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Meeting agenda  
Monday January 22, 2024 6:00pm

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1. Call to order
2. Approval of minutes: 11/25/23
3. Election of officers
4. Approval of Calendar
5. Brief statement about rules and procedures
6. Variance application #VA23-000021 Chris Berning of Absolute Sign Works is requesting a 95 square foot variance to the maximum sign area. TMS #278-00-03-018, 3581 West Oak Highway, Westminster SC 29693
7. Variance application #VA23-000024 Cole McCurry is requesting relief from the Lake Residential Zoning District minimum lot size requirements. TMS 123-11-01-031 with an address of 413 Long View Ridge Seneca SC 29672
8. Variance application VA23-000025 Blue Haven Pools is requesting an 8' variance to the rear setback for installation of a pool. TMS 294-00-02-008 775 Durham Brown Road, Seneca SC 29678
9. Variance application VA23-000026 William Pursley is requesting a 20' variance to the front setback. TMS 052-01-01-053, 331 Evergreen Ridge Rd, Tamassee SC 29686
10. Variance application VA23-000027 Len and Jackie Talley are requesting a 5' variance to the side setback. TMS 150-00-01-118 298 Charlies Way Road, Seneca SC 29672
11. Adjourn

**Oconee County  
Board of Zoning  
Appeals**

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

[www.oconeesc.com](http://www.oconeesc.com)

**YouTube:** "YourOconee"

**Staff contact**

846-638-4218  
[planninginfo@oconeesc.com](mailto:planninginfo@oconeesc.com)

**BOARD MEMBERS**

James Henderson, District I	Thomas James, District IV
Gwen Fowler, District II	Bill Gilster, District III
John Eagar, 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 – November 27, 2023

### Members in Attendance

Gwen Fowler

James Henderson

Tim Mays

Bill Gilster

John Eagar

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 October 23, 2023** – Mr. Henderson made a **motion** to approve the minutes; seconded by Mr. Gilster. 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 #VA23-000023- Ashley Cothran is requesting relief from the Lake Residential Zoning District lot size requirements. TMS 123-11-01-028, and 123-11-01-047 with an address of 401 Long View Ridge Seneca SC 29672**

Mr. TJay Bagwell presented for the applicant. Mr. Bagwell showed a proposed plat combining the parcels. Mr. Bagwell shared a Freedom of Information request regarding the zoning ordinance. Mr. Coley informed the Board that the ordinance

was provided by County attorney Root. Mr. Bagwell stated the applicant has built 10 houses in the community and all were similarly configured. Mr. Bagwell showed houses in close proximity that are all non-conforming. Mr. Bagwell stated the requirements are not possible to be adhered to due too the design to the subdivision. Mr. Eagar asked if they were only asking for variances from the lot width and if all setbacks would be required. Mr. Coley asked for clarification regarding the combination of the parcels. Mr. Bagwell took a sidebar with his client. Ms. Cothran amended the request to include .6' variance be approved for the east front setback on parcel 123-11-01-047.

**Staff comments:**

Mr. Coley confirmed the request is for the relief from the 80' lot width as well as the setback variance to stay in compliance. The combination of the lots would further restrict the development as the setbacks would be increased. Mr. Coley stated that the ordinance has been in place and cannot speak to the past decisions of the departments, but did agree that the zoning requirements would limit the ability to development the parcel.

**Public comment:**

NA

**Applicant rebuttal:**

NA.

**Board Questions:** The Board did not have any questions for the applicant.

**Board discussion:** NA

**Consideration of VA23-000015:**

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. Mays 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. Henderson made a motion in the affirmative, seconded by Mr. James. 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. James made a motion; seconded by Mr. Mays. No Discussion.

b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that variance request was approved. The motion passed 6/0.

**ITEM 5 Adjourn** –Mr. Henderson made a motion to adjourn, seconded by Mr. Gilster. Mr. Eagar called for a vote. Motion passed unanimously 6/0.

# Freedom of Information Act - Variance Application

## Permitting Information

Code section from which a variance is requested	Article VIII Sec. 32-521	<b>Upload Supporting Documentation Here</b>	restricted
Application is		Application is not	

**APPLICANT RESPONSES TO SECTION 38-7.1**

Describe the extraordinary and exceptional condition (such as size, shape, and topography) that pertains to the subject property that does not generally apply to other land or structures in the vicinity.:

While allowed multiple signs under the ordinance, due to the necessary size of digital gas price boards the signs would be over the permitted square footage. We feel that one larger sign with all the information would look better for the store and for the county rather than having multiple signs with all the same information.

Are the circumstances affecting the subject property the result of actions by the applicant/owner? Explain.

The circumstances are not caused by the property owner but rather the size restrictions of the county.

Describe the ways in which application of the requirement(s) of the ordinance effectively prohibit or unreasonably restrict the utilization of the subject property.:

In order to have digital boards large enough to read when travelers and residents travel down West Oak Hwy and Hwy 11, my client could not have his name on the sign or would have to shrink the prices which would then make said prices harder or impossible to read at highway speeds.

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.:

There would be not detriment to the county if the variance would be approved.

**General Contractor**

Absolute Sign Works

ICC 113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code of the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

**Comments**

OCONEE COUNTYS APPROVAL, PERMITTING, AND/OR INSPECTION(S) OF THIS PROJECT DOES NOT MEAN THAT THE PROJECT IS IN COMPLIANCE WITH ALL APPLICABLE SUBDIVISION AND/OR HOMEOWNERS ASSOCIATION, OR SIMILAR ENTITYS, BUILDING AND LAND USE REQUIREMENTS OR RESTRICTIONS, BY SIGNING BELOW YOU ACKNOWLEDGE THAT COMPLIANCE WITH ANY SUCH STANDARDS IS YOUR RESPONSIBILITY.

### Workflow Reviews Information

Type	Creation Date	Due Date	Completion Date	Status	Description
Application Check	09/15/2023	09/16/2023	11/21/2023	Approved	
Planning and Zoning Review	09/15/2023	01/24/2024	01/01/1900	Pending	
Review Complete	09/15/2023	01/01/1900	01/01/1900	Pending	

### Inspection Information

### Activities Information

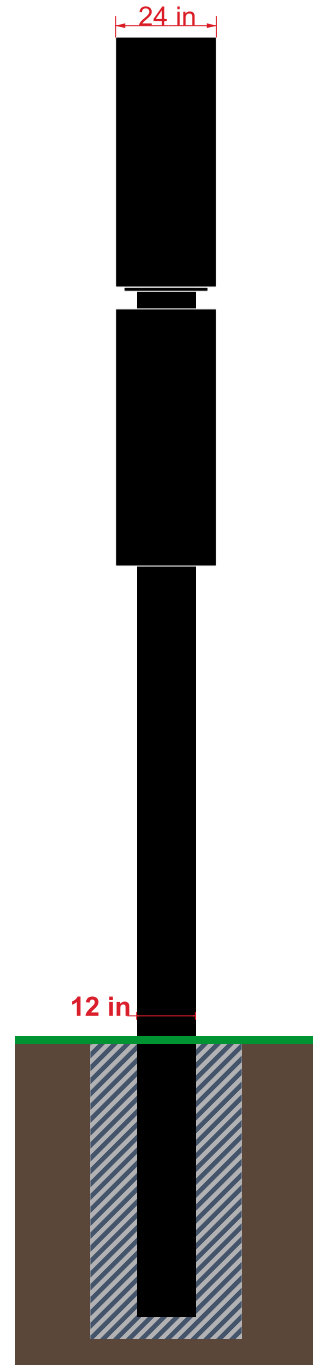
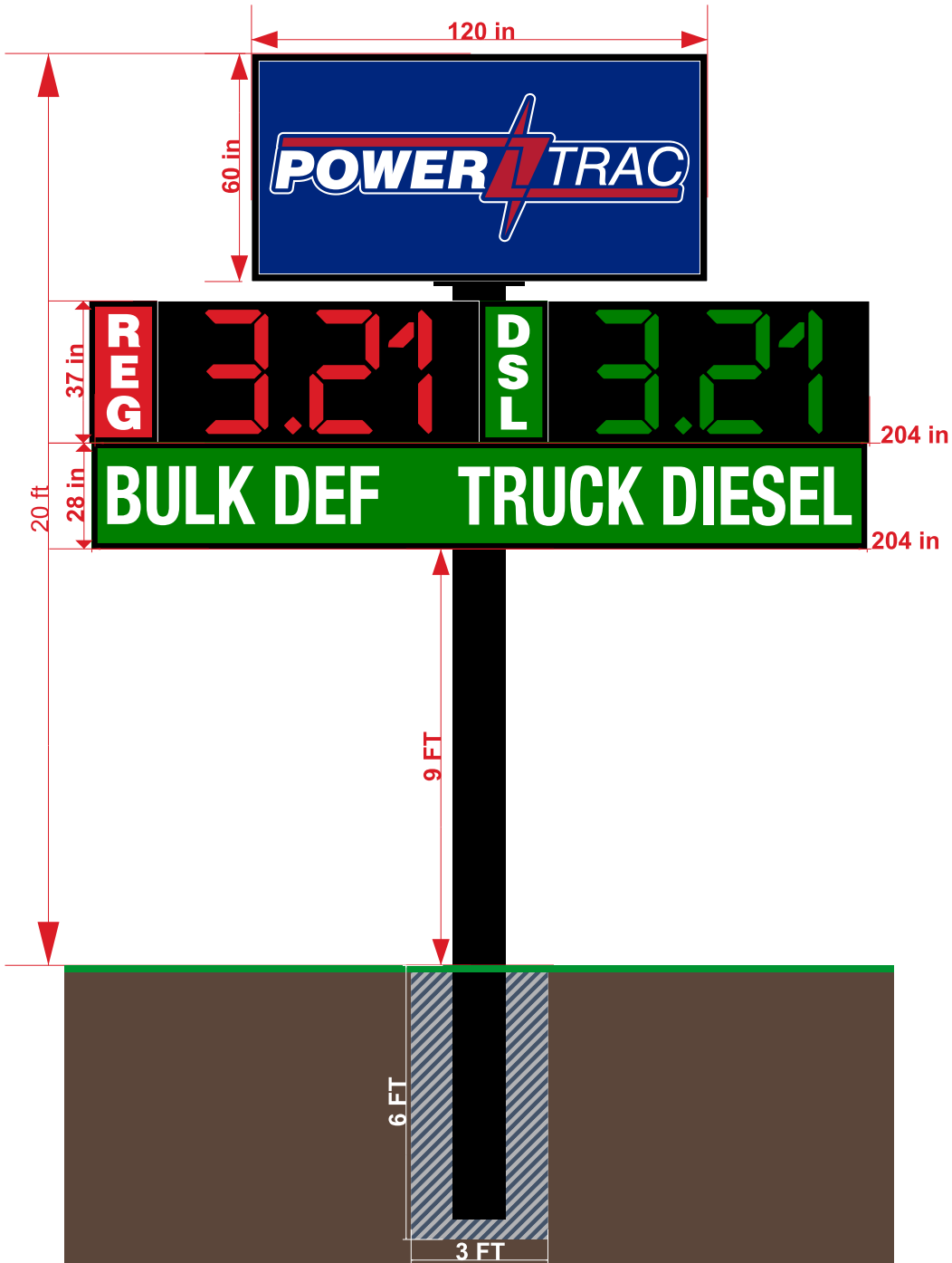
Type	Creation Date	Due Date	Completion Date	Status	Description
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# 160 SQFT









5 & 6  
(Section 20.2)

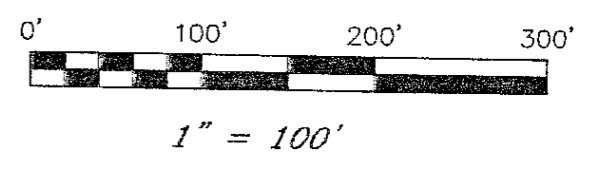
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE			
L1	N 19°50'14" E	17.55'	L60	N 85°41'10" E	48.74'	L100	S 78°21'49" E	27.83'	L150	S 67°44'52" E	38.81'	L206	S 08°24'26" W	14.30'
L2	N 21°29'34" E	39.42'	L61	N 80°27'48" E	21.85'	L101	S 65°39'01" E	56.85'	L151	S 51°44'47" E	31.18'	L207	S 31°15'03" W	28.25'
L3	N 24°02'14" E	24.95'	L62	N 07°51'30" W	28.73'	L102	S 66°20'46" E	20.16'	L152	S 36°42'59" E	34.56'	L208	S 01°15'02" W	24.41'
L4	S 73°09'27" E	42.59'	L63	N 39°58'00" W	28.73'	L103	S 62°09'18" E	46.28'	L153	S 17°37'54" E	25.51'	L209	S 11°42'46" W	9.42'
L5	S 41°53'39" W	34.51'	L64	N 24°34'19" E	27.00'	L104	N 82°24'09" E	3.72'	L154	S 00°00'21" E	30.69'	L210	S 23°35'31" W	22.24'
L6	S 42°54'27" E	47.77'	L65	N 00°22'41" E	28.10'	L105	N 82°24'09" E	23.02'	L155	S 00°00'21" E	13.90'	L211	S 68°08'35" W	41.54'
L7	S 42°54'27" E	47.77'	L66	N 07°47'02" E	20.44'	L106	N 86°10'62" E	22.81'	L156	S 08°24'26" W	13.06'	L212	S 68°08'29" W	47.32'
L8	S 42°54'27" E	47.77'	L67	N 07°47'02" E	20.44'	L107	N 86°10'62" E	22.81'	L157	S 20°49'19" W	32.54'	L213	N 78°56'28" W	46.08'
L9	S 42°54'27" E	47.77'	L68	N 07°47'02" E	20.44'	L108	N 86°10'62" E	22.81'	L158	S 00°34'18" W	59.08'	L214	N 85°52'47" E	14.27'
L10	S 30°20'33" W	16.91'	L69	N 33°28'36" E	15.00'	L109	S 86°46'37" E	78.75'	L159	S 11°42'46" W	22.07'	L215	S 78°21'49" E	16.95'
L11	S 30°20'33" W	16.91'	L70	N 33°28'36" E	15.00'	L110	S 86°46'37" E	78.75'	L160	S 11°42'46" W	22.07'	L216	N 10°45'44" E	24.38'
L12	S 18°20'33" W	4.42'	L71	N 45°28'37" E	14.45'	L111	S 86°46'37" E	78.75'	L161	S 11°42'46" W	22.07'			
L13	S 01°16'33" W	51.09'	L72	N 45°28'37" E	14.45'	L112	S 86°46'37" E	78.75'	L162	S 11°42'46" W	22.07'			
L14	S 18°49'34" W	23.91'	L73	N 45°28'37" E	14.45'	L113	S 86°46'37" E	78.75'	L163	S 11°42'46" W	22.07'			
L15	S 38°54'33" W	17.08'	L74	N 40°06'31" E	92.00'	L114	S 20°19'34" E	14.77'	L164	S 55°16'17" W	41.19'			
L16	S 38°54'33" W	17.08'	L75	S 60°12'48" E	19.20'	L115	S 03°16'19" E	35.97'	L165	S 55°16'17" W	27.90'			
L17	S 38°54'33" W	17.08'	L76	S 56°36'44" E	27.91'	L116	S 19°33'34" W	66.85'	L166	S 55°16'17" W	27.90'			
L18	S 38°54'33" W	17.08'	L77	S 51°19'37" E	52.82'	L117	S 19°33'34" W	66.85'	L167	S 55°16'17" W	27.90'			
L19	S 38°54'33" W	17.08'	L78	S 70°52'14" E	18.55'	L118	S 19°33'34" W	66.85'	L168	S 55°16'17" W	27.90'			
L20	S 38°54'33" W	17.08'	L79	N 38°57'41" E	32.13'	L119	S 19°33'34" W	66.85'	L169	S 55°16'17" W	27.90'			
L21	S 38°54'33" W	17.08'	L80	N 38°57'41" E	32.13'	L120	S 19°33'34" W	66.85'	L170	S 55°16'17" W	27.90'			
L22	S 38°54'33" W	17.08'	L81	N 38°57'41" E	32.13'	L121	S 19°33'34" W	66.85'	L171	S 55°16'17" W	27.90'			
L23	S 38°54'33" W	17.08'	L82	N 38°57'41" E	32.13'	L122	S 19°33'34" W	66.85'	L172	S 55°16'17" W	27.90'			
L24	S 38°54'33" W	17.08'	L83	N 38°57'41" E	32.13'	L123	S 19°33'34" W	66.85'	L173	S 55°16'17" W	27.90'			
L25	S 38°54'33" W	17.08'	L84	N 38°57'41" E	32.13'	L124	S 19°33'34" W	66.85'	L174	S 55°16'17" W	27.90'			
L26	S 38°54'33" W	17.08'	L85	N 38°57'41" E	32.13'	L125	S 19°33'34" W	66.85'	L175	S 55°16'17" W	27.90'			
L27	S 38°54'33" W	17.08'	L86	N 38°57'41" E	32.13'	L126	S 19°33'34" W	66.85'	L176	S 55°16'17" W	27.90'			
L28	S 38°54'33" W	17.08'	L87	N 38°57'41" E	32.13'	L127	S 19°33'34" W	66.85'	L177	S 55°16'17" W	27.90'			
L29	S 38°54'33" W	17.08'	L88	N 38°57'41" E	32.13'	L128	S 19°33'34" W	66.85'	L178	S 55°16'17" W	27.90'			
L30	S 38°54'33" W	17.08'	L89	N 38°57'41" E	32.13'	L129	S 19°33'34" W	66.85'	L179	S 55°16'17" W	27.90'			
L31	S 38°54'33" W	17.08'	L90	N 38°57'41" E	32.13'	L130	S 19°33'34" W	66.85'	L180	S 55°16'17" W	27.90'			
L32	S 38°54'33" W	17.08'	L91	N 38°57'41" E	32.13'	L131	S 19°33'34" W	66.85'	L181	S 55°16'17" W	27.90'			
L33	S 38°54'33" W	17.08'	L92	N 38°57'41" E	32.13'	L132	S 19°33'34" W	66.85'	L182	S 55°16'17" W	27.90'			
L34	S 38°54'33" W	17.08'	L93	N 38°57'41" E	32.13'	L133	S 19°33'34" W	66.85'	L183	S 55°16'17" W	27.90'			
L35	S 38°54'33" W	17.08'	L94	N 38°57'41" E	32.13'	L134	S 19°33'34" W	66.85'	L184	S 55°16'17" W	27.90'			
L36	S 38°54'33" W	17.08'	L95	N 38°57'41" E	32.13'	L135	S 19°33'34" W	66.85'	L185	S 55°16'17" W	27.90'			
L37	S 38°54'33" W	17.08'	L96	N 38°57'41" E	32.13'	L136	S 19°33'34" W	66.85'	L186	S 55°16'17" W	27.90'			
L38	S 38°54'33" W	17.08'	L97	N 38°57'41" E	32.13'	L137	S 19°33'34" W	66.85'	L187	S 55°16'17" W	27.90'			
L39	S 38°54'33" W	17.08'	L98	N 38°57'41" E	32.13'	L138	S 19°33'34" W	66.85'	L188	S 55°16'17" W	27.90'			
L40	S 38°54'33" W	17.08'	L99	N 38°57'41" E	32.13'	L139	S 19°33'34" W	66.85'	L189	S 55°16'17" W	27.90'			
L41	S 38°54'33" W	17.08'	L100	N 38°57'41" E	32.13'	L140	S 19°33'34" W	66.85'	L190	S 55°16'17" W	27.90'			
L42	S 38°54'33" W	17.08'	L101	N 38°57'41" E	32.13'	L141	S 19°33'34" W	66.85'	L191	S 55°16'17" W	27.90'			
L43	S 38°54'33" W	17.08'	L102	N 38°57'41" E	32.13'	L142	S 19°33'34" W	66.85'	L192	S 55°16'17" W	27.90'			
L44	S 38°54'33" W	17.08'	L103	N 38°57'41" E	32.13'	L143	S 19°33'34" W	66.85'	L193	S 55°16'17" W	27.90'			
L45	S 38°54'33" W	17.08'	L104	N 38°57'41" E	32.13'	L144	S 19°33'34" W	66.85'	L194	S 55°16'17" W	27.90'			
L46	S 38°54'33" W	17.08'	L105	N 38°57'41" E	32.13'	L145	S 19°33'34" W	66.85'	L195	S 55°16'17" W	27.90'			
L47	S 38°54'33" W	17.08'	L106	N 38°57'41" E	32.13'	L146	S 19°33'34" W	66.85'	L196	S 55°16'17" W	27.90'			
L48	S 38°54'33" W	17.08'	L107	N 38°57'41" E	32.13'	L147	S 19°33'34" W	66.85'	L197	S 55°16'17" W	27.90'			
L49	S 38°54'33" W	17.08'	L108	N 38°57'41" E	32.13'	L148	S 19°33'34" W	66.85'	L198	S 55°16'17" W	27.90'			
L50	S 38°54'33" W	17.08'	L109	N 38°57'41" E	32.13'	L149	S 19°33'34" W	66.85'	L199	S 55°16'17" W	27.90'			
L51	S 38°54'33" W	17.08'	L110	N 38°57'41" E	32.13'	L150	S 19°33'34" W	66.85'	L200	S 55°16'17" W	27.90'			

STATE OF SOUTH CAROLINA  
OCONEE COUNTY

FINAL PLAT OF  
**SWEETWATER PHASE I**  
MAP OF SURVEY FOR OWNER:  
**SD TRUST LLC**

DATE 4-28-2006  
JOB NUMBER 50613  
TAX MAP 123-00-02-009  
DEED REFERENCE 1261 PAGE 144

BARRY L. COLLINS SCPLS #11903  
135 ARTIE DRIVE PICKENS, S.C. 29671  
(864) 878-8623  
(864) 878-8646 FAX



*0037510*  
*Part SD Trust*  
*10139A Clemens Blvd*  
*Sumner SC 29678*  
*20.00*

THE TALONS AT LAKE KEOWEE, INC.  
A-432 P.1







# PERMIT TO CONSTRUCT Onsite Wastewater System

Emailed  
8/9/21

File Nbr: **2020070024**  
County: Oconee

Name: COLE MCCURRY

Program Code: 360

Type Facility: HOUSE

Address: 286 HIGH RIDGE DR  
MILLS RIVER, NC 28759

System Code: 100

Subdivision: SWEETWATER

Site: 176 LONGVIEW RIDGE LN  
SENECA, SC

TM No.: 123-11-01-031

Block: Lot: 13

Water Supply: PRIVATE

### PERMIT TO CONSTRUCT SYSTEM SPECIFICATIONS

Daily Flow (gpd): 240

Tank Sizes (gal): Septic Tank: 1000

Pump Chamber:

Grease Trap: (Stone)

LTAR: .40

Trenches: Length (ft): 108 Width (in): 36 Max. Depth (in): 60

Agg. Depth (in): 42

Min Pump Capacity:

gpm at ft. of head Alternative Product:

### SPECIAL INSTRUCTIONS/CONDITIONS

THIS PERMIT IS SITE SPECIFIC. ANY CHANGES TO THE SYSTEM MUST BE APPROVED BY DHEC. ALTERNATIVE TRENCH PRODUCTS APPROVED UNDER STATE RULES AND REGULATIONS MAY BE SUBSTITUTED. ANY UNAPPROVED CHANGES WILL VOID THIS PERMIT.

Installers must contact the local Environmental Affairs office by 10:00 AM on the day prior to installation in order to schedule a time for the final inspection.

If a Department representative does not arrive within 30 minutes of the scheduled time, the installer may conduct the final inspection.

When a contractor self-inspection occurs, the installer must complete the DHEC form 3978, Approval to Operate Contractor Self-Inspection.

The installer must submit DHEC form 3978 within 2 business days of the completion of the installation.

INSTALL SYSTEM IN ACCORDANCE WITH REGULATION 61-56

KEEP SYSTEM GREATER THAN 25' FROM CULVERT AND 50' FROM LAKE KEOWEE

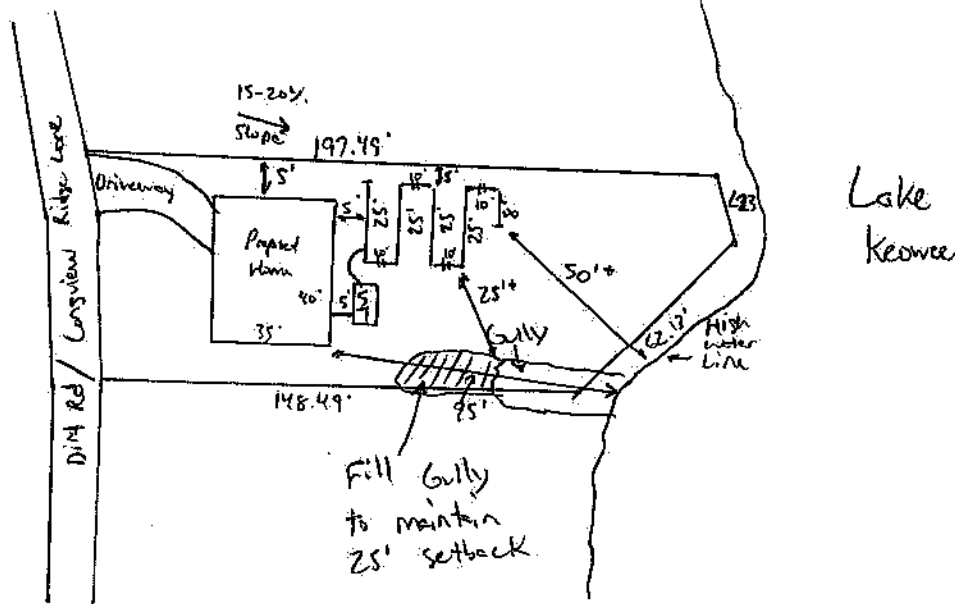
FILL IN DRAINAGE DITCH TO MAINTAIN 25' SETBACK FROM SEPTIC LINES

MUST INSTALL 42" CONVENTIONAL STONE AGGREGATE

INSTALL SYSTEM PRIOR TO CONSTRUCTION OF HOME

### PERMIT TO CONSTRUCT SYSTEM DIAGRAM

(NTS)



Issued/Revised By:

Date:

8/9/21

DHEC 1781 (02/2020)

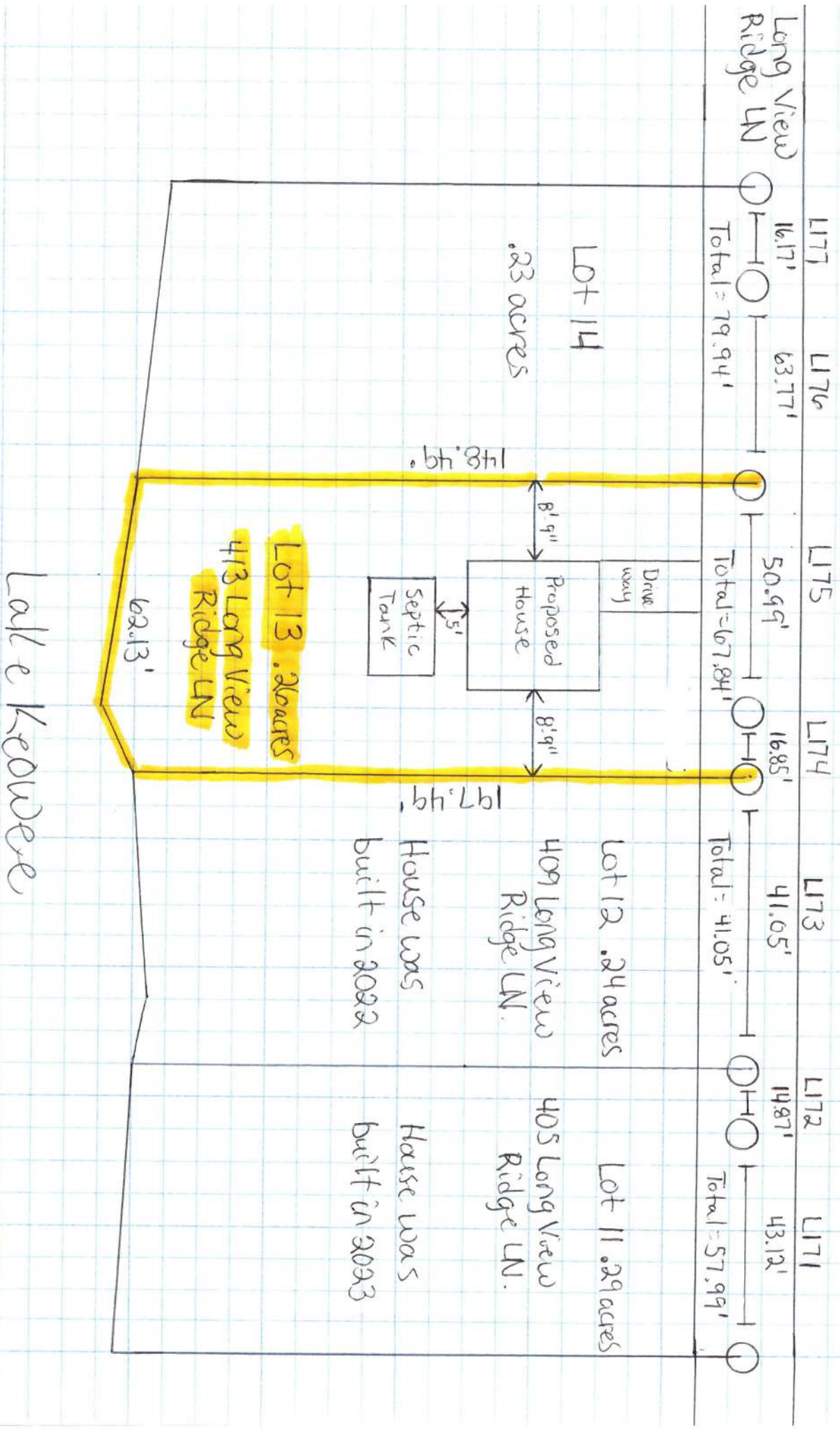
This Permit is Appealable Under the Administrative Procedures Act.

This permit will expire and become null and void five (5) years from the issuance date.

There may be an Additional Fee for Changes in this Permit that Require a Site Reevaluation.

Personal information provided on this form is subject to public scrutiny or release.

# Sweetwater



Lake Keowee





# Freedom of Information Act - Variance Application

## Permitting Information

Code section from which a variance is requested  
Application is

**Upload Supporting Documentation Here**  
Application is not



### APPLICANT RESPONSES TO SECTION 38-7.1

Describe the extraordinary and exceptional condition (such as size, shape, and topography) that pertains to the subject property that does not generally apply to other land or structures in the vicinity.:

The proposed area which comes within the 10' county property line setback of the corps area only, is the only location which is flat enough and will not affect the drainage of the primary property and adjacent properties. If the swimming pool stays 10' off the corps line it will move further into the ravine and result in an out of ground pool and potentially cause drainage obstruction and possibly distort the lake view of the neighbors as it will push the pool out toward the lake and into a lower lying basin area which is a natural catch for water run off.

Are the circumstances affecting the subject property the result of actions by the applicant/owner? Explain.

No. It is the natural lay of the land.

Describe the ways in which application of the requirement(s) of the ordinance effectively prohibit or unreasonably restrict the utilization of the subject property.:

To stay within the 10' setback from the army corps line will put the pool directly in the path of natural rainwater runoff.

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.:

The variance will actually keep the swimming pool close to the primary residence and further from sight and sound of the neighboring properties

**General Contractor**

Blue Haven Upstate

ICC 113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code of the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

**Comments**

OCONEE COUNTYS APPROVAL, PERMITTING, AND/OR INSPECTION(S) OF THIS PROJECT DOES NOT MEAN THAT THE PROJECT IS IN COMPLIANCE WITH ALL APPLICABLE SUBDIVISION AND/OR HOMEOWNERS ASSOCIATION, OR SIMILAR ENTITYS, BUILDING AND LAND USE REQUIREMENTS OR RESTRICTIONS, BY SIGNING BELOW YOU ACKNOWLEDGE THAT COMPLIANCE WITH ANY SUCH STANDARDS IS YOUR RESPONSIBILITY.

## Workflow Reviews Information

Type	Creation Date	Due Date	Completion Date	Status	Description
Application Check	12/12/2023	12/13/2023	12/19/2023	Approved	
Planning and Zoning Review	12/12/2023	01/24/2024	01/01/1900	Pending	
Review Complete	12/12/2023	01/01/1900	01/01/1900	Pending	

## Inspection Information

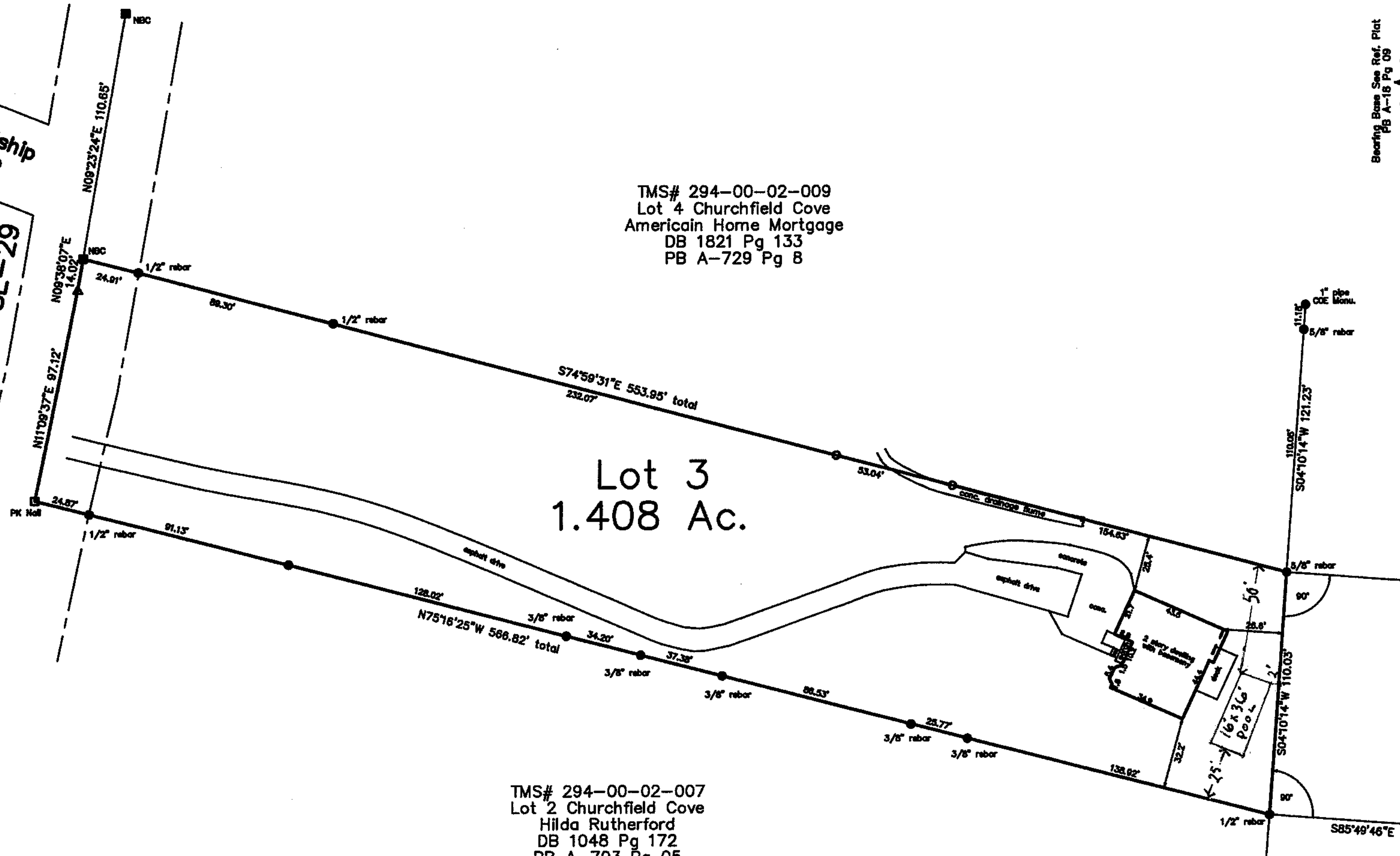
## Activities Information

Friendship Loop  
 Durham Brown Road SE-29

TMS# 294-00-02-009  
 Lot 4 Churchfield Cove  
 American Home Mortgage  
 DB 1821 Pg 133  
 PB A-729 Pg 8

Lot 3  
 1.408 Ac.

TMS# 294-00-02-007  
 Lot 2 Churchfield Cove  
 Hilda Rutherford  
 DB 1048 Pg 172  
 PB A-703 Pg 05



Bearing Base See Ref. Plat  
 PB A-16 Pg 09

# Freedom of Information Act - Variance Application

## Permitting Information

Code section from which a variance is requested  
Application is

**Upload Supporting Documentation Here**  
Application is not

X

### APPLICANT RESPONSES TO SECTION 38-7.1

Describe the extraordinary and exceptional condition (such as size, shape, and topography) that pertains to the subject property that does not generally apply to other land or structures in the vicinity.:

The lot is very steep beyond the 25 foot setback from the road.

Are the circumstances affecting the subject property the result of actions by the applicant/owner? Explain.

No

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 lot is very steep making siting the There are several homes on Evergreen Ridge Road that appear to be within the established setback due to similar grade conditionshouse extremely difficult to build outside the setback.

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

The owner of the adjacent lot (17&18) have already submitted a variance for a similar variance in 2021. There are several homes on Evergreen Ridge Road that appear to be within the established setback. The property is on a private dead end road and this proposal in no way impact travel for other property owners along the road.

### General Contractor

ICC 113.2 Limitation on authority An application for appeal shall be based on a claim that the true intent of this code of the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

Comments

None.

OCONEE COUNTYS APPROVAL, PERMITTING, AND/OR INSPECTION(S) OF THIS PROJECT DOES NOT MEAN THAT THE PROJECT IS IN COMPLIANCE WITH ALL APPLICABLE SUBDIVISION AND/OR HOMEOWNERS ASSOCIATION, OR SIMILAR ENTITIES, BUILDING AND LAND USE REQUIREMENTS OR RESTRICTIONS, BY SIGNING BELOW YOU ACKNOWLEDGE THAT COMPLIANCE WITH ANY SUCH STANDARDS IS YOUR RESPONSIBILITY.

## Workflow Reviews Information

Type	Creation Date	Due Date	Completion Date	Status	Description
Application Check	12/12/2023	12/13/2023	12/19/2023	Approved	
Planning and Zoning Review	12/12/2023	01/24/2024	01/01/1900	Pending	
Review Complete	12/12/2023	01/01/1900	01/01/1900	Pending	

## Inspection Information

## Activities Information



## James Coley

---

**From:** Paul Doughty [REDACTED]  
**Sent:** Monday, January 15, 2024 4:29 PM  
**To:** James Coley  
**Subject:** Variance VA23-000026



### This message needs your attention

- No employee in your company has ever replied to this person.
- This is a personal email address.

Report or Mark as Safe

Powered by Mimecast

I have no concerns with variance VA23-000026 as proposed for the lot at 331 Evergreen Ridge Rd, Tamassee, SC.

Paul Doughty, 327 Evergreen Ridge Rd., Tamassee, SC.

--



Paul M. Doughty, DMD, PA  
18-a Leinbach Drive  
Charleston, SC 29407  
(843) 766-0610  
[www.doctordoughty.com](http://www.doctordoughty.com)



## James Coley

---

**From:** Andrew Maccoll <[REDACTED]>  
**Sent:** Monday, January 15, 2024 3:47 PM  
**To:** James Coley  
**Subject:** VA23-000026 William Pursely



### This message needs your attention

- You've never replied to this person.
- This is a personal email address.

[Report or Mark as Safe](#)

Powered by Mimecast

Mr. Coley,

We have no concerns with variance VA23-000026 as proposed for the lot at 331 Evergreen Ridge Rd, Tamassee, SC. for Mr Pursely.

Andrew and Deborah MacColl  
345 Evergreen Ridge road

# Freedom of Information Act - Variance Application

## Permitting Information

Code section from which a variance is requested  
Application is

**Upload Supporting Documentation Here**  
Application is not

**APPLICANT RESPONSES TO SECTION 38-7.1**

Describe the extraordinary and exceptional condition (such as size, shape, and topography) that pertains to the subject property that does not generally apply to other land or structures in the vicinity.:

Limited Space to build, due to power line right of way, as shown on plat

Are the circumstances affecting the subject property the result of actions by the applicant/owner? Explain.

No, as stated above powerline right of way limits building site

Describe the ways in which application of the requirement(s) of the ordinance effectively prohibit or unreasonably restrict the utilization of the subject property.:

Have approx. 40' of area to build on (width) as shown on plat. this is a garage/storage and cannot build structure under power lines

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.:

No, this is only a garage. Two adjacent property owners who have structures encroaching on my property as shown on plat have verbally said they have no problem with my building.

**General Contractor**

ICC 113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code of the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

**Comments**

OCONEE COUNTYS APPROVAL, PERMITTING, AND/OR INSPECTION(S) OF THIS PROJECT DOES NOT MEAN THAT THE PROJECT IS IN COMPLIANCE WITH ALL APPLICABLE SUBDIVISION AND/OR HOMEOWNERS ASSOCIATION, OR SIMILAR ENTITYS, BUILDING AND LAND USE REQUIREMENTS OR RESTRICTIONS, BY SIGNING BELOW YOU ACKNOWLEDGE THAT COMPLIANCE WITH ANY SUCH STANDARDS IS YOUR RESPONSIBILITY.

### Workflow Reviews Information

Type	Creation Date	Due Date	Completion Date	Status	Description
Application Check	12/15/2023	12/16/2023	12/19/2023	Approved	
Planning and Zoning Review	12/15/2023	01/24/2024	01/01/1900	Pending	
Review Complete	12/15/2023	01/01/1900	01/01/1900	Pending	

### Inspection Information

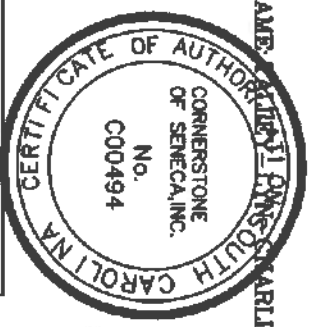
### Activities Information

### Documents Information

Creation Date	File Name	Source
12/15/2023	Receipt.htm	Merge document

PLAT # B-13711  
 DISK # C:\DWG\_1\_2023\NAME\ALBERT WOODSON CHARLIES WAY  
 FB # FNA PG 11102023

SPC SC GRID NORTH



**EXEMPTION FROM REVIEW PROCESS**  
 The survey shown hereon is a RESURVEY of an existing lot of record as recorded in Plat Book P-56 page 727.

TAX MAP PARCEL #: 150-00-01-118  
 DESCRIPTION: THIS IS THE PROPERTY DESCRIBED IN DEED BOOK 2225 PAGE 315 AND KNOWN AS REFERENCE PLAT BOOK P-56 PAGE 277.  
 RECORDED IN THE COUNTY RECORDS OF OCONEE.

STATE OF SOUTH CAROLINA  
 COUNTY OF OCONEE  
 TOWNSHIP OF  
 CITY OF

AREA OF PARCEL : 1.45 ACRES +-

DATE : NOVEMBER 9, 2023  
 REVISED ON :

PLAT PREPARED FOR:

LYND D. TALLEY  
 JACKIE S. TALLEY

CORNERSTONE OF SENECA, INC.  
 800 WHITFORTH CIRCLE  
 SENECA, SC 29672  
 PAYMENTS MAILED TO  
 PO BOX 1071  
 CLEMSON, SC 29633  
 PHONE: 864/882-6476  
 EMAIL: call9777rtdk@gmail.com

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 MICHAEL L. HENDERSON, PS 6946

SCALE: 1=40'

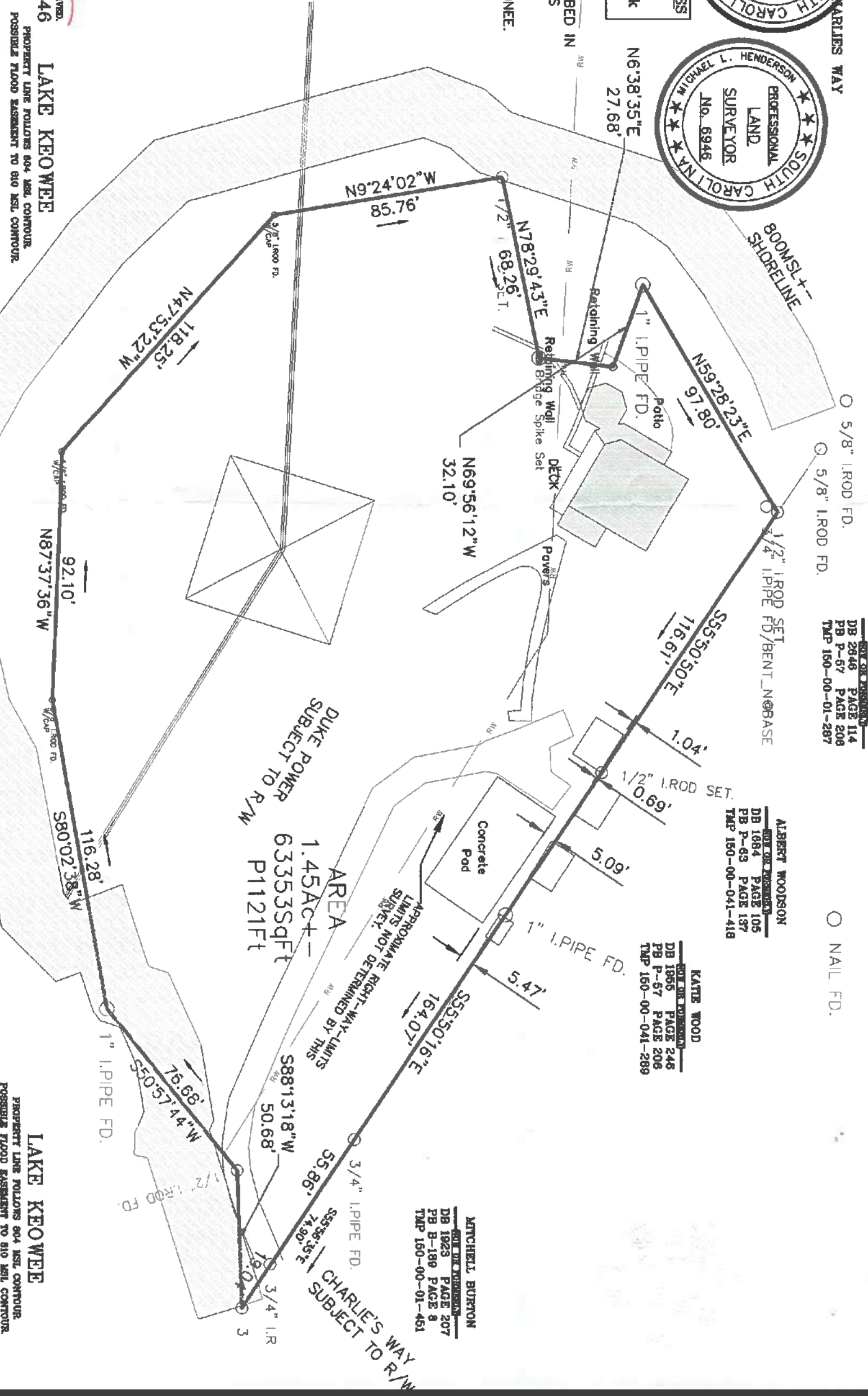
Recorded this \_\_\_\_\_ day of \_\_\_\_\_ 2023  
 Vol \_\_\_\_\_ page \_\_\_\_\_ and Certified  
 Register of Deeds, OCONEE County.

JAMES WHITMIRE  
 BOX 2648  
 DB 2648 PAGE 114  
 PB P-67 PAGE 208  
 TWP 150-00-01-287

ALBERT WOODSON  
 DB 1664 PAGE 105  
 PB P-63 PAGE 187  
 TWP 150-00-041-418

KATIE WOOD  
 DB 1865 PAGE 245  
 PB P-57 PAGE 206  
 TWP 150-00-041-289

MITCHELL BURTON  
 DB 1923 PAGE 207  
 PB B-189 PAGE 8  
 TWP 150-00-01-451



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 HEREIN OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN. PROPERTY SUBJECT TO ANY AND ALL EASEMENTS ON RECORD. THIS DOCUMENT DOES NOT TRANSFER TITLE NOR NECESSARILY FOLLOWS TITLE LINES.

This survey was prepared with documents and data gathered from various (private, public, & government) sources. but no title examination was furnished by an attorney. This survey is made subject to a current and complete title examination and is subject to any and all records either recorded or unrecorded that may affect this property. easements, right-of-ways, above and below ground utilities, covenants and restrictions, and any other right or agreement that may be attached to this property. Any reproduction of this document that does not have a "raised" impression shall, and red ink signature should be considered altered or fraudulent and not to be used for any purpose. This document was prepared for legal transactions on or near the date hereon and for the above list person, persons, or identity only. No other use implied.

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