



OCONEE COUNTY
BOARD OF ZONING APPEALS
415 S. Pine St. Walhalla, SC 29691
864.638.4218
OconeeSC.com
planninginfo@oconeesc.com

BOARD MEMBERS

| | |
|--------------------------------|---------------------------|
| John Eagar, Chairman, At-Large | Jim Henderson, District 1 |
| Gwen Fowler, District 2 | Bill Gilster, District 3 |
| Jason Cox, District 4 | Tim Mays, District 5 |
| Wayne McCall, At-Large | |

STAFF

Elise Dunaway

MINUTES

Monday, December 17, 2025 – 6:00 PM
Oconee County Council Chambers

- 1. Call to Order** – Mr. Eagar called the meeting to order at 6:00 PM.
- 2. Motion to approve the minutes from November 24, 2025** – Mr. Mays made a **motion** to approve the minutes; seconded by Mr. McCall. Mr. Eagar called for a vote. The motion passed 6-0.
- 3. 2026 Meeting Calendar Revision** – Mr. Mays made a motion to accept the revision to the 2026 Meeting Calendar. Seconded by Mr. Gilster. Approved Unanimously.
- 4. Brief statement about rules and procedures** – Mr. Eagar outlined the proceedings of the meeting going forward:
 - The applicant will provide a presentation regarding the needs for the variance for 5-minutes with the Board having the ability to grant more time if needed.
 - The Board will ask questions after each presenter
 - The staff will address any additional issues
 - Citizen comments will be allowed for period of 3-minutes each with the Board's request that the speakers not repeat what others are saying, but rather concur or state other facts not previously presented
 - There will be an applicant rebuttal period if necessary
 - The Board will ask any further questions before deliberations
 - Once the Board begins its deliberations, there will be no further input from the floor. and the Board will begin it's voting on four questions, and a negative vote on any one of the four questions will require a denial of the variance or special exception.

The meeting will be broadcasted live on the County's YouTube channel, which can be found on the County's website at www.oconeesc.com.

Rev. 07/2025



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1. **Variance application VA25-000019 - David Irvine requests relief from Sec. 16-122 to build over the floodplain less than 3 feet above the base flood elevation. TMS 052-03-06-010; Address: 331 Time Out Pl. Tamassee, SC 29686.**

Applicant Comments:

Stated Name: David Irvine

Mr. Irvine explains he is wanting to add onto his house on Lake Cherokee. He is requesting to build at the same height as the rest of the house within the floodplain. In 2005, the highest level of water in Lake Cherokee was 1079.6ft.

Staff comments: Miss. Dunaway reminds the board to consider Section 1.2 Background and Meaning of Variance from the Variances and the National Flood Insurance Program that states, "In some cases, a variance granted for floodplain management purposes can result in a project that does not meet the minimum standards of the NFIP. Because a variance can lead to an increased risk to life and property, variances from flood elevation requirements or other floodplain management requirements should be granted only rarely."

Public comment: NA

Applicant rebuttal: NA

Board Questions/ Discussion:

The Board reviews Chapter 16-166 Considerations and Ch. 16-169 Conditions.

Consideration of VA25-00019:

- I. 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 |

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- II. 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 |

- III. 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 |
|----------|---------|
| 6 | 0 |

- IV. 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 Mrs. Fowler. No Discussion. Mr. Eager opposed.
 - b. Vote

| In-favor | Opposed |
|----------|---------|
| 5 | 1 |

- V. Mr. Eagar asked for an amendment – Based on the evidence presented to the Board, do I hear a motion that the proposed variance be **Approved** based upon Oconee County being held harmless in the event there is ever any damage to the property resulting from flooding and that the property owner maintain adequate FEMA Flood insurance on the property regardless of the cost.
- a. Motion – Failed due to no second



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- VI. 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. McCall made a motion; seconded by Mrs. Fowler.
 - 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**.

5. Adjourn- Motion by Mr. Gilster. Second by Mr. McCall. Approved 6-0