alternative is available.

- 2.7.3 Private Roads** - All private, non-dedicated roads must be indicated as such prior to subdivision approval. Maintenance arrangements for such roads must be stated in writing on subdivision plat submittals. The development shall have direct access into a public road and no such private road may be laid out so as to serve property outside the development. Each private road must be indicated as such on all plats and deeds.
- 2.7.4 Road Names** - A proposed road which is obviously in alignment with or an extension of an existing named road shall bear the name of the existing road. Except for the above, in no case shall the name of a proposed road duplicate or be phonetically similar to an existing road name, irrespective of the use of suffix (road, avenue, boulevard, drive, place, court, lane, etc.). It shall be unlawful for any person in laying out any new road to name such road on any final plat or in any deed or instrument, without first obtaining the approval of the Oconee E-911 Addressing Office and the Planning Commission.
- 2.7.5 Local Roads** - Local roads shall be so laid out that their use by through traffic will be discouraged.
- 2.7.6 Residential Buffers for Major Roads** - Where a subdivision abuts or contains an existing or proposed collector or arterial road, the Planning Commission may require that lots which abut or are adjacent to the major road shall face a minor interior access road. Other treatment may also be required, as necessary, for adequate protection of residential properties and for separation of through and local traffic. Special treatment may be required, such as screen planting contained in a non-access reservation along the rear property line adjacent to the major road.
- * **2.7.7 Road Design (Geometric Criteria)** - In general, geometric criteria for road design shall be in accordance with standards of the South Carolina Department of Transportation (SCDOT). Said standards are those contained in the latest edition of "A Policy on Geometric Design of Highways and Streets" by the American Association of State Highway and Transportation Officials". Local and collector residential roads (public or private) shall be designed in accordance with the following standards.
- a. **Minimum right-of-way and pavement width shall be as follows:**

<u>Road Type</u>	<u>Right-of-Way</u>	<u>Pavement</u>
Local (closed drainage)	50'	22'
Local (open drainage)	50'	22'
Collector	50'	24'

For high density residential or nonresidential subdivisions or portions thereof, additional right-of-way or pavement width shall be provided when determined as necessary by the Planning Commission or County Supervisor.

- b. Cul-de-sacs shall not exceed one thousand (1000) feet in length, except where unusual topographic or other physical conditions dictate otherwise, and shall have a turnaround with a minimum diameter of seventy (70) feet to pavement edge and a minimum diameter of one hundred (100) feet to the right-of-way line. Dead-end streets without turnarounds are prohibited.
- c. Horizontal curvature shall be introduced at any change in road direction, and the minimum centerline radius shall be one hundred fifty (150) feet for local roads and two hundred fifty (250) feet for collector roads. Arterial road curvature shall be in accordance with State Highway Department standards. Minimum tangent between reverse curves shall be one hundred (100) feet for local roads, and sixty (60) feet from curve to any intersecting road.
- d. Stopping sight distance on vertical curves shall be at least one hundred fifty (150) feet (25 mph design speed) for local roads and three hundred twenty five (325) feet (45 mph design speed) for collector roads. If a collector road may reasonably be expected to serve more than one subdivision, it shall be designed for at least a fifty five (55) mph design speed (450' minimum sight distances). Minimum sight distance at intersections shall be established by provision of a clear sight triangle right of way measured at least twenty five (25) feet from the intersection of the road right-of-way in either direction which triangle shall be entered upon the final plat prior to recording. Modifications may be required by the County Engineer in order to insure safety.
- e. Roads shall be designed to intersect as nearly as possible at right angles but no less than seventy five (75) degrees. Minimum radius of curb or pavement edge at intersections shall be at least twenty (20) feet at intersections with local roads and twenty five (25) feet at intersections with collector roads.

EXHIBIT B**GENERAL DEED RESTRICTIONS**FILED FOR RECORD
OCONEE COUNTY, S.C.
REGISTER OF DEEDS
2008 DEC -8 A 8 49.

THE PROPERTY SHALL BE CONVEYED SUBJECT TO THE FOLLOWING RESTRICTIONS, WHICH SHALL ENCUMBER THE PROPERTY AND SHALL RUN WITH TITLE TO THE PROPERTY.

1. **Definition of "Property" and "Lot".** As used herein, (i) "Property" means all of the property conveyed by Grantor to Grantee pursuant to this deed; and (ii) "Lot" means any portion of the Property that constitutes a legally established separate lot or parcel of land (whether created by the recordation of a subdivision plat or otherwise), as such lots or parcels of land may exist from time to time (collectively, "Lots"). If the Property consists of only one lot or parcel of land, then the term "Property" is synonymous with the term "Lot." If the Property consists of two or more lots or parcels of land, whether such lots or parcels exist on the date the Property is conveyed to Grantee or are later created by subdivision of the Property or other legal means, then each of those lots or parcels is a "Lot" for the purposes of these Restrictions.

2. **Single Family Use.** The Property shall be used only for detached, single-family residence purposes, together with the accessory buildings and structures permitted pursuant to Section 6 below. No more than one detached single-family residential dwelling may be constructed on any Lot. No condominium, townhouse, duplex, apartment or other multi-family residential uses are permitted on the Property. Further, no camper, trailer, motor home, boat (including, without limitation, any boat docked adjacent to the Property), recreational vehicle or similar habitable or transportable unit or structure shall be allowed to remain on or adjacent to the Property as a place of residence. The single-family residence restrictions set forth above shall not prohibit the construction of pools, tennis courts or other recreational facilities or amenities such as are commonly constructed and maintained for the benefit of lot owners within planned unit developments; provided that such recreational facilities or amenities shall be solely for the common use of the owners of one or more Lots and, provided further, that no such recreational facilities may be located within any Buffer Area (defined below).

3. **Restricted Activities.** The following activities are prohibited on the Property:
- (a) Raising, breeding, or keeping of animals, livestock or poultry of any kind, except that dogs, cats or other usual and common household pets (which are registered, licensed and inoculated as required by law) may be permitted on the Property;
 - (b) Any activity which violates local, state, or federal laws or regulations;
 - (c) Institutional uses, including, but not limited to, group homes, day care centers, churches, temples or shrines, rest homes, schools, medical care facilities, lodges, inns and beds and breakfasts; and

4

- (d) Any business or trade, except that an owner or occupant residing on a Lot may conduct business activities within a dwelling on that Lot so long as: (i) the existence or operation of the business activity is not apparent or detectable by sight, sound or smell from outside the dwelling unit; (ii) the business activity conforms to all zoning requirements for the Lot; (iii) the business activity does not involve regular visitation of the Lot by clients, customers, suppliers or other business invitees; (iv) the business activity does not involve any service or delivery business in which more than one vehicle used in such business would be parked overnight on a Lot, or for which any parts, equipment supplies, raw materials, components or tools are stored on a Lot; and (v) the business activity is consistent with the residential character of the Property and does not constitute an unreasonable disturbance to adjoining land owners or others, a nuisance or a hazardous or offensive use. The foregoing shall not preclude occasional garage sales, moving sales, rummage sales or similar activities provided that such activities are not held on the same Lot more than once in any six-month period. The terms "business" and "trade," as used in this provision, shall be construed to have their ordinary, generally accepted meanings and shall include, without limitation, any occupation, work or activity undertaken on an ongoing basis which involves the provision of goods or services to persons other than the provider's family and for which the provider receives a fee, compensation or other form of consideration, regardless of whether: (i) such activity is engaged in full or part-time, (ii) such activity is intended to or does generate a profit, or (iii) a license is required. The leasing of a Lot for single-family residential use shall not be considered a business or trade within the meaning of this subsection.

4. Prohibited Conditions. None of the following structures or improvements may be located upon the Property:

- (a) Structures, equipment or other items which are visible from any road or adjacent property which have become rusty, dilapidated or otherwise fallen into disrepair;
- (b) Towers, antennas or other apparatus for the transmission or reception of television, radio, satellite or other signals of any kind which are located outside of the dwelling on a Lot other than (i) a customary antenna, which shall not extend more than ten feet above the top roof ridge of the dwelling; and (ii) a satellite disc or dish no larger than 18 inches in diameter;
- (c) Any freestanding transmission or receiving towers or any non-standard television antennae; and
- (d) Chain-link fences.

4

5. Quality Craftsmanship/Dwelling Size. All buildings and outbuildings erected upon the Property shall be built on site of new materials of good grade, quality and appearance and shall be constructed in a good and workmanlike manner, conforming to all applicable building codes. Further, all dwellings must meet the following construction requirements:

- (a) If the dwelling is located on a Waterfront Lot (a "Waterfront Lot" is a lot, any portion of which is located within 100 feet (measured horizontally regardless of the actual ground measurement which may vary based upon the topography) of the Common Boundary Line (defined in Section 8 below)), then: (i) one story dwellings shall not contain less than 2,000 square feet of Heated Living Area (defined below); (ii) one and a half story dwellings shall not contain less than 2,200-square feet of Heated Living Area; and (iii) two (or more) story dwellings shall not contain less than 2,400 square feet of Heated Living Area;
- (b) If the dwelling is not located on a Waterfront Lot, then: (i) one story dwellings shall not contain less than 1,600 square feet of Heated Living Area; (ii) one and a half story dwellings shall not contain less than 1,800 square feet of Heated Living Area; and (iii) two (or more) story dwellings shall not contain less than 2,000 square feet of Heated Living Area;
- (c) All dwellings and accessory structures shall be completely supported with solid brick, brick or stone covered block, or stucco covered foundation;
- (d) Roofs shall have not less than a 6 in 12 inch pitch, and not less than a 12 inch overhang, and shall be covered with asphalt or fiberglass shingles, terra cotta tile, real or man-made slate, copper sheathing or wood shingles or pre-painted metal roofing;
- (e) The exterior surfaces of all dwellings and accessory structures shall be covered only with brick, stone, hard stucco (synthetic stucco is not permitted), wood, or siding consisting of wood, composite or vinyl material; provided, that any horizontal siding must be completely supported to maintain a straight and even outer surface and must be fully and properly finished; and
- (f) Exteriors of all dwellings and accessory structures must be completed within one year after the commencement of construction, and a certificate of occupancy issued within two years after commencement of construction.

As used herein, "Heated Living Area" excludes basement areas (defined as any level in which at least one perimeter wall is below, or partially below, grade), unless such basement areas have two or more perimeter walls above surrounding grade, and such basement areas are fully heated and air-conditioned and constructed to a quality equal to the above grade levels of the dwelling. In addition, Heated Living Area excludes vaulted ceilings areas, attics, unheated porches, attached or detached garages, porte-cocheres and unheated storage areas, decks and patios. The term "story" shall mean a finished horizontal division of Heated Living Area extending from the floor of such division to the ceiling above it. The term "half story" shall mean a story which

5

FILED OCONEE COUNTY, SC
ANNA K. DAVISON
REGISTER OF DEEDS

Doc ID: 004726000005 Type: DEE
BK 2171 PG 252-256

2015 MAR 29 A 8 53

11⁰⁰
mg
010924

Prepared by and Return to:
Parker Poe Adams & Bernstein LLP (BMM)
Three Wells Fargo Center, Suite 3000
401 South Tryon Street
Charlotte, North Carolina 28202-1935
(S-Tract 7114.02)

AMENDMENT TO GENERAL DEED RESTRICTIONS

THIS AMENDMENT TO GENERAL DEED RESTRICTIONS ("Amendment") is made ~~November~~ ^{December} 10th, 2015 ("Effective Date"), by **CRESCENT COMMUNITIES S.C., LLC**, a Delaware limited liability company ("Crescent"), and **FARMES**, a South Carolina limited partnership, and **GLOBE**, a South Carolina limited partnership ("Farmes and Globe").

A. Pursuant to a deed recorded December 8, 2008, in Deed Book 1695, Page 87 ("Original Deed") in the Office of the Register of Deeds of Oconee County, South Carolina ("Registry"), Crescent conveyed to Farmes and Globe 15.37 acres of land located in Keowee Whitewater Township, Oconee County, South Carolina, and being shown on Plat recorded in Plat Book B291, Page 1 in the Registry ("Property").

B. Pursuant to the terms of the Original Deed, the Property was made subject to the General Deed Restrictions attached as Exhibit B to the Original Deed ("Restrictions").

C. Pursuant to Section 12 of the Restrictions, Crescent reserved the right to amend the Restrictions.

D. Crescent and Farmes and Globe desire to amend the Restrictions.

E. Any capitalized term not defined herein shall have the meaning assigned to such term in the Restrictions.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Quality Craftsmanship/Dwelling Size.**

(a) Section 5(a) of the Restrictions is hereby deleted in its entirety and is replaced with the following:

"If the dwelling is located on a Waterfront Lot (a "Waterfront Lot" is a lot, any portion of which is located within 100 feet (measured horizontally regardless of the actual ground

5

measurement which may vary based upon the topography) of the Common Boundary Line (defined in Section 8 below), then the dwelling shall not contain less than 2,000 square feet of Heated Living Area (defined below);"

(b) The last paragraph of Section 5 is hereby deleted in its entirety and is replaced with the following:

"As used herein, "Heated Living Area" excludes vaulted ceiling areas, attics, unheated porches, attached or detached garages, porte-cocheres and unheated storage areas, decks and patios. The term "story" shall mean a finished horizontal division of Heated Living Area extending from the floor of such division to the ceiling above it. The term "half story" shall mean a story which contains 50 percent or less Heated Living Area than the story in the house containing the most Heated Living Area."

2. **Warranty of Title.** Farnes and Globe represent and warrant that Farnes and Globe are seized of the Property in fee simple and have the unlimited right, without the consent of any third party, to amend the Restrictions with respect to the Property as set forth herein.

3. **Release and Indemnification of Crescent.** Farnes and Globe and their successors and assigns in interest to the Property: (i) release Crescent and Crescent's members, managers, employees, officers, agents and representatives from any loss, cost, damage or claim arising out of this Amendment or the exercise or non-exercise of Crescent's rights set forth in the Restrictions (including the Restrictions as modified by this Amendment), and (ii) acknowledge that third parties may have a right to enforce the Restrictions and that Crescent does not represent or warrant that this Amendment shall be binding on those third parties. Farnes' and Globe's successors and assigns, shall indemnify and hold harmless Crescent and its members, managers, employees, officers, agents and representatives from and against any loss, cost, damage or claim arising out of this Amendment, or a breach of the representations and warranties in Section 2 of this Amendment, or the enforcement or non-enforcement by Crescent or any other person or entity of any of the Restrictions (including the Restrictions as modified by this Amendment).

4. **Full Force and Effect.** The Restrictions shall remain in full force and effect as amended hereby. To the extent that any of the terms of the Restrictions conflict with this Amendment, the terms of this Amendment shall control.

IN WITNESS WHEREOF, the undersigned parties have executed this Amendment as of the date set forth above.

5

Signed, Sealed and Delivered in the Presence of:

CRESCENT COMMUNITIES S.C., LLC
a Delaware limited liability company

Dalitha Monk
Print Name: Tabitha Monk
Witness #1

By: Crescent Communities, LLC,
a Georgia limited liability company,
its Manager

Melanie Childers Conrade
Print Name: Melanie Childers Conrade
Witness #2

By: Henry S. Higgins, III
Henry S. Higgins, III
Vice-President, Land Management
Division

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

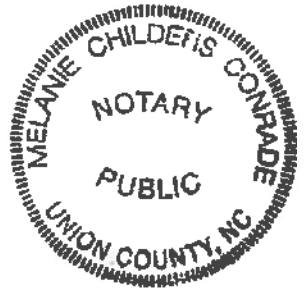
Personally appeared before me the undersigned witness who being duly sworn deposes and says that he/she saw the within named Henry S. Higgins, III, Vice-President, Land Management Division of CRESCENT COMMUNITIES, LLC, a Georgia limited liability company, Manager of CRESCENT COMMUNITIES, S.C., LLC a Delaware limited company, sign, and as its act and deed deliver the foregoing instrument for the uses and purposes therein mentioned, and that he/she, together with Melanie Childers Conrade (witness #2), the other witness subscribed above, witnessed the execution thereof.

Dalitha Monk
(Witness #1 sign here)

Sworn to and subscribed before
me this the 10th day of
December, 2015.

Melanie Childers Conrade
Notary Public
Notary Public for Union County, North Carolina
My Commission Expires: June 6, 2017

[NOTARIAL STAMP-SEAL]





- (a) *Authority to establish.* The county zoning board of appeals shall be established and shall be referred to as "the board," as defined in S.C. Code 1976, § 6-29-780 et seq.
- (b) *Membership.* The board shall consist of seven members, a majority of which shall constitute a quorum. Members shall be appointed by the county council, and shall serve overlapping terms of three years, except that original appointees shall serve for staggered terms. Members whose terms have expired shall continue serving until a successor has been appointed by the county council. Members may serve an unlimited number of consecutive terms. A vacancy in membership shall be filled for the unexpired term in the same manner in which the original appointment was made. The county council shall have the authority to remove any member of the board for cause or for violating any of the bylaws, as adopted by the board. The county council shall have the authority to approve a budget for the board and to appropriate funds for the board's activities. Members shall serve without compensation, unless authorized by the county council. No board member shall hold any other public office or position in the county or a municipality in the county.
- (c) *Initial appointments.* Upon concluding the appointment of the initial seven members of the board, members shall determine terms through a random drawing, with two members to have a term of one year, two members to have a term of two years, and three members to have a term of three years.
- (d) *Organization.* The board shall elect one of its members as chair, who shall serve for one year or until reelected or until a successor is elected and qualified. The board shall appoint a secretary who may be an employee of the county or who may be a member of the board. The board shall adopt rules of procedures to be contained in bylaws. Meetings shall be held at the call of the chair. Public notice of meetings shall be provided by publication in a newspaper of general circulation in the county. The chair may administer oaths and compel the attendance of witnesses by subpoena. The board shall keep minutes of its proceedings, showing the vote of each question.
- (e) *Public meetings and public records.* All meetings of the board shall be open to the public, unless an executive session is declared to receive advice from legal counsel. All meeting minutes shall be public records and shall be available for inspection at the office of the designated administration official during regular office hours of the county government.

State Law reference— Similar provisions, S.C. Code 1976, §§ 6-29-780, 6-29-790.

(f) *Powers; variances; special exceptions.*

(1) The board of appeals has the following powers:

- a. Appeals: to hear and decide appeals (excepting actions involving the subdivision of land) where it is alleged that there is error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the performance standards ordinance;
- b. Special exception: to permit uses by special exception subject to the terms and conditions for the uses set forth for such uses in the performance standards ordinance;
- c. Variance: to hear and decide requests for variance from the requirements of the performance standards ordinance when strict application of the provisions of such ordinance would result in unnecessary hardship.

(2) *General criteria for granting a special exception.* The board shall grant a special exception only if it finds adequate evidence that any proposed development will meet all of the following general requirements as well as any specific requirements and standards listed for the proposed use. The board shall among other things require that any proposed use and location be:

- a. In accordance with the comprehensive plan and is consistent with the spirit, purposes, and the intent and specific requirements of this chapter;
- b. In the best interests of the county, the convenience of the community and the public welfare;
- c. Suitable for the property in question, and designed, constructed, operated, and maintained so as to be in harmony with and appropriate in appearance to the existing or intended character of the general vicinity;
- d. Suitable in terms of effects on highway traffic, parking and safety with adequate access arrangements to protect streets from undue congestion and hazard;

The developer shall have the burden of providing evidence to the county of compliance with the general requirements of this chapter and the specific requirements of the applicable section. The board may impose whatever reasonable conditions it deems necessary to ensure that any proposed development will secure substantially the objectives in this chapter.

(3) *General criteria for granting a variance.* A variance may be granted in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
- b. These conditions do not generally apply to other property in the vicinity.
- c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or

unreasonably restrict the utilization of the property.

- d. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
 1. The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted or to extend physically a nonconforming use of land. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.
 2. In granting a variance, the board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area, or to promote the public health, safety, or general welfare.
- (Ord. No. 1999-14, S 1.5, 4-4-2000)

Cross reference— Boards, commissions and committees, § 2-241 et seq.

State Law reference— Similar provisions, S.C. Code 1976, § 6-29-800.

SECTION 6-29-700. Board of zoning appeals; membership; terms of office; vacancies; compensation.

(A) As a part of the administrative mechanism designed to enforce the zoning ordinance, the zoning ordinance may provide for the creation of a board to be known as the board of zoning appeals. Local governing bodies with a joint planning commission and adopting a common zoning ordinance may create a board to be known as the board of appeals. All of these boards are referred to as the board.

(B) The board consists of not less than three nor more than nine members, a majority of which constitutes a quorum, appointed by the governing authority or authorities of the area served. The members shall serve for overlapping terms of not less than three nor more than five years or after that time until their successors are appointed. A vacancy in the membership must be filled for the unexpired term in the same manner as the initial appointment. The governing authority or authorities creating the board of zoning appeals may remove any member of the board for cause. The appointing authorities shall determine the amount of compensation, if any, to be paid to the members of a board of zoning appeals. None of the members shall hold any other public office or position in the municipality or county.

HISTORY: 1994 Act No. 355, Section 1.

SECTION 6-29-790. Board of zoning appeals; officers; rules; meetings; notice; records.

The board shall elect one of its members chairman, who shall serve for one year or until he is re-elected or his successor is elected and qualified. The board shall appoint a secretary who may be an officer of the governing authority or of the zoning board. The board shall adopt rules of procedure in accordance with the provisions of an ordinance adopted pursuant to this chapter. Meetings of the board must be held at the call of the chairman and at such other times as the board may determine. Public notice of all meetings of the board of appeals shall be provided by publication in a newspaper of general circulation in the municipality or county. In cases involving variances or special exceptions conspicuous notice shall be posted on or adjacent to the property affected, with at least one such notice being visible from each public thoroughfare that abuts the property. The chairman or, in his or her absence, the acting chairman, may administer oaths and compel the attendance of witnesses by subpoena. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which must be immediately filed in the office of the board and must be a public record.

HISTORY: 1994 Act No. 355, Section 1.

SECTION 6-29-800. Powers of board of appeals; variances; special exceptions; remand; stay; hearing; decisions and orders.

(A) The board of appeals has the following powers:

- (1) to hear and decide appeals where it is alleged there is error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning ordinance;
- (2) to hear and decide appeals for variances from the requirements of the zoning ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:
 - (a) there are extraordinary and exceptional conditions pertaining to the particular piece of property;
 - (b) these conditions do not generally apply to other property in the vicinity;
 - (c) because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
 - (d) the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

(I) The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance. Other requirements may be prescribed by the zoning ordinance.

A local governing body by ordinance may permit or preclude the granting of a variance for a use of land, a building, or a structure that is prohibited in a given district.



Variance Criteria Overview

General criteria for granting a variance. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:

- a) *There are extraordinary and exceptional conditions pertaining to a particular piece of property.*

The parcel itself is a peninsula, it's bounded by water on all sides with exception of the center of the county road as a boundary. The peninsula is narrow in a small portion of the parcel and is unique in that the property line is the center of the road and does not have it's own right of way. There is only access easement to the parcel. These conditions are extraordinary and exceptional because of the limitations created by geography and topography within this parcel. The way a parcel of land lays, the geography, the topography are all acceptable reasons for granting a variance.

- b) *These conditions do not generally apply to other property in the vicinity.*

In the geographic vicinity of this piece of property most roads have a 50 foot right of way because they are not geographically constrained. This property is bounded by a body of water. Most parcels in the vicinity are not bound by the water on both sides. Because of the unique geography of this parcel, meeting the **current road ordinance goes beyond creating an unnecessary hardship and instead creates only impossibility of use.** This impossibility creates a scenario which meets the criteria for granting a variance.



James Coley

From: Andrew Holliday <andrewkentholliday@gmail.com>
Sent: Monday, April 25, 2022 12:43 PM
To: James Coley
Subject: Ellenburg Road - Ratliff

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Mr. Coley,

I have attached the message below for the BZA meeting tonight. I thought I would be able to attend but now am unable to do so. It is my hope that you will present it to the Board.

Board Representatives,

I write to you as I am unable to attend tonight's meeting. I would ask that you approve the variance request #VA 21-011 as requested by Ridgewater Engineering based on the plain text of Oconee County Code of Ordinances Section 38-7.1.

While you are obligated to balance many factors I do not see this decision as a difficult one. The first three questions you must consider seem to me to be very straightforward and should be easy yes votes.

The property is clearly extraordinary, unusual, and unique in that it has an incredibly narrow isthmus. The size of this isthmus is why this variance request is presently before you. Due to the unique and exceptional conditions pertaining to the narrowness of this isthmus, these conditions do not generally apply to other properties in the area. Few similar properties exist around the circumference of Lake Keowee but to the extent similar properties do exist, they are developed and have homes built on them. Because of the narrowness of the isthmus, the developer is unable to provide the County with the required fifty foot right of way for the entrance of the neighborhood. The County's present regulations do effectively prohibit and unreasonably restrict the use of the property. Without a variance, the property owner will be prohibited from the reasonable development and utilization of their property.

The fourth question you must answer is more difficult but that is mostly due to the ridiculous amount of misunderstandings, rumors, and outright lies being told about this variance request. The most dangerous untruth being told with regard to this variance request is that this developer is decreasing the size of the current road and seizing property from Mr. Ratliff. You and the developer do not have the authority to seize Mr. Ratliff's property for this purpose nor would the road size be decreased. The size of the proposed road is clearly shown on Page 7 the backup material provided for this meeting as Graphic 4 which shows the proposed paving/repaving. This graphic clearly shows the asphalt area will at least double in size and provide Mr. Ratliff access to the concrete pad serving his business effectively doubling the size of the paved area. These drawings do not show that Mr. Ratliff will be "cut off" as has been asserted. The doubling of paved surfaces adjacent to his business does not sound like a substantial detriment to Mr. Ratliff or a substantial detriment to the operations of his business. It has been claimed that the granting of this variance will prevent trucks from reaching Mr. Ratliff and prevent him from putting boats into or pulling boats out of the lake. Both of these claims can not be true if graphic 4 is accurate. There have also been claims that dangerous conditions will be present on the road if this variance is granted. If the paved area near Mr. Ratliff's property is doubled presumably any safety concerns would be reduced. Mr. Ratliff's claims regarding safety ring especially hollow when considering that his business is the cause of large trucks to be traversing Ellenburg Road in the first place.

I am not aware of any substantial arguments relating to detriments to the public good made by Mr. Ratliff or others but to the extent they assert such, I would disagree. Mr. Ratliff's opposition to this variance seem personal and pecuniary and not focused on the public good. My opinion is that he is seeking to extort this developer and I think he expects to be paid off to drop his opposition to this developer. I also believe it is clear that the character of the district will not be harmed by the granting of this variance. If the variance is granted, the proposed subdivision will be similar in character to the vast majority of the surrounding district. The only outlier in this area is the commercial operation run by Mr. Ratliff.

Most importantly, the ownership of the road and the easements or lack thereof is immaterial to your decision. You do not have the authority to determine the ownership of the road nor should you. That belongs squarely in the purview of the Circuit Court in the event Mr. Ratliff sees fit to bring such a case. In my opinion he would lose such a case due to an easement by necessity clearly existing through his property but that point truly is irrelevant to you decision making.

Lastly, I hope you will fairly consider these four factors alone and disregard the numerous red herrings and misrepresentations that have been presented to you. The location of the road in relation to the 804 line is immaterial to this variance since the county regulation in question (the imposition of a requirement for a fifty foot right of way) has nothing to do with the 804 line and only Duke Energy is the only entity that could object to use of land below the 804 line. Likewise, the ownership of the road is immaterial as the variance only applies to the developer's property and as previously covered this developer can not seize Mr. Ratliff's property. A private agreement between the developer and Mr. Ratliff is also immaterial because they are unable to grant themselves an exception from County regulations as only you have that power. You are only considering a variance and not the merit of the proposed development. A variance is merely an exception to a rule and I believe this situation clearly warrants an exception to the County's requirement for a fifty foot right of way.

Thanks,

Andrew Holliday

James Coley

From: James Coley
Sent: Monday, April 25, 2022 4:54 PM
To: Vivian Kompier
Subject: FW: Developers generally think they can buy there way through life taking advantage of good people.

From: Jennifer C. Adams
Sent: Monday, April 25, 2022 4:42 PM
To: James Coley <jcoley@oconeesc.com>
Subject: FW: Developers generally think they can buy there way through life taking advantage of good people.

And this one as well.....

Jennifer C. Adams
Oconee County Clerk to Council
P: 864-718-1023
jennifercadams@oconeesc.com
415 South Pine Street
Walhalla, SC 29691

CONFIDENTIALITY NOTICE: All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA). This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential, proprietary, and/or privileged information protected by law. If you are not the intended recipient, you may not read, use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail or telephone immediately and destroy all copies of the original message.

From: Cynthia and Don Leggett [<mailto:cydonetics@hotmail.com>]
Sent: Monday, April 25, 2022 4:40 PM
To: Council Clerk Info <councilclerkinfo@oconeesc.com>
Subject: Developers generally think they can buy there way through life taking advantage of good people.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Jimmie is good people.

Don Lee (not related!)

Sent from [Mail](#) for Windows

James Coley

From: James Coley
Sent: Monday, April 25, 2022 4:57 PM
To: Vivian Kompier
Subject: FW: Johns Marina

From: Jennifer C. Adams
Sent: Monday, April 25, 2022 4:57 PM
To: James Coley <jcoley@oconeesc.com>
Subject: FW: Johns Marina

One more email...

Jennifer C. Adams
Oconee County Clerk to Council
P: 864-718-1023
jennifercadams@oconeesc.com
415 South Pine Street
Walhalla, SC 29691

CONFIDENTIALITY NOTICE: All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA). This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential, proprietary, and/or privileged information protected by law. If you are not the intended recipient, you may not read, use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail or telephone immediately and destroy all copies of the original message.

From: Jefeuno [<mailto:jefeuno@gmail.com>]
Sent: Monday, April 25, 2022 4:56 PM
To: Council Clerk Info <councilclerkinfo@oconeesc.com>
Subject: Johns Marina

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

We completely support Johns Marina and it should be left alone. This small business does not need to be shut down by big business to accommodate more homes on Lake Keowee.

We wish we could attend the meeting to show support for Johns Marina, but I travel for work and am out of town.

Jeff & Rosemary Albright
9 Rip Tide Ct, Salem, SC 29676

James Coley

From: James Coley
Sent: Monday, April 25, 2022 4:54 PM
To: Vivian Kompier
Subject: FW: John's Marine issue

From: Jennifer C. Adams
Sent: Monday, April 25, 2022 4:42 PM
To: James Coley <jcoley@oconeesc.com>
Subject: FW: John's Marine issue

James – I believe this email is for Planning. Thanks!

Jennifer C. Adams
Oconee County Clerk to Council
P: 864-718-1023
jennifercadams@oconeesc.com
415 South Pine Street
Walhalla, SC 29691

CONFIDENTIALITY NOTICE: All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA). This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential, proprietary, and/or privileged information protected by law. If you are not the intended recipient, you may not read, use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail or telephone immediately and destroy all copies of the original message.

From: swangrin [<mailto:swangrin@bellsouth.net>]
Sent: Monday, April 25, 2022 4:35 PM
To: Council Clerk Info <councilclerkinfo@oconeesc.com>
Subject: John's Marine issue

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

To Whom It May Concern:

We have learned about a current issue related to John's Marine which may make it difficult for them to stay in business. While we don't know the particulars, it is our understanding that a developer wants to force them to give up part of their property and that this loss would make it difficult for them to continue serving their many boating customers as they have been for many years and multiple generations.

Jimmy at John's Marine provides a needed, convenient service and location for many boaters in the area. He is knowledgeable, dependable, honest, and fair priced. Taking this existing service away from our area would be a loss for many people, not just him. It is difficult to understand how anyone would be forced to give up any of their land just for the sake of another business. This is not a needed road, hospital or other public necessity, so any eminent domain or other forced taking seems highly inappropriate and would be a slippery slope for the future which should concern all Oconee County property owners. Please feel free to enlighten us if we are not understanding the whole picture.

Sincerely,

Sherri Wangrin & Bill Hollyday
11 Cutter Lane, Salem, SC

James Coley

From: BOB BIRCHMORE <birchmore@aol.com>
Sent: Monday, April 25, 2022 5:04 PM
To: James Coley
Subject: John's Marine

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Good afternoon,

John's Marine is a vital part of Lake KEOWEE.

You should not be able to take anyone's land because of a developer. The the developer knew where the land line was when he bought it.

19 homes is way way too much for that piece of property. Why don't why doesn't he just build three or four homes and have large lots? That would be the logical thing to do. Thank you for your consideration Bob Birchmore.

Sent from my iPad
Bob Birchmore
Seneca, SC. 29672

706-338-4877
Thank you.

James Coley

From: aubs78@gmail.com
Sent: Monday, April 25, 2022 10:02 AM
To: Planning Info
Subject: VA 21-011

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Again please accept this as a written statement of my opposition to the variance request for the parcel located on Ellenburg Road. I have reread the new material submitted in the agenda packet, including the information in the Variance Criteria Overview. Many of the statements are opinions based on the best financial outcome for the developers and real estate agents, not what is in the community's best interest. I feel that they have yet to show why we as a county should grant them a variance that will only increase their bottom line. The County has an ordinance requiring a 50-foot right of way. I am sure this is a well-thought-out ordinance equally applied across the County. Granting a variance because of some perceived financial hardship is not only in violation of the equal protection clause of the 14th amendment; it goes against the enabling legislation of the zoning enabling act of South Carolina. If this was to happen in any other area of the County, would a variance like this be granted? If we need to give these variances, we should instead change the development ordinances and establish criteria that allow for reduced rights-of-way widths.

The BZA needs to vote against granting this variance and start setting a standard for the residents of Oconee County to make our ordinances mean something, not just a few months of inconvenience to a developer.

Lastly, I would like to thank the staff for a better agenda packet with backup material and information.

Original Comments from the 1-24-2022 meeting

Subject VA 21-011

Please accept this written statement as for the public hearing sections regarding the variance request for VA-21-011.

In Oconee County, one of our most significant resources is our Lakes and waterways. The county slogan reflects this philosophy by declaring us the land beside the water. Unfortunately, we have, on many occasions, not been the best stewards of this slogan. My family has been a member of this community for decades. I have watched the lake be overrun with development, much of which only benefits a select few. The water edge is being filled in with silt, and aquatic grasses are taking over. One day we will look back and wish we would have placed better land controls over our most prized resource.

When administering any land development regulations, the most challenging part of a board's responsibility is picking a winner and a loser because there is rarely a clear-cut solution where both sides can win. In this case, we have a parcel of land on a point, a valuable point if subdivided. We also have an ordinance that requires a 50-foot right-of-way to be dedicated to access this property. The applicant is asking that you allow them to dedicate less right-of-way so they can subdivide more property. Under the current ordinance, if they only subdivided three lots, they could access the areas with just a driveway. Instead, they would like to have 19 lots, including six lots that are flag lots, and any other zoning in the County would be illegal. The current map in the agenda shows a much larger right-of-way than the 31.9 feet show and creates many questions about what is happening. So much so that our planning staff has even asked for updated plans questioning the right-of-way width because they had the same questions about the plans that I did. The developer or the

engineer has yet to provide these. Instead, they are going to ask that you grant them a variance without a clear idea of what is taking place if it is not essential to them to produce correct plans, how important it should be for the community to accept a variance request.

The zoning ordinance has some clear regulations that are required to be met to grant a variance. I have reviewed these questions and provided some of my comments on them below. I will point out that the applicant must prove they need an exception from these and the Board must find in favor of all four to grant the exception. Failure of one question should mean the variance is denied.

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

The agenda provided does not show any proof from the developer or staff as to what extraordinary and exceptional condition applies to this property. Did the developer negotiate with the neighboring property owner for 18.1 more feet and was denied. Did the 19 lots exist before the adoption of the ordinance, making it non-conforming? The requirements are placed on the property owner to show why this should be answered in the affirmative. Just reviewing the plans, one can conclude that the property owners want to have more lots than three allowed, and this variance is expected.

2. The conditions do not generally apply to other properties in the area.

It would seem that every other subdivision of greater than three parcels in the area has complied with this requirement. Unless we are going to amend the provisions of 50 feet, making it smaller, I believe the Board must vote against approving this question.

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.

The Owner could still subdivide the property into three parcels or sell the whole existing parcel. By denying this, we are not creating unreasonable property restrictions or taking the property. In other words, the property can still be used reasonably. An owner does not have any assurances that they can be allowed a more advantageous use when the property does not meet the ordinances. The Board of Zoning appeals should not find in the affirmative on this question since the property still has value and use without a public right-of-way.

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.

a. The Board of zoning appeals may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted. The fact that the property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.

Question 4(A) speaks for itself. The granting of a variance would allow for a 19 unit subdivision that would otherwise not be allowed. The last sentence address one of the prime arguments of most developers. Just because 19 lots may be more profitable does not mean it is better for the community. The Board should find against this question.

In addition to all these statements, the agenda package of the zoning appeals leaves much to be desired. The lack of information leaves much up to assumption. The county staff should provide more details, a staff report of their findings, the specific ordinances the applicant is seeking a variance from, and the applicant's application. How can a citizen, much less a board member, be expected to make an informed decision if the information of the decision cannot be obtained easily.

Regards,
Aubrey Miller
197 Knox Landing Drive
Seneca, SC 29672