

# OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street - Walhalla, SC



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

## Minutes

6:00 PM – October 23, 2023,

### Members in Attendance

Gwen Fowler

Bill Gilster

James Henderson

John Eagar

Tim Mays

Thomas James

### 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 approve the minutes from September 25, 2023** – Mr. Mays made a **motion** to approve the minutes; seconded by Mr. Henderson. Mr. Eagar called for a vote. The motion passed 6/0.

**ITEM 3 – 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 4. Variance application #VA23-000015- Carson Barcklow of St. Clair Signs is requesting a 43-square foot variance for signage area, and an 8-foot variance for sign height. TMS 207-00-01-237, 1503 Blue Ridge Blvd Seneca SC 29672**

Kevin Fryer and Kendal Robinson presented the request. There are 5 requests for signage for Texaco, and they would like to have consistent signage at all stations. They would like extra height for larger signs with each of their branding elements.

**Mr. Gilster made a motion that all of their variances be heard together,** seconded by Mr. Mays. Discussion, followed regarding the differences between each location. Mr. Eagar called for the vote, the motion failed 3-3 with Mr. Henderson, Ms. Fowler, and Mr. Eagar against.

**Staff comments:**

Mr. Coley confirmed the request is for the additional height and square footage

**Public comment:**

NA

**Applicant rebuttal:**

NA.

**Board Questions:** The Board asked about the rational of having the extra height, and the extra square footage. Discussion Followed

**Board discussion:** NA

**Consideration of VA23-000015:**

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

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

In-favor	Opposed
6	0

Mr. Eagar noted that the criterion passed.

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

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

In-favor	Opposed
6	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. James made a motion in the affirmative, seconded by Mr. Gilster. No discussion.
- b. Vote

In-favor	Opposed
6	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. Mays made a motion in the affirmative, seconded by Mr. Henderson. A brief discussion.
  - b. Vote

In-favor	Opposed
6	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. Henderson. No Discussion.
  - b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that variance request was approved.

**Mr. Mays made a motion to amend the agenda to combine items 5, 6, and 8, Seconded by Mr. Henderson. Mr. Eagar called for a vote. The motion passed 6/0.**

**ITEM 5. Variance application #VA23-000016- Carson Barcklow of St. Clair Signs is requesting a 43-square foot variance for signage area, and an 8-foot variance for sign height. TMS 207-00-01-237, 1503 Blue Ridge Blvd Seneca SC 29672**

**ITEM 6 Variance application #VA23-000017- Carson Barcklow of St. Clair Signs is requesting a 43 square foot variance for signage area, and an 8-foot variance for sign height. TMS 241-00-02-010, 10941 Clemson Blvd Seneca SC 29678**

**ITEM 8 Variance application #VA23-000022- Carson Barcklow of St. Clair Signs is requesting a 43 square foot variance for signage area, and an 8-foot variance for sign height. TMS 330-00-01-017, 16096 S HWY 11 Fair Play SC 29643**

Kevin Fryer and Kendal Robinson presented the request. They would like to have larger, taller consistent signage at all stations. They would like extra height for larger signs for each of their branding elements.

**Staff comments:**

Mr. Coley confirmed the request is for the additional height and square footage

**Public comment:**

NA

**Applicant rebuttal:**

NA.

**Board Questions:** NA

**Board discussion:** NA

**Consideration of VA23-000016 VA23-000017, and VA23-000022:**

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

In-favor	Opposed
6	0

Mr. Eagar noted that the criterion passed.

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

In-favor	Opposed
6	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. Henderson made a motion in the affirmative, seconded by Mr. Mays. No discussion.
- b. Vote

In-favor	Opposed
6	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. Henderson. A brief discussion.
  - b. Vote

In-favor	Opposed
6	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. Henderson. No Discussion.
  - b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that variance request was approved.

**Ms. Fowler made a motion to the applicants request to a 39 sq/ft sign area and no height request**, Seconded by Mr. Mays. Mr. Eagar called for a vote. The motion passed 6/0.

**ITEM 7. Variance application #VA23-000020- Carson Barcklow of St. Clair Signs is requesting a 39-square foot variance for signage area. TMS 271-01-01-157, 228 W Cherry Rd Seneca SC 29678**

Kevin Fryer and Kendal Robinson presented the request. There are 5 requests for signage for Texaco, and they would like to have consistent signage at all stations. They would like extra height for larger signs with each of their branding elements.

**Staff comments:**

Mr. Coley confirmed the request is for the additional height and square footage

**Public comment:**

NA

**Applicant rebuttal:**

NA.

**Board Questions:** The Board asked about the rational of having the extra height, and the extra square footage. Discussion Followed

**Board discussion:** NA

**Consideration of VA23-000020:**

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. Henderson. A brief discussion followed.
  - b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that the criterion passed.

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

In-favor	Opposed
6	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. James made a motion in the affirmative, seconded by Mr. Henderson. No discussion.
  - b. Vote

In-favor	Opposed
6	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. Mays made a motion in the affirmative, seconded by Mr. Henderson. A brief discussion.

b. Vote

In-favor	Opposed
6	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. Gilster made a motion; seconded by Mr. Henderson. No Discussion.

b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that variance requests were approved.

**ITEM 9 Adjourn** – Mr. Henderson made a motion to adjourn, seconded by Mr. Gilster. Mr. Eagar called for a vote. Motion passed unanimously 6/0.