



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

BOARD MEMBERS

Jim Henderson, District 1
Bill Gilster, District 3
Chad Overholt, District 5
Wayne McCall, At-Large

Gwen Fowler, District 2
Jason Cox, District 4
John Eagar, At-Large

AGENDA

Monday, February 23, 2026 – 6:00 PM
Oconee County Council Chambers

1. Call to Order
2. Election of Officers
 - a. Chairman
 - b. Vice Chairman
 - c. Secretary
3. Approval of Minutes: December 17, 2025 meeting
4. Brief statement about rules and procedures
5. Special Exception Application SE25-000003. Umair Ali requests relief from the Fair Play Village Overlay District for a service station. Ref. Sec. 38-11.2 (2) D 1. TMS 337-00-03-009; Address: 503 E. Fairplay Blvd. Fair Play, SC 29643.
6. Variance Application VA25-000017. Umair Ali requests relief from the setback requirement in Appendix A for a service station. Ref. Appendix A (a) 3. TMS 337-00-03-009; Address: 503 E. Fairplay Blvd. Fair Play, SC 29643.
7. Adjourn

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.



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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



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



- 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

PROPERTY OF GONDAL GEE ENTERPRISES LLC

CENTER TOWNSHIP---OCONEE COUNTY---SOUTH CAROLINA

DATE: May 21, 2025

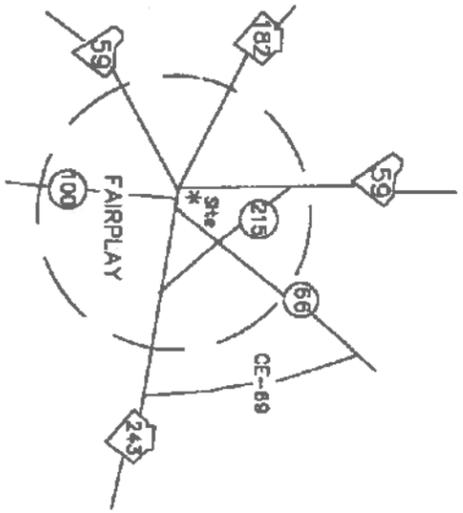
TAX MAP #337-00-03-009 & 012

File: GONDAL GEE

References:
Deed Book 3135 page 253
Plat Book A920 page 10
Plat Book P-50 page 692

References Highway Plans:
Old Intersection Fed Aid =349C(1)
New Intersection Project ID=P031969

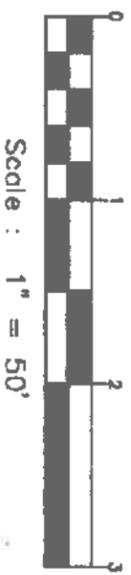
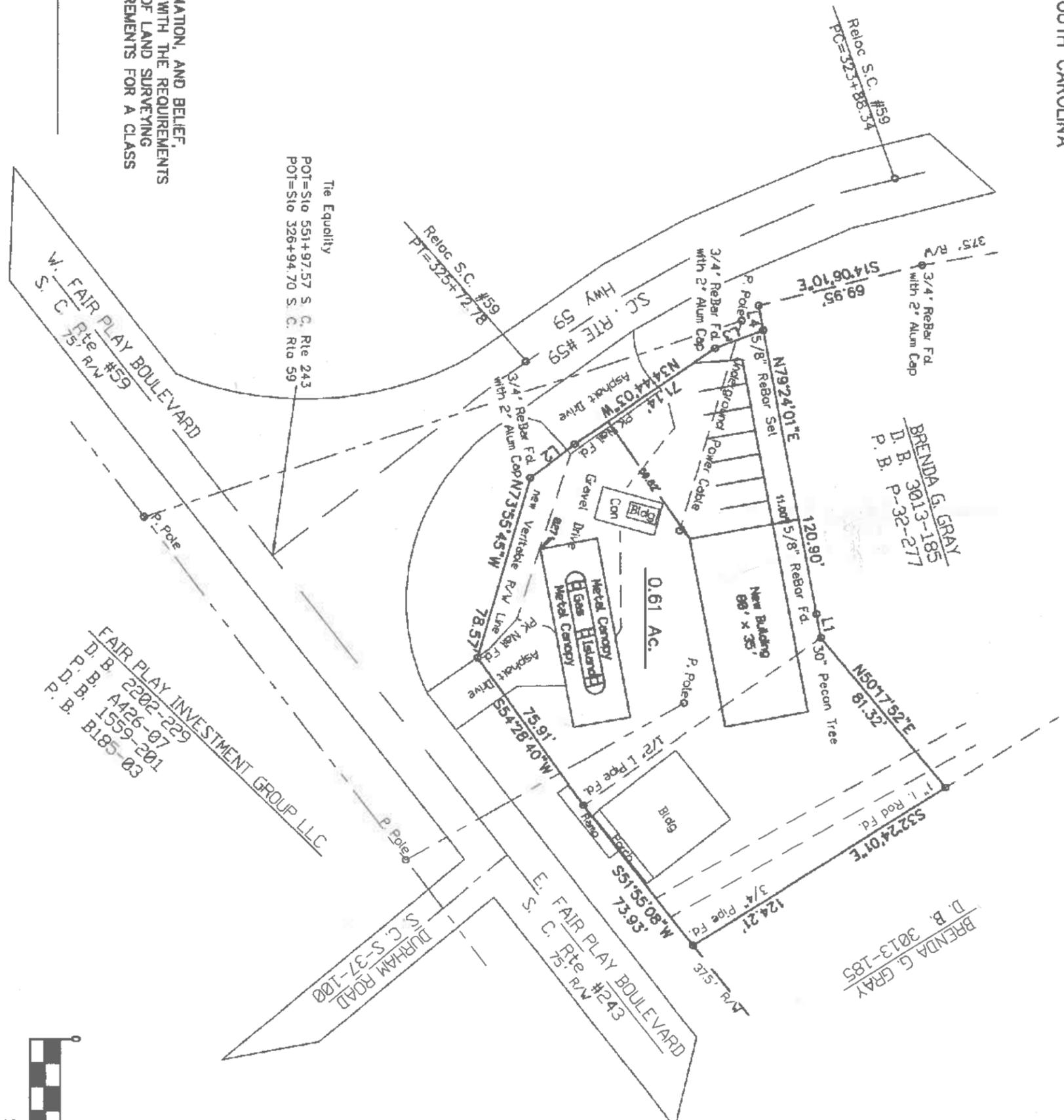
NUM	DISTANCE	BEARING
L1	10.05'	N79°24'04"E
L2	23.21'	N37°39'41"W
L3	21.37'	N20°56'39"W
L4	10.49'	N79°24'01"E



LOCATION MAP--NO SCALE

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 SURVEY AS SPECIFIED THEREIN.

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



Elise Dunaway

From: michael mitzfeldt <michaeltonasket@gmail.com>
Sent: Tuesday, February 3, 2026 3:07 PM
To: Planning Info
Subject: Service station fairplay



This message needs your attention

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

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To whom it may involve, we are concerned about the filling station in Fair Play, 503 E. Fairplay blvd, we don't need any more service stations in Fair Play, this wouldn't help us out, and the location isn't very good either, we feel it would ruin our town's character. Please vote no.

The Mitzfeldts
635 E. Fairplay blvd.

Elise Dunaway

From: Sandi Moffat <sandimoffat@gmail.com>
Sent: Sunday, February 15, 2026 6:35 PM
To: Planning Info
Subject: Gas Station 503 E Fair Play Road

 **This message needs your attention**

- This is a personal email address.
- This is their first email to your company.

[Report this Email or Mark as Safe](#)

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We would like you to deny the request for a gas station at the intersection of 243 and 59 in Fair Play. That corner/block and the surrounding streets have a lot of residential homes with small children. Many of the homes have been there for a very long time and allowing the gas station to go up would literally put it in their front yard which would ruin the lifestyle they bought that property for and also make it unsafe for the families/children with the traffic that would come.

The way the roads and traffic are at that intersection are less than ideal for adding another business.

Also, we have 2 gas stations at exit 4 that the pumps are rarely all used at the same time. And as of a few years ago, we were told Speedway was going in on another corner of exit 4 and another new gas station off exit 1. Directly off the interstate is a much better location for the traffic that comes with a gas station.

Our small town doesn't have the population to justify having another gas station move in. If they go through building the gas station and it doesn't do well, we end up with another eyesore empty building in the middle of downtown. And a small gas station cannot compete with the prices offered by the large market gas stations. The Fair Play Development Committee with input from Fair Play residents, has spent a lot of time with Oconee County coming up with a plan for the development of our community and this does not coincide with it.

Besides the residents of Fair Play that have lived there their whole lives or most of their years, the newer residents have moved there for the peace and tranquility this town offers. Inviting more traffic and congestion will only take us further away from that lifestyle.

We respectfully submit you consider these reasons to deny the application for the gas station.

Ken and Sandi Moffat
Fair Play, SC

Elise Dunaway

From: Fair Play Development <fairplaydevelopment@gmail.com>
Sent: Wednesday, February 18, 2026 11:46 AM
To: Planning Info
Cc: Jane Shea; Justin Wood; Alicia Walker; Tulkie Kirchoff
Subject: Oconee Counting Zoning Board of Appeals Meeting Regarding Umair Ali 2/24/2026
Attachments: Fair Play SC Strategic Master Plan Report.pdf; FPDC Letter Submission to Board of Zoning Questions 20260212.pdf; FPDC Letter Submission to Board of Zoning Appeals 20260212.pdf



This message needs your attention

- This is a personal email address.
- This is their first email to your company.

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Per the public meeting notice posted at 503 E Fair Play Blvd, we are submitting questions and input regarding:

- Variance Application VA25-000017
- Special Exception Application SE25-000003

We appreciate your consideration regarding this matter.

Sincerely,
Alicia Walker, President
Fair Play Development Corporation

Elise Dunaway

From: justin wood <fpfd829@gmail.com>
Sent: Wednesday, February 18, 2026 1:36 PM
To: Fair Play Development
Cc: Planning Info; Jane Shea; Alicia Walker; Tulkie Kirchoff
Subject: Re: Oconee Counting Zoning Board of Appeals Meeting Regarding Umair Ali 2/24/2026



This message needs your attention

- This is a personal email address.
- This is their first mail to some recipients.

Report this Email or Mark as Safe

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I spoke with Ali and he said he is not gonna tear down the white building he wants to put a restaurant in it and he said when he gets his plans drawn up for gas station he will share them with me

JUSTIN D. WOOD
FAIR PLAY FIRE DEPARTMENT
PUBLIC SAFETY OFFICER
FPFD829@GMAIL.COM

On Wed, Feb 18, 2026, 11:46 AM Fair Play Development <fairplaydevelopment@gmail.com> wrote:
Per the public meeting notice posted at [503 E Fair Play Blvd](#), we are submitting questions and input regarding:

- Variance Application VA25-000017
- Special Exception Application SE25-000003

We appreciate your consideration regarding this matter.

Sincerely,
Alicia Walker, President
Fair Play Development Corporation



February 12, 2026

To: The members of the Board of Zoning Appeals, Oconee County, SC

Ref: Special Exception Application SE25-000003 and Variance Application VA25-000017

We write regarding the application, by Umair Ali / Gondal Gee Enterprise LLC, for approval of the following 2 exceptions for a proposed service station located at 503 E. Fairplay Blvd., Fair Play SC 29643 (TMS 337-00-03-009):

1. Variance Application VA25-000017 requesting relief from the setback requirement in Appendix A for a service station. Ref Appendix A (a) 3
2. Special Exception Application SE25-000003 requesting relief from the Fair Play Village Overlay District for a service station. Ref. Section 38-11.2 (2) D 1

Our understanding is that currently there are no drawings or building specifications to review, simply the application for permission to install a service station and receive relief from setback requirements if granted.

We would ask that the BZA take the following into account as they deliberate their decision on this application:

- **Village of Fair Play Strategic Master Plan (Attached)** – this plan was developed in partnership with Oconee County in 2012 and updated in late 2021/early 2022. The Plan recognized opportunities along Fair Play Boulevard for reinvestment that will create a more vibrant business district, gathering places for citizens of the community and a more pedestrian and bicycle friendly community. While the Plan does not dictate specific uses or businesses, it did include before and after drawings of key sites and buildings to help portray the strategic vision for the Village, including retaining and updating façade renovations for existing buildings. This included the vacant building located on the property in question before the BZA. Without drawings or building specifications to review and therefore an understanding of what is intended by the applicant for this building, we cannot determine if the proposed service station is in fact aligned with the Strategic Master Plan.
 - Based on this we strongly request that more information is provided to the BZA so that they can make an informed decision.
- **Fair Play Village Overlay** – in reviewing the application for a special exception, the BZA will have the option on whether to require structures on the property to conform to the standards established in Appendix A (38-11.2 (2) D 1 [our understanding is requirements contained in 38-11.2 (2) D 4 in terms of heights, signage etc. will automatically apply]. In our opinion,



Appendix A building standards **SHOULD** be applied if the applicant is to replace the existing vacant building with a new structure (again this is unclear as there are no proposed drawings etc included with the application). This would ensure that the design and appearance would at the very least align with the existing buildings of e.g. Yoders and Diamond T in terms of roof lines, siding, use of stone etc. and therefore more closely align with the overall Strategic Master Plan.

We appreciate the time and effort the BZA puts into reviewing these applications to ensure the best needs of the community are met.

Thank you for your time and consideration of our input.

Yours Sincerely,

A handwritten signature in cursive script that reads "Alicia Walker".

Alicia Walker
President, Fair Play Development Corp



Questions from the Community

1. Will it be open 24/7?
2. Will it offer regular and diesel and non-ethanol and/or electric charging stations?
 - a. How many tanks will there be?
 - b. What regulations will they be required to meet?
3. Semi trucks (18 Wheelers)
 - a. Will there be parking for them?
 - b. Will there be diesel gas pumps for them?
4. Will the car gas lanes be sufficient size for vehicles with trailers, boats etc.?
5. Has traffic been studied to confirm if the roads can sufficiently handle the ingress and egress into the proposed station?
6. Are there mandatory provisions in case of gasoline fire?
 - a. We have a volunteer fire department, do they have the proper equipment?
 - b. Are there rules around proximity of a gas station to a fire department?
7. What products will the service station sell other than gasoline?
 - a. Alcohol?
 - b. Cigarettes?
 - c. Lottery?
 - d. Food?
 - i. Hot, cold?