

AGENDA

ANDERSON COUNTY LAND USE AND ZONING BOARD OF APPEALS MEETING

Thursday, November 14, 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 October 10, 2019

4.) PUBLIC HEARINGS:

- (A) Special Exception request to allow for the placement of a mobile home for a Medical Exception located at 1514 Whitehall Road, Anderson.
- (B) Special Exception request to allow construction of a new building addition at Cedar Grove Elementary School located at 107 Melvin Lane, Williamston.
- (C) Variance request to allow two additional wall signs located at 4395 Highway 24, Anderson.

5.) Old Business: Continued Education

6.) New Business: Regular Scheduled Meeting December 12, 2019.

7.) Adjournment:

Staff Report

Application for Special Exception-To allow placement of a manufactured home for as a temporary accessory use under a Medical Exception

**Anderson County Land Use Board of Appeals Meeting-District #5
Historic Courthouse, 2nd Floor 101 South Main Street-County Council Chambers**

Anderson, South Carolina

November 14, 2019

5:15 PM

Applicant: Janice Dunn

Owner: Janice Dunn

Intended Development: Temporary Manufactured Home under Medical Exception

Property Location: Lot #B -1514 Whitehall Road, Anderson

Council District: 5

Tax Map Number: 095-11-01-010

Acreage of Property: 1.00

Current Zoning: C-1N (Neighborhood Commercial District) This application request does not require a hearing from Anderson County Citizens Advisory Committee for District 5 under new county adopted ordinance Committee has been dissolved.

Current Land Use: Residential Home Site

Request for Special Exception: The applicant is requesting a Special Exception to allow for a temporary manufactured home for medical reasons as listed on the application and by a medical statement from applicant's physician on a temporary basis.

Findings of Fact: Anderson County Code of Ordinance, Under Chapter 70, Section 7:9 Temporary Accessory Residential Use, a manufactured home is permitted on a temporary basis for a person who is incapacity, infirmity, or has extended illness or a mental condition as certified by an attending physician provided that certification is extended illness and requires statement each year until such time that the medical need is no longer needed.

Staff Recommendation: Staff Recommends APPROVAL of the Special Exception Request.

- 1. The medical exception meets all required conditions requires annual certification by physician.**
- 2. The use is not detrimental to public health or general welfare**
- 3. The will violate neighborhood characteristics or adversely affect the surrounding land uses.**
- 4. The medical exception is temporary until the medical assistance is longer needed.**
- 5. This request is in line with the spirit and intent of the zoning ordinance.**



Special Exception Application

10-1-19
Date of Application Completion

Application Status (Approved or Denied)

Applicant's Information

Name: Janice Dunn
Mailing Address: 1015 Maineswood Rd. Anderson, SC 29625
Telephone and Fax: 864-934-2223 E-Mail: dunn777@gmail.com

Owner's Information

(If Different from Applicant)

Name: same
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.

Janice Dunn
Owner's Signature

10-1-19
Date

Project Information

Property Location: 1514 Whitehall Rd. Anderson, SC 29625
Parcel Number(s)/TMS: 095-11-01-010
County Council District: 5 School District: 5
Total Acreage: 1.00 Current Zoning: C1-A
Requested Special Exception: medical exception
Purpose of Special Exception: _____

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

If you indicated no, your signature is required.

Janice Owen
Applicant's Signature

10-1-19
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 obtain at the Register of Deeds Office. It is the applicant's responsibility for checking any subdivision covenants or private covenants pertaining to the property.

Comments: _____

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

There is a Special Exception Application Fee of \$200.

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

Janice Owen
Applicant's Signature

10-1-19
Date

For Office Use On y:

Application Received By: Alex Hines Date Complete Application Received: 10/1/2019

Application Fee Amount Paid: \$200⁰⁰ Check Number: 2461

Scheduled Advisory Hearing Date: 11/1 Scheduled Board Hearing Date: November 14, 2019

Staff Recommendation: _____ Advisory Recommendation: _____

Land Use/Board of Zoning Appeals' Decision: _____

Staff Report

Application for a Special Exception-To allow Cedar Grove Elementary School Expansion
Anderson County Board of Zoning Appeals Meeting (DISTRICT #7)
Historic Courthouse-101 South Main Street-2nd Floor County Council Chambers
Anderson, South Carolina
November 14, 2014 /5:15PM

Applicant: Anderson School District One

Owner of Property: Anderson School District One

Property Location: 107 Melvin Lane, Williamston

Council District: 7

Tax Map Number: 222-00-09-008

Acreage of Property: 41.3 acres

Current Zoning: The property is zoned (R-A) Residential Agricultural District. This application request does not require a hearing from Anderson County Citizens Advisory Committee for District 7 under new county adopted ordinance Committee has been dissolved.

Land Use: School (Institutional Use)

Application Request: Applicant is requesting a Special Exception for the expansion of 9,063 square feet for classroom instruction to the main building. The applicant has submitted a summary of their request and a site plan for the Board's review.

Findings of Fact: Chapter 70 in the Anderson County Zoning Ordinance, Section 5:3.2. Uses Permitted by Special Exception, Schools and Accessory Uses.

Staff Recommendation: Staff recommends approval of the Special Exception for the following reasons;

- 1) The applicant has demonstrated that the use meets all required conditions.
- 2) The use is not detrimental to the public health or general welfare.
- 3) The use is appropriately located with respect to the main school location.
- 4) The use will not violate neighborhood characteristics nor adversely affect surrounding land uses.
- 5) The applicant will be required to obtain a commercial land use permit from the Development Standards Department and grading permit prior to commencing with development.



Special Exception Application

October 4, 2019

Date of Application Completion

Application Status (Approved or Denied)

Applicant's Information

Name: Anderson School District One

Mailing Address: 801 N. Hamilton Street, Williamston, SC 29697

Telephone and Fax: (864) 982-2438 E-Mail: finleya@apps.anderson1.org

Owner's Information

(If Different from Applicant)

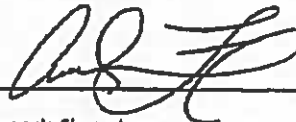
Name: Anderson School District One

Mailing Address: 801 N. Hamilton Street, Greenville, SC 29697

Telephone and Fax: (864) 992-2438 E-Mail: finleya@apps.anderson1.org

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.



Owner's Signature

10/4/19

Date

Project Information

Property Location: 107 Melvin Lane, Williamston, SC 29697

Parcel Number(s)/TMS: 2220009008

County Council District: District 7 School District: District 1

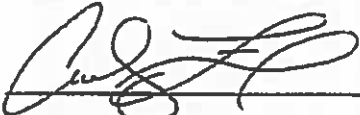
Total Acreage: 41.3 Current Zoning: R-A, Residential-Agriculture

Requested Special Exception: Expand a school in a residentially zoned parcel.

Purpose of Special Exception: Construction of a new building addition at the existing school.

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

If you indicated no, your signature is required.



Applicant's Signature

10/4/19

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.

Comments: _____

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

There is a Special Exception Application Fee of \$200.

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



Applicant's Signature

10/4/19

Date

For Office Use Only:

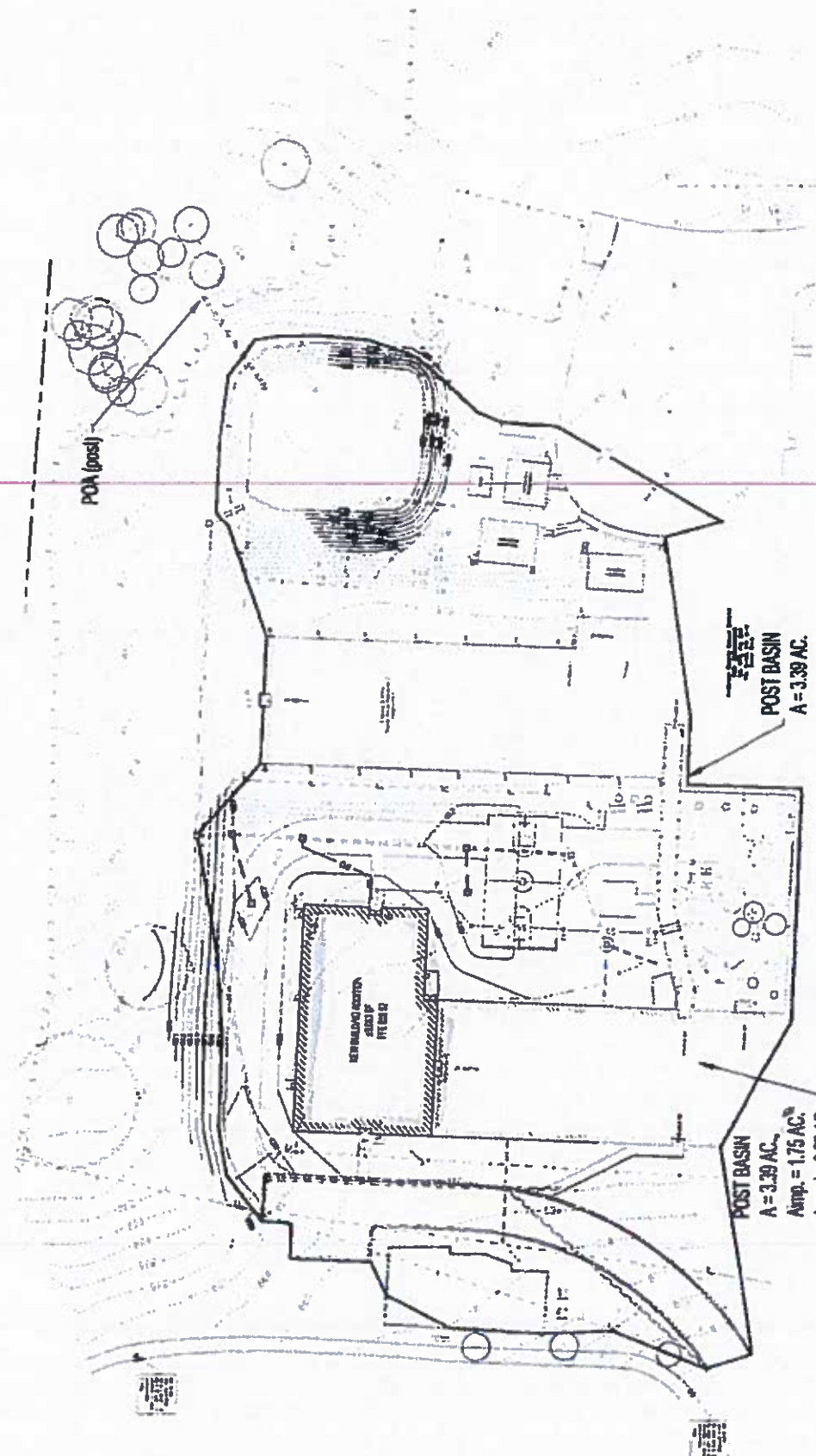
Application Received By: _____ Date Complete Application Received: _____

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: _____



POA (post)

REPAIRING CENTER
ELECTRIC
PLUMBING

POST BASIN
A = 3.39 AC.
Amp. = 1.75 AC.
Apond = 0.27 AC.
Agrass = 1.37 AC.
CN = 63
Tc = 5 MIN.

POST BASIN
A = 3.39 AC.

Staff Report

Application for a Variance-To allow placement of two additional wall signs
Anderson County Land Use Board of Zoning Appeals Meeting-District 5
Historic Courthouse, 2nd Floor, 101 South Main Street-County Council Chambers
Anderson, South Carolina
November 14, 2019
5:15 PM

Applicant: Arie Kohn Architects, PC
Owner: Burger King Restaurant-Carolina Holdings, LLC

Intended Development: Restaurant
Current Land Use: Restaurant

Property Location: 4395 Highway 24, Anderson
Council District: 5

Tax Map Number: 69-00-02-005
Acreage of Property: 1.09

Current Zoning: The property is not zoned; therefore, no further report or meeting is required.

Requested Variance: The applicant is requesting a variance to allow for two additional wall signs as shown on the site plan for Burger King for visibility. The applicant has provided a copy of the site plan and a summary report for your review.

Findings of Fact: Chapter 38 in the Anderson County Land Use and Development Standards Ordinance, Section 38-255, Permitted Signs (2) One permanent business identification sign containing not more than one square foot of total signage per lineal foot of principal building frontage.

Staff Recommendation: Denial, of the variance request for the following reasons;

1. The applicant has not demonstrated that there are extraordinary and exceptional conditions pertaining to the property.
2. The fact that there is no justification to grant a variance based on branding and historical information regarding the establishment
3. The applicant will be allowed one (1) free-standing pylon business identification sign at the entrance of their property at 50' that will provide adequate signage to identify the business from both Highway 24 and Highway 187 and one wall sign that will be permitted and approved accordingly.
4. The applicant mentioned that additional wall signage is needed for visibility from all major highways. Traffic traveling on these highways will not see or look for signage attached to the walls. Vehicular traffic will look for free standing signage and or signage located on the SCDOT approved food exit signs.
5. The fact that this variance request is not within the spirit of the ordinance.



Variance Application

There is a Variance Application Fee of \$200.00

Date of Application Completion

Application Status (Approved or Denied)

Applicant's Information

Name: ARIE KOHN ARCHITECTS, P.C.

Mailing Address: 74 WOODSTOCK RD ROSWELL, GA. 30075

Telephone and Fax: 770-642-9030 E-Mail CHRIS@AKOHNARCH.COM

Owner's Information

(If Different from Applicant)

Name: CAROLINA RE HOLDINGS, LLC

Mailing Address: P.O. Box 711 GREENWOOD, SC. 29648

Telephone and Fax: 646-802-6229 E-Mail BRUCE.DANIELS@CAROLINAREH.COM

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.

Bruce Daniels
Owner's Signature

10/2/2019
Date

Project Information

Property Location: 4395 HWY 24 ANDERSON, SC.

Parcel Number(s)/TMS: 690002005

County Council District: 5 School District: DISTRICT 5-ANDERSON.

Total Acreage: 1.09 Current Zoning: NOT ZONED.

Requested Variance: SIGN VARIANCE - (2) Additional Signs
Please indicate if setback variance, sign variance or minimum lot size variance.

Purpose of Variance: TOTAL - (2) Signs Permitted - IN PROCESS.
and (2) Signs additional REQUESTED.

Private Covenants or Deed Restrictions on the Property Yes _____ No

If you indicated no, your signature is required.

L. Novak
Applicant's Signature

10/3/19
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:

SEE ATTACHED LETTER - SITE PLAN CORNER LOT - (NOT A TR
CORNER)

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

SEE LETTER / DRAWINGS.

Application of the ordinance to the particular piece of property would effectively prohibit or unreasonable restrict the utilization of the property as follows: CUSTOMER WOULD NOT

SEE SIGNAGE FROM ALL SIDES OF BUILDING.

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:

SEE LETTER / DRAWINGS.

The following documents are submitted in support of this application: (Please attach copies of all additional information to this application.) LETTER REQUEST - ELEVATIONS - & SITE DRAWING
SHOWING LOCATION AND Pylon LOCATION.

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.

L. Novak
Applicant's Signature

10/3/19
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: _____



**Carolina
Franchise
Holdings**

Carolina Franchise Holdings LLC
Mailing Address: PO Box 711 Greenwood, SC 29649
Physical Address: 669 Hwy 72 E, Abbeville, SC 29620

9-27-19

**Sign exception request
Re Carolina Franchise Holdings
Burger King Restaurant
4395 HWY 24
Anderson, SC**

Dear Sir,

Burger King corporation was founded in the 50's and has grown to be a world wide franchise driven company. There are many reasons for Burger Kings continued growth they are but not limited to, food quality, brand recognition including their business and operations support. These are the reasons why Carolina Franchise Holdings became part of the Burger King family.

In this highly competitive and expensive market our business success is critical and the key element for our success is visibility or curb appeal. Burger Kings architectural design incorporates structural elements to help maximize the position of our building signs thus giving the restaurant the visibility required and the best chance for success. Since these signs are illuminated our customers could see our building in the evening thus helping dinner business .

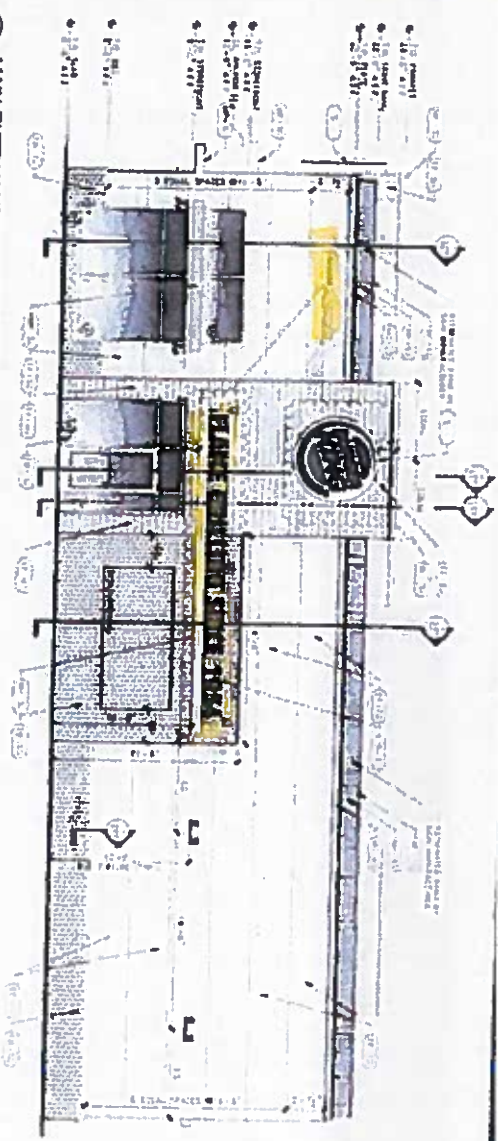
Our site on HWY 24 is unique because the location has two access points to the east and west to a road adjacent / behind our property. This existing road would give potential customers the ability to find our restaurant if we allowed to install building signs on either side of the building.

Our signature and welcome sign "Home of the Whopper" which is mounted above the entrance doors also adds to the customers experience and to the curb appeal. All of the building and site signs contribute to the success of our business.

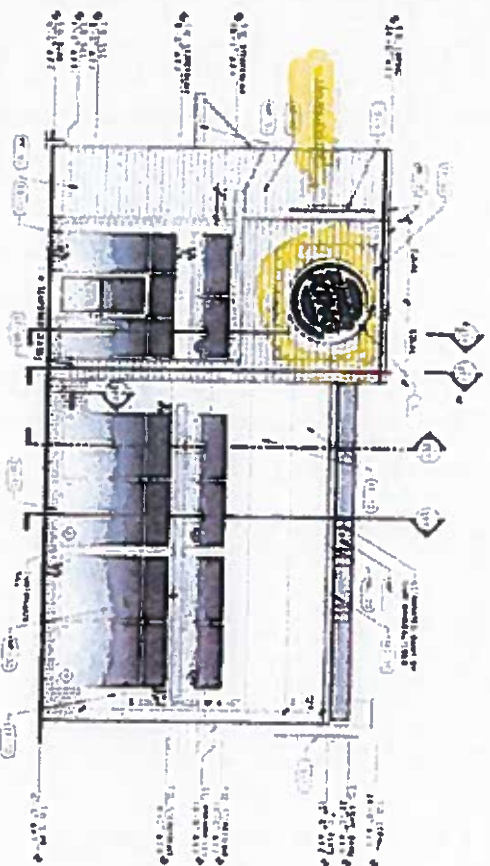
Please consider our request to add our typical building sign package which consists of one front building sign and two side mounted building signs.

Thank you

**David Wallace
Director of Construction
Carolina Franchise Holdings**



1 MAIN ENTRANCE ELEVATION (RIGHT-SIDE)



2 FRONT ELEVATION

STOREFRONT NOTE:
 THE STOREFRONT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
 1. MATERIALS: ALL METALS SHALL BE ALUMINUM ANODIZED TO A MINIMUM OF 0.0005 INCHES.
 2. GLASS: ALL GLASS SHALL BE 1/2\"/>

NOTE TO CANOPY PROVIDER:
 THE CANOPY SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
 1. MATERIALS: ALL METALS SHALL BE ALUMINUM ANODIZED TO A MINIMUM OF 0.0005 INCHES.
 2. GLASS: ALL GLASS SHALL BE 1/2\"/>

E.L.P. SYSTEM SPECIFICATIONS:

SYSTEM:
 THE SYSTEM SHALL BE A...
INSTALLATION:
 THE SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
 1. THE SYSTEM SHALL BE INSTALLED IN A...
 2. THE SYSTEM SHALL BE INSTALLED IN A...

EXTERIOR FINISH LEGEND & NOTES:

EXTERIOR FINISH LEGEND & NOTES:
 (1) BRICK FINISH - 1 1/2\"/>



Trifles