

AGENDA

ANDERSON COUNTY LAND USE AND ZONING BOARD OF APPEALS MEETING

Thursday, October 10, 2019

5:15 PM

Anderson County Historic Courthouse
County Council Courthouse: Second Floor
101 South Main Street
Anderson, South Carolina

- 1.) Call to Order: Mr. Hubert McClure, Chairman
- 2.) Invocation: Mr. Hubert McClure
- 3.) Approval of Minutes: Meeting held on September 12, 2019

4.) PUBLIC HEARINGS:

- (A) Variance Application to allow for parcel to be subdivided under the 1 acre minimum requirement for an R-A zoned parcel located at 350 Maxcy Drive, Belton.

- 5.) Old Business:
- 6.) New Business: Regular Scheduled Meeting November 14, 2019.
- 7.) Adjournment:

Staff Report

Application for a Variance-To allow for current lot to be subdivided under the minimum
1- acre lot requirement within the R-A(Residential Agricultural District)
Anderson County Board of Zoning Appeals Meeting-District 7
Historic Courthouse-101 South Main Street-2nd Floor County Council Chambers
Anderson, South Carolina
October 10, 2019
5:15PM

Applicant: Willie & Diane Lollis
Owner of Property: Willie & Diane Lollis

Property Location: 350 Maxcy Drive, Belton, SC
Council District: Seven (7)

Tax Map Number: 223-00-04-010
Acreage of Property: 1.97 acres

Current Zoning: R-A (Residential Agricultural District)
Current Land Use: Single-Family Home with a block building

Surrounding Zoning Districts: R-20(Residential Single-Family District) and R-A
(Residential Agricultural District)

Applicant Request: Applicant is requesting a variance to subdivide the existing lot of record that will place the mobile home and block building on 0.97 acres to allow the mobile home to be placed on the 1- acre parcel. Enclosed is the applicant application and separate documentation for the Board's review.

Findings of Fact: Chapter 70 Anderson County Code of Laws, Chapter 70, Section 5:2.3 Minimum lot area requires that all lots shall be a minimum of 1 acre.

Staff Recommendation: Staff recommends **denial** of the variance request based upon the following reasons;

1. Applicant has not demonstrated on the application and information submitted that there are extraordinary and exceptional conditions pertaining to the property.
2. Variances are granted on a condition that there is a hardship on the property in terms of topography, soil conditions/constraints, and irregular shaped lots. Variances do not cover financial hardships or an opportunity to increase density to further profit or maximum property vested by state law vested with the Board of Zoning Appeals.
3. Granting this variance will take a conforming lot of record and create a non-conforming lot of record under the county land use requirements.
4. Staff position is that granting a variance will set a precedent moving forward for all other property owners within Anderson County requesting relief on conforming lots of records where a hardship does not exist.



Variance Application

There is a Variance Application Fee of \$200.00

Date of Application Completion _____

Application Status (Approved or Denied) _____

Applicant's Information

Name: Willie + Dianne Hollis

Mailing Address: 320 Maxcy Dr. Belton SC 29627

Telephone and Fax: 864-847-5743 E-Mail: Missetta68@gmail.com

Owner's Information

(If Different from Applicant)

Name: _____

Mailing Address: _____

Telephone and Fax: _____ E-Mail: _____

Designation of Agent: (Complete only if owner is not the applicant)

I (We) hereby appoint the person named the Applicant as my (our) agent to represent me (us) in this request for rezoning.

Willie Hollis Dianne Hollis
Owner's Signature

9-11-19
Date

Project Information

Property Location: 350 Maxcy Dr, Belton SC

Parcel Number(s)/TMS: 2230004010

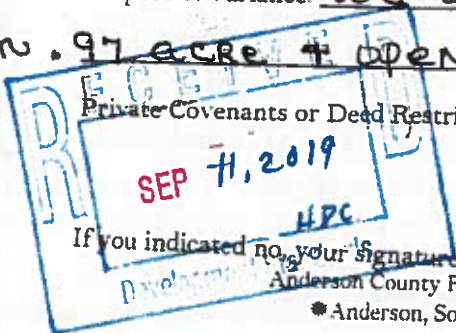
County Council District: 7 School District: 1

Total Acreage: 1.97 Current Zoning: R-A

Requested Variance: MINIMUM LOT SIZE VARIANCE
Please indicate if setback variance, sign variance or minimum lot size variance.

Purpose of Variance: We want to put house + block building on .97 acre + open up 1 acre for a mobile home.

Private Covenants or Deed Restrictions on the Property: Yes _____ No X



If you indicated no, your signature is required.

Willie Feller
Applicant's Signature

Nina Nelson

9-11-2019
Date

If you indicated yes, please provide a copy of your covenants and deed restrictions with this application - pursuant to State Law (Section 6-29-1145: July 1, 2007) - determining existence of restrictive covenants. Copies may be obtained at the Register of Deeds Office. It is the applicant's responsibility for checking any subdivision covenants or private covenants pertaining to the property.

Applicant hereby appeals to the Board of Zoning Appeals for a variance from the strict application to the property described in the Notice of Appeal of the following provision of the Development Standards Ordinance.

The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by State Law and the ordinance are met by the following facts:

Extraordinary and exceptional conditions pertaining to the particular piece of property, as follows: CAN'T BE SOLD OR USED AS A HOME DUE TO LACK OF 3/100 OF AN ACRE.

Conditions do not generally apply to other properties in vicinity, as shown by: PLAT -

Application of the ordinance to the particular piece of property would effectively prohibit or unreasonable restrict the utilization of the property as follows: SAME AS ABOVE, DUE TO LACK OF 3/100 OF AN ACRE.

Authorization of variance will not be of substantial detriment to adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance for the following reasons:

FAMILY OWNS ADJOINING PROPERTY (BROTHER + SISTER)

The following documents are submitted in support of this application: (Please attach copies of all additional information to this application.) PLAT OF PROPERTY.

Please attach an accurate, legible plot plan showing the dimensions and locations of structures and improvements of the property to this application.

As the applicant, I hereby confirm that the required information and materials for this application are authentic and have been submitted to the Anderson County Development Standards Office.

Willie Feller
Applicant's Signature

Nina Nelson

9-11-19
Date

For Office Use Only:

Application Received By: _____ Date Complete Application Received: _____

Application Fee Amount Paid: _____ Check Number: _____

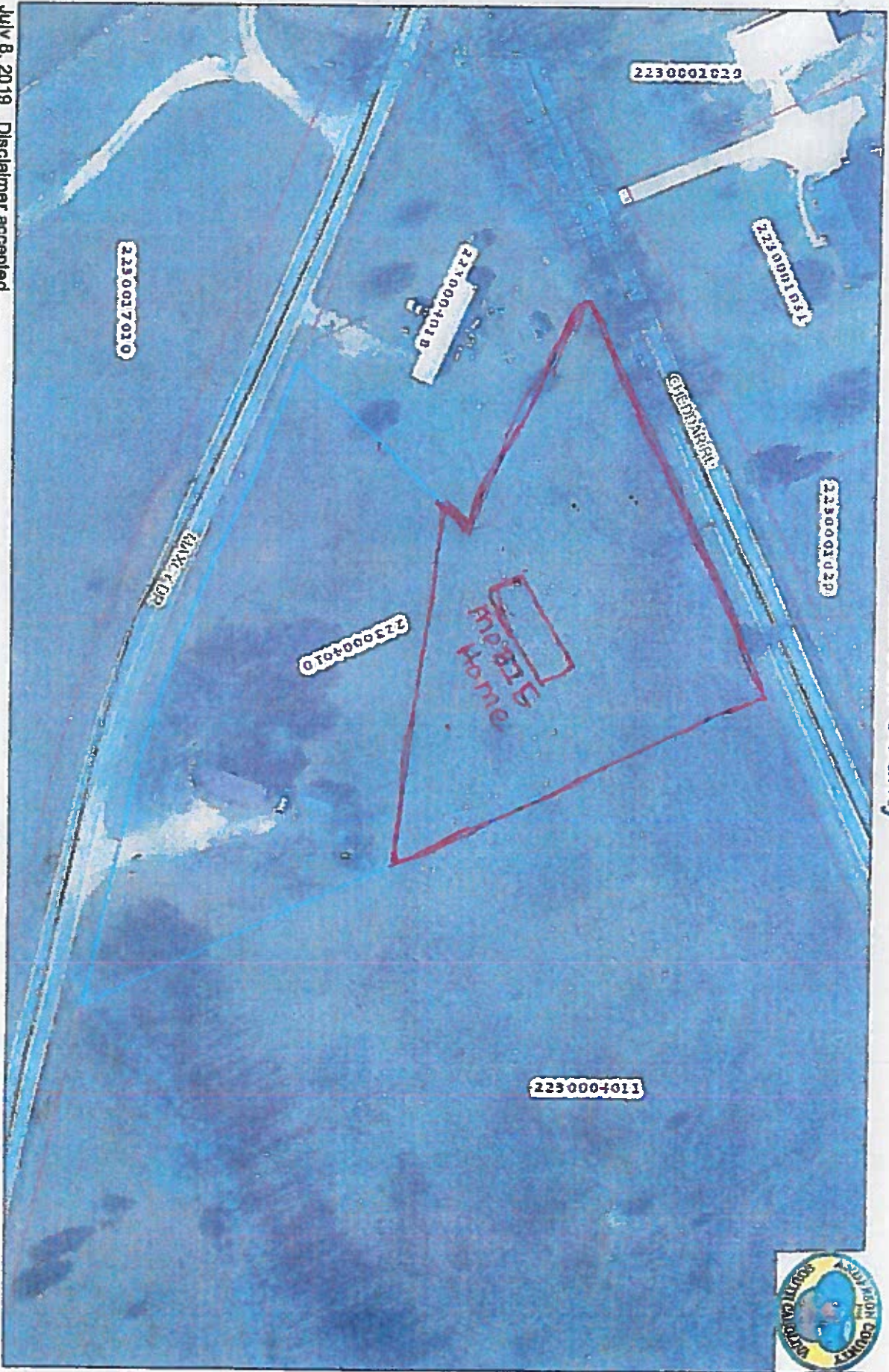
Scheduled Advisory Hearing Date: _____ Scheduled Board Hearing Date: _____

Staff Recommendation: _____ Advisory Recommendation: _____

Land Use/Board of Zoning Appeals' Decision: _____

RECORD 15 K-63

Anderson County

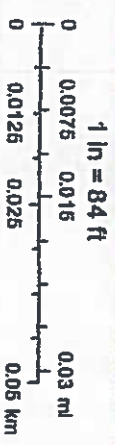
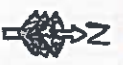


July 8, 2019 Disclaimer accepted.

TMS: 2230004010
 Owner: LOLLIS SAM WILLIE + DIANE C
 Owner Address: 320 MAXCY DR
 City/State: BELTON SC
 Deed Book: 2217
 Tax District: 1
 Sale Year: 1995

Deed Page: 142
 Description: TR 4 MAXCY DR 1.97 AC
 Sale Price: \$1
 Market Value: \$31,830

Zip Code: 29627



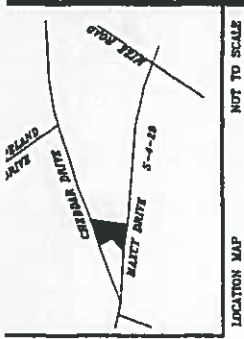
ESRI, ArcView Mapping, and Anderson County GIS

THIS IS NOT A SUBDIVISION AS DEFINED
S: ANDERSON COUNTY SUBDIVISION
REGULATIONS

2/3/04
DATE
SUBMISSION ADMINISTRATOR

PLEASE ADD TO TAX ROLL

* Existing lot of Record



NO.	DATE	DESCRIPTION
1	10/1/03	...
2
3
4
5
6
7
8
9
10

I HEREBY CERTIFY THAT THE MEASUREMENTS AS SHOWN ARE CORRECT; THAT THE RELATIVE ERROR OF THIS SURVEY IS LESS THAN 1 IN 7500; THAT THE AREA WAS DETERMINED BY D.M.D. METHOD; THAT THERE ARE NO ENCROACHMENTS OR PROJECTIONS EXCEPT AS SHOWN; AND, THAT THE PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA.

CURTIS M. APPELHYTE
S.C. REG. NO. 4184

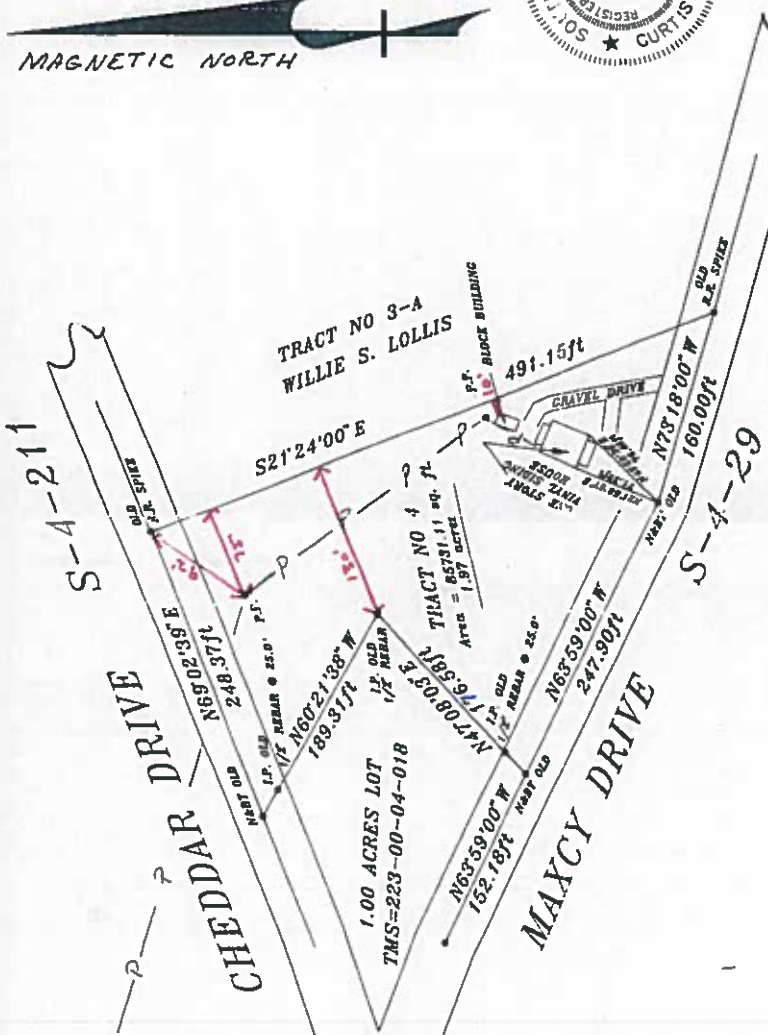
STATE OF SOUTH CAROLINA
COUNTY OF ANDERSON
TOWNSHIP OF BELTON
CITY OF
TAX MAP NO.: 223-00-04-010

PLAY OF A TRACT OF LAND SURVEYED AT THE REQUEST OF
WILLIE S. & DIANNE C. LOLLIS

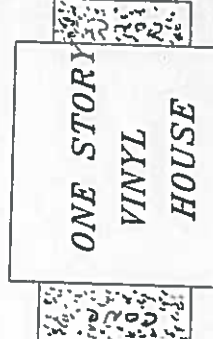
1" = 100'

REFERENCES: REVISED MAY 14, 1981 SCALE: 1" = 100' DATE: FEBRUARY 2, 2008

APPELHYTE SURVEYING INC.
5501 W. 10TH ST.
ANDERSON, SOUTH CAROLINA 29624
(864) 286-2888



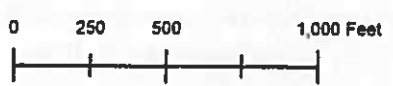
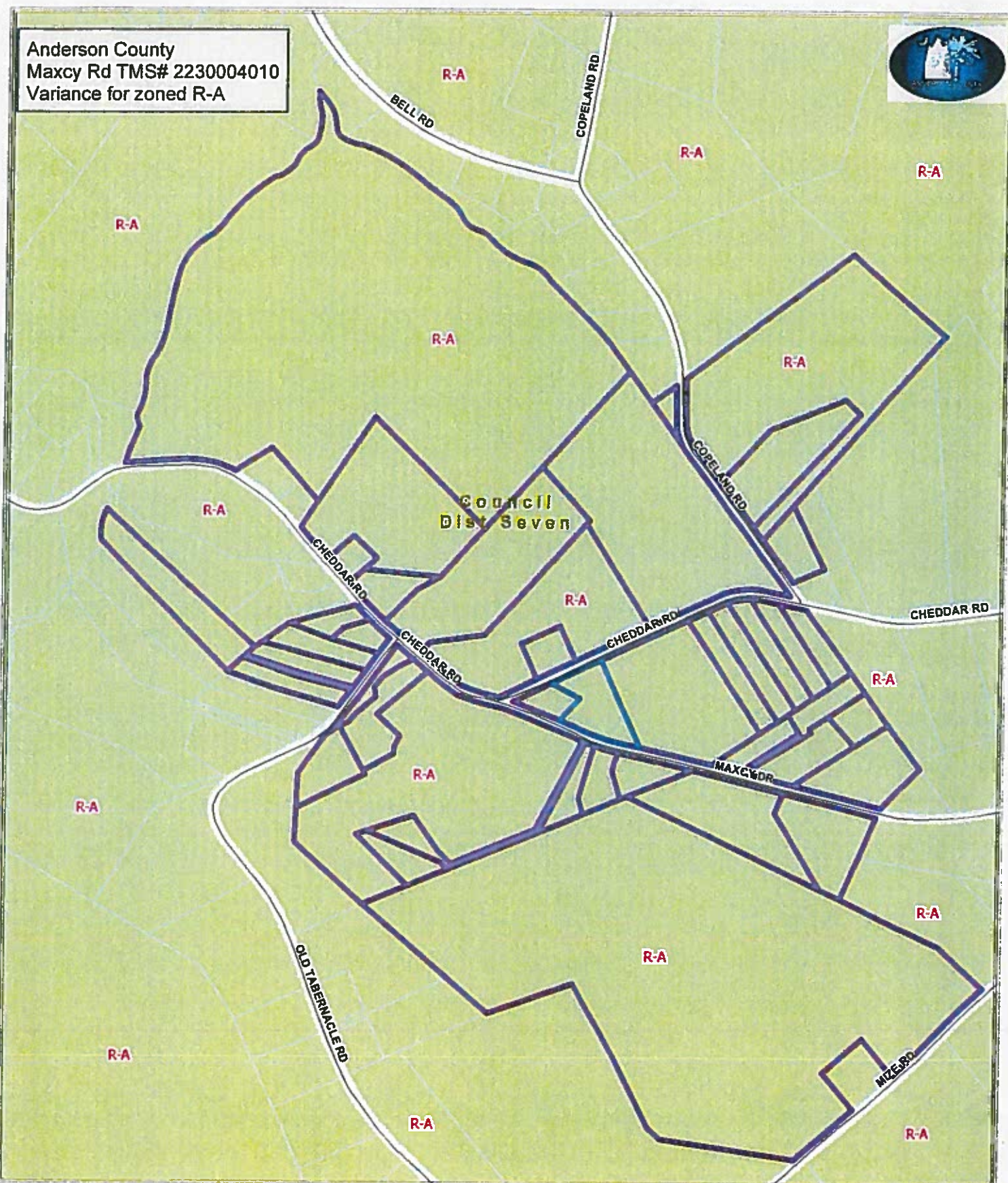
NOTE: SCDOT DOES NOT CAME ANY R/W THROUGH THIS SECTION OF MAXCY DRIVE. SCDOT SAID R/W DITCH TO DITCH.



350 MAXCY DRIVE
TRACT NO 4

1. NOTICE: STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE RECORD INFORMATION SHOWN ON THIS MAP IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. I AM NOT PROVIDING ANY WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY OF THE INFORMATION SHOWN ON THIS MAP. I AM NOT PROVIDING ANY WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY OF THE INFORMATION SHOWN ON THIS MAP.

Anderson County
Maxcy Rd TMS# 2230004010
Variance for zoned R-A



09/13/2019

THIS MAP IS A PRODUCT OF ANDERSON COUNTY. REASONABLE EFFORTS HAVE BEEN MADE TO ENSURE ITS ACCURACY. ANDERSON COUNTY DISCLAIMS ANY LIABILITY FROM THE USE OF THIS MAP. MAP PRODUCED BY ANDERSON COUNTY DEPARTMENT OF GEOGRAPHICAL INFORMATION SERVICES AND E-911 ADDRESSING.



DEVELOPMENT STANDARDS

October 10, 2019

Mr. Willie Lollis
Mrs. Dianne Lollis
320 Maxcy Drive
Belton, South Carolina 29627

Re: **Variance** Request to subdivide an existing lot of record for property located at 350 Maxcy Drive, Belton-TMS#223-00-04-010

Dear Willie & Diane:

The Anderson County Land Use Board of Zoning Appeals voted unanimously to deny your Variance Application for the above referenced request.

The Board's Conclusion:

The Board cited that the application did not meet conditions allowable listed in Section 38-74 in cases of hardship, there was no justification to grant a variance to allow for an existing conforming lot to be changed to a non-conforming lot that will set future precedence This request is not in line with the spirt and intent of the ordinance to grant variances in extreme cases where a hardship exists

If you have any additional questions, contact the Development Standards Department at 260-4719.

Sincerely,



Hubert McClure
Chairman

Land Use Board of Zoning Appeals

PUBLIC WORKS DIVISION

Alesia Hunter | Director

O: 864-260-4719 | F: 864-260-4795 | ahunter@andersoncountysc.org
Development Standards
401 E. River Street, Anderson SC 29624 | www.andersoncountysc.org