

# 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**