

AGENDA

ANDERSON COUNTY LAND USE AND ZONING BOARD OF APPEALS MEETING

Thursday, February 13, 2020

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 January 9, 2020

4.) PUBLIC HEARINGS:

- (A) Variance application request to allow for a larger wall sign measuring a total of 350 square feet located at 225 Webb Road, Williamston.
- (B) Variance application request to allow for a reduction of side yard setback from 10 feet to 5 feet for a detached garage located at 303 Jacob Lee Drive, Pelzer.

5.) Old Business:

6.) New Business: Regular Scheduled Meeting March 12, 2020.

7.) Adjournment:

Staff Report

Application for a **Variance** – To allow the use of a wall sign larger than size permitted by code
Anderson County Land Use Board of Zoning Appeals Meeting - District 4
Historic Courthouse – 101 South Main Street – 2nd Floor County Council Chambers
Anderson, South Carolina
February 13, 2020
5:15 PM

Applicant: Electric City Signs (*contact: Marie*)

Project Name: Closet Pro

Owner of Property: Jeffery Lee Ellis

Property Location: 225 Webb Rd, Williamston, SC 29697

Council District: Four (4)

Tax Map Number (TMS #): 169-00-06-016

Acreage of Property: approximately 2.23 acres

Current Zoning: property is not zoned.

Land Use: mini-warehouse with one large building containing individual self-storage units

Applicant Request: Applicant is requesting a **Variance** to allow placement of a single wall sign with 350 square feet of sign area, larger than what Code permits for a building with 152 linear feet of front elevation and no freestanding sign.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 38, Section 38-255 (2) a. 1. – permanent business identification signs attached to buildings (wall signs): Where there is no freestanding business identification sign on the developed site, one permanent business identification sign may be attached to the building provided it contains not more than 1½ square feet of total signage area per lineal foot of principal building frontage.

Maximum allowable size of wall sign for this location: 228 square feet of sign area.

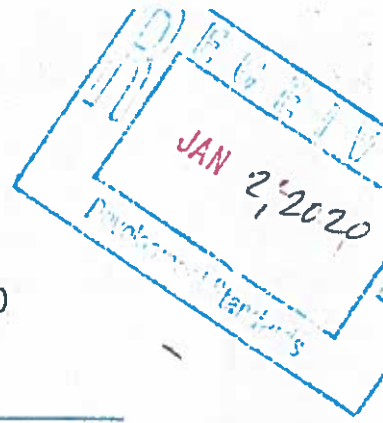
Staff Recommendation: Staff recommends **DENIAL** of the **Variance** request for the following reasons and with the following conditions:

- 1) The applicant is permitted to increase the size of a wall sign by 50% when a freestanding sign is not used, which allows the wall sign to be increased from 152 square feet to 228 square feet.
- 2) The request is to increase the sign area by an additional 122 square feet which corresponds to the size of the add-on logo which is part of the business brand image. A brand image is not a valid consideration for a variance.
- 3) The applicant has not demonstrated the existence of a hardship requiring a remedy.
- 4) Approval of the applicant's request would not be in line with the spirit and intent of the ordinance which is to grant a variance where a hardship exists.
- 5) The Board has not approved other variances similar to this request and would be consistent with its disapproval.



Variance Application

There is a Variance Application Fee of \$200.00



1-2-20
Date of Application Completion

Application Status (Approved or Denied)

Applicant's Information

Name: Electric City Signs

Mailing Address: Po Box 656 Anderson, SC 29422

Telephone and Fax: 864-225-5351 E-Mail: marie@electriccitysigns.com

Owner's Information

(If Different from Applicant)

Name: Closest Pro

Mailing Address: 123 Loudwater Dr. Anderson, SC 29621

Telephone and Fax: 864-221-3137 E-Mail: jenniferellis@closestpro.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.

Jennifer Ellis
Owner's Signature

1/2/2020
Date

Project Information

Property Location: 225 Webb Rd. Williamston, SC 29497

Parcel Number(s)/TMS: 169-00-06-016-000

County Council District: 4 School District: 1

Total Acreage: 2.23 AC Current Zoning: N/A

Requested Variance: sign variance
Please indicate if setback variance, sign variance or minimum lot size variance.

Purpose of Variance: to request a larger wall sign than code allows, due to property conditions not allowing a visible road sign.

Private Covenants or Deed Restrictions on the Property: Yes No

If you indicated no, your signature is required.

Applicant's Signature

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.

applicant requests larger wall sign than code allows

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: property faces interstate / thus a larger sign allows better visibility; property conditions don't allow for a visible road sign, thus applicant would ask for wall signs only. property has a creek at the rear which causes building to be placed further from interstate than typical + inhibits a road sign foundation from being placed in the rear.

Application of the ordinance to the particular piece of property would effectively prohibit or unreasonable restrict the utilization of the property as follows: ordinance restricts size of allowable signage

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: no

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

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.

Mavis McClaw
Applicant's Signature

1-2-20
Date

For Office Use Only:

Application Received By: diagroone Date Complete Application Received: _____

Application Fee Amount Paid: \$ 200.00 Check Number: 7588

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

Staff Recommendation: _____ Advisory Recommendation: _____

Land Use/Board of Zoning Appeals' Decision: _____

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JOB NUMBER: N/A
 CLIENT: CLOSET PRO
 LOCATION: ANDERSON, SC
 DRAWING: 011009-01
 SALESPERSON: C. RIDGEMAN
 DRAWN BY: JCL
 DATE: 12/18/2019
 FILE: CLOSET PRO 02

REVISIONS DESCRIPTION

NO.	DESCRIPTION

COLORS

- 3m Brilliant green
- 3m Bright Blue
- WHITE
- TO MATCH PMS COOL GRAY 10 C
- TO MATCH PMS 2845 C
- TO MATCH PMS 3175 C

CLIENT APPROVAL:

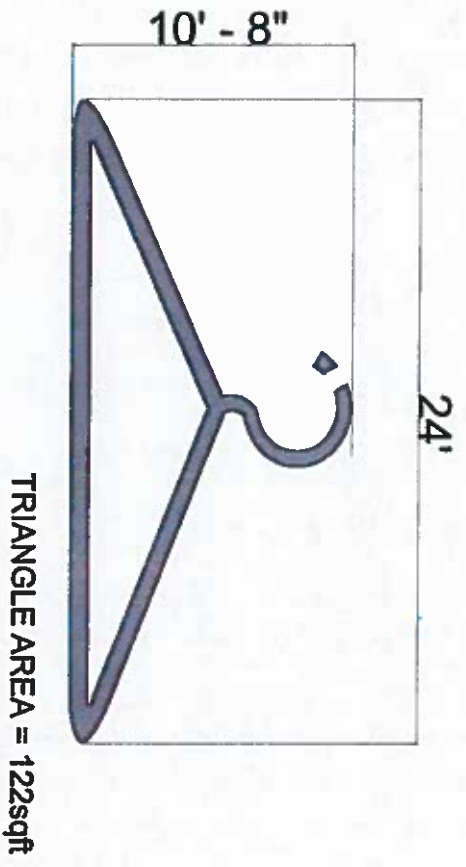
DATE:

SALESPERSON APPROVAL:

DATE:

THE SIGN WILL BE CONSTRUCTED AS SHOWN, BY USING THE APPROX. THE SALESPERSON IS NOT RESPONSIBLE FOR ANY CHANGES TO THE SIGN DESIGN OR MATERIALS THAT MAY BE REQUIRED TO MAKE THE SIGN FUNCTIONAL. THE SIGN WILL BE CONSTRUCTED TO MATCH THE SIGN FOR MATERIALS.

ELECTRIC CITY SIGNS & NEON INC. APPROVES ALL CONCEPTS AND OTHER PROPOSALS SUBJECT TO THE SIGN LAYOUT PROVIDED PROVIDED WITH THIS PROPOSAL. BY THE SIGN YOU ELECT TO HAVE ELECTRIC CITY SIGNS & NEON INC. CREATE A SIGN BASED ON ONE OF THE DESIGN LAYOUTS. ELECTRIC CITY SIGNS & NEON INC. SHALL BE OBLIGATED TO HAVE ENLIGHTENED YOU AND PROVIDE A QUOTE FOR THE SIGN. IF YOU WANT A SIGN BASED ON AN ALTERNATE DESIGN, PLEASE CONTACT US BY EMAIL OR PHONE. ALL CHANGES TO THE SIGN DESIGN MUST BE APPROVED BY THE SIGN LAYOUT PROVIDED WITH THIS PROPOSAL. YOU WILL NOT BE RESPONSIBLE FOR THE SIGN DESIGN OR MATERIALS PROVIDED FOR THE SIGN. ELECTRIC CITY SIGNS & NEON INC. IS AN EQUAL OPPORTUNITY COMPANY. ALL DISCRIMINATION BASED ON RACE, GENDER, RELIGION, NATIONAL ORIGIN, ANCESTRY, COLOR, SEX, OR DISABILITY WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW. CONTACT THE SIGN.



Staff Report

Application for a **Variance** – To allow reduction of side yard setback after-the-fact for a detached garage
Anderson County Land Use Board of Zoning Appeals Meeting - District 4
Historic Courthouse – 101 South Main Street – 2nd Floor County Council Chambers
Anderson, South Carolina
Thursday, February 13, 2020
5:15 PM

Applicant: Russell Scott Bailey

Owner of Property: Bailey, Russell Scott and June Paulette

Property Location: 303 Jacob Lee Dr, Pelzer, SC 29669

Council District: Four (4)

Tax Map Number (TMS #): 193-09-01-013

Property Description: 1.158 acres, identified as Lot 13 of the Sam Cox Farm subdivision (Phase I)

Current Zoning: property is not zoned

Land Use: recently completed single family residence with a detached garage

Applicant Request: Applicant is requesting a **Variance** to allow a reduction of the required side yard setback from 10 feet to 5 feet, after the construction of a detached garage containing 1200 square feet.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 38, Section 38-120 – relating to residential setbacks, the code states that where a detached accessory building's floor area exceeds 600 square feet, the minimum side yard setback is ten feet (10'). A detached accessory building with a floor area of 600 square feet or less would require a side yard setback of three feet (3').

Current Status: Garage has been completed. It is shown as a "proposed garage" on a survey with a side yard setback of approximately six feet (6'), as measured from the side line.

Facts Relating to the Application: This information is being provided for the benefit of the members of the Land Use Board of Zoning Appeals in order to help make clear the conditions that preceded this request to correct the side yard setback encroachment.

- 1) The detached garage was not placed by the builder in accordance with the residential compliance letter issued by the Development Standards Department on October 19, 2019.
- 2) The compliance letter clearly shows the sideyard setback to be ten feet (10') for a detached garage with 1200 square feet of floor area.
- 3) Surveyor's work order notes dated April 21, 2016, incorrectly indicate a required side yard setback of five feet (5'). The same notes refer to a different parcel number.
- 4) No alternatives have been presented as a remedy for the encroachment. This might include proposed changes to the property lines.
- 5) The Board must determine if this encroachment can be remedied by the Board's action.



Variance Application

There is a Variance Application Fee of \$200.00



1/13/2020
Date of Application Completion

Application Status (Approved or Denied)

Applicant's Information

Name: Russell Scott Bailey
Mailing Address: 303 JACOB LEE DR, PELZER, SC 29669
Telephone and Fax: 864-414-9535 E-Mail: russellbailey@charter.net

Owner's Information (If Different from Applicant)

Name: _____
Mailing Address: SAME
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.

Russell Scott Bailey
Owner's Signature

01/13/2020
Date

Project Information

Property Location: 303 Jacob Lee Dr Pelzer, SC 29669
Parcel Number(s)/TMS: 1930901013
County Council District: 4 School District: 1
Total Acreage: 1.16 Current Zoning: _____
Requested Variance: 5 FT
Please indicate if setback variance, sign variance or minimum lot size variance.

Purpose of Variance: To Comply with Anderson County set back
lots I will need 5 FT

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

If you indicated no, your signature is required.

Russell Scott Bailey
Applicant's Signature

01/13/2020
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.

Appealing To Board of Zoning for Variance on Setbacks

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:

The building is already up and completed

Conditions do not generally apply to other properties in vicinity, as shown by: plot for lot 13

Application of the ordinance to the particular piece of property would effectively prohibit or unreasonable restrict the utilization of the property as follows: NONE

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:

there is no detriment to adjacent property or public good

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

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.

Russell Scott Bailey
Applicant's Signature

01/13/2020
Date

For Office Use Only:

Application Received By: diagroane Date Complete Application Received: _____

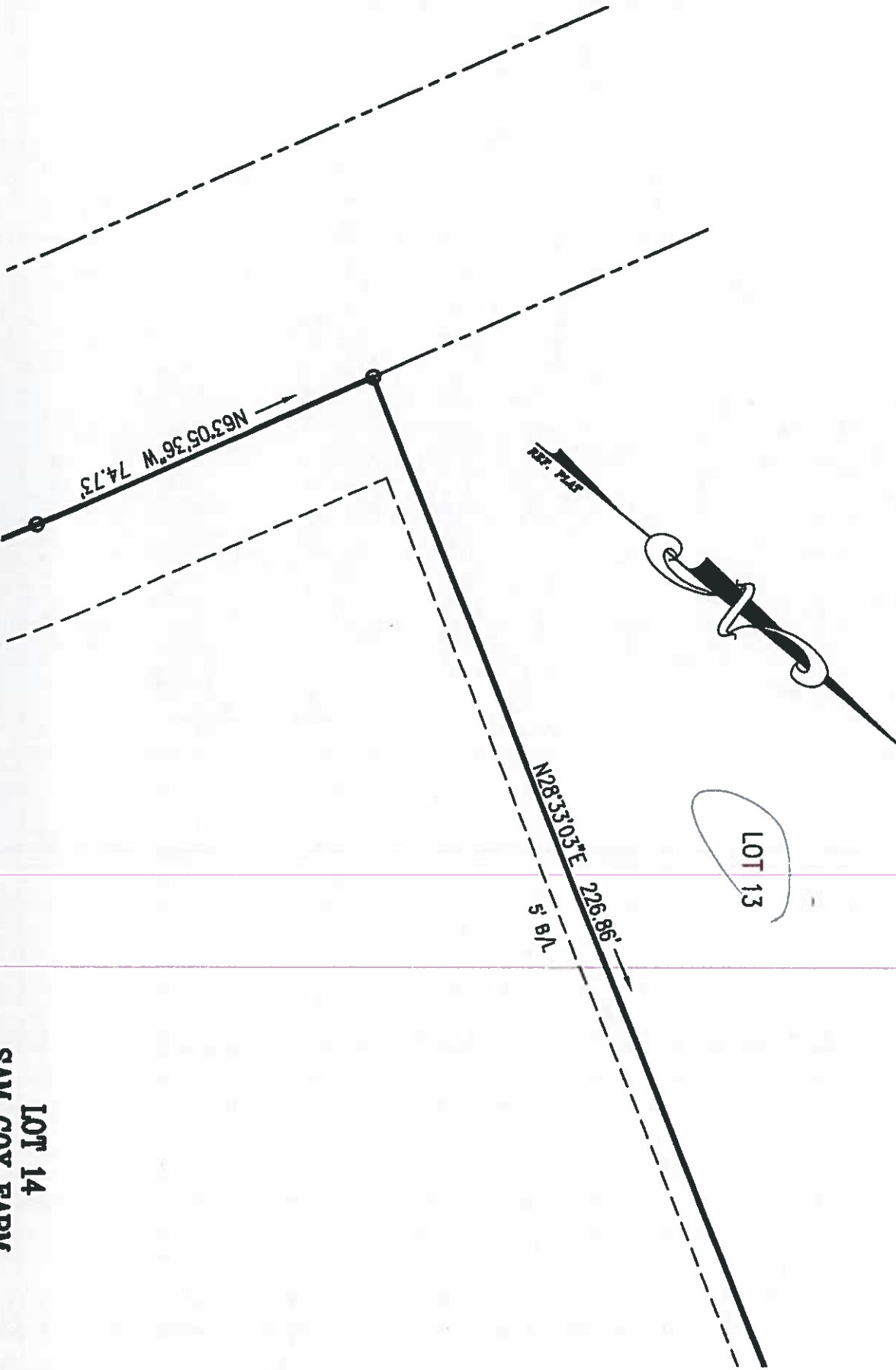
Application Fee Amount Paid: 1200.00 Check Number: CC

Scheduled Advisory Hearing Date: _____ Scheduled Board Hearing Date: 2/12/2020

Staff Recommendation: _____ Advisory Recommendation: _____

Land Use/Board of Zoning Appeals' Decision: _____

NOTE: EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT RIGHTS-OF-WAY, EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDOMSK RESTRICTIONS; ZONING OR OTHER LAND USE REGULATIONS AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. - ANY FLOOD PLAIN DATA SHOWN HER APPROXIMATE LOCATION GRAPHICALLY PLOTTED FROM THE REFERENCED FEMA MAP UNLESS OTHERWISE NOTED. - THIS SURVEY DOES NOT CONSTITUTE A TITLE RESEARCH, FLOOD STUDY, DELINEATION OR ENVIRONMENTAL INSPECTION BY SURVEYOR.



LOT 14
SAV NOY FARM

