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## Meeting agenda May 29, 2025 6:00 pm

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1. Call to order
2. Approval of minutes: 4/28/25
3. Brief statement about rules and procedures
4. Variance application #VA25-000003 Houston Henry of DH Building and Son's Inc is requesting a 3' reduction to the side setback and a 7' reduction in the rear setback for a metal garage building. TMS #291-00-04-047, with an address of 227 Snow Creek Road, Seneca, SC 29678.
5. 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

Gwen Fowler, District II

John Eagar, At-Large

Wayne McCall, At-Large

Jason Cox, District IV

Bill Gilster, District III

Tim Mays, District V

# 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 28, 2025

### Members in Attendance

John Eagar  
Jim Henderson  
Wayne McCall

Gwen Fowler  
Jason Cox  
Tim Mays

### Staff

James Coley

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

**ITEM 2 – Motion to approve the minutes from Feb 24, 2025** – Mr. McCall 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 #VA24-000024 Wyatt Fullbright of Richland Creek is requesting a front setback variance of 22' to allow for a new property line between the existing storage building and the existing shop building. TMS 252-00-01-005, with an address of 2036 Sandifer Blvd, Seneca SC 29678.**

### Applicant Comments:

Stated Name: Wyatt Fullbright

Mr. Fullbright outlined the request, due to the proximity of the buildings to each other it is impossible to meet the required setbacks for each building.

**Staff comments:** Mr. Coley addressed setback requirements for each structure if a new parcel line were to go between them.

**Public comment:** NA

**Applicant rebuttal:** NA

**Board Questions/ Discussion:**

Mr. Mays asked about if the owner would retain both pieces if the parcel was split

Mr. Henderson asked about the ideal split between the buildings

Mr. Eagar asked for a motion to for the new line to be equally divided between the storage buildings and the shop building. Motion by Mr. Mays Seconded by Mr. Henderson, Motion passed 6-0

**Consideration of VA24-000024:**

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. McCall. No discussion
- b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that the criterion **did pass**.

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. Mays. No Discussion
- b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that the criterion **did pass**.

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. McCall made a motion in the affirmative, seconded by Mr. Herderson. No discussion.
  - b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that the criterion **did pass**.

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. Mays. No Discussion
  - b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that the criterion **did pass**.

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. McCall.
  - b. Discussion regarding conditions attached to the approval: NA
  - c. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that the variance request was **Approved with the following condition the line to be equally divided between the storage buildings and the shop building,**

**Item 5- Variance application #VA25-000005 Leon Manley is requesting a 14' reduction front setback for a metal building. TMS #086-00-02-149, with an address of 412 Whispering Pines Ln., Salem SC 29676.**

**Applicant Comments:**

Stated Name: Leon Manley

Mr. Manley outlined the request, and explained he did not understand the setback requirements when the building was installed.

**Staff comments:** Mr. Coley addressed and noted the building was not permitted, and the need for the variance was discovered after the electrical permit was pulled for the building.

**Public comment:** NA

**Applicant rebuttal:** NA

**Board Questions/ Discussion:**

NA

**Consideration of VA25-000005:**

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

- a. Motion – Mr. McCall 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 **did pass**.

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. Mays. No Discussion
  - b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that the criterion **did pass**.

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. McCall. No discussion.
  - b. Vote

In-favor	Opposed
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6	0
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Mr. Eagar noted that the criterion **did pass**.

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. McCall 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 **did pass**.

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. McCall.
  - b. Discussion regarding conditions attached to the approval: NA
  - c. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that the variance request was **Approved**

**Item 6- Special Exemption application #SE25-000001 Ryan Woods of Tower Engineering Professionals is requesting a new communications tower for Duke Energy. TMS #016-00-01-001, with an address of 100 Bad Creek Rd., Salem SC 29676.**

**Mr. Cox Recused himself and noted he is a contract employee of Duke Energy. Mr. Cox left the meeting.**

**Applicant Comments:**

Stated Name: Sarah Spruill

Ms. Spruill outlined the request and explained the need for the additional tower on site.

**Staff comments: NA**

**Public comment: NA**

**Applicant rebuttal:** NA

**Board Questions/ Discussion:**

NA

**Consideration of SE25-000001:**

1. Is in accordance with the comprehensive plan and 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. Mays made a motion in the affirmative, seconded by Mr. Henderson. No Discussion
- b. Vote

In-favor	Opposed
5	0

Mr. Eagar noted that the criterion **did pass**.

2. Is in the best interests of the county, the convenience of the community and the public welfare

- a. Motion – Mr. Henderson 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 **did pass**.

3. 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;

- a. Motion – Mr. McCall made a motion in the affirmative, seconded by Mr. Henderson. No Discussion
- b. Vote

In-favor	Opposed
5	0

Mr. Eagar noted that the criterion **did pass**.

4. Is 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. Henderson 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 **did pass**.

**5.** Mr. Eagar asked- Based on the evidence presented to the Board, do I hear a motion that the proposed Special Exception be approved (or denied if even one criterion is not met).

- a. Motion – Mr. McCall made a motion in the affirmative, seconded by Mr. Henderson. No Discussion
- b. Vote

In-favor	Opposed
5	0

Mr. Eagar noted that the criterion **did pass**.

**Item 6- Adjourn- Motion by Mr. Mays approved 5-0**

Close Date

Last Inspection

Code section from which a variance is requested  
38-7.1

Property Owner  
HENRY TAYLOR & DANIEL

Property Owner Email  
[REDACTED]

Property Owners Phone #  
[REDACTED]

Permit Fees

Upload Supporting Documentation Here

- 20250117\_114050.jpg
- 20250204\_094801.jpg
- Variance Request Photos.pdf
- Neighbor - Letter of Acceptance .pdf



Application is

Application is not  
Is not restricted

**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 location of my home in accordance to my property line is not quite ideal for my circumstances of the

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

No it is not. I had no influence on the placement of the home as I am no the original owner.

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

If I was to place the garage within the correct set back limit which is 5ft off the sides and 10ft on the rear, it would place the garage at such an angle it would not work for proper entry to the garage from my driveway and it would place the front of the garage within 2ft or less of the rear of my house. I have attached a picture showing the garage in the correct set back to show how it will not work.

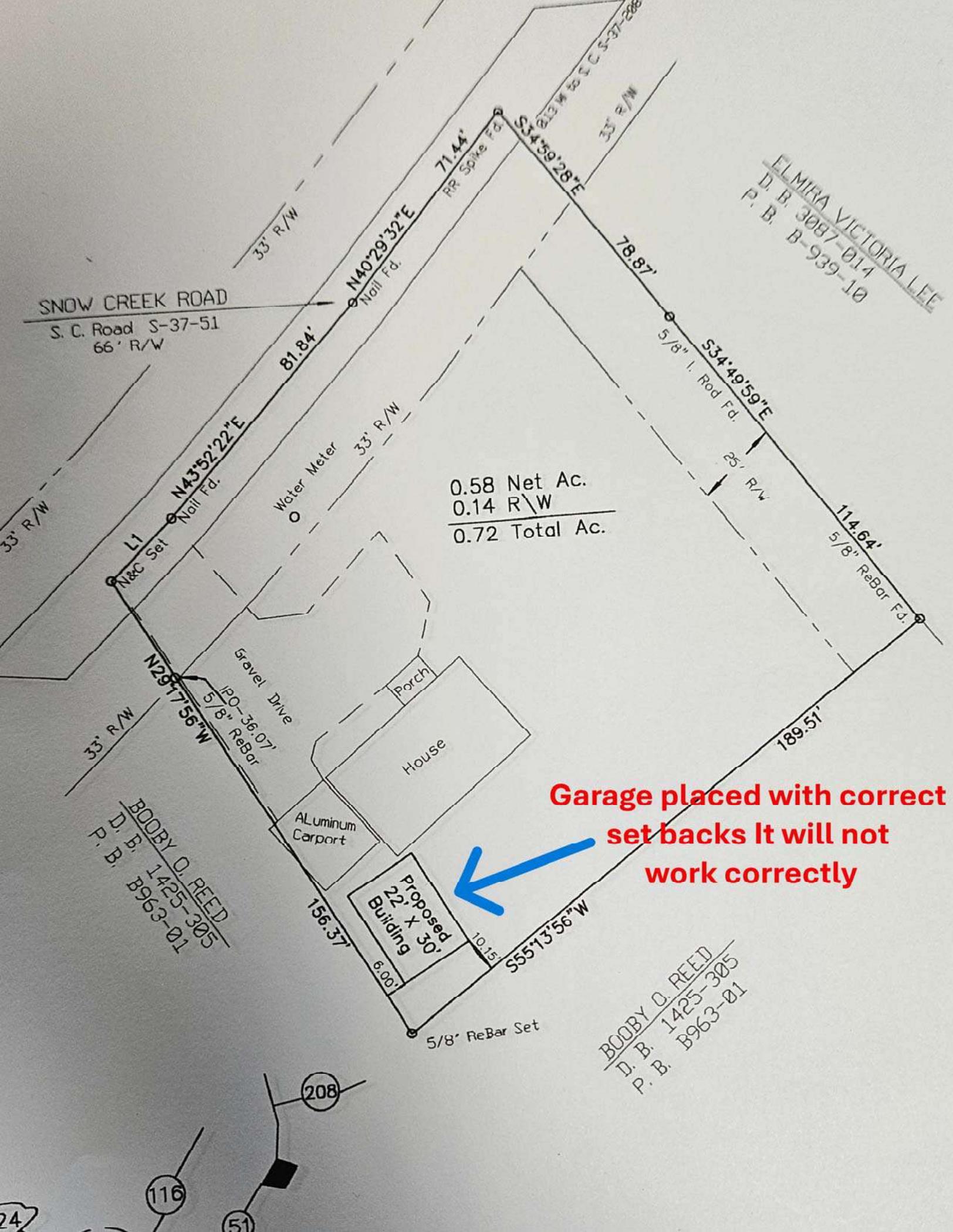
Will the proposed variance result in an activity that will not be of substantial detriment to adjacent uses or to the public good, and the character of the district will not be harmed by the granting of the variance. Explain.

No it will not. I am using the garage for lawn equipment storage, aswell as for a car and misc. storage.

General Contractor  
HENRY TAYLOR & DANIEL

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 authoirty to waive requirements of this code.

Comments



SNOW CREEK ROAD  
S. C. Road S-37-51  
66' R/W

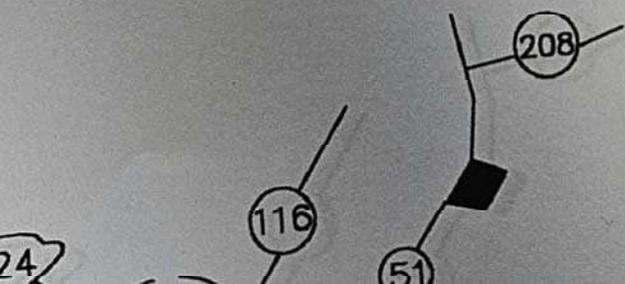
ELMIRA VICTORIA LEE  
D. B. 3087-014  
P. B. B-939-10

0.58 Net Ac.  
0.14 R/W  
0.72 Total Ac.

**Garage placed with correct  
set backs It will not  
work correctly**

BOOBY O. REED  
D. B. 1425-305  
P. B. B963-01

BOOBY O. REED  
D. B. 1425-305  
P. B. B963-01



SNOW CREEK ROAD

S. C. Road S-37-51  
66' R/W

ELMIRA VICTORIA L.  
D. B. 3087-014  
P. B. B-939-10

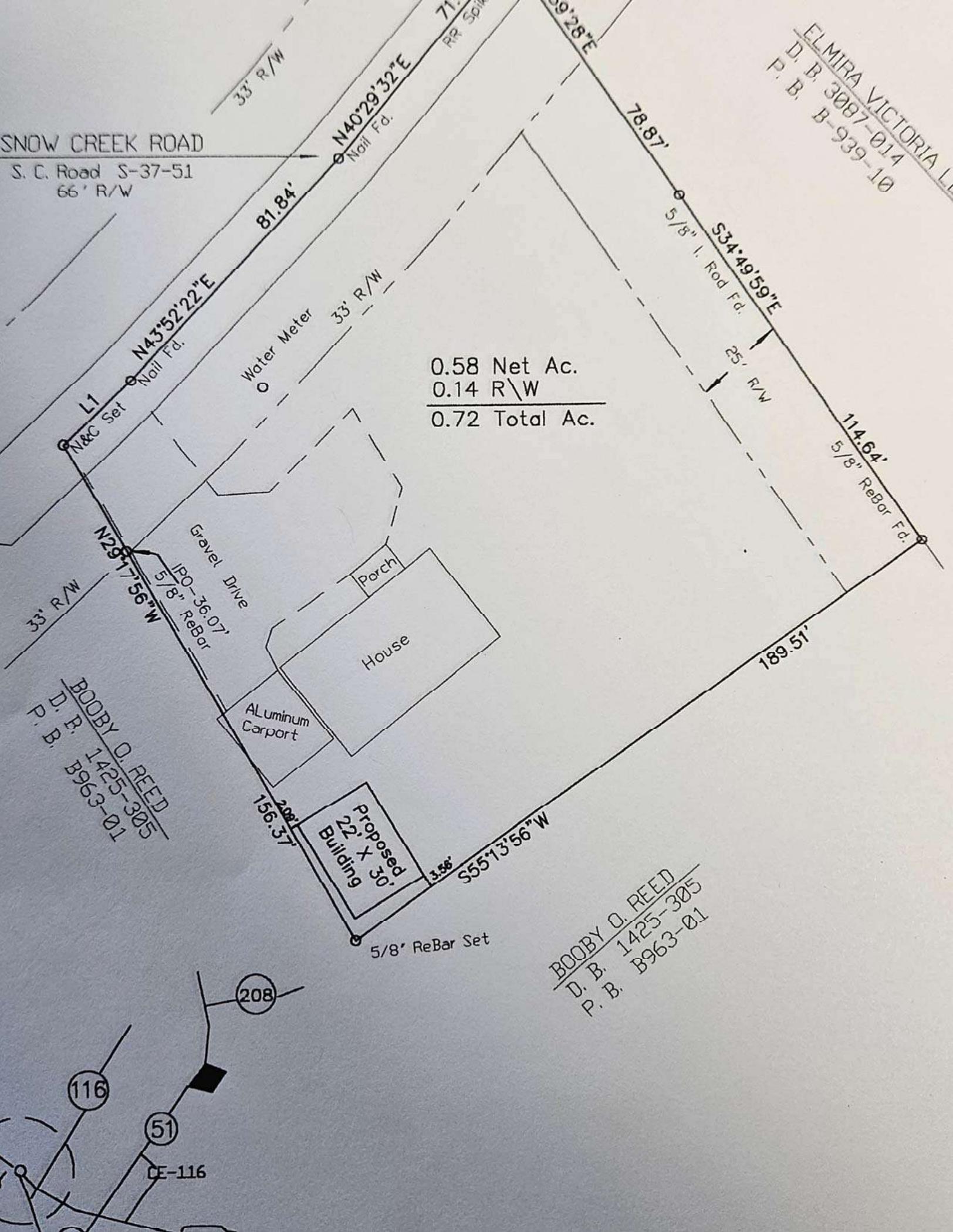
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0.14 R\W  

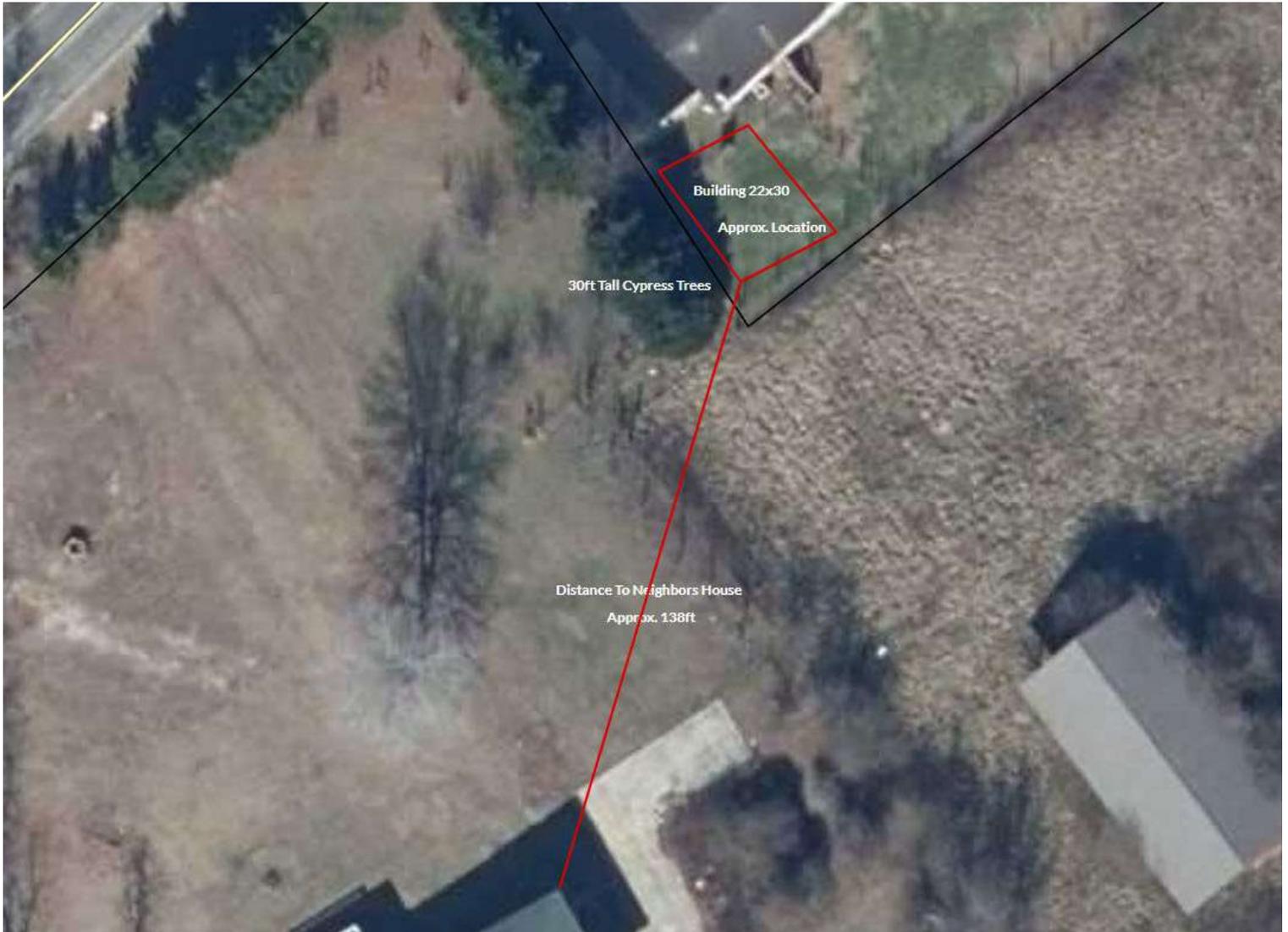
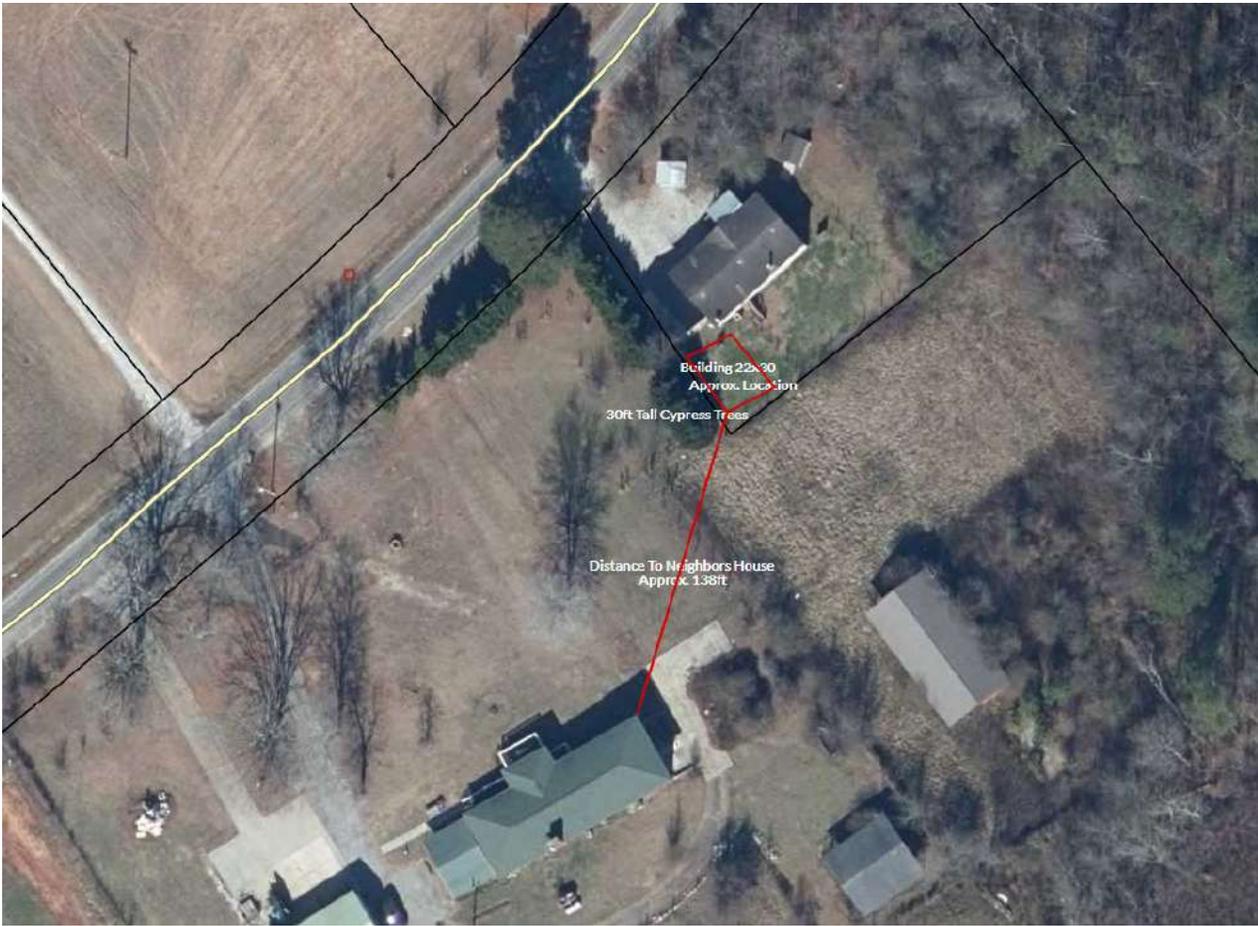
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0.72 Total Ac.

BOOBY O. REED  
D. B. 1425-305  
P. B. B963-01

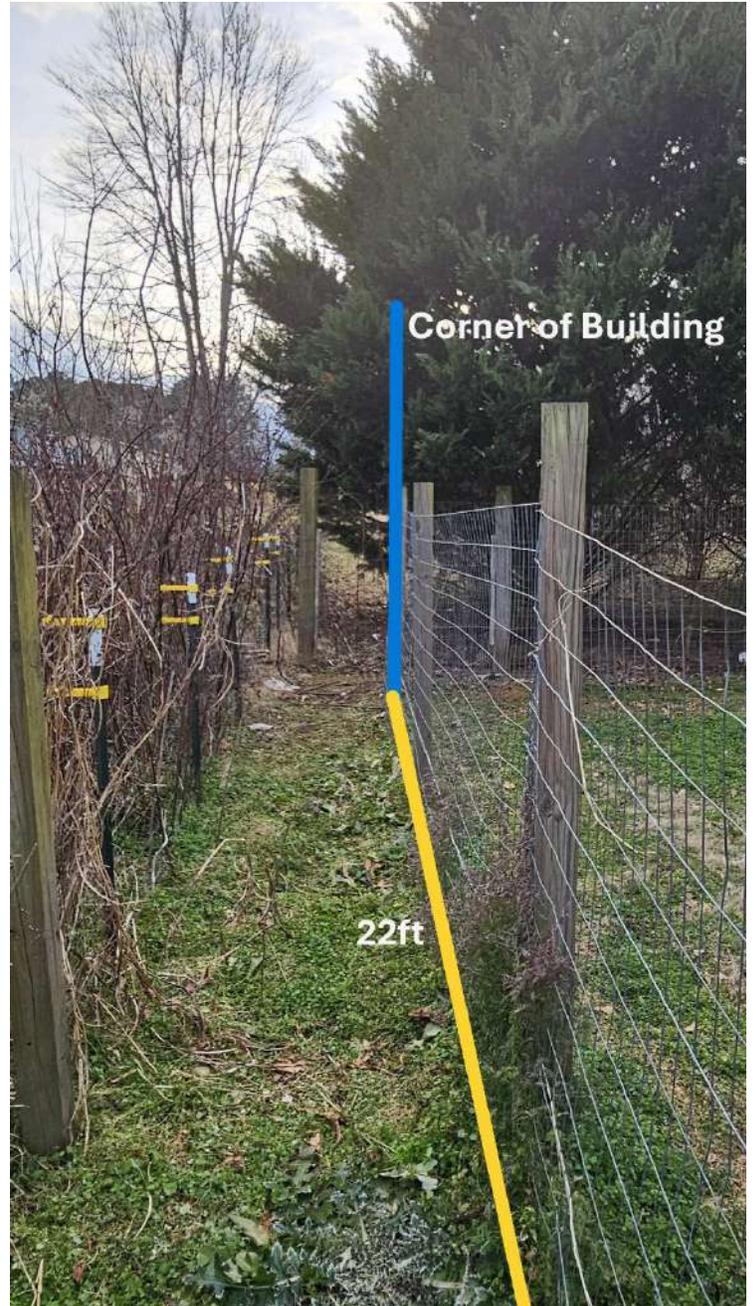
BOOBY O. REED  
D. B. 1425-305  
P. B. B963-01







Building to go where existing dog fence is



**Letter of Acceptance**

To whom this may concern, my name is Bobby Reed. I live at 229 Snow Creek Rd, Seneca SC 29678. My neighbor Taylor Henry located at 227 Snow Creek Rd, Seneca SC 29678, has made me aware of a project he is wanting to build at his house. He has told me he plans to build a 22'x30' garage that will be located close to our property lines and he will have to request a variance. I am aware of the 5ft set back limit on the sides and 10ft set back of the rear of the property line. I have seen the location on the survey map and he showed me the location at his property to where the garage is to be placed. Based on the survey map that he showed me, the garage will be 2ft off the side and 3.5ft off the rear of our property line. Based on everything that Taylor showed me I have no issue and I agree to let him move forward with the variance request. Let this letter be a form of acceptance as I see no issue with the placement of Taylors garage and it will have no effect on the use of my property now or in the future.

Sincerely, Bobby Reed

X 

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Bobby Reed [REDACTED]  
229 Snow Creek Rd

X 

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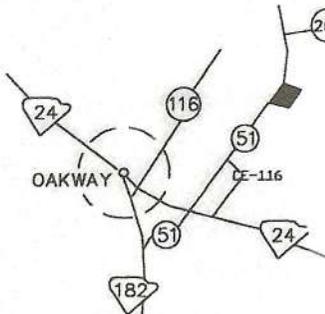
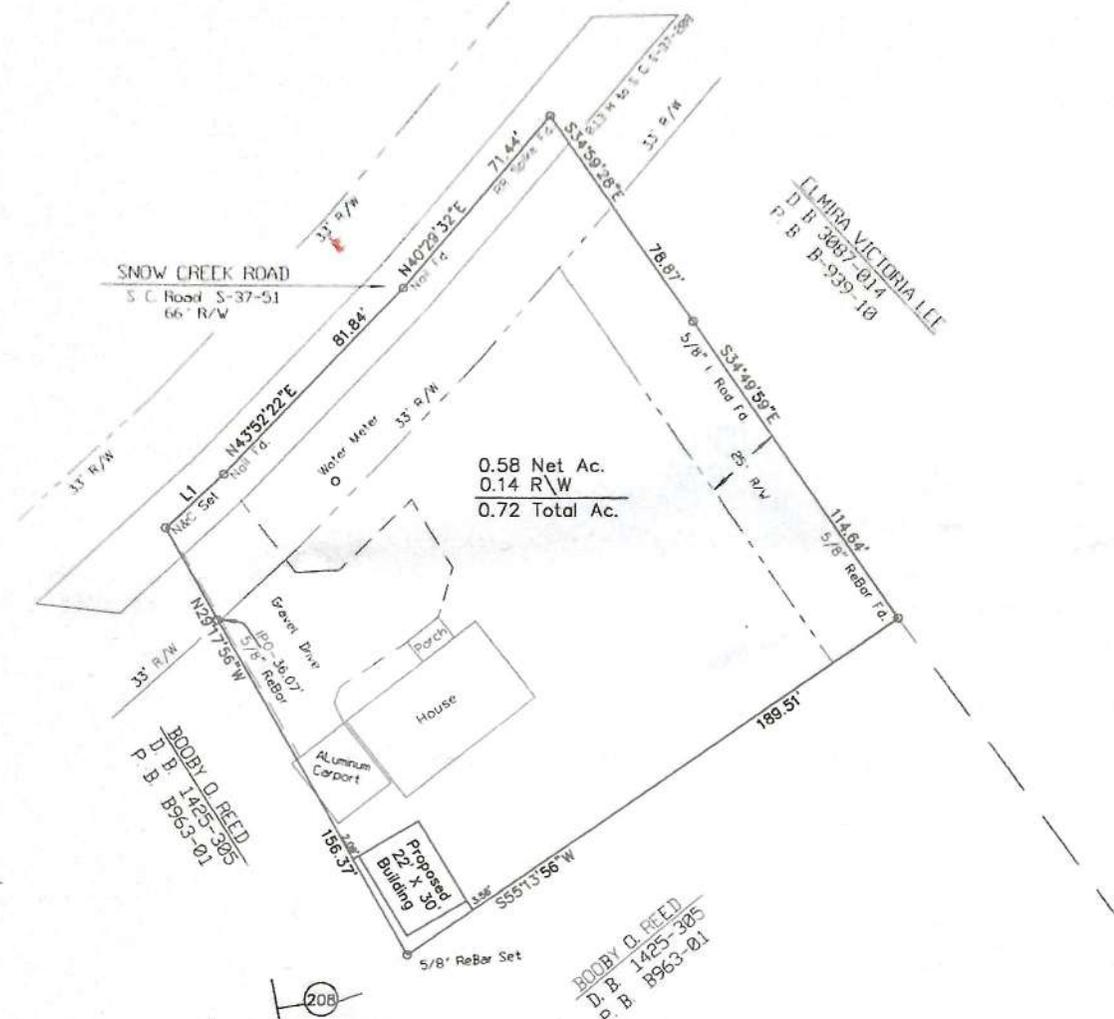
Taylor Henry [REDACTED]  
227 Snow Creek Rd

PROPERTY OF TAYLOR HENRY  
AND DANIEL HENRY

CENTER TOWNSHIP---OCONEE COUNTY---SOUTH CAROLINA  
DATE: January 17, 2025  
TAX MAP #291-00-04-047  
File: HENRY, TAYLOR

References:  
Deed Book B267 page B73  
Plat Book P-62 page 748

NUM	DISTANCE	BEARING
L1	25.10'	N47°06'25"E



LOCATION MAP--NO SCALE

THIS PLAT IS A RESURVEY FROM AN EXISTING LOT OF RECORD;  
SEE PLAT BOOK P-62 PAGE 748.

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF,  
THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS  
OF THE MINIMUM STANDARD MANUAL FOR THE PRACTICE OF LAND SURVEYING  
IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS  
C SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE  
ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

SURVEYED BY JAMES G. HART  
REG. L.S. # 6674  
266 FRIENDSHIP VALLEY ROAD  
SENECA, SC 29678  
TELEPHONE (864) 247-1082

*James G. Hart*

*[Handwritten Signature]*



Scale : 1" = 40'