

OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street - Walhalla, SC



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

Minutes

6:00 PM – August 22, 2023,

Members in Attendance

Gwen Fowler
Thomas James
Tim Mays

Bill Gilster
John Eagar

Staff

James Coley

Media

NA

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

ITEM 2 – Motion to amend- Mr. Mays made a motion to amend the agenda to remove item 2, left on by error, second by Mr. Gilster. The motion passed 5/0

ITEM 3 – Motion to approve the minutes from May 22, 2023 – Mr. Gilster made a **motion** to approve the minutes; seconded by Mr. Mays. Mr. Eagar called for a vote. The motion passed 5/0.

ITEM 4 – Brief statement about rules and procedures – Mr. Eagar 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 5. Variance application #VA23-000011- Scott Wall is requesting a variance from the minimum width requirement under the density and lot size relation of the Lake Residential Zoning District. TMS 177-00-01-022, with the nearest address of

121 Waters Edge Lane, West Union SC 29696 Applicant's opening statement and provision of evidence:

Mr. Wall and Mr. Dunn presented the request for the variance and explained the site conditions making the variance necessary and complaint with the regulations of the subdivision

Staff comments:

Mr. Coley confirmed the zoning district requires a minimum lot width of 80', as such the setback is measured from the point where the lot reaches the minimum width.

Public comment:

NA

Applicant rebuttal:

NA.

Board Questions:

- What other options have they considered for the development- applicant is concerned with fitting the septic system on with the minimum lot width.
- Request to confirm that the proposed construction was inline with all HOA requirements- applicant confirmed compliance

Board discussion:

Matches other construction

Consideration of VA23-000011:

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

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

- b. Vote

In-favor	Opposed
5	0

Mr. Eagar noted that the criterion passed.

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

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

- b. Vote

In-favor	Opposed
5	0

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

In-favor	Opposed
5	0

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

In-favor	Opposed
5	0

Mr. Eagar noted that the criterion passed.

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

In-favor	Opposed
5	0

Mr. Eagar noted that variance request was approved.

ITEM 6. Variance application #VA23-000010- Bryan Wood of AR Thorpe PLLC is requesting a 12' height variance, and a 62 square footage variance, for a free-standing sign, and up to a 400 square foot variance to the building mounted signage. TMS 222-00-01-008 with an address of 1810 Sandifer Blvd. Seneca SC 29678

Applicant's opening statement and provision of evidence: Mr. Randy Smith presented on behalf of the developer. Mr. Smith outlined the request and highlighted the

3 existing billboards on site now that would be removed during the development. The proposed buildings will be 750' off of the road frontage.

Staff comments: Mr. Coley reviewed each of the requests individually. Mr. Coley added the application for the building signage is up to 15% of the building face not to exceed 600 sq/ft per building face.

Public Comment:

Mr. Lane Price wanted to make sure the board is aware of precedent being set by the granting of this variance.

Applicant rebuttal: NA

Board questions and discussion: Ms. Fowler asked about the septic system location on the parcel

Consideration of VA23-000010:

1. There **are** extraordinary and exceptional conditions pertaining to the particular piece of property:
 - a. Motion – Mr. Mays made a motion in the affirmative, seconded by Mr. Gilster. A brief discussion followed.
 - b. Vote

In-favor	Opposed
5	0

Mr. Eagar noted that the criterion passed.

2. These conditions **do not** generally apply to other property in the vicinity:
 - a. Motion – Mr. Mays made a motion in the affirmative, seconded by Mr. Gilster. A brief discussion followed.
 - b. Vote

In-favor	Opposed
5	0

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

In-favor	Opposed
5	0

Mr. Eagar 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. Gilster made a motion in the affirmative, seconded by Mr. James. A brief discussion.
 - b. Vote

In-favor	Opposed
5	0

Mr. Eagar noted that the criterion passed.

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

In-favor	Opposed
5	0

Mr. Eagar noted that variance request was approved.

Item 7 Adjourn – Mr. Mays made a motion to adjourn, seconded by Mr. Gilster. Mr. Eagar called for a vote. Motion passed unanimously 5/0.