



MEMORANDUM

ANDERSON COUNTY DEVELOPMENT STANDARDS

DATE: November 18, 2020

TO: Land Use and Zoning Board of Appeals Members

FROM: Alesia Hunter

SUBJECT: November 23, 2020 Meeting

The Anderson County Land Use and Zoning Board of Appeals is scheduled to hold its next meeting on Monday, November 23, 2020 at 5:30 PM at the Civic Center, 3027 Martin Luther King Jr Blvd, Anderson, SC 29625.

The meeting agenda and packet are attached for your review.

Please email bdmcabee@andersoncountysc.org or call 864-260-4719 to inform staff whether or not you will be in attendance. This ensures a quorum prior to arrival. Thank you.

Tommy Dunn
Chairman, District 5

Craig Wooten
Council District 1

Brett Sanders
Council District 4

Cindy Wilson
Council District 7

ANDERSON COUNTY
SOUTH CAROLINA

Ray Graham
V. Chairman, District 3

Gracie Floyd
Council District 2

Jimmy Davis
Council District 6

Lacey Croegaert
Clerk to Council

Rusty Burns | County Administrator
rburns@andersoncountysc.org

A G E N D A

ANDERSON COUNTY LAND USE AND ZONING BOARD OF APPEALS MEETING

Monday, November 23, 2020

5:30 PM

Civic Center

3027 Martin Luther King Jr Blvd.

Anderson, South Carolina

- 1.) Call to Order: Mr. Hubert McClure, Chairman
- 2.) Invocation: Mr. Hubert McClure
- 3.) Approval of Minutes: Meetings held on July 9, 2020 & September 17, 2020
- 4.) PUBLIC HEARING:
 - (A) Variance application - request to allow reduction of front setback from 30' to 15' to allow placement of manufactured home, located at 297 Pine Cir, Townville.
 - (B) Variance application – request to allow reduction of side yard setback from 10' to 7' to allow placement of detached garage, located at 1106 Bern Cir, Anderson.
 - (C) Variance application – request to allow reduction of front setback from 20' to 9'8" to allow construction of commercial boat storage building, located at 110 Broyles Lndg, Townville.
 - (D) Variance application – request to allow reduction in required number of off-street parking for proposed Ingles Market retail space addition, located at 10903 Anderson Rd, Piedmont.
 - (E) Variance application – request to allow placement of 1 additional wall sign on new Dollar General, located at 2425 SC Hwy 252, Belton.
 - (F) Variance application – request to allow placement of 1 additional wall sign for at BonSecours/ St. Francis Therapy Center & D1 Training, formerly Velocity Sports, located at 100 Powers Blvd, Piedmont.
- 5.) Old Business:
 - (A) Clarification of rear yard setback reduction granted on September 17, 2020, located at 145 Brady Dr, Anderson.
- 6.) New Business: Meeting December 14, 2020
- 7.) Adjournment.

State of South Carolina)
County of Anderson)

ANDERSON COUNTY COUNCIL
BOARD OF ZONING APPEALS MEETING
JULY 9, 2020

IN ATTENDANCE:
HUBERT MCCLURE, CHAIRMAN
JOHN FARR
MIKE MILLER
ALLEN ASHLEY
DAN HARVELL

ALSO PRESENT:
ALESIA HUNTER
TIM CARTEE
RHONDA SLOAN
BRITTANY MCABEE

1 HAROLD MCCLURE: I will go ahead and
2 call this meeting to order, Land Use Board of Appeals.
3 We one have one absent and one that resigned for
4 medical issues. So we will go ahead and get started.
5 Let's go ahead. Let us bow our heads and I will do
6 the Invocation.

7 **INVOCATION BY HAROLD MCCLURE**

8 HAROLD MCCLURE: Approval of minutes
9 from the last meeting. Does anybody have any
10 deletions or additions to the notes? If not, do we
11 have a motion?

12 DAN HARVELL: Motion to approve.

13 ALLEN ASHLEY: Second.

14 HAROLD MCCLURE: Motion to approve
15 by Mr. Harvell. Second by Mr. Bannister. Sorry.
16 Mr. Ashley. All those in favor. And everybody votes
17 in favor.

18 All right. We've got a change to the agenda.
19 I'm just going to go through and say it. (A) will be
20 -- I'm looking for the address -- Woodfield Road,
21 Belton. (B) will be 110 Garren Road. And (c) will be
22 3502 Midway Road. That agenda change was made by
23 staff.

24 Okay. So the first thing on the docket is
25 applicant Michael Ray Hellams and this is 308
26 Woodfield Road. Staff report.

27 HENRY COPELAND: Mr. Chairman, this
28 is not an unusual request. The property owner began
29 construction of a garage thinking that the existing
30 property line was sufficient. Unfortunately the size
31 exceeded the six hundred square feet and so therefore
32 it's not in compliance. Immediately stopped work for
33 the slab. He had the footings in place, but
34 (inaudible). The owner of 308 Hellams, excuse me 308
35 Woodfield, Mr. Hellams, has property that is located
36 in Northview Heights Subdivision. It is roughly one
37 hundred and twenty-five feet by a hundred and fifty
38 feet square -- nearly square property. It's just
39 under half an acre. As you can see by the tax map and
40 the aerial photographs, the property is fairly well
41 developed to the north and western side and also the
42 rear. So that gives the property owner limited area
43 to build a garage that is the one thousand one hundred
44 and eighty-two square feet. That has necessitated --
45 the sides of the garage is necessitated due to the
46 fact he has large vehicles and boats which he intends
47 to store there.

48 This is also not a zoned area so therefore there's
49 no -- other than the setbacks, that's the only
50 requirement that has to be met in this case. The

1 construction took place as he originally submitted the
2 application for requests for a reduction of the side
3 yard setback of ten feet to six feet, but the
4 applicant also submitted a site plan showing that the
5 actual setback was five feet. So in the effort to
6 streamline this we have received the request for being
7 five feet instead of the required ten feet.

8 If again the findings of fact is the Code of
9 Ordinances requires that the ten foot setback be
10 adhered to or anything larger than six hundred square
11 feet or less will require a three foot setback
12 (inaudible).

13 The existing conditions, as I explained, he had
14 already started construction.

15 The staff recommends approval for this request for
16 the following reasons: The front yard, specifically
17 North and West of the residence towards the existing
18 driveway utility connections, including the septic
19 system and drain field, there's little to no area to
20 construct on that side. The lot is nearly square and
21 there isn't sufficient land area to accommodate a
22 detached garage in the rear yard. And the proposed
23 garage -- excuse me, I stand corrected -- one thousand
24 one hundred and twenty square feet is intended to
25 store large vehicles and boats for personal use.
26 Three bays will open to west fronting the existing
27 driveway. An offset of twelve feet is necessary in
28 order to accommodate a turn radius. That's what the
29 main reason is for the building itself to be closer to
30 the side right now.

31 The applicant site plan shows the side yard
32 setback of not less than five feet. The applicant
33 demonstrated existence of a hardship requiring a
34 remedy. This request is in line with the spirit and
35 intent of the Ordinance to grant a variance when a
36 hardship exists. The board has granted other
37 variances similar to this request that would be
38 consistent with this approval.

39 That concludes the staff report, Mr. Chairman.
40 And if you have any questions we're available.

41 HAROLD MCCLURE: Thank you, staff.
42 At this time I will open up the public hearing for
43 Woodfield Road. Is there anyone here speaking against
44 Woodfield Road?

45 Okay. In that case is Mr. Hellams around here.

46 HENRY COPELAND: Mr. Hellams isn't
47 here. He was not able to attend due to some health
48 concerns.

49 HAROLD MCCLURE: Okay. So therefore
50 since there are no pros and cons I will close the

1 public hearing. Reserve questions for staff at this
2 time since there are no representative. Is there
3 anything for staff at this time? Any discussion?
4 Okay. What's the feeling of the board? Do we have a
5 motion?

6 JOHN FARR: Motion.
7 MIKE MILLER: Second.
8 HAROLD MCCLURE: We have a motion
9 from Mr. Farr to approve. Second by Mr. Miller. All
10 those in favor. And it goes forward. Thank you.

11 Next is 110 Garren Road. Staff report.

12 RHONDA SLOAN: Thank you, Mr.
13 Chairman. Tonight we have a special exception. The
14 applicant is Mr. Michael Scott Behrends. The property
15 is located at 110 Garren Road, located in Council
16 District 7. The TMS number is there for your
17 convenience. The property is approximately 2.6 acres.
18 The property fronts on Garren Road, which is
19 classified as a collector. Currently the property is
20 zoned as R-A Residential Agricultural and the land
21 use. It currently has an existing vacant building on
22 the land. The applicant is requesting to use the
23 existing building for up to three indoor batting
24 cages, as well as a business print shop. Any future
25 outdoor events will need to be evaluated to see the
26 impact on the adjacent residential neighbors there in
27 that area. The print shop will be used for screen
28 printing, forms and applications associated with this
29 particular land use. There is a gravel parking lot
30 that will be used. You can park approximately about
31 eighteen cars. And the metal building is a seventy-
32 six by thirty-six foot building, approximately twenty-
33 seven hundred square feet.

34 The finding of facts: Under Chapter 70, Article 5,
35 Section 76, private recreation is a permitted use in
36 the Residential Agricultural District.

37 As for staff recommendations, staff recommends
38 approval of the special exceptions for the following
39 reasons: Private recreational use is a permitted use
40 within Residential Agricultural Zoning
41 classifications. The use is not detrimental to the
42 public health and general welfare. The use will not
43 violate the neighborhood characteristics and the hours
44 of operation would be from four to eight during the
45 week, and then from nine to five on the weekends. The
46 applicant will be required to obtain a Commercial Land
47 Use permit. Also plans will need to be submitted to
48 Building and Codes for permitting. The applicant is
49 also supposed to notify SCDOT regarding the new use of
50 the building. The existing vegetation that surrounds

1 the property will need to remain in place and the
2 existing septic tank will be used. And the applicant
3 will need to contact SCDHEC with the changes in use.
4 And the board has granted other special exceptions
5 similar to this and it will be consistent with your
6 approval. That concludes the staff report.

7 HAROLD MCCLURE: Thank you, staff.

8 At this time we will open up the public hearing for
9 anyone speaking against this variance. Anyone
10 speaking against? We have one person. Please address
11 the microphone, state your name for the notes, please.

12 BARRY PATTERSON: I do understand

13 that there's going to be new owners there ---

14 HAROLD MCCLURE: State your name
15 please.

16 BARRY PATTERSON: My name is Barry
17 Patterson. I live at 1187 Big Creek Road. I
18 understand it's going to be under new ownership. In
19 the past we had problems with the building and the
20 occupants, in the past, because they were open late at
21 night and I live about, let's see, maybe a hundred to
22 a hundred and fifty yards from the house. And they
23 had loud music and the business stayed open past eight
24 o'clock to ten o'clock.

25 So is it going to be mandated that after eight
26 o'clock during the week that they can be fined for it?
27 Or is this going to be mandated where if there's a
28 violation they can be shut down?

29 We also were kind of wondering about the batting
30 cages. That building, I don't see that building being
31 for outdoor or indoor batting cages. The inside of
32 the building to me doesn't look like it's large enough
33 for occupancy for a batting cage like that and a
34 pitching machine, wherever the ball goes. What I want
35 is just to make sure that that's going to be a
36 legitimate business. Is it going to be where it's
37 going to be checked and is it going to be where at
38 eight o'clock it will shut down and on the weekends at
39 nine, whatever, or ten, whatever day it is was on the
40 weekend, are they going to be shut down?

41 Because if they're looking to cause a loud racket
42 and I can't sleep at night, I can promise you I will
43 call and have someone come out there and check while
44 they are still open up there. We are under the
45 impression it's going to be eight o'clock at night.

46 HAROLD MCCLURE: Thank you, sir.

47 Anyone else speaking against? Yes, ma'am. Please
48 state your name and your address please.

49 KIM JOHNSON: My name is Kim
50 Johnson, and I live at 1199 Big Creek Road. And my

1 concern is that the property adjoins a registered sex
2 offender's home. And so I'm wondering how that's
3 going to be addressed?
4 HAROLD MCCLURE: Staff, can you
5 elaborate on that? I don't know how that would have
6 anything to do with it, if it's not the property of
7 the sex offender.
8 ALESIA HUNTER: Law enforcement is
9 responsible for ---
10 KIM JOHNSON: This would be a
11 place that children will be going to that. There's no
12 effect on that?
13 HAROLD MCCLURE: I guess that would
14 be something that the Sheriff's Department would have
15 to address.
16 ALESIA HUNTER: The Sheriff's
17 Department would have to address that.
18 HAROLD MCCLURE: They will have to
19 address that.
20 HAROLD MCCLURE: Staff, can you
21 answer questions of any -- of course, the noise
22 ordinance, they would be called to address that issue.
23 And we will get back to you in just a second.
24 ALESIA HUNTER: Yes, sir, Mr.
25 Chairman, the gentleman had a question about if the
26 board does grant approval it will be similar to what
27 we've done in the past. We will place restrictions on
28 hours of operations and that information will be
29 placed on the actual permit. The applicant then will
30 have agreed to that to do that. The application will
31 be (inaudible) will alert you all in that community so
32 put those stipulations on the permit. And the permit,
33 if there is any violation to the permit it would have
34 to be corrected before renewal.
35 HAROLD MCCLURE: Okay. Go ahead.
36 KIM JOHNSON: So for my
37 understanding -- okay, this is going to be indoor
38 batting cage and if they decide to do it on the
39 outside then you will have another meeting about that.
40 HAROLD MCCLURE: Staff, that would
41 be correct; right?
42 ALESIA HUNTER: Yes, sir. The
43 application tonight is just for indoor. Ms. Sloan has
44 mentioned that another application would have to be
45 evaluated in terms of the outside. We are just
46 evaluating this for the indoors.
47 KIM JOHNSON: Okay. All right.
48 Thank you.
49 HAROLD MCCLURE: Thank you. Any
50 others speaking against?

1 Okay. Is Mr. Behrends, is he here today? We
2 would like to let you have an equal chance to say
3 something. And if there's any questions for -- is it
4 Mr. Behrends?

5 MICHAEL SCOTT BEHRENDS: Behrends.

6 HAROLD MCCLURE: If there's any
7 questions, could you address any of those concerns
8 that were brought up.

9 MICHAEL SCOTT BEHRENDS: Yes. So I have
10 been speaking to several of the neighbors around the
11 ---

12 HAROLD MCCLURE: Just speak up to
13 the microphone.

14 MICHAEL SCOTT BEHRENDS: I have been
15 speaking to several of the neighbors around, Teresa,
16 the lady's name is Teresa. I know they have had some
17 issues with the building in the past because it was a
18 pool hall. We purchased the property, my son and I,
19 who is here, we purchase the property from the owner
20 so it is now in our name and we own it. Paid cash for
21 it and we own it. We intend to run this business out
22 of that.

23 Again, we've agreed with the hours with things
24 from four to eight; nothing going after eight. Any
25 violations, we are ready for whatever, whatever needs
26 to happen.

27 HAROLD MCCLURE: Okay.

28 MICHAEL SCOTT BEHRENDS: But we don't intend
29 -- we just found out -- I literally just found out
30 yesterday about the sex offender that butts up to our
31 property. I was not aware of that ahead of time, but
32 these will be indoor cages and they will be rented out
33 to baseball teams. So the coaches will be there along
34 with someone from -- either myself or my son will be
35 there at all times when someone's there.

36 HAROLD MCCLURE: Okay. Anything
37 else you would like to say?

38 MICHAEL SCOTT BEHRENDS: Oh, no, sir.

39 HAROLD MCCLURE: Thank you. So at
40 this time I will close the public hearing. And if
41 there's any questions or discussion for staff or Mr.
42 Behrends we will address that. Are there any
43 questions at this time?

44 DAN HARVELL: I just have
45 something I would like I share with the board.

46 HAROLD MCCLURE: Okay.

47 DAN HARVELL: All right. I was
48 contacted about this last week by Teresa Locke Morgan.
49 A lot of us know her. She's been incredibly active in
50 the community and County Council affairs for many,

1 many years and nothing gets past her. She's thorough.
2 She has talked to Mr. Behrends. She called me today
3 again and told me that she had full confidence that
4 everything will be done on the up and up just like
5 it's specified. And she was perfectly okay with it.
6 She has been such a strong spokesman for that
7 community, in defense of the community on numerous
8 issues mainly down at the landfill for so many years.
9 I totally trust her judgement on that and I just
10 wanted to share that with the board.

11 HAROLD MCCLURE: Okay. Thank you.
12 Anything else from the board? I know it's usually
13 uncommon for the chairman to make a motion, but I will
14 make the motion to approve. But I would like to add
15 to it that if staff would take up the neighboring
16 properties with the Sheriff's Department. If they
17 would mention that to the Sheriff. Can you do that,
18 staff?

19 ALESIA HUNTER: We can mention it.

20 HAROLD MCCLURE: Okay. I think that
21 needs to be mentioned. And I'm going to make that in
22 the form of a motion.

23 DAN HARVELL: I will second
24 that.

25 HAROLD MCCLURE: Second. All in
26 favor. And that takes care of that.

27 Okay. Next on the agenda. Before I start I do
28 realize most of y'all are here for this variance. I'm
29 going to go into teacher mode here. I am going to say
30 I will not, and this board will not, tolerate
31 unprofessionalism. Okay. I'm not going to put up
32 with it. And I don't know any of y'all. I'm just
33 going to go ahead and say from the past -- in the past
34 we have had people say all kinds of stuff about each
35 other and we had to cut it off right there. So if
36 it's not documented, if it's not on paper, then we
37 don't want to hear it, okay, because if you don't like
38 the person or you don't agree with the person, that's
39 not up to us.

40 Okay. We are here to back up or to negate
41 whatever we think -- we're here to do what's right.
42 We do not want to -- you know, we are not doing any
43 favors for anybody. But at the same time I want also
44 -- I also want the board, if you have any discussion
45 outside of the discussion then you need to abstain and
46 you need to go to the microphone. Okay. Opinions on
47 the board are not tolerated unless you abstain.

48 And I will ask that the speakers be professional.
49 I don't want to hear anything about, oh I heard this
50 and I heard this. No exaggerations. There's a lot of

1 business owners up here. There's a lot of farmers who
2 owns farmland up here and there's a lot of people --
3 there's a couple of people that live beside firing
4 ranges. So I don't want to hear things that come from
5 outer space. Okay. I appreciate everybody being
6 professional.

7 Okay, staff report.

8 RHONDA SLOAN: Yes, sir, Mr.
9 Chairman. Tonight we have a special exception. The
10 applicant is McConnell Hall Shooting Preserve. The
11 property owner of the property is Mr. Richard
12 McConnell. This property is located at 3502 Midway
13 Road. It's also located in Council District 7. The
14 tax map number is there for your viewing. The
15 property is approximately 10.73 acres and it fronts
16 Midway Road which is classified as an arterial road.
17 The property is currently zoned an R-A Residential
18 Agricultural and the land use is for agricultural farm
19 with animals.

20 The applicant has requested this special exception
21 to sell farm products such as fruits and vegetables
22 that's produced on the farm, have events, conduct farm
23 auctions. Also they would like to use the exhibit
24 hall for weddings, birthday parties and to also teach
25 certified NRA gun safety classes. The exhibit hall is
26 an open air building that's a forty-two by sixty metal
27 building that is approximately twenty-five hundred
28 feet. And all the activities that are held are
29 reserved.

30 Our finding of facts for tonight: Under Chapter
31 70, Article 5, Section 5-2.2 use permits, the special
32 exceptions does include the roadside stand for the
33 sale of crops, produce and fruit. Also under Chapter
34 70, Article 7, Section 5:5.2, private recreation is
35 also a permitted use under the residential agriculture
36 zone. Also food and entertainment may be permitted
37 provided that it does not cause a nuisance in the
38 residential district.

39 Before you, you have a picture there. I hope you
40 can see that. That is an aerial of the property and
41 the property is there circled. There's another aerial
42 photo of the property. That picture does show me the
43 exhibit hall and the barn. And that's just another
44 one.

45 HAROLD MCCLURE: I have a question
46 of staff.

47 RHONDA SLOAN: Yes sir.

48 HAROLD MCCLURE: And I don't know if
49 you know this right off the bat. How many acres are
50 on this property?

1 RHONDA SLOAN: It's approximately
2 a little over ten acres.

3 HAROLD MCCLURE: Ten acres?

4 RHONDA SLOAN: Yes, sir. That's
5 a picture of one of the set-ups for wedding venues.
6 The shooting preserve permit was originally approved
7 in July of 2009 and it's renewed annually with the
8 Department of Natural Resources. And so this does not
9 -- this permit is not part of the permit application.
10 That's just there for your information tonight.

11 And as far as staff recommendations, staff
12 recommends approval of the special exceptions for the
13 following reasons: The agricultural use of the
14 property is in keeping with the existing land use
15 requirements and the use is permitted. It is in a
16 residential agricultural zone. The use will not be
17 detrimental to the public and general welfare. The
18 use does not violate the neighborhood characteristics
19 nor adversely affect the surrounding land users. And
20 as far as the applicant hours of operations, that will
21 vary to when events are scheduled. However the
22 applicant is committed to having all events to end by
23 eleven p.m.

24 As far as noise, regarding the noise levels, the
25 applicant must adhere to the noise ordinance which is
26 found in Chapter 38, Article 2. And the applicant
27 will be required to obtain a commercial land use
28 permit. And Building and Codes will not require any
29 permit because all the buildings are existing and the
30 activities are all outside. The board has granted
31 other special exceptions similar to this request that
32 will be consistent with your approval.

33 This concludes my staff report.

34 HAROLD MCCLURE: Thank you.

35 RHONDA SLOAN: Yes, sir.

36 HAROLD MCCLURE: At this time I
37 would like to open up the public hearing. I'm going
38 to open up the public hearing for those speaking
39 against. I do realize that the owner's here. Let me
40 see the owners. Are you here? Okay. You will speak
41 last, or we'll address questions to you last.

42 I do ask that anybody speaking be brief, be
43 professional and to the point. Okay. So we will go
44 ahead and start with those speaking against. Please
45 address the microphone and speak your name and your
46 address, please. Anyone speaking against?

47 MARK CUTTS: My name is Mark
48 Cutts. I live at 1010 Stringer Road. My property
49 backs up to the property in question. I want to
50 address -- there's four different issues here and I

1 want to address each one of them separately. I have a
2 different opinion on each one of them.

3 The first one is the sale of the farm products.
4 My concern on that is that's pretty broad. That can
5 be anywhere from selling fruit, selling tractors, or
6 selling fertilizer, chemicals. So that's really
7 broad. I don't have a problem with somebody selling
8 fruits or vegetables that they produce there. I mean
9 you see that everywhere in farming communities. I
10 don't have a problem with that as long as there is
11 parking to make it so it's not on that road. That
12 road is very narrow with Midway Elementary School
13 there just right down the road.

14 Another Subdivision Rivendell down there on the
15 other end. That road is very busy all the time. And
16 you're got Vandiver road comes right in there. So
17 this is a residential neighborhood. There is eight
18 subdivisions very close to this property. Like I said
19 that road's very narrow. They are actually doing --
20 and trying to widen that road a little bit now because
21 it's so narrow.

22 The commercial business being broad, selling farm
23 products, you are going to have to have some
24 deliveries and that means delivery trucks of all
25 sizes. I personally own a transportation company and
26 I know what it's like to try to deliver to a place
27 like that. It's a nightmare. So you are going to
28 have traffic backed up. If you don't have proper
29 parking you are going to have people trying to park on
30 the side of the road wherever they can. It's going to
31 cause an accident. So my concern as far as selling
32 farm products is what is it going to be limited too.
33 Fruits, vegetables, whether they grow it on their farm
34 or bring it in, as long as they got the parking, the
35 parking for it, I don't have a problem with that.

36 I'm going to skip to the farm equipment auction
37 since it's important, too. It's the second issue. I
38 do have a major concern with that. Have you ever been
39 to the car auction over there on the other side of 85,
40 or if you've ever been to Christian's Auction down
41 there in Calhoun Falls, you know what it's going to
42 end up looking like, and the amount of traffic it
43 brings in with tractor trailers, trucks and everything
44 and you got farm equipment parked on the side of the
45 road at these auctions. People don't pick up the
46 stuff. You have to leave it. If you've ever been to
47 an auction, you know how an auction works. That's
48 just not something I feel like -- it's a residential
49 area now. Thirty years ago that was all farm country.
50 Like I said you've got eight subdivisions really,

1 really close to there. One right across the street
2 from it. So, I oppose the farm auction. It's not the
3 proper place for it whatsoever.

4 The gun classes as far as the shooting on the
5 facility, like I said my property backs up to it.
6 Until they stopped shooting here recently, let me tell
7 you, it was a nightmare for us. I got calls from the
8 house when I was at work from my wife saying you have
9 got to do something about this. They shot -- they
10 have a gun range there without the permits for the
11 last year. And I'm going to tell you they would start
12 shooting on Thursday mornings at seven o'clock in the
13 morning and they wouldn't stop until after dark.
14 Nonstop shooting all day long. My dogs would not go
15 outside. My neighbors' kids were afraid to go
16 outside. They were shooting Tannerite which is an
17 explosive there. And it was all day long. I'm
18 talking boom, boom, boom. You can imagine that from
19 seven o'clock in the morning till dark. That's the
20 way it was from Thursday until Sunday. It's not the
21 place for it.

22 You've got an elementary school fourteen hundred
23 yards away. You've got TL Hanna less than eighteen
24 hundred yards away. You've got a Veterans Medical
25 Clinic just right up the road. All the shootings can
26 be heard from these facilities. There's already been
27 a bullet that went through a window in a lady's house.
28 Can't prove it came from this place, but that's
29 something we wanted to avoid and it's not the place to
30 have a gun range.

31 As far as the weddings, the wedding events, to be
32 honest with you I don't have a problem with that if
33 they have the proper parking so they didn't have to
34 park on the road. The gentleman that's had this
35 facility for a while and ran it, I think it's been run
36 properly, but I think they need better parking so that
37 the people are not parking on the road, as long as the
38 hours are limited to Friday to noon, Sunday till seven
39 something like that and the music was cut off at a
40 reasonable time. We would expect the music to be cut
41 off. The buildings are there. I personally don't
42 have a problem with that.

43 My problem is with having a commercial operation,
44 a farm operation there on that road. And many
45 residential cars go down that road. And then the gun
46 range, it's crazy to have a gun range right there.
47 It's a nightmare. I'm just telling you. It's nonstop
48 shooting.

49 So, I appreciate it. And I gave my name at the
50 beginning, so thank you.

1 HAROLD MCCLURE: All right. Thank
2 you. Anybody speaking against?

3 MELVIN GREGORY: My name is Melvin
4 Gregory and I live at 123 Steeplechase off of Stringer
5 Road. I am very much against this kind of a problem
6 for our area. We are domestic and family oriented.
7 There are areas where we have children. Some of them
8 play in the yards. Some of them ride bicycles up and
9 down the streets. Here lately we have heard gun fire,
10 and even though I don't adjoin the property, I hear it
11 consistently. The dogs start barking when they start
12 firing because they get nervous.

13 The other issues that I have is the traffic and
14 the parking on Midway Road. I have seen venues within
15 the last six months of where they had to park on both
16 sides of Midway Road. It was hard for traffic to get
17 -- two-way traffic to go both directions on account of
18 the parking. Now it is true they are widening the
19 road and the width of the road will not allow cars to
20 be parked without being put in the ditch on the side
21 of the road. The last one they had, it probably was
22 seventy-five to eighty cars parked on both sides of
23 the road. And leading into that event that day, they
24 had some kind of bus that tried to get in that narrow
25 driveway down to the venue back in the back. It had
26 to crawl back up several times to get that big limo in
27 there and this was a bus limo. This wasn't a van like
28 you see at the airport. This was a big vehicle.

29 And you know, traffic is going to get bad. And
30 with increasing the size and redoing the road, the
31 speed limit right now is probably anywhere from fifty
32 to fifty-five miles per hour per car and when they get
33 it repaved it's probably going to be sixty to seventy
34 -- maybe sixty-five or seventy miles an hour. We've
35 got several elder citizens that come in and out Autumn
36 Lane onto Midway Road. They come out Traynum Lane.
37 They come out Stringer Road turning on Midway Road.
38 When you see a car coming sixty-five to seventy miles
39 an hour when you're a senior citizen it's going to be
40 hard to pull out without causing a real problem.

41 Also a very serious problem we have, we've got a
42 special ed -- or a special needs child in our
43 neighborhood. I don't know what this will mean to him
44 with this constant shooting. We are talking seven
45 a.m. to dark. I thought maybe his mom and dad may be
46 here, but they didn't show up. But they are aware of
47 the problem and it is a very serious problem to them
48 because the child cannot speak or hear.

49 So, again this is a residential area. I want to
50 keep it that way where we have control over what we

1 are doing and not have our Midway become a commercial
2 development like Clemson Boulevard or some of the
3 other major roads in and around the county. This is a
4 problem.

5 HAROLD MCCLURE: Thank you, sir.
6 Anyone speaking against? Okay. At this time I would
7 like to ask -- okay.

8 BRIAN CROMER: My name is Brian
9 Cromer. My family's property is at 3520 Midway Road.
10 I live at 103 Fair Oaks Drive very near the car auction
11 that Mark was referencing. So I wanted to sort of
12 address how things have been historically.

13 They are asking for several special exceptions
14 that in our view shifts this from being just being
15 just sort of a residential agricultural property to
16 really more of a commercial endeavor. And we think
17 that that's well beyond what the special exception
18 laws should be used to do. This is definitely
19 something that would encroach on our existing
20 residential and agricultural character of our
21 neighborhoods.

22 If you look at McConnell Hall's Facebook page --
23 and I printed these out -- you can see that they
24 started in -- several years ago having weddings. And
25 there's a picture they posted on their Facebook page
26 where you see two hundred chairs at a wedding. I
27 think in the picture that they posted here there may
28 have been that many. On their Facebook page, they've
29 already been engaged in all of these activities and we
30 have already seen the problems that have arisen.

31 On May 6th they're advertising on their Facebook
32 page for these seasonal fruit boxes. They had
33 birthday parties on May 1. On March 29th they
34 advertised and said hopefully we can get on with
35 beautiful spring events soon. They show a picture of
36 a wedding venue with probably two hundred chairs set
37 up. There was a baby shower they hosted on March 15th.
38 There was a bus that came in for a luncheon on
39 February 25th. On December 22nd holiday celebration.
40 Another bus on December 3rd of last year. They hosted
41 a wedding on September 29th of last year. They have
42 already had gun classes. This is an advertisement for
43 their gun class on September 16th. Here's another
44 spread that they have had where they had parties.
45 This one is from June 30th. June 27th, another
46 luncheon where they had buses there. Birthday events
47 on June 15th. A corporate event on June 15th.
48 Graduation events in May of 2019, April of 2019. A
49 barbeque event in March of 2019. Birthday parties
50 that they host for folks with axe throwing, shooting

1 lasers and then axe throwing. You will see that
2 already they've had a lot of the events that they're
3 asking for special exceptions and we've seen the
4 problems with noise, parking and traffic, and that's
5 one of the things that we are concerned about.

6 One thing that wasn't mentioned at these wedding
7 events was whether alcohol would be served. We have
8 talked to folks who have had a wedding event out there
9 and we know that there was alcohol served and so we
10 have a question of folks who are leaving there on that
11 very dangerous street if there is alcohol that's been
12 served on that. So if this were to be granted we
13 would sort of have a request that alcohol not be
14 allowed to be served at these events. The noise has
15 been an issue continually at this and we have proof,
16 documented evidence on that.

17 I'm not sure if you saw the emails that came in
18 from other citizens, neighbors who live in that area.
19 We've got six emails that I was copied. We may have
20 gotten more. I don't know if y'all have copies of all
21 the emails from other folks. Yeah, seven folks who
22 oppose these special exceptions.

23 In our view the County already has several
24 categories of commercial zoning that would be more
25 appropriate for the types of businesses that they're
26 requesting and that this should be a rezoning request
27 and nothing something where they are trying to
28 incrementally get commercial activities through the
29 special exceptions process.

30 If we look at the specific objections to their
31 activities, we are not opposed to the sale of farm
32 equipment or products that are produced on their
33 property. We have no issue with that. We wouldn't
34 want to have sort of a have farmer's market jockey lot
35 type environment where people are trucking in a lot of
36 produce from other places and you have a lot of folks
37 who are coming in for that. I feel like there are
38 other venues that are better for that.

39 We talked about the weddings and the parties and
40 other events. They are all outdoor venues. Weddings
41 are going to have music. There's going to be a lot of
42 noise. We've already heard it. And then we don't
43 understand where the parking -- how are you going to
44 accommodate two hundred people, guests, plus all the
45 caterers, staff and all the additional people that you
46 need. We have already seen they don't have enough
47 parking. So any consideration of that request should
48 require them to have specifics with regards to
49 parking. And I know that the code already has some
50 very detailed -- county code ordinance already has

1 detail with regards to parking requirements. And we
2 don't feel like those have been met at the site.

3 With regards to the certified gun classes, these
4 would be, for instance, a concealed weapons permit.
5 Each student in those classes is shooting at least
6 fifty rounds of ammunition. So every single student
7 you're going to have fifty rounds of ammunition
8 because there's a test and you have to get thirty-
9 seven out of the fifty in order to pass the test in
10 order to get your concealed weapons permit. We
11 already talked about safety and we know that bullets
12 have already gone into other people's yard and just
13 the noise can trigger PTSD for folks who are at the
14 Veterans Clinic there.

15 Lastly I will discuss the farm equipment auction.
16 One of the concerns that we have with regards to the
17 farm equipment auction is -- I live on Fair Oaks in
18 Williamston near the big car auction and I see all the
19 time they're bringing in all these cars and large
20 tractor trailers. And Midway Road is just being
21 repaved and it needed to be repaved, but if we're
22 having to bring large tractor trailers to bring in
23 really heavy farm equipment so it can be at that site
24 for an auction, that's going to really cause a lot of
25 issues with regards to that road. That's going to
26 cause issues with traffic. And it's just going to
27 really change the characteristics of the neighborhood
28 if you have farm equipment. Presumably you can have
29 dozens and dozens of pieces of farm equipment without
30 having to come for that auction.

31 Another concern is that the petitioner already has
32 and existing business selling eight step fuel
33 additive. So a concern that we have is that we
34 wouldn't want this to be sort of a property where they
35 would store large quantities of eight step fuel
36 additive and then sell basically fuel products from
37 the farm. And that's not specifically asked in the
38 request, but we are concerned that that would be
39 something that would be an extension that would be
40 sort of to say, well we have this permit for farm
41 equipment; this is just all part of that.

42 So for those reasons we are adamantly opposed to
43 the special exceptions except for the produce stand
44 for stuff from their property.

45 HAROLD MCCLURE: Thank you, sir.
46 MICHAEL MILLER: Mr. Cromer, I have
47 one questions to ask you. Are you married?
48 BRIAN CROMER: Yes.
49 MIKE MILLER: Did you have
50 champagne at your wedding? You talked about alcohol.

1 BRIAN CROMER: I don't have an
2 issue with alcohol. And actually I did not. I had to
3 go the County Administration building in San Diego so
4 I didn't really have a wedding. But I don't have any
5 issue with anyone drinking alcohol. I just didn't
6 know if there was any sort of special permit that
7 would be required for someone to serve alcohol on
8 this. And then there's significant issues with
9 serving alcohol when you have two hundred guests who
10 are leaving at eleven o'clock at night on a street
11 where -- you know, you can't -- you don't have -- you
12 can see as far as that wall maybe and as far as that
13 wall as you're trying to pull out from that driveway.
14 I pull out on Vandiver all the time which is just
15 right across on Vandiver. And there is very, very,
16 very limited visibility. So our concern with the
17 traffic and parking is it's going to even be worse.

18 HAROLD MCCLURE: Okay. Thank you.
19 We're going to touch on that.

20 Anyone else speaking against? Say your name and
21 your address, please.

22 CAROLYN CROMER: I am Carolyn Cromer
23 and I live at 3520 Midway Road. My property and home
24 are adjacent to the McConnell property. I oppose any
25 and all exceptions to the zoning of this property at
26 3502 Midway Road due to the following: More traffic
27 on this road leads to dangerous conditions for the
28 people who live in and around this area and must
29 travel this road to get to and from their homes.

30 Vandiver Road intersects Midway Road in front of
31 McConnell's property. When entering Midway from
32 Vandiver looking to the right is a hill and to the
33 left is an embankment with plenty of brush and
34 foliage, shrubbery, plants and trees which prevent you
35 from getting a clear view of traffic. It's very
36 difficult to see as far as top of the hill before you
37 can pull out into the road way.

38 In addition there are three entrances/exits from
39 the McConnell property in this area. Midway road is a
40 state road and is heavily traveled. Many times people
41 have parked for events sponsored at McConnell's on the
42 road parking making it dangerous traveling past there.
43 Very little if any shoulder is available to park on.
44 Community residents, contractors servicing the
45 community, visitors, and commuters travel this road.
46 Adding venues to this area will increase the number of
47 cars, trucks, etcetera on the road, making it much
48 more dangerous.

49 Another issue with the exceptions is the noise
50 from the guns and explosions. Many times I have sat

1 down to enjoy my afternoon and this is what I've
2 heard. I want you to listen to what we have to put up
3 with. I know what it is. I turned it off. I didn't
4 want to have a problem. I'm sorry, I had the sound
5 turned off so I wouldn't interrupt. (Playing
6 recording of firing guns.) This is what we hear all
7 day long. All day. You can't go in and sit down
8 without hearing that. How many of you would want to
9 hear this all day many days of the week. I feel as if
10 I am in a war zone at times with all of this going
11 on.

12 While I respect the right to bear arms, I should
13 not have to hear this by people he is doing business
14 with. I bet none you would want this by your home. I
15 have had people working at my house and they left
16 because they were afraid they would be shot. I should
17 be able to have the quiet enjoyment of my home.

18 There is a fence between the McConnell property
19 and my property. McConnell cut that fence so he can
20 come onto my property to hunt. We put the fence back
21 up and he cut it again and put a gate there. Earlier
22 this year when my grandson was at my house on a Sunday
23 afternoon. He saw a person with a gun in the pasture
24 close to the McConnell fence line. He confronted the
25 guy and told him that I didn't allow hunting on my
26 property. The guy told him the McConnells told him he
27 could go over the fence there and he was just going to
28 walk down the lane a bit. Again Phil told him he
29 couldn't hunt there and he left. When he told me of
30 this we called the Sheriff's Office. They came out.
31 I also called the DNR about these acts of trespassing
32 with a gun. If my grandson had been in the woods or
33 bushes, the person expecting to find some wild animal
34 could have shot him. This scared us badly. I should
35 not have to fear for my safety nor my family's because
36 of some business he has without it being in a legally
37 zoned area.

38 We are a residential community and not a
39 commercial zoned. Gun training and shooting does not
40 belong in a residential community. When the zoning
41 laws were being presented to us, the thing was to
42 protect and preserve the property owners and their
43 investments. Everyone here has a lot of money tied up
44 in our property and the value would be less if these
45 types of exceptions are allowed.

46 I respectfully ask that these exceptions not be
47 approved because of dangerous traffic conditions,
48 noise and safety from guns. Thank you.

49 HAROLD MCCLURE: Thank you, ma'am.
50 Anyone speaking against?

1 GENE CROMER: My name is Gene
2 Cromer. I'm going to ask you guys, have you ever been
3 shot at? Okay. Appreciate it. Have you ever had a
4 mortar round dropping in around you? I have. Have
5 you ever seen a buddy get his head blown off? Mine
6 did. I cannot enjoy that property unless I'm drugged.
7 I have to take Trazodone and Lorazepam. Otherwise I
8 will have a panic attack. When I go over there I
9 think I'm back in Nam, 1968.

10 Now I respect the McConnells. I have a lot of
11 respect for them. But they don't respect us. I went
12 down there -- there was a man in our pasture down
13 there hunting with a gun. I walked down there and
14 told him. I said we don't allow hunting over here.
15 Well, McConnells said we could. Well McConnells don't
16 own this property. They have never had the right to
17 enter that property under any circumstances. They did
18 cut the fence. They put a gate up without our
19 permission. And the thing about it is every Sunday --
20 it's not like it's a Thursday or Friday. It's Mondays
21 through Sunday. They have them on Sunday. You can't
22 sit in your backyard or on your porch without bam,
23 bam, bam. Bam, bam, bam. Well, I'm a nervous wreck.
24 I get to shaking. Okay. I've heard enough of that.
25 I've done my part.

26 All I'm asking, look, cut out to gunfire. If
27 you're going to have club, you're going to have a
28 weapon, put it in a building. You can't have a
29 shooting range on ten acres. You cannot. My grandson
30 is fishing two thousand feet from this shooting range.
31 And we're afraid to let him shoot there -- I mean
32 fish there. I mean if you were there next door to
33 them -- and it don't do any good to talk to them
34 because they don't respect you. I mean we told them
35 we didn't want people on our property so what do they
36 do? They write Carolyn a dirty letter two or three
37 pages about what a good neighbor she's not. I thought
38 you were a good neighbor. They don't respect anybody.
39 They brought this thing before the zoning board and
40 they had so many people show up, they withdrew it
41 and then they went ahead and do what they want to. So
42 now they are back doing it through y'all, thinking
43 y'all are going to accept it.

44 Well we are asking please, for the sake of the
45 safety of the community and for our sanity -- I mean
46 I've had two flashbacks. I have been put into the
47 hospital because I thought I was back in Nam. And
48 when I'm over there, I'm just like this, shaking. And
49 if I don't take drugs, I can't even go over there.
50 Okay? And I appreciate it. I'm sick and tired of it.

1 I don't want the shooting. I'm done. I'm through.

2 HAROLD MCCLURE: Thank you, sir.

3 GENE CROMER: And respect me one
4 time and ask them to respect me. Are they are going
5 to to continue to sell (inaudible) fluid? They are
6 now. They got businesses going that they are not
7 approved. And everybody here tonight, nobody got
8 upset, nobody acted like a redneck. We are all
9 educated people. Everybody here that spoke has
10 probably got two or three college degrees. He's got
11 three, she's got two and I've got two. So we don't
12 mean to be a uproar or a redneck. Okay.

13 HAROLD MCCLURE: Thank you, sir.

14 GENE CROMER: We thank you for
15 your consideration. But think about it before you say
16 I will recommend to be approved and I second and I
17 third and we're out the door. Send it back to the
18 zoning. She didn't get a letter about this meeting.
19 Nobody got letters. There were no signs. Nobody knew
20 about it. Take it back to zoning, is the correct way
21 to do it. Don't backdoor, fellows. Don't allow this
22 to happen. Okay?

23 If you were there, Mr. Chairman, and you owned
24 ninety acres and you couldn't go out your backdoor on
25 weekends and enjoy your family and your grounds
26 without being afraid of being shot you'd be up here,
27 too.

28 Thank you very much for your consideration. I
29 didn't knock that down on purpose.

30 HAROLD MCCLURE: Anybody else
31 speaking against it?

32 TYLER SMITH: Hello everybody.
33 Tyler Smith. I live at 1038 Stringer Road. And the
34 video they just played of the shooting, that was
35 pretty mild. I have been out late in the evening,
36 dark, hearing Tannerite go off, shotguns firing all
37 through the week. I've got two young kids out in the
38 yard. And I've had them come run inside, especially
39 when the Tannerite is going off. So I would
40 definitely oppose the concealed weapons class. The
41 gentleman brought up about fifty rounds of shooting.
42 If you've got twenty people out there shooting, that's
43 a thousand rounds. So I am curious, what is the
44 recommended zoning time of the concealed weapons
45 class?

46 HAROLD MCCLURE: We will get into
47 that later.

48 TYLER SMITH: So yeah, I
49 definitely oppose the concealed weapons class. We've
50 already got enough shooting out there like everybody

1 else has said. Adding more shooting more concealed
2 weapons classes, I find that to just be more of a
3 nuisance. Thank you.

4 HAROLD MCCLURE: Thank you. Anyone
5 else speaking against?

6 JIM MCCALLUM: My name is Jim
7 McCallum. I live on 531 Bowen Road. Lived out there
8 for over thirty years. Been a great place to live
9 until about the last two or three years. I want to
10 tell you I have some of the concerns that everybody
11 else has expressed. I will be brief because they've
12 done a good job. Hit every note.

13 I want to speak on behalf of three generations of
14 people that have lived on Bowen Road; my wife's
15 family. They couldn't be here tonight because a lot
16 of them are out of town or either they have some
17 health issues. And that's what I want to address to
18 you tonight, is the health concerns regarding the
19 excessive shooting and that kind of thing.

20 My family has some severe issues going on. Heart
21 issues, diabetes, immune compromised type situations.
22 And so I just want to address that to you. As long as
23 the shooting goes on, it's just gone on too long and I
24 just want to speak for my family and the children that
25 are in this area that have to endure that.

26 So we appreciate your consideration of these
27 comments. Thank you.

28 HAROLD MCCLURE: Thank you, Mr.
29 McCallum. Anyone else speaking against?

30 Okay. At this time I would like for the
31 representative from Mr. McConnell, if you would come
32 up, because there's some things that I would like to
33 ask. I don't know about the committee, but I would
34 like to ask.

35 Planning. Can you tell us what steps you've taken
36 for planning? I mean you've got ten acres. You've
37 got the buildings. You've got the permits. What
38 about planning? Have you talked with the DMV? And
39 have you -- and this staff also. And has DOT been
40 brought in about the parking? Have you discussed the
41 parking issues? Can you address that plan?

42 RICHARD MCCONNELL: I'll be happy to.
43 We've been doing these events out there since 2009.
44 And I can't recall one where there was parking on the
45 street. We have the ability to overflow the parking
46 into our adjacent field. So we have the one field
47 that was pictured here that can easily hold a crowd of
48 two hundred, as they stated earlier, without anybody
49 having to park on Midway Road. Mr. Pickens, who runs
50 the road company here, graduation party was two years

1 ago. He helped build the sign for us that's down
2 there at the lower gate right off of that field and we
3 overflowed that parking in that field to avoid any
4 cars being on Midway Road. So that's not happened.

5 HAROLD MCCLURE: Have you discussed
6 anything with DOT as far as ---

7 RICHARD MCCONNELL: I have not because
8 we've never had an issue with parking. We've never
9 had an issue with parking. So I'm certainly happy to
10 address that. I'd be happy to have those folks come
11 out and look at the property, look at the overflow,
12 look at the amount of space. But again, we have not
13 had that issue.

14 HAROLD MCCLURE: What about planning
15 as far as -- I look at my notes and the number one
16 thing here is noise. Have you thought of any
17 considerations as far as planning as far as scheduling
18 to where noise -- can you talk to the board about
19 that?

20 RICHARD MCCONNELL: I have. First and
21 foremost, I also live adjacent to the property at 3412
22 Midway with my family. And I've got three young kids
23 as well. I had the great pleasure of talking with Dr.
24 Stevens who's here at the meeting today. I certainly
25 appreciate the concern Mr. Cromer has and Mrs. Cromer
26 has. We have tried to be good neighbors. I respect
27 them and like them a lot and their whole family. Have
28 nothing negative to say at all. We have stopped all-
29 day shooting classes. Okay. That's not on this
30 application. Now have we had those classes in the
31 past? We have. We have had guest instructors. Delta
32 Defense being one of those. Those two days that they
33 addressed came from this group Delta Defense that was
34 in Greenville, South Carolina teaching a hand gun two
35 class. And their assessment of the time of shooting
36 is accurate. It was shooting all day. And frankly I
37 understand their concern with that. Okay. We want to
38 teach concealed weapons permit classes and basic NRA
39 classes, basic pistol classes. It is accurate that
40 you have to shoot fifty rounds. But a class on the
41 gun qualifications of that should not last past an
42 hour and a half.

43 I will make the commitment here today, and I want
44 the Cromers to hear this, that for this special
45 exemption application when we teach the NRA basic
46 pistol classes and/or the CWP classes, I can assure
47 you it's not going to be all-day shooting. That has
48 ceased.

49 And so I have one of our instructors that's with
50 the Sheriff's Department, Mark Sharp, that's here with

1 me. He's an instructor with me. He has taught at our
2 facility multiple times. I would love for him to have
3 the opportunity to come in and echo the same time
4 frames that I'm talking about even at our largest
5 classes. We've not had over twenty people at any
6 class for concealed weapons permit or in an NRA basic
7 pistol class. I will tell you that we have all
8 certified instructors. I'm NRA certified in pistol,
9 shotgun, rifle, carbine and I'm a range safety
10 officer. We take great care in making sure that we
11 are doing this safely and correctly. Dr. Stevens had
12 the opportunity to come down today and actually look
13 at the berm facility.

14 Sadly we've been accused of even contaminating the
15 creek in the back with lead. It is laughable.

16 HAROLD MCCLURE: I've got another
17 question. And I don't mean to cut you off, but I've
18 got another question right quick. I grew up on going
19 to auctions. Mr. Cutts mentioned an auction. Is this
20 an antique farm auction or is this a thirty-six foot
21 header on a combine? I mean what kind of auction are
22 you talking about?

23 RICHARD MCCONNELL: We are mainly
24 focusing on online auctions. There was a flyer that
25 was dispersed and put in mailboxes. Brian Cromer did
26 say that we, that we already had a farm auction. I
27 will concretely tell you we have not had a farm
28 auction. We have had firearms online auctions. There
29 were signs put in our second driveway for pickups at
30 the location.

31 When I filled out the application, Alesia has been
32 very professional and helpful, she said please put
33 down everything that you might do related to auctions
34 at your property. I'm blessed to be partners with
35 David Meares who has been in the auction business for
36 forty-two years here. Some farm equipment auctions
37 have been a discussion where we could put equipment
38 down in the field and have folks come out and attend
39 and do that type of auction, but we've not done that.
40 There's no plans to do that. That was put on the
41 application because we might do something like that in
42 the future. But it's not on the docket. And I
43 certainly can understand the other concern addressing
44 big equipment and having to come in and having to come
45 out. Anytime that we've had to have large truck
46 deliveries and drop-offs, we haven't had an issue with
47 that and we certainly don't want to block traffic.
48 Have no intentions to do so. Happy to answer anything
49 else.

50 HAROLD MCCLURE: Okay. I'm fixing

1 my question. I'm going to ask the staff one
2 question.

3 ALESIA HUNTER: Yes, sir.
4 HAROLD MCCLURE: Have y'all
5 discussed any of this with DOT as far as that?
6 ALESIA HUNTER: What usually
7 happens, say if the board approves this, prior to this
8 continued approval process we will need to contact DOT
9 to ask for the change. Usually what they do, they
10 come out look at it and they may require them to do
11 some improvements.

12 HAROLD MCCLURE: That's what I was
13 getting at.

14 ALESIA HUNTER: Depending sometimes
15 they won't, so that's after ---

16 HAROLD MCCLURE: Well the reason I'm
17 asking is if you do that have trucks and things it's
18 going to have to have a turning radius.

19 ALESIA HUNTER: They will look at
20 turning radiuses (inaudible) need approval so we don't
21 get ahead of the board (inaudible).

22 HAROLD MCCLURE: Okay. I've asked
23 my questions. I'm going to leave up to the board.
24 Anybody?

25 DAN HARVELL: I would like to
26 hear from the instructor.

27 HAROLD MCCLURE: He wants to hear
28 from the instructor. Do we have any questions for Mr.
29 McConnell?

30 DAN HARVELL: I do. There was
31 mention of Tannerite. Can you explain Tannerite?
32 (Inaudible.)

33 RICHARD MCCONNELL: Yes, sir. Thank
34 you for asking that question. I would also like my
35 father to speak on this if possible. The Delta
36 Defense Group that I told you about that I think
37 really created a large part of the accurate complaints
38 that Mr. Cromer and Mrs. Cromer had stated here today
39 for the all-day shooting. In fact Mrs. Cromer called
40 me I believe at five thirty that evening and said this
41 has been going on all day. And I appreciate those
42 concerns. And that will not happen moving forward
43 with us teaching those classes. The Delta Defense,
44 one of the instructors shot Tannerite to raise funds
45 for his wife that had breast cancer that was going
46 under breast cancer treatments. I will tell you in
47 the past we were asked one other time for a gender
48 reveal whether it was the sex a boy or a girl with a
49 small birthday party event that we had and a gentleman
50 asked us to shoot Tannerite. And that one explosion

1 was incredibly loud. I had no idea that it was as
2 loud as it was. I was not aware and the request
3 actually came through my father. I wasn't told about
4 this until a day later. Matter of fact Chad McBride
5 is the one that contacted me and said are you aware of
6 Tannerite being shot at your property. And I said no,
7 sir, I'm not aware of that. Well it happened
8 yesterday evening and we got inundated with phone
9 calls. Literally forty, fifty phone calls that came
10 in.

11 So at that time I asked my father, dad, are you
12 aware of any Tannerite being shot down here. And he
13 said, yes, Delta Defense requested to shoot Tannerite.
14 I thought it was going to be similar to what had
15 happened in the past, one blast and it would be over
16 with. But what we came to find out is they shot
17 multiple pounds of Tannerite down there. If I was a
18 neighbor and my neighbor did the same thing I would be
19 complaining as well. I gave Chad McBride my word that
20 will never happen at our property again.

21 I want to respect my neighbors and I certainly
22 want to respect the Cromers. I have no intentions of
23 creating noise issues on an ongoing basis and
24 Tannerite and shooting of Tannerite would do that.
25 And I have absolutely -- and I want him to speak on
26 that as well if he's given the chance.

27 But to answer your questions, yes, Tannerite was
28 shot. I later found out the next day it was Delta
29 Defense. It was a fundraiser for breast cancer for
30 his wife. They shot multiple rounds of it. And I
31 don't blame Mrs. Cromer for calling me and saying what
32 in the world is going on. Because it is incredibly
33 loud and it's unacceptable. And it won't happen at
34 our property again.

35 DAN HARVELL: Okay. While you
36 are up here I would like to refer to one person that
37 made mention of a permit you have expiring.

38 RICHARD MCCONNELL: Well let me speak
39 on that. You might be talking about our permit for
40 Department of Natural Resources Shooting Preserve
41 Permit. Those go through a period of October 1st
42 through March 31st every year. That's the shooting
43 preserve season. Okay. After that they send you a
44 renewal form. You then fill out, you know, what
45 species you took, how many quail, how many pheasant,
46 how many chukar, you fill that report in and you send
47 it in to the small games department and then they send
48 you your renewal application each year. Those get
49 processed in the start of August and September and
50 they reissue your license again the following year.

1 DAN HARVELL: Okay. So say the
2 permit expires, are you notified?

3 RICHARD MCCONNELL: No, sir. You are
4 given -- and I brought five copies or six copies if
5 you would like to see. You are getting -- once you
6 have the approval -- and to get through the approval
7 process, let me just kind of go through that. We have
8 been through multiple site visits with DNR. We had to
9 get the House of Representatives and all the Delegates
10 to sign off on it. I included that paperwork and
11 asked that y'all get a chance to see that. And after
12 that is done you're issued a license, once you go
13 through that. And that approval process for us took
14 roughly eight months to a year to get done. So after
15 you are issued that license you operate during that
16 shooting preserve season and then you renew. So that
17 period is reciprocity with every existing shooting
18 preserve that has been approved as a shooting preserve
19 in the state. That's how it works.

20 AUDIENCE: May I ask him a
21 question?

22 HAROLD MCCLURE: No. Questions for
23 us. This is directly for us.

24 DAN HARVELL: Okay. I have one
25 more question. I want to ask staff this. This is not
26 necessarily for you. But it is mentioned that a sign
27 did not go out for this particular issue being brought
28 up here today. Can you explain the difference in
29 signage for this kind of thing for a special exception
30 versus other areas? Is there a difference there? Is
31 there a reason?

32 ALESIA HUNTER: Yes, sir, Mr.
33 Harvell, there is a difference. Rezoning requires two
34 thousand feet notification for all property owners
35 within two thousand feet. A special exception
36 requires one thousand feet. We did send out notices
37 and post cards, and we received several calls
38 concerning those. So notifications were submitted to
39 the legal advertisement section of Anderson
40 Independent and we do have a list of all property
41 owners that we sent.

42 Once we sent that out we did have a conversation
43 with Mr. Cromer to advise him that once we get these
44 to the US Postal Service, in terms of delivery we have
45 no control over that. This list is generated from our
46 GIS Department so addresses that are generated this is
47 the most current updated information that we have on
48 the tax bills. So there's a total of -- there was a
49 total, Mr. Harvell, of twenty-five property owners
50 that were send post cards and this is within one

1 thousand feet.

2 DAN HARVELL: I just wanted the
3 people to be assured, you know, that the notifications
4 that were required by ordinance were sent out.

5 ALESIA HUNTER: Yes, sir, that was
6 taken care of.

7 HAROLD MCCLURE: You have anything?

8 DAN HARVELL: Nothing else.

9 HAROLD MCCLURE: Okay. Anything
10 else. Mr. McConnell, we would like to hear from your
11 safety officer, please. And if you could address your
12 -- I meant state your name and address and what you
13 do.

14 MARK SHARP: Yes, sir. Good
15 evening, Chairman. My name is Mark Sharp. For the
16 last twelve years I have lived in the Rivendell
17 Subdivision. Just the last week we moved into Cobb's
18 Glen. (Inaudible.)

19 Mr. Cromer, I respect your service. I myself am a
20 thirteen year Army Officer Veteran, a range safety
21 officer, been in the US ARMY, small arms instructor,
22 NRA. Not just trainer of the students but other
23 instructors, both handguns, rifles, shot guns, range
24 safety officer. I've been through numerous
25 manufacturing safety courses. I am a certified Police
26 Officer in the State of South Carolina. I was a full
27 time sheriff's deputy until last year and I'm still a
28 standing deputy as a part-time officer.

29 A couple things -- more than a couple of things.
30 A few things. If you know the area like we all do. I
31 actually have a couple of copies of that blown up
32 aerial view on this board here. The entire stand on
33 Midway Road almost from Midway School, Midway
34 Elementary School where my daughter attended, all the
35 way up to Breazeale is heavily wooded. I have heard
36 gunfire myself almost every single day throughout the
37 year. Most of the time I can tell you from fact I
38 know it wasn't coming from the McConnell farm. That
39 doesn't mean gunfire does not come from there. I'm
40 not disputing that. My point is we can say to
41 ourselves, let's eliminate any possible gunfire coming
42 from the McConnell farm and everybody in this room
43 will continue to hear rapid gunfire numerous times,
44 numerous days throughout the year. I myself have
45 hunted for years across from Rivendell subdivision
46 across from the stream right there on Midway Road. If
47 you look at a topographical map from where the berm is
48 that we're talking about, which is almost five acres
49 off of Midway Road, the berm faces -- if you're a
50 clock, if you're looking at a clock and it's twelve

1 o'clock and I'm facing that direction, the berm is a
2 hundred and eighty degrees from the six o'clock
3 direction in the opposite direction that would travel
4 in the direction of fire. It's opposite of Midway
5 Road. If I'm now staring at the berm that was my six
6 o'clock and I'm shooting in this direction, it's a
7 berm and there's a heavily wooded section behind that
8 berm and it's in the low part of that area in the
9 country.

10 Furthermore, not just the direction or the path of
11 the travel of the bullet couldn't possibly do a one
12 eighty degree and find its way all the way to Midway
13 Road and beyond. But because the ground there is
14 below the elevation of Midway Road a round would have
15 to do something miraculous close to the Lee Harvey
16 Oswald shooting Kennedy or worse in order to make its
17 way up to Midway Road. If in fact you are shooting in
18 direction of the berm.

19 HAROLD MCCLURE: Is the shooting
20 area in the bottom land?

21 MARK SHARP: Sir?

22 HAROLD MCCLURE: Is it in the bottom
23 land?

24 MARK SHARP: Yes. It's in the
25 lower part of the farmland.

26 HAROLD MCCLURE: Shooting towards
27 the creek or away from the creek?

28 MARK SHARP: Toward the creek.
29 Toward the creek. But the creek is on the other side
30 of the berm into the wood line. I have been back
31 there a hundred times. I have been the primary CWP
32 instructor on the McConnell farm for the past five
33 years.

34 Now in respect to Bowen Road, I have lived off of
35 Bowen Road for twelve years. There is gunfire there
36 all the time. Bowen Road just up until about a year
37 or so ago, that large tract of land just before you
38 get to the end of Bowen Road and get to Midway Road is
39 just farmland, it's just woods, as is across the
40 street. Directly across the street from the back end
41 of Rivendell is a three or four acre tract of land we
42 have hunted on in the past. Now we're not allowed to
43 hunt there. I'm not sure, the owner probably just
44 didn't want anybody else hunting there. There is
45 constant gunfire coming from that tract directly
46 opposite of the back end of the Rivendell subdivision
47 onto Midway Road. That is probably the most likely
48 path of any bullet that happened to fire in the
49 direction of Bowen Road and Rivendell Subdivision.

50 When you look at topographical map of the

1 McConnell Farm, and I know you can't see this, but
 2 over a twenty-seven hundred feet gap exists between
 3 the berm and Midway Road. Almost five full acres.
 4 Now for a round, if I'm standing and that's the berm
 5 and I'm shooting in the direction of the berm, Bowen
 6 Road is off to my left shoulder in the direction off
 7 that way to the north, over a half mile away. Between
 8 myself where I'm shooting and Bowen Road and even
 9 Vandiver Road, Vandiver Road is heavily wooded. A
 10 round could not possibly factually travel from that
 11 berm area all the way back to Midway Road winding its
 12 way around hundreds of large standing trees,
 13 hardwoods, and find its way to Midway Road.

14 Finally -- well next to finally -- we are not
 15 proposing that we continue shooting rifles out there.
 16 We understand the rifle chatter has been an annoyance,
 17 perhaps in some minds a safety issue, and I appreciate
 18 that. I recognize the emotion there. What we are
 19 asking for is to just confine our activity on the berm
 20 within ten to fifteen meters of that berm to simply
 21 conduct the CWP classes. I have been a CWP instructor
 22 for years. I have never had a class exceed ten
 23 students because there's just not that much demand.
 24 But from a safety perspective as a range safety
 25 officer perspective I wouldn't (inaudible). They do
 26 fire fifty rounds a piece, plus or minus. Quite
 27 frankly sometimes we shoot fifty, sixty rounds after
 28 these do qualify. But again if we limit the use of
 29 that berm five acres off of Midway Road shooting in
 30 the opposite direction of Midway Road in the low
 31 county with a field effective berm with the woods
 32 behind us, I doubt very seriously if we are going to
 33 be heard more than a typical gunfire that's happening
 34 all around that area to begin with.

35 HAROLD MCCLURE: Any other questions
 36 for the safety officer? Thank you, sir.

37 MARK SHARP: Thank you.

38 HAROLD MCCLURE: At this time I'm
 39 going to close the public hearing. Is there any
 40 questions for staff at this time?

41 AUDIENCE: Can I?

42 HAROLD MCCLURE: No. I've closed
 43 the public hearing.

44 AUDIENCE: Can I follow up?

45 HAROLD MCCLURE: I've closed the
 46 public hearing. Anybody speaking against?

47 AUDIENCE: You've got some
 48 information that is not correct

49 HAROLD MCCLURE: I have already
 50 closed the public hearing.

1 AUDIENCE: That berm is not on
2 that ten acres.
3 HAROLD MCCLURE: Okay.
4 AUDIENCE: It's not on that
5 ten acres.
6 HAROLD MCCLURE: Okay.
7 AUDIENCE: It's not on that
8 ten acres, sir. It's not on it.
9 HAROLD MCCLURE: I've closed the
10 public hearing. Is there anything anyone wants to ask
11 the staff? Anything you want to ask the staff? We
12 are good? No discussion?
13 ALLEN ASHLEY: I will make a
14 motion.
15 HAROLD MCCLURE: Okay. What's the
16 feeling of the board? All right. Nobody's going to
17 say anything?
18 ALLEN ASHLEY: Make a motion we
19 accept it.
20 HAROLD MCCLURE: Got a motion to
21 accept. Do we have a second?
22 MIKE MILLER: Second.
23 HAROLD MCCLURE: All those in favor
24 show by uplifted hand. Oh I'm sorry. We've gotta
25 have discussion. Go ahead and have discussion.
26 DAN HARVELL: Okay. This may be
27 a little after the fact, but how many classes do you
28 intend to have, say within a month's time.
29 RICHARD MCCONNELL: (Inaudible.)
30 HAROLD MCCLURE: Address the mic
31 please.
32 RICHARD MCCONNELL: As long as I've
33 been teaching, sir, we've never had more than two
34 classes within a month's time. It's very -- I don't
35 see classes every day, every week. It takes a little
36 time to market the dates and folks to be able to find
37 out the time that they can come and schedule to come.
38 Mark, echo that, if you will, please. But we've
39 really never done more than two a month.
40 HAROLD MCCLURE: Is that good?
41 DAN HARVELL: That's the answer
42 to my question.
43 HAROLD MCCLURE: Okay. We've got a
44 motion. We have a second? All those in favor show by
45 uplifted hands. Three. All those opposed. We've got
46 one abstention. Mr. Farr abstains. Mr. Harvell
47 opposed. It's three to one to one. Thank you.
48 Anything else? Any old business or new business?
49 Do we have a motion to adjourn?
50 ALESIA HUNTER: Mr. Chairman.

1 HAROLD MCCLURE: Yes.

2 ALESIA HUNTER: We do. Stefine's

3 going to come forward. Stefine's got some stuff for

4 this meeting and is going to speak to you.

5 STEFINE CHASTAIN: Good evening. You

6 have with you a calendar in regards to the upcoming

7 board meetings. As we know COVID has made us change

8 everything. So in August the only date that we have

9 is the originally scheduled August 13th. September, I

10 think it is originally scheduled for the 10th. The

11 only meeting availability is the 17th. On October you

12 actually have about three choices. We suspect that we

13 are going to have a cancellation on the 8th for the

14 Civic Center. I can confirm this next week. My

15 suggestion is to -- if you guys would allow to go with

16 the original date of the 8th. If for some reason that

17 is not available to go with the 12th. That is your

18 decision. You also have a possibility of the 26th.

19 As far as November, you have two possible

20 meetings. I highly suggest that we go with the

21 meeting on November 23rd. That is the Monday before

22 Thanksgiving. The reason is that the Planning

23 Commission will be meeting on that Tuesday. In

24 December you have two choices, as well. You have one

25 on Monday the 14th and Monday the 21st. I highly

26 suggest we go with the 14th just because it's closest

27 to the date that it was moved ---

28 HAROLD MCCLURE: Which month?

29 STEFINE CHASTAIN: It's December. If

30 you -- you do have a calendar.

31 HAROLD MCCLURE: I've got -- I'm

32 looking at my calendar. I have it on the 10th. But

33 you said move it ---

34 STEFINE CHASTAIN: Due to the COVID

35 situation and having meetings at the Civic Center, a

36 lot of the events have shifted the schedule,

37 unfortunately. So we have to pick new dates.

38 HAROLD MCCLURE: 16th and 17th or

39 what?

40 STEFINE CHASTAIN: So it will be --

41 for December it's the 14th or 21st. However, December

42 -- August is tentatively scheduled. September is

43 shifted a week if you have nothing on the 14th, but

44 unfortunately that date was unavailable. October you

45 have a choice of two, but your normal schedule on

46 October 8th will probably be available. And November,

47 the only available you can meet is the November 23rd

48 or 24th. However, I'm trying to get the Planning

49 Commission on the 24th. If you guys would allow and

50 have a quorum for the 23rd.

State of South Carolina)
County of Anderson)

ANDERSON COUNTY COUNCIL
BOARD OF ZONING APPEALS MEETING
SEPTEMBER 17, 2020

IN ATTENDANCE:
HUBERT MCCLURE, CHAIRMAN
JOHN FARR
MIKE MILLER
ALLEN ASHLEY
DAN HARVELL

ALSO PRESENT:
ALESIA HUNTER
TIM CARTEE
RHONDA SLOAN
BRITTANY MCABEE

1 HAROLD MCCLURE: Approval of minutes.
2 MIKE MILLER: I make a motion they
3 be approved as mailed.
4 HAROLD MCCLURE: Any additions, any
5 deletions? Make a motion?
6 MIKE MILLER: Yeah.
7 HAROLD MCCLURE: We've got a motion.
8 Do we have a second?
9 ALLEN ASHLEY: Yeah.
10 HAROLD MCCLURE: Who seconded it?
11 Okay. Mr. Ashley seconded it. All in favor, uplifted
12 hand. Okay. All those moved.
13 All right. Variance application. Staff, are we going
14 to do this one-by-one or what?
15 HENRY COPELAND: One-by-one, I think,
16 at least initially.
17 HAROLD MCCLURE: Okay. Staff report on
18 Highway -- 1929 South Carolina Highway 86.
19 HENRY COPELAND: Mr. Chairman, the
20 first item on the agenda is a new Burger King restaurant
21 located on South Carolina Highway 86 in Piedmont. This is
22 a sign variance to allow two additional wall signs. The
23 Sign Connection is the applicant on behalf of Burger King.
24 This is in District 6. The property is described as a
25 1.45 acre highway commercial with frontage immediately
26 adjacent to the off ramp of I-85 northbound at its
27 intersection with South Carolina Highway 86. The property
28 is not zoned. The portion of the property fronting
29 Highway 86 at I-85 interchange was recently developed as a
30 freestanding fast food restaurant with drive-through
31 service.
32 The requested variance is to allow the placement of
33 two additional wall signs beyond the one already allowed.
34 The Anderson County code allows for one wall mounted sign
35 per business front. The area is also limited to one
36 square foot per linear foot of building front where a
37 business also has a freestanding highway sign.
38 The current signage, the applicant recently requested
39 and received new sign permits for one freestanding or
40 pylon sign and one wall-mounted button sign.
41 The staff recommends approval of the variance request
42 for the following reasons:
43 Though a corner lot is allowed to have two highway
44 signs, the applicant has chosen to install only one
45 freestanding sign adjacent to the I-85 interchange and
46 uses the maximum allowed height of one hundred feet
47 because of the interstate.
48 All three wall signs, including the one that has
49 already been permitted, are button signs and will contain
50 twenty-eight square feet of sign area. This is

1 considerably less than the area allowed by the length of
2 each of the buildings' facades. The proposed second wall
3 sign will be located adjacent to the drive-through window
4 and a third wall sign is adjacent to the walk-in entrance
5 facing the I-85 off-ramp.

6 Limited sign visibility from traffic adjacent to the
7 site is a primary hardship. This request is in line with
8 the spirit and intent of the ordinance which is to grant a
9 variance where a hardship exists, and the board has
10 approved -- the board's approval would be consistent with
11 similar requests that have been granted.

12 If the board approves the variance request, the
13 applicant will need to submit the appropriate sign permit
14 application for the proposed new signs.

15 This concludes the staff presentation. We're
16 available to answer any questions from members of the
17 board.

18 HAROLD MCCLURE: Okay. Thank you,
19 staff. At this time I'd like to open up for public
20 hearing and see if there's anyone speaking against. We'll
21 reserve questions for those speaking for until after we
22 speak to those against. Anyone speaking again 7013 Old
23 Greenville Highway? I believe I have some people written
24 down to speak. Anybody speaking against?

25 HENRY COPELAND: Mr. Chairman, that's
26 not the address of this -- that's a different application.

27 HAROLD MCCLURE: Old Greenville
28 Highway.

29 HENRY COPELAND: Old Greenville Highway
30 is, I think, later on the agenda.

31 HAROLD MCCLURE: Well, that's what I'm
32 looking at.

33 HENRY COPELAND: This is ---

34 HAROLD MCCLURE: Evidently mine has got
35 out of order. Which one are we looking at?

36 HENRY COPELAND: This is item (A), the
37 ---

38 HAROLD MCCLURE: Yeah, mine is turned
39 around. I'm sorry. Hold on just a second. Somehow mine
40 got turned around. I don't know if I did it when I was
41 looking through it or ... Okay. I don't have (A).

42 MIKE MILLER: I don't either.

43 HAROLD MCCLURE: I thought they were
44 all in the packet. Sorry about that. So this is Highway
45 86. Anyone speaking against? Do we have anybody speaking
46 for? Okay. We do have somebody. We'll reserve questions
47 for you if we need it. Okay. At this time I'll close the
48 public hearing. Reserving questions for staff or the
49 proponent here if anybody has got any questions. Do we
50 have anything to report?

1 What's the feeling of the board?
2 MIKE MILLER: I make a motion to
3 approve.
4 HAROLD MCCLURE: Make a motion to
5 approve by Mr. Miller. Do I have a second?
6 DAN HARVELL: Second.
7 HAROLD MCCLURE: Second by Mr. Harvell.
8 All those in favor? And that goes.
9 Okay. Next on the agenda. I was reading off the
10 agenda. That's why -- I wasn't reading off of these.
11 2800 Highway 29 South. Variance applications.
12 HENRY COPELAND: Mr. Chairman, this is
13 the second item on the agenda, item (B).
14 HAROLD MCCLURE: I don't have anything
15 till (G). Go ahead.
16 HENRY COPELAND: All right. Mr.
17 Chairman, this is the new Power Trac Number 9, it's
18 convenience store and gas station located on U.S. Highway
19 29 South between the city of Anderson and Hartwell Dam.
20 The -- Mr. Antoir (phonics) Patel is making the
21 application on behalf of the Power Trac Number 9. This is
22 in District 3. And the commercial site contains 3.03
23 acres. This is a corner lot with approximately eight
24 hundred and sixty-five feet of combined highway frontage
25 along U.S. Highway 29 South and Cleveland Road. The
26 property is not zoned. The former site -- this is the
27 former site of the Sunrise Motel.
28 Go forward on this to -- where are we? All right.
29 Just a moment. This is the location on Highway 29. As I
30 said, the property is not zoned and it was the site of a
31 former Sunrise Motel and was cleared in 2019 in order to
32 construct a multi-tenant retail store and gas station.
33 The site plan is shown here, but the request -- the
34 requested variance is to allow placement of three
35 additional wall signs for a new gas island canopy. This
36 is beyond the one already allowed for each of the two
37 businesses located in the multi-tenant retail building.
38 The findings of fact: as were stated before, the
39 Anderson County code allows one mounted wall sign per
40 business front. The sign area is also limited to one
41 square foot per linear foot of building front where a
42 business also has a freestanding sign.
43 The applicant recently requested and received new sign
44 permits for one monument sign and two wall-mounted signs
45 for each of the two businesses at the location. This is
46 the monument sign. And jumping to the canopy, this is an
47 overview looking down at the canopy. For the four sides
48 of the canopy, they're asking for one sign on each of the
49 three sides. Relatively small, but that's it.
50 The staff recommends approval for the following

1 reasons: the application has chosen to use a monument sign
2 instead of a typical pylon sign. This and the use of
3 uniform gas canopy signage has proposed as part of an
4 effort to establish a consistent and coordinated
5 commercial image while reducing visual clutter.

6 The monument sign is the only indicator that the
7 location sells gas. The request is in line with the
8 spirit and intent of the ordinance to grant a variance
9 when a hardship exists. The board's approval would be
10 consistent with similar requests that have been granted.

11 One other point is there's a slight curve in the road
12 at this location and so any additional signage in the more
13 traditional sense would not be well placed.

14 If the board approves the variance request, the
15 applicant will still need to submit the appropriate sign
16 permit application for the proposed new signs.

17 And this concludes the staff presentation. We're
18 available to answer questions.

19 HAROLD MCCLURE: Okay. Thank you,
20 staff. At this time I'll open up the public hearing for
21 Highway 29 South. Anyone speaking against? Anyone
22 speaking for? Okay. I don't guess we'll have a public
23 hearing. We'll close the public hearing.

24 Any questions for staff from the board? What's the
25 feeling of the board?

26 ALLEN ASHLEY: Make a motion we
27 accept it.

28 HAROLD MCCLURE: We've got a motion to
29 approve. I'll second it. All those in favor show by the
30 uplifted hand. And it passes. Thank you.

31 Next on the agenda 330 Pearman Dairy Road, three wall
32 signs.

33 HENRY COPELAND: Mr. Chairman, this is
34 the third item on the agenda, item (C). This is for a new
35 Wendy's restaurant located at 330 Pearman Dairy Road at
36 Standridge Road in Anderson. This is also a sign variance
37 to allow three additional wall signs. Signs by Design has
38 submitted the application on behalf of Wendy's. The
39 applicant's representative may not be here. They have
40 been contacted, but they were unable to make the meeting.

41 This is located in District 5. The property
42 description is a corner lot west of the city of Anderson
43 as a highway commercial location with two hundred and
44 fifty feet fronting Pearman Dairy Road and three hundred
45 and fifty feet on Standridge Road. The property is not
46 zoned. The 1.87 acre site was used as a mobile home sales
47 lot prior to 2012 when the property was cleared.
48 Construction of a new Wendy's fast food restaurant was
49 approved earlier this year.

50 Let's see. The applicant's request is for a variance

1 to allow the placement of three additional wall signs
2 beyond the one already allowed. This is the site plan
3 that is showing here. A little bit more detailed version
4 of the site plan, also identifying where the three
5 proposed additional signs are and the two signs that are
6 already approved.

7 As stated before, the Anderson County code allows for
8 one wall-mounted sign per business front. The sign area
9 is limited to one square foot per linear foot of building
10 front where a business already has a freestanding sign.

11 The existing signs for the applicant recently
12 requested and received new sign permits for one
13 freestanding or pylon sign and one wall-mounted sign.

14 If you will notice here, this is an elevation of the
15 side elevation showing one of the proposed new signs.
16 Again, a closer view of the site plan. The front view
17 showing channel letters that have been -- this has already
18 been permitted. And then the other two signs that have
19 been requested is over the drive-through window and an
20 additional sign that is typical of Wendy's, that they've
21 requested on the same side.

22 The staff recommends approval of the variance request
23 for the following reasons: the site has limited highway
24 visibility due to several off-site obstructions. The
25 applicant has elected to install only one freestanding
26 sign on the main entrance from Pearman Dairy Road. Heavy
27 tree cover hides the approaches along Standridge Road and
28 the restaurant is partially obscured by the adjacent
29 apartment complex located immediately to the south on
30 Pearman Dairy Road.

31 This request is in line with the spirit and intent of
32 the ordinance to grant a variance when a hardship exists.
33 The board's approval would be consistent with similar
34 requests that have been granted. And if the board
35 approves the variance request, as before, the applicant is
36 still required to submit the appropriate sign applications
37 for the proposed new signs.

38 This concludes the staff presentation. And we're
39 available to answer questions.

40 HAROLD MCCLURE: Thank you, staff. At
41 this time I'd like to open up the public hearing for
42 anyone speaking against Wendy's on Pearman Dairy. Anyone
43 speaking against? Anyone here speaking for? Okay. Well,
44 in that case I'll close the public hearing. Is there any
45 questions for staff from the board? What's the feeling of
46 the board?

47 DAN HARVELL: Motion to approve.

48 HAROLD MCCLURE: I'll second it. All
49 those in favor show by the uplifted hand. And that's five
50 to zero.

1 Next, moving right along, let's see, I think the next
2 one -- well, aren't we on (D)?

3 JOHN FARR: Yeah.

4 HAROLD MCCLURE: Ambassador Drive, 102
5 Ambassador Drive.

6 RHONDA SLOAN: Thank you, Chairman.

7 Tonight we have a variance request for 102 Ambassador
8 Drive located in Anderson. The applicant is Brian Fowler.
9 It is located in Council District 5. The tax map number
10 is listed for your reference.

11 The property is .60 acres and it's located on Lake
12 Hartwell. The current zoning is R-20 single family
13 residential and the land use is residential single family.

14 The requested variance is to install a twenty-eight by
15 fourteen in-ground pool and an eighteen by eighteen deck
16 which will be at the rear of the home.

17 The applicant is requesting a rear setback from five
18 feet to 1.9 feet which is a reduction of 3.1 feet from the
19 property line.

20 Findings of fact: swimming pools shall be set back not
21 less than five feet.

22 Current conditions: on the left side of the house is
23 a detached garage. On the right side of the house is the
24 septic tank and the pump lines.

25 Here we have an aerial view of the property. We have
26 a drawing of the pool with the dimensions. And then we
27 have a survey of the property showing the location of the
28 pool.

29 Staff recommends denial for the following reasons:
30 The staff and the board has been consistent in the past
31 not to approve setbacks less than two feet from the
32 property line. However, the Army Corp of Engineers, they
33 do not have a setback requirement as long as you do not
34 encroach upon their property.

35 However, the request is in with the spirit and intent
36 of the ordinance. Due to the conditions of the property,
37 the applicant is restricted because of the detached garage
38 on the left and then the septic tank on the right-hand
39 side of the house.

40 If approved, the applicant must obtain a residential
41 compliance permit and a building permit for the pool and
42 the deck, along with abiding with the requirements of the
43 2018 International Swimming Pool and Spa Code.

44 This concludes the staff report.

45 HAROLD MCCLURE: Thank you, staff. I'm
46 looking.

47 RHONDA SLOAN: Okay.

48 DAN HARVELL: Could I see that map
49 once again?

50 HAROLD MCCLURE: Yeah, I had to borrow

1 his.
2 DAN HARVELL: He's looking at my
3 packet. All right. Could you explain that one more time?
4 RHONDA SLOAN: That's just a survey
5 of it, and it shows where his septic tank is located,
6 along with the drain lines. And then on the left side
7 there, that's where the detached garage is. And then
8 there at the rear it's got the -- I know it's kind of hard
9 to see -- but he's showing the location of where the pool
10 will be located.
11 HAROLD MCCLURE: Okay. Do we have
12 anybody here speaking against? I'll open up the public
13 hearing. I'm sorry. Anyone speaking against? That would
14 be the Corp of Engineers, probably. Anyone speaking for?
15 Okay. I'm going to close the public hearing. What's the
16 feeling -- I mean, any questions on this one because I'm a
17 little antsy on the 1.9 feet, I'll tell you that right
18 now. You know how I feel on that. It is the Corp line.
19 DAN HARVELL: So we're talking the
20 Corp line here?
21 HAROLD MCCLURE: We are talking the
22 Corp line; right?
23 RHONDA SLOAN: Yes.
24 HAROLD MCCLURE: We're not talking
25 about the side lines?
26 RHONDA SLOAN: Yes, the Corp line;
27 that's correct.
28 DAN HARVELL: Well, since that's the
29 Corp line and it does not involve a neighbor, I will make
30 a motion that it be approved.
31 ALLEN ASHLEY: Second.
32 HAROLD MCCLURE: Okay. We have a
33 motion to approve. We got a second. All those in favor
34 show by the uplifted hand. And it passes.
35 Okay. Moving right along. I'm trying to keep up with
36 all this stuff. Okay. Belton-Honea Path, 12300 Belton-
37 Honea Path Highway. I've never seen an address that high
38 before. Belton-Honea Path is getting high and mighty down
39 there; ain't they? 12300 Belton-Honea Path Highway.
40 Staff report.
41 RHONDA SLOAN: Yes, sir. Tonight we
42 have a variance request located at 12300 B-HP Highway in
43 Honea Path. The applicant is Rachel Friddle Johnson. The
44 owner of the property is Frank and Sandra Friddle. It's
45 located in Council District 3. The tax map number is
46 listed for your reference. The property is 2.92 acres.
47 It is currently zoned I-1 industrial district and the land
48 use is residential.
49 The requested variance is to reduce the side setback
50 from twenty-five feet to ten feet, which is a fifteen feet

1 reduction, to construct an attached thirty-four by thirty-
2 four garage.

3 Findings of fact: The side setback, no building shall
4 be located closer than twenty-five feet to the side lot
5 line.

6 Current conditions: At the rear of the home there is
7 an existing composite deck with a hot tub enclosed in a
8 chain link fence. There are multiple utilities at the
9 rear of the property. In addition, there is a one-hundred
10 year old pecan tree that is located also at the rear. To
11 build the garage on the opposite side of the house would
12 not integrate with the current home renovations.

13 Here we have an aerial view of the property. Then a
14 site layout of the property. And then this last picture
15 is a survey of the property, and it's showing the house.

16 Staff does recommend approval of this request for the
17 following reasons: The variance will not be a detriment to
18 the adjacent property or to the public good and it will
19 not harm the character of the area. Due to the
20 configuration of the property, the gas lines and the
21 septic tanks must remain unobstructed.

22 The current location is the only viable location to
23 add the garage addition due to the one-hundred year old
24 pecan tree. And the applicant must obtain a residential
25 compliance permit and a building permit if approved. The
26 request is in with the spirit and the intent of the
27 ordinance, and the board has granted other variances
28 similar to this request.

29 This concludes the staff report.

30 HAROLD MCCLURE: Thank you, staff. At
31 this time we'll open up the public hearing. Anyone
32 speaking against? I do have somebody signed up, but I
33 don't know if they're speaking against or for it. Anybody
34 speaking for it? Okay. Are you Mr. Burroughs? Okay.
35 You're speaking for it? We'll reserve questions for you
36 if we need. So at that time we'll close the public
37 hearing and reserve questions for staff and Mr. Burrough,
38 if needed. Any questions from the board for staff or Mr.
39 Burrough? What's the feeling of the board?

40 DAN HARVELL: Mr. Chairman, this is
41 my neck of the woods. I'm very familiar with this
42 property. It's a logical approval, so I make a motion to
43 approve.

44 ALLEN ASHLEY: Second.

45 HAROLD MCCLURE: Got a second from Mr.
46 Ashley. All those in favor show by uplifted hand. And it
47 passes. Thank you.

48 Next is 1905 Anderson Highway, Williamston.

49 RHONDA SLOAN: We have a special
50 exception located at 1905 Anderson Highway in Williamston.

1 The applicant is 1905 Anderson Drive, LLC. It is located
2 in Council District 7. The tax map number is there for
3 your reference. The property is 1.81 acres and has an
4 existing eighteen hundred square foot metal building with
5 three bays on the property. It is currently zoned as R-20
6 single family residential and the land use is commercial
7 auto repair shop. The requested special exception is to
8 allow for a small retail auto sales and this is to sell
9 approximately five to ten cars a month. And there will be
10 no change to the building.

11 Findings of fact: Nonconforming uses can be continued
12 provided that they meet the requirement of the code.

13 Current conditions: The auto repair shop has been in
14 existence for thirty years. And this was before zoning
15 was implemented. And there will be no major change to the
16 use of the property.

17 Here we have an aerial photograph of the property. We
18 have a site drawing of the property.

19 And staff recommends approval of the special exception
20 request for the following reasons: The use is not
21 detrimental to the public health or welfare. The use will
22 not violate the neighborhood character. The property has
23 been an auto repair shop for thirty years. And it
24 obtained a commercial land use permit back in 1998.
25 However, the applicant will be required to obtain a
26 commercial land use permit for the retail auto sales lot.
27 The natural buffer yard must remain in place, along with
28 the existing chain link fence, which should include slats
29 for privacy. The business is required to have at least
30 seven parking spaces, and one of those need to be an
31 assessable parking space. No passenger vehicles without a
32 current registration and license tag can be stored on the
33 property because this violates our environmental services
34 open storage lot. And the board has granted other
35 variances similar to this request.

36 This concludes the staff report.

37 HAROLD MCCLURE: Thank you, staff. At
38 this time I'd like to open up the public hearing for
39 anyone speaking against. Anyone speaking for? Oh,
40 speaking against? Okay. Are you Mr. Murphy or Mr.
41 Chasteen?

42 DANNY CHASTEEN: Chasteen.

43 HAROLD MCCLURE: If you could, come up
44 to the microphone and state your name.

45 DANNY CHASTEEN: Okay. I'm Danny
46 Chasteen. I live at 6 Dottie Court, which is directly
47 behind the existing business. This business has been a
48 constant nuisance since it was put into -- since it was
49 built in 1990. It's been through a succession of owners.
50 There's been different businesses. There's been tires

1 stored on the property. There was never an appropriate
2 buffer yard built. There was a flimsy cheap fence built
3 in 1990 and some shrubbery planted, which was never
4 maintained.

5 On occasion I have seen men come out the back door and
6 urinate in plain sight. There's been some cars that's
7 been stored there that have no tags on them. They're
8 gone. It's been a constant source of noise and
9 aggravation.

10 One owner left in the middle of the night and burned
11 all his chemicals in the trash can. I had to call fire
12 control on that. So I'm against this deal from the get-
13 go.

14 HAROLD MCCLURE: Mr. Chasteen, how long
15 have you lived there?

16 DANNY CHASTEEN: I've lived in my house
17 for forty-one years. So that was built eleven years after
18 my house was built when we moved there.

19 HAROLD MCCLURE: Okay. Thank you, sir.

20 DANNY CHASTEEN: Okay. Thank you.

21 HAROLD MCCLURE: Anyone else speaking
22 against? Anyone here speaking for? Mr. Murphy? I would
23 assume you're Mr. Murphy?

24 JIM MURPHY: I am.

25 HAROLD MCCLURE: State your name in the
26 microphone.

27 JIM MURPHY: Yeah, my name is Jim
28 Murphy. And I had no idea that that was going on. I
29 actually am trying to obtain a really good renter, a
30 tenant to take the place and make it a lot better, nicer
31 place. There had been some problems in the past. I've
32 only owned it for about two years now. So the whole idea
33 of doing the retail auto sales is to try to get a better
34 class of tenant. And I certainly sympathize with what
35 you've been through, but I had no idea that was going on.

36 HAROLD MCCLURE: Is there anything
37 there -- are you doing anyone with the business right now?

38 JIM MURPHY: It's empty right now,
39 but I do have a possible tenant that wants it to do the
40 retail auto sales.

41 HAROLD MCCLURE: Have you done anything
42 to the grounds or anything since you've had it? I'm just
43 wondering ---

44 JIM MURPHY: Just upkeep; mowing,
45 cleaning up. And the tires -- the guy did leave tires and
46 I had to take care of that.

47 HAROLD MCCLURE: You did take care of
48 the tires?

49 JIM MURPHY: I did take care of
50 that. But it's my intention to improve it and to not have

1 any of that activity that you've experienced to make it a
2 better property.

3 MIKE MILLER: How about the privacy
4 fence?

5 JIM MURPHY: I'm sorry?
6 MIKE MILLER: How about the privacy
7 fence that he was talking about?

8 JIM MURPHY: There is a fence there
9 at the back, but the property -- the actual building is up
10 close to the road and there's no intention of using
11 anything in the back part of the property other than to
12 keep it mowed and to keep it clean.

13 HAROLD MCCLURE: Any other questions
14 for Mr. Murphy? Thank you, Mr. Murphy.

15 JIM MURPHY: Yes, sir.
16 HAROLD MCCLURE: Okay. We'll close the
17 public hearing to see if there's any discussion? Any
18 discussion or any questions for staff?

19 JOHN FARR: I'd like to ask staff
20 a question. If this is a single-family residential area
21 how was a commercial enterprise put there in the first
22 place?

23 HAROLD MCCLURE: Probably grandfathered
24 in.

25 RHONDA SLOAN: Yes, sir. It was. It
26 was there before zoning was implemented. The zoning,
27 actually that was implemented in August of 2000 and it was
28 a commercial auto back in 1998, even prior, but at least
29 from what research I was able to find. So it was
30 grandfathered in when the zoning came through.

31 JOHN FARR: Okay. Thank you.
32 HAROLD MCCLURE: Any other questions
33 for staff or anybody at this time?

34 DAN HARVELL: The gentleman here,
35 where is his house in relation on this map? Could you
36 point that out?

37 HAROLD MCCLURE: He said it's right
38 behind his house.

39 DAN HARVELL: So that would be
40 property that ends in either 05 or 06 on the tax map?

41 RHONDA SLOAN: It may be. I can't
42 see it. It's too small on my paper.

43 HAROLD MCCLURE: Let me ask a question
44 for staff, and this is a question for me personally, too,
45 because I've had to deal with things like this in my
46 community. What is the procedure for, you know, if a
47 business or a building is not abandoned but if the grounds
48 are -- do they call Land Use or do they call Building and
49 Codes? What do they do?

50 RHONDA SLOAN: Say that again, when

1 the land is what?
2 HAROLD MCCLURE: When the building and
3 the land is neglected. I'm not saying anything ---
4 RHONDA SLOAN: Okay.
5 HAROLD MCCLURE: --- like Mr. Murphy
6 would do this, but I'm just saying for future references,
7 especially for Mr. Chasteen, what happens if the building
8 is neglected and the fence is falling in and stuff like
9 that, do they call Building and Codes, or what would they
10 do?
11 RHONDA SLOAN: Well, you can call
12 Development Standards. You can actually submit a
13 compliance -- not a compliance -- a complaint. You can
14 file a complaint and do a complaint request and then we
15 can come out and investigate it.
16 HAROLD MCCLURE: Okay. What's the
17 feeling of the board? Y'all have to say something.
18 One more thing. Come on up, Mr. Murphy.
19 JIM MURPHY: Yes. I'll be happy to
20 give that gentleman my phone number and if he ever sees
21 any kind of activity that's what he's been subjected to,
22 call me and I will take care of that from this point
23 forward. But I had no idea that was going on. I'm trying
24 to improve it and make it an asset to the community.
25 HAROLD MCCLURE: Okay. While you're
26 here, Mr. Murphy, let me ask you this question. I may
27 have missed this if it was said. But you've owned this
28 for how long?
29 JIM MURPHY: About two years.
30 HAROLD MCCLURE: About two years?
31 JIM MURPHY: Yes.
32 HAROLD MCCLURE: So did any of this --
33 did any of these problems occur while it was under his
34 ownership?
35 DANNY CHASTEEN: No.
36 HAROLD MCCLURE: No. Okay.
37 JIM MURPHY: But I don't want an
38 eye sore either. That's the whole point is to clean it up
39 and make it nice.
40 HAROLD MCCLURE: Thank you again.
41 Okay. What's the feeling of the board?
42 MIKE MILLER: I make a motion to
43 approve.
44 HAROLD MCCLURE: I'll second that
45 motion. All in favor show by the uplifted hand. And it
46 passes.
47 Okay. Next on the agenda. I just put the agenda over
48 here. Next on the agenda is (G). We finally got -- we
49 were unaware of -- 7013 Old Greenville Highway, Liberty.
50 RHONDA SLOAN: Okay. Thank you, Mr.

1 Chairman. We have a variance request located at 7013 Old
2 Greenville Highway in Liberty. The applicant is Jason
3 Lyda. The owner of the property is Bobby and Charlotte
4 Mikell. It is located in Council District 6. The tax map
5 number is there for your reference. The property is 2.9
6 acres with an aboveground swimming pool. It is currently
7 zoned as RA residential agricultural, and the land use is
8 residential single family home. The requested variance is
9 to reduce the rear yard setback from 25 feet to nineteen
10 feet, a six foot reduction, to construct a thirty by
11 fifty-six metal storage building.

12 Findings of facts: The minimum depth of the rear yard
13 shall be twenty-five feet. And the current conditions of
14 the property, at the rear of the home is an existing above
15 in-ground swimming pool. And there is the septic tank and
16 the drain field and pool drain lines that are located at
17 the rear of the property, which must remain unobstructed.

18 We have a sketch of the property. The aerial view of
19 the property.

20 Staff does recommend approval of this variance request
21 for the following reasons: The variance will not be a
22 detriment to the adjacent property or to the public good
23 and it will not harm the character of the area. Due to
24 the location of the septic tank, drain field and pool
25 lines, which must remain unobstructed, this is the only
26 viable place to construct the storage building. The
27 applicant, if approved, must obtain a residential
28 compliance permit and a building permit. And this request
29 is within the spirit and the intent of the ordinance. And
30 the board has granted other variances similar to this
31 request.

32 This concludes my staff report.

33 HAROLD MCCLURE: Thank you, staff.

34 At this time I'd like to open up the public hearing if
35 there's anyone speaking against. We have several names on
36 here, but I don't know if they're speaking for or against.
37 Anyone speaking against? Okay. If you would address the
38 microphone and state your name in the microphone, please.

39 DAVID HARRIS: My name is David
40 Harris. I just have a couple of questions.

41 HAROLD MCCLURE: Okay.

42 DAVID HARRIS: So nothing is going to
43 be moved? The fence is going to stay the same? We don't
44 have to worry about anything like that? The guardrail at
45 the front of the road, they're not going to move anything
46 there where they have to come in with a different driveway
47 or anything like that? Everything is going to be the
48 same?

49 HAROLD MCCLURE: Pretty much everything
50 is going to be the same.

1 RHONDA SLOAN: Yes.
2 HAROLD MCCLURE: We're just letting
3 them build that -- if we approve it -- we're letting them
4 build that building closer to the line than twenty-five
5 feet. That's all.
6 DAVID HARRIS: Okay.
7 HAROLD MCCLURE: That's all we're doing
8 if we approve it.
9 DAVID HARRIS: Thank you.
10 HAROLD MCCLURE: Anyone else speaking
11 against? Anyone speaking for? Okay. I would assume you
12 probably are the person doing the project? Okay. We'll
13 reserve questions for you. Anyone speaking against?
14 Okay. At this time we'll close the public hearing.
15 Any questions for the owner or staff from the board? All
16 right. What's the feeling of the board?
17 MIKE MILLER: I make a motion to
18 approve.
19 HAROLD MCCLURE: Make a motion to
20 approve. Do we have a second?
21 JOHN FARR: Second.
22 HAROLD MCCLURE: Second by Mr. Farr.
23 All those in favor uplifted hand? And it passes.
24 Okay. Next. Next is 3202 Highway 81 North.
25 RHONDA SLOAN: Thank you, Mr.
26 Chairman. Tonight we have a special exception at 3202
27 Highway 81 North in Anderson. The applicant is Gary
28 Collins. The owner of the property is Collins Landscape
29 Management, Incorporated. It is located in Council
30 District 7. The tax map number is there for your
31 reference. The property is 9.51 acres of open space with
32 no structures. It is currently zoned as -C1, which is
33 commercial district. And the land use is vacant open
34 space.
35 The requested special exception is to allow a food
36 truck to park on occasional weekends which would be Friday
37 through Sunday for takeout barbecue.
38 Findings of fact: Temporary permits may be allowed for
39 a period not to extend six months.
40 Current conditions: The food truck would occupy
41 approximately one acre of the 9.5 acres. The entrance and
42 exit would be located on Crestview Road. And this would
43 be just a temporary food truck parked onsite while serving
44 food.
45 Here we have a site layout of the property. Then the
46 aerial view. And then this is a picture of the food
47 truck.
48 And staff does recommend approval of the request for
49 the following reasons: The use meets all of the required
50 conditions. The use is not detrimental to the public

1 health or the general welfare, and the food truck would
2 not block the visual clearance of the intersection.
3 Parking will be provided within the open lawn space and
4 not on the road. The use would be violate the
5 neighborhood characteristics. And the food truck, like I
6 said, will only be parked temporarily onsite. There would
7 be no permanent overnight parking -- no permanent or
8 overnight parking. The hours of operation would be
9 between eleven a.m. and seven p.m. The applicant will be
10 required to contact SCDOT pertaining to the existing
11 driveway ingress and egress at the intersection of Highway
12 81 and Crestview Road. And the applicant will be required
13 to obtain a commercial land use permit.

14 This concludes staff's report.

15 HAROLD MCCLURE: Thank you, staff.
16 That's the old Duckworth house?

17 DAN HARVELL: Yeah.

18 HAROLD MCCLURE: Okay. All right.

19 Let's open up the public hearing on Highway 81 North.
20 We've got two people signed up. I know one is for,
21 probably, but I don't know about the other one. Anyone
22 speaking against? Okay. So I assume that Mr. Wells and
23 Mr. Collins are speaking for. Are they here? Y'all are
24 speaking for?

25 KEN WELLS: Yeah.

26 HAROLD MCCLURE: Okay. We'll reserve
27 questions for you if needed. At this time, since there's
28 no one speaking against, we'll close the public hearing
29 and reserve questions for staff and Mr. Wells and Mr.
30 Collins, if needed.

31 JOHN FARR: Am I incorrect or has
32 that been in operation for a while?

33 HAROLD MCCLURE: Just one of y'all
34 address the question. And state your name in the
35 microphone, please.

36 KEN WELLS: Ken Wells. Yes.
37 We've actually been in operation for -- since end of June?
38 Or July, I think?

39 JOHN FARR: That's a little bit
40 like asking for a permit after-the-fact.

41 KEN WELLS: Well, it wasn't made
42 an issue until after-the-fact.

43 RHONDA SLOAN: Mr. Farr, if I could,
44 we had to delay him two months, so that's why he's just
45 now getting here. We had to cancel. With the COVID we
46 had to close our office. So that's why he's just now
47 getting on your agenda, Mr. Farr.

48 JOHN FARR: That's fine. Thank
49 you.

50 HAROLD MCCLURE: Any other questions?

1 All right. What's the feeling of the board?
2 DAN HARVELL: Motion to approve.
3 HAROLD MCCLURE: I'll second it. All
4 those in favor show by uplifted hand. And it passes.
5 Next is Paradise Circle, Townville.
6 BRITTANY MCABEE: Good evening.
7 This is an application for a real setback variance. The
8 applicant and property owner is Robert and Leann Heil.
9 The property is located on Paradise Circle, Townville, in
10 Council District 4. It is .91 acres residence on
11 lakefront property. The applicant is requesting a
12 reduction of the setback to 1.5 feet from the rear
13 property line. Anderson County ordinance states that the
14 rear property line is to be ten feet.
15 This is the aerial layout of the property. This is a
16 drawing of the proposed screened-in porch and the house
17 and layout. This is the design of the screened-in porch.
18 Staff recommends denial of the variance for the
19 following reasons. However, the board, at its discretion,
20 can make the determination. It is a screened-in porch for
21 the enjoyment of the lake to the north. The adjacent
22 property owner is the Corp, which does not require a
23 setback. The west of the property contains the septic
24 tank. If approved the applicant will be required to
25 obtain a compliance letter and a building permit.
26 This concludes the staff report.
27 HAROLD MCCLURE: Thank you, staff. At
28 this time I'll open up the public hearing. I don't think
29 anybody is here speaking against, because he is for. But
30 I would like to speak with Mr. Heil, if you could. State
31 your name to state you're here.
32 ROBERT HEIL: My name is Robert
33 Heil.
34 HAROLD MCCLURE: Okay. Have you ever
35 had dealings with the Corp, Mr. Heil?
36 ROBERT HEIL: No, sir, not to my
37 knowledge. When I first moved in there, apparently the
38 prior owner ---
39 HAROLD MCCLURE: Okay. You better make
40 sure, if we do approve this, you better make sure you stay
41 off that line.
42 ROBERT HEIL: Oh, I've been in
43 constant ---
44 HAROLD MCCLURE: They take houses down.
45 ROBERT HEIL: Yeah, I've been in
46 contact and talked to them. And they've been out on my
47 site.
48 HAROLD MCCLURE: Okay. That's what --
49 so mainly the overhangs and stuff like that.
50 ROBERT HEIL: Oh, he's told me if my

1 overhang is over his line he's going to make me cut it.
2 HAROLD MCCLURE: I'd hate for you to
3 have to cut the corner of your house off.
4 ROBERT HEIL: Yes, sir.
5 HAROLD MCCLURE: Okay. And I've seen
6 that happen. Okay. I've seen it. Okay. Any other
7 questions for Mr. Heil? Okay. What's the feeling of the
8 board?
9 DAN HARVELL: Motion to approve.
10 HAROLD MCCLURE: We have a motion to
11 approve. Do we have a second?
12 MIKE MILLER: I second.
13 HAROLD MCCLURE: All those in favor?
14 And everybody. Thank you, Mr. Heil.
15 Next we have -- I want to make sure this coincides --
16 Brady Drive, 145 Brady Drive.
17 BRITTANY MCABEE: Yes. This is an
18 application for a rear setback variance. The applicant
19 and property owner is Glenn Chappellear. It's located on
20 Brady Drive in Anderson in Council District 5. It is .32
21 acre vacant lot on lakefront property. The application --
22 applicant is requesting a reduction to four feet from the
23 rear property line. Anderson County ordinance does
24 require that the rear property line is to be ten feet
25 setback.
26 This is the aerial layout of the property. Please
27 notice the irregular shape. This is the survey of the
28 property and a blow-up of the survey for that particular
29 parcel.
30 Staff recommends approval. The parcel is irregularly
31 shaped. It's seventy-five and sixty-five feet on either
32 side. Required setbacks leave an average building width
33 of 40.5 feet. Adjacent property owner is the Corp which
34 does not require a setback. The reduction presents no
35 detriment to adjoining property owners and is in the
36 spirit and intent of the ordinance. The owner has
37 demonstrated a hardship and the board has granted similar
38 variances in the past. If approved, a compliance letter
39 and a building permit will be required. This concludes
40 the staff report.
41 HAROLD MCCLURE: Okay. Anyone speaking
42 against? I'll open up the public hearing. Anyone
43 speaking against? Anyone speaking in favor? Okay. Mr.
44 Chappellear, I assume. We'll reserve questions for you if
45 needed. Okay. Do we have any questions for ---
46 ALLEN ASHLEY: That lady in the white
47 raised her hand out there.
48 HAROLD MCCLURE: Say again.
49 ALLEN ASHLEY: That lady right yonder
50 raised her hand.

1 HAROLD MCCLURE: Oh. Are you speaking
2 for or against? Anybody? All right. Close the public
3 hearing. What's the feeling of the board?

4 MIKE MILLER: I make a motion to
5 approve.

6 HAROLD MCCLURE: Have a motion to
7 approve. Mr. Farr, you second?

8 JOHN FARR: Yeah.

9 HAROLD MCCLURE: Okay. All those in
10 favor uplifted hand. And that goes.

11 And I believe the last one of the night, I believe, is
12 1470 Pearman Dairy, unless I'm skipping something. Staff
13 report.

14 ALESIA HUNTER: Yes, sir. Thank you,
15 Mr. Chairman. This is the last item on the agenda. This
16 is the McDonald's on 1470 Pearman Dairy Road in Anderson,
17 Council District 6. The site is approximately a little
18 over 1.13 acres. Of course, it's unzoned. Here's the tax
19 map for your reference. The current land use is the prime
20 commercial corner location. This is at the intersection
21 of Pearman Dairy and Whitehall Road and is currently
22 improved with the recently completed McDonald's
23 restaurant. The applicant is requesting a variance to
24 allow for a second freestanding sign located on Pearman
25 Dairy, on the Pearman Dairy Road side. In your packet you
26 should see that in which it also fronts on Whitehall Road.

27 Findings of facts: This does come out of our Chapter
28 70 that requires a certain amount of signage that's
29 allowed on street frontage. Only one freestanding sign is
30 allowed for each developed site or parcel. So this is why
31 they're here, to ask for the actual second sign.

32 And in your packet, Mr. Chair and board, we did
33 provide you with some facts related to the application.
34 The applicant was not clear on what the board intent was
35 in terms of what their findings and facts were, so we put
36 together in your packet a breakdown of what we had from
37 the June 2019 meeting and also the December 2018 meeting.
38 So the first item, the minutes in your packet, the board
39 from the December 13, 2018 meeting indicated that the
40 variance was granted to allow for the two wall signs. The
41 board granted the two wall signs at that location. In
42 exchange to allow for only one freestanding sign. And
43 that's also mentioned in the staff report for the meeting.

44 The second item was the minutes from the board meeting
45 from June 13th just indicated this application request was
46 to allow for the second freestanding sign to remain on
47 that same location and the board denied that request.
48 Both freestanding signs fronted on Whitehall Road and then
49 also the staff report is in there, as well.

50 And then the third item, there are four photographs

1 taken subject prior to the Board of Zoning meeting that
2 was held on June 13th in your packet and it clearly
3 indicates that both freestanding signs were located on the
4 Whitehall frontage of the McDonald's location.

5 So staff, again, has provided this information to the
6 benefit of the board and makes no recommendation on this.
7 The board will have to determine if this request for the
8 second freestanding sign is consistent with the previous
9 decision that the board made.

10 So I'm here to answer any questions, Mr. Chairman and
11 board, that you may have.

12 HAROLD MCCLURE: Okay. Thank you,
13 staff. At this time we'll open up for public hearing.
14 Anyone speaking against McDonald's sign? Anyone speaking
15 against? Do we have representation for McDonald's at this
16 time? Come on up because we're going to ask you some
17 questions because we told y'all, we told y'all that that
18 sign was supposed to be toward Singer or take it down and
19 y'all took the wrong sign down. So I want y'all to
20 explain to me why y'all took the wrong sign down.

21 MIKE MILLER: State your name,
22 please.

23 JOHN CONNELLY: My name is John
24 Connelly. I appreciate your taking time to talk with us.
25 That's the first we've heard that was the wrong sign that
26 was taken down.

27 HAROLD MCCLURE: Well, y'all had a sign
28 in the corner; right?

29 JOHN CONNELLY: Yes, sir.

30 HAROLD MCCLURE: And we told y'all that
31 one sign had to come down. So we thought y'all were going
32 to take the small sign down.

33 MIKE MILLER: And leave the big sign
34 which is at the corner.

35 HAROLD MCCLURE: Y'all took the big
36 sign down. Why did y'all do that?

37 JOHN CONNELLY: I think it was our
38 understanding that they looked at both and they wanted a
39 second road sign so that we could move it down Pearman
40 Dairy Road. So the one on Whitehall would certainly be
41 clearly on Whitehall and the one at the corner could be
42 moved down so it would front Pearman Dairy Road.

43 HAROLD MCCLURE: Didn't we suggest
44 doing that in the meeting?

45 ALESIA HUNTER: Mr. Chairman, I
46 believe that the board suggested that the smaller sign
47 come down.

48 HAROLD MCCLURE: Yeah, but we also said
49 that the variance, they could put one down toward Singer
50 or whatever it is now.

1 MIKE MILLER: Ryobi.
2 HAROLD MCCLURE: And they could put one
3 on Whitehall. Did we not suggest that?
4 ALESIA HUNTER: What the board had --
5 in exchange for allowing for the two wall signs, there was
6 supposed to only be one sign, period.
7 MIKE MILLER: They wanted an extra
8 wall sign.
9 ALESIA HUNTER: Put the extra wall
10 sign ---
11 HAROLD MCCLURE: So they got the extra
12 wall sign?
13 MIKE MILLER: They got the extra
14 wall sign.
15 HAROLD MCCLURE: Okay. I stand
16 corrected.
17 MIKE MILLER: And then they were
18 going to have the big sign, but they took down the big
19 sign and left the little sign, which is further down
20 Whitehall. That is what we agreed on.
21 HAROLD MCCLURE: Now y'all are wanting
22 to put the sign down 28; correct?
23 JOHN CONNELLY: Yes, sir.
24 MIKE MILLER: I'd let them put the
25 big sign back up and take the small sign down. They could
26 put it on the same ...
27 HAROLD MCCLURE: That McDonald's has
28 been rough since it's been there. Any questions for Mr.
29 Connelly and Ms. Lang; is that correct?
30 JOHN CONNELLY: That's correct; yes.
31 HAROLD MCCLURE: Any questions for Mr.
32 Connelly and Ms. Lang at this time?
33 JOHN FARR: I've got a question
34 for Alesia.
35 HAROLD MCCLURE: Okay. We have a
36 question from Mr. Farr.
37 ALESIA HUNTER: Yes, sir.
38 JOHN FARR: Originally was it not
39 approved for two standing signs?
40 ALESIA HUNTER: Mr. Farr, the board,
41 in exchange for the additional wall signs that McDonald's
42 wanted, Mr. Miller at the time and the board agreed to
43 allow for only one freestanding sign to remain. And the
44 board had -- the two signs were up and then if you
45 remember the board had the staff to start with some
46 compliance, so we had to notify McDonald's that that sign
47 had to be removed within three days because it was
48 contrary to what the board had approved. So there was
49 only one freestanding sign ever approved. Is that
50 correct, Mr. Miller? Am I ---

1 MIKE MILLER: That's correct. So
2 they had two signs. They had two on 28. But they wanted
3 additional wall signs. So they gave up one of the big
4 signs for the additional wall signs.

5 JOHN FARR: Okay.

6 JOHN CONNELLY: Can I speak to that
7 point, please?

8 HAROLD MCCLURE: Yes, sir.

9 JOHN CONNELLY: Yes, sir. So there
10 was some confusion in that. I was at that meeting when we
11 were asking for the additional wall sign. There are
12 already two freestanding road signs that were approved and
13 installed. And the question was put to me, were we going
14 to put any additional wall signs -- or road signs up when
15 we were going to do this wall sign, and I misunderstood
16 that, thinking that we already had our two and we were not
17 talking about any additional road signs. But as it turned
18 out, it turned out that we were -- it was agreed on
19 Anderson County's part that we were willing to trade the
20 wall sign for the road sign, which is not the case.
21 McDonald's would very much rather have the road sign than
22 the wall sign. And then a week later, after we got that
23 ruling, they said that both signs were in the road right-
24 of-way that Mr. Cartee went out to the site and realized
25 that both road signs were in the Whitehall Road right-of-
26 way. So we did a study to try to show where the right-of-
27 way ended and where the other one started. It did -- then
28 we went to a variance meeting to try to get that cleared
29 up. And it was -- our understanding was that since both
30 road signs were on the same road, Whitehall Road, we would
31 have to take one down and then we could come back at a
32 later date with a new location for the second road sign.

33 MIKE MILLER: Are y'all going to put
34 it down -- where exactly are you going to put it?

35 JOHN CONNELLY: We do have -- I guess
36 we don't have the information. Yeah, in your packet you
37 have the information. It's halfway down. There's some
38 underground power easements and overhead electric lines
39 that kind of helps us site where we can locate it.

40 KRISTIN LANG: Here's a plan right
41 here.

42 HAROLD MCCLURE: That's what I ---

43 MIKE MILLER: Here's Pearman Dairy
44 right here.

45 HAROLD MCCLURE: Can you hand me that?
46 Thank you, ma'am. I'm sorry. I like two dimension.
47 Pictures sometimes I can't see. I'm looking for the sign.
48 Where are you thinking about putting it, if you can
49 describe to me? I see Pearman Dairy ---

50 KRISTIN LANG: The very first parking

1 spot right across from the door ---
2 HAROLD MCCLURE: I see it. So right
3 there against that -- I don't know if that's vegetation or
4 median or whatever, but right there ---
5 KRISTIN LANG: We would lose a
6 parking spot to put the sign up.
7 HAROLD MCCLURE: If anybody wants to
8 see it ---
9 JOHN FARR: I'd like to see it,
10 too.
11 HAROLD MCCLURE: Do you mind if I write
12 on this?
13 JOHN CONNELLY: Not at all.
14 KRISTIN LANG: No, you can have --
15 HAROLD MCCLURE: I'm going to circle
16 it, Mr. Farr.
17 JOHN FARR: Okay.
18 HAROLD MCCLURE: We're talking about --
19 I don't know the actual -- what is it, about eighty,
20 ninety feet down Pearman Dairy from the intersection?
21 MIKE MILLER: Are we putting the big
22 sign back or are we moving the little sign?
23 JOHN CONNELLY: It would be the same
24 sign that was taken down.
25 MIKE MILLER: So you're taking the
26 big sign.
27 HAROLD MCCLURE: They're putting the
28 tall sign eighty feet down 28 Bypass.
29 JOHN CONNELLY: Yes, sir. It's
30 currently in storage and they want to install the sign
31 that was there.
32 MIKE MILLER: See, it was right
33 there.
34 HAROLD MCCLURE: Show it to them in
35 case they want to see it. Okay. Any other -- anything
36 else from the board? Anything? Any questions for Ms.
37 Lang or Mr. Connelly or staff? All right. What's the
38 feeling of the board? Y'all have got to say something.
39 DAN HARVELL: Well, I move to
40 approve to allow it to be done.
41 HAROLD MCCLURE: We have a motion to
42 approve. Do we have a second?
43 ALLEN ASHLEY: Second.
44 HAROLD MCCLURE: All in favor show by
45 uplifted hand. And that passes.
46 JOHN CONNELLY: Thank you.
47 HAROLD MCCLURE: I hope this ends the
48 McDonald's ---
49 MIKE MILLER: I want to say this,
50 please don't come back to move that sign again.

1 HAROLD MCCLURE: Please don't move it
2 again.
3 JOHN FARR: I don't see why you
4 need another sign. You've got so much traffic out there
5 now you can't get a hamburger.
6 HAROLD MCCLURE: Oh, my gosh, that's
7 like the Chick-fil-a dysfunction junction up there or what
8 was Chick-fil-a dysfunction junction. They just moved it.
9 Okay. Thank you.
10 Is there any old or new business from the staff or
11 from the board?
12 ALESIA HUNTER: Mr. Chairman, Brittany
13 is currently working on your training. She sent you out a
14 survey.
15 HAROLD MCCLURE: Yeah, I got it.
16 ALESIA HUNTER: She's working diligent
17 on that, so she'll be compiling that. So that's all I
18 have.
19 HAROLD MCCLURE: Is there any way we
20 can have that remoted? I'm just asking because I'm a
21 remote person, so ...
22 ALESIA HUNTER: I think there's a
23 couple on the board that didn't have the capability,
24 that's why we ---
25 HAROLD MCCLURE: Okay.
26 ALESIA HUNTER: --- were trying to do
27 that. But it would be right behind you here in this
28 little area here. With the Planning Commission, as well.
29 So we'll do all the training at the same time.
30 HAROLD MCCLURE: Mine is pretty much
31 going to be in the afternoon because I have classes in the
32 morning. But anyway, any old business from the board or
33 from staff?
34 Okay. Do I have a motion to adjourn?
35 MIKE MILLER: So moved.
36 HAROLD MCCLURE: Okay. Do I have a
37 second? All in favor. And have a good night and be
38 careful.
39
40 **(MEETING ADJOURNED AT 6:32 P.M.)**

Staff Report

Application for a **Variance** – To allow a reduction of front setback for placement of manufactured home.
Anderson County Land Use Board of Zoning Appeals Meeting - District 4
Civic Center, 3027 Martin Luther King Jr Blvd.
Anderson, SC 29625
Monday, November 23, 2020
5:30 PM

Applicant: Renee McCrary

Owner of Property: William C II & Renee N McCrary

Property Location: 297 Pine Cir, Townville

Council District: Four (4)

Tax Map Number (TMS #): 18-04-01-016

Property Description: .27 acre corner lot on Pine Cir.

Current Zoning: Unzoned

Land Use: Residential

Applicant Request: Applicant is requesting a **Variance** to allow a reduction of front setback requirements from 30 feet to 15 feet from the right-of-way of Pine Circle to allow placement of double wide manufactured home.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 50, Section 50-97, the required front setback shall be 30 feet from any right-of-way.

Staff Recommendation:

- 1) The setback of thirty feet applies to two sides of the parcel as it is a corner lot.
- 2) The lot is an existing, non-conforming lot of approximately 11,761 square feet. Lots in unzoned areas with septic tank access shall be no less than 25,000 square feet.
- 3) The septic tank and drain field requires approximately half of the lot.
- 4) The manufactured home meets the side and rear setbacks of five feet and does not cause detriment to adjoining properties.
- 5) If approved, the applicant will be required to obtain a residential compliance letter from Development Standards and a building permit from Building & Codes.



Variance Application

There is a Variance Application Fee of \$200.00

Date of Application Completion _____

Application Status (Approved or Denied) _____

Applicant's Information

Name: Renée McCrary
 Mailing Address: 451 HOPKINS RD, TOWNVILLE SC 29689
 Telephone and Fax: 404-513-9193 E-Mail: RENEEMCCRARY@NORMACSOLUTIONS.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.

Renée McCrary
Owner's Signature

10/26/2020
Date

Project Information

Property Location: 297 Pine Cir, Townville
 Parcel Number(s)/TMS: 118-0401-016
 County Council District: 4 School District: _____
 Total Acreage: .27 Current Zoning: Unzoned
 Requested Variance: reduction of front setbacks from 30' to 15'
Please indicate if setback variance, sign variance or minimum lot size variance.
 Purpose of Variance: to allow room for parking & maintenance at back of home, septic field is to the south
 Private Covenants or Deed Restrictions on the Property: Yes _____ No X

If you indicated no, your signature is required.

X Renee McCrary
Applicant's Signature

10/26/2020
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.

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:

Conditions do not generally apply to other properties in vicinity, as shown by: non-conforming lot, .27 acres - ~ 11,761 sq ft

Application of the ordinance to the particular piece of property would effectively prohibit or unreasonable restrict the utilization of the property as follows: existing non-conforming lot

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: meets side/rear setbacks

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

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.

X Renee McCrary
Applicant's Signature

10/26/2020
Date

For Office Use Only:

Application Received By Brittany M. Date Complete Application Received: _____

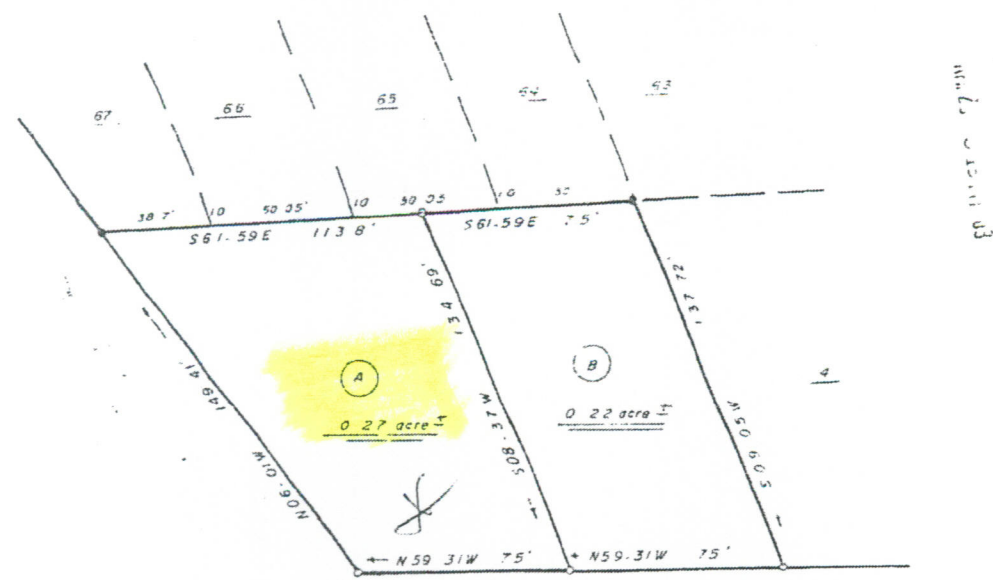
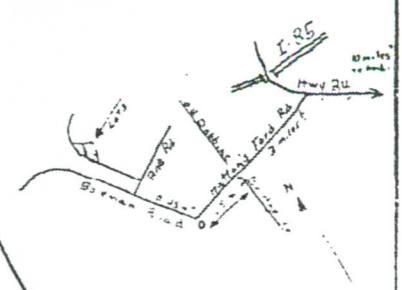
Application Fee Amount Paid: _____ Check Number: _____

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

Staff Recommendation: _____ Advisory Recommendation: _____

Land Use/Board of Zoning Appeals' Decision: _____

90/76



BOLEMAN ROAD



BOUNDARY SURVEY

STATE OF SOUTH CAROLINA
COUNTY OF ANDERSON
TOWNSHIP OF FORK
SCHOOL DISTRICT NO 4
SHADY COVE

At the request of Myron M Newman
March 23, 1983

- Remarks: Property of Wickes Corporation- Deed Book 19-S, page 750
Being a revision of Lots 1, 2, and 3 as shown on a plat recorded in Plat Book 55, page 288
- ✓ Tract A to be conveyed to Myron M. Newman
 - ✓ Tract B to be conveyed to Charles W. and Hazel O. Webb

Recorded this 20th day
of April A.D. 1983
in Vol. 70 Page 16
At 3:15 P.M.

C. J. Burdette C.C.C.P.
Anderson County, S.C.

ANDERSON SURVEYING ASSOCIATES, INC
106 E. MORRIS ST PO BOX 784
ANDERSON, SOUTH CAROLINA 29622
PHONE: 226-7813



Don M Kelly
DON M KELLY
RLS 9318

Site Photos



180008006

Hartwell Lake

180401001

180401002

180401003

180401004

180401005

180401006

180401007

180401008

180401009

180401016

180401015

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Staff Report

Application for a **Variance** – To allow a reduction of side yard setback for placement of detached garage
Anderson County Land Use Board of Zoning Appeals Meeting - District 5
Civic Center, 3027 Martin Luther King Jr Blvd.
Anderson, SC 29625
Monday, November 23, 2020
5:30 PM

Applicant: Brian Chastain

Owner of Property: Brian Emerson & Ashley Elizabeth Chastain

Property Location: 1106 Bern Cir, Anderson

Council District: Five (5)

Tax Map Number (TMS #): 97-03-02-014

Property Description: Lot 24 of Cloverdale, approximately .89 acres

Current Zoning: Unzoned

Land Use: Residential

Applicant Request: Applicant is requesting a **Variance** to allow a reduction of side yard setback requirements from 10 feet to 6.9 feet to allow placement of detached garage.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 38, Section 38-120, the required side yard setback for unzoned properties shall be no less than 10 feet for accessory buildings more than 600 square feet.

Staff Recommendation: This information is being provided for the benefit of the members of the Land Use and Zoning Board of 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 constructed without obtaining a permit. The request to obtain electricity for the building has prompted the need for a variance.
- 2) The detached garage is placed on the concrete driveway for easy access.
- 3) At least four accessory buildings on Bern Circle do not meet required setbacks.
- 4) The building has been on the property since 2018.
- 5) The Board must determine if this encroachment can be remedied by the Board's action.
- 6) If approved, the applicant will be required to obtain a residential compliance letter from Development Standards and a building permit from Building & Codes.



Variance Application

There is a Variance Application Fee of \$200.00

Date of Application Completion _____

Application Status (Approved or Denied) _____

Applicant's Information

Name: Brian Emerson Chastain

Mailing Address: 1106 Bern Circle Anderson, SC. 29626

Telephone and Fax: (864) 940-2658 E-Mail: brianechastain@1981@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.

Owner's Signature _____

Date _____

Project Information

Property Location: 1106 Bern Circle Anderson, SC 29626

Parcel Number(s)/TMS: 97-03-02-014

County Council District: _____ School District: 5

Total Acreage: _____ Current Zoning: _____

Requested Variance: Reduction of side yard setback from 10' to 7'; building inspector measured at 7'8"
Please indicate if setback variance, sign variance or minimum lot size variance.

Purpose of Variance: building on the left side is not 10 ft away from property line

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

If you indicated no, your signature is required.

Briam Chastain
Applicant's Signature

11/28/19
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:

Conditions do not generally apply to other properties in vicinity, as shown by: _____
TMS 97-03-05-001, 97-03-03-002, & 97-03-03-003

Application of the ordinance to the particular piece of property would effectively prohibit or unreasonable restrict the utilization of the property as follows: _____

Detached garage was placed on concrete driveway for easy access

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:

The building has been there since 2018.

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

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.

Briam Chastain
Applicant's Signature

11/28/19
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: _____

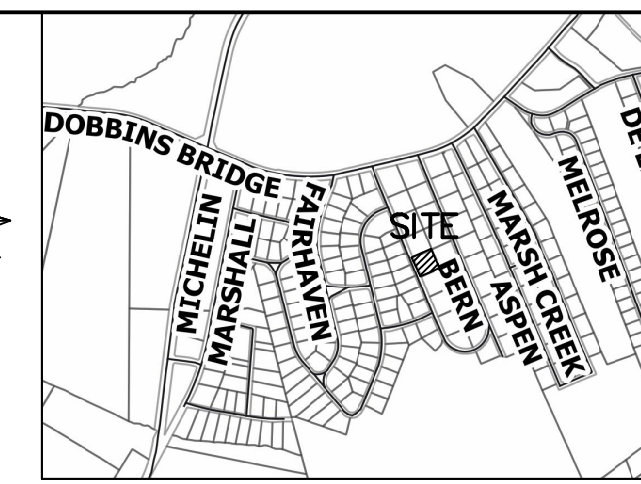
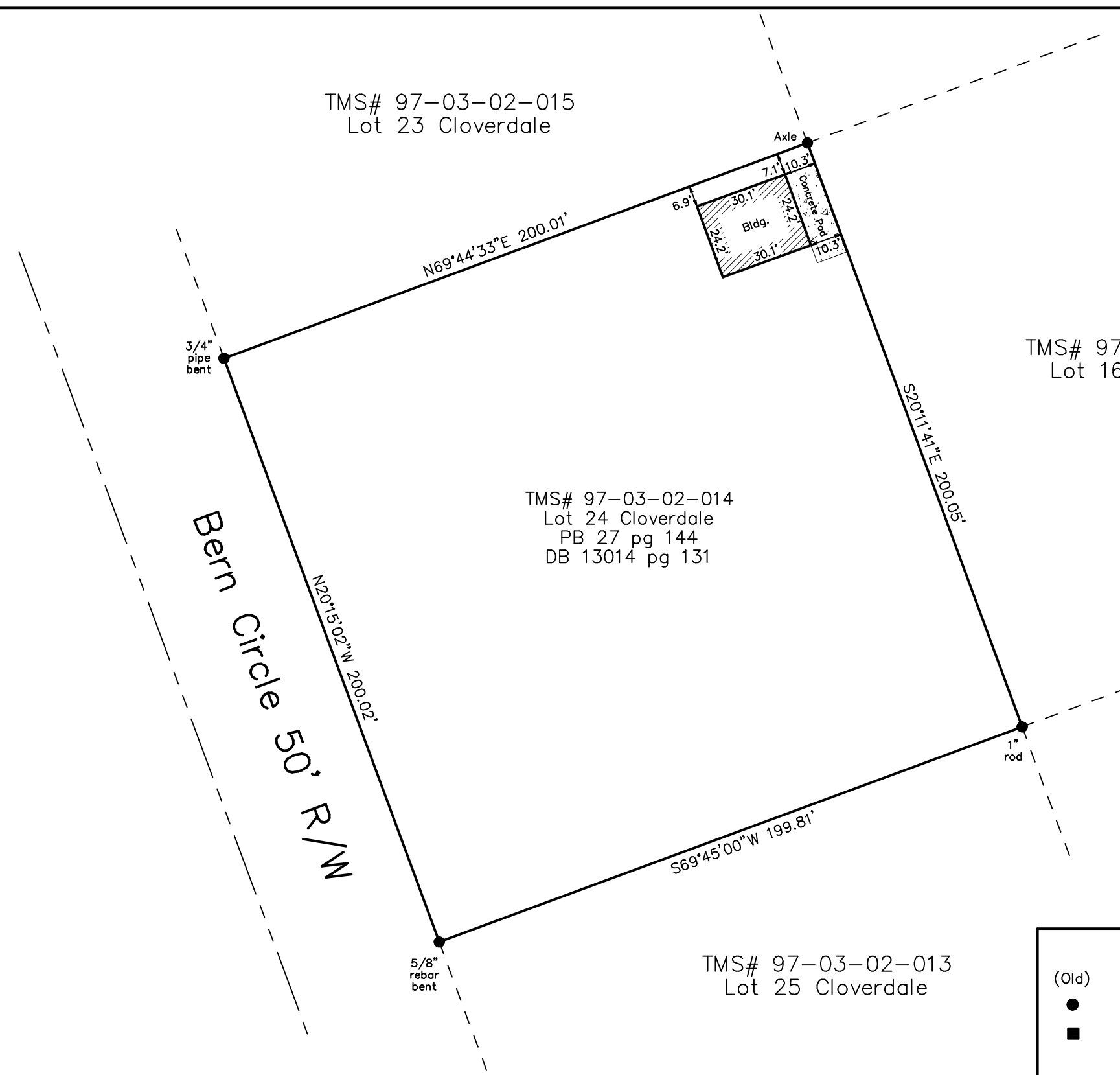
Land Use/Board of Zoning Appeals' Decision: _____

TMS# 97-03-02-015
Lot 23 Cloverdale

TMS# 97-03-02-005
Lot 16 Cloverdale

TMS# 97-03-02-014
Lot 24 Cloverdale
PB 27 pg 144
DB 13014 pg 131

TMS# 97-03-02-013
Lot 25 Cloverdale



Vicinity Map
(NTS)

- Notes:
- 1) TMS# 97-03-02-014
 - 2) Physical Address: 1106 Bern Cir.
 - 3) Reference Plat Book 27 pg 144
 - 4) 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 property; easements, other than possible easements that were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, and any other facts that an accurate and current title search may disclose.

Legend	
(Old)	(New)
●	○ 1/2" Rebar
■	□ Mag Nail
	△ Computed Pt.

Sketch for
Brian Chastain
NON-Transferable

Map #	Surveyed By	Drawn By	Checked By
12138	JW	JW	EBO

THIS DRAWING AND THE DESIGN SHOWN THEREON ARE THE PROPERTY OF NU-SOUTH SURVEYING, INC. THE REPRODUCTION, COPYING OR USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED AND ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.

Nu-South Surveying Inc.
 115 E. Mauldin St.
 Anderson S.C. 29621
 (864) 224-2754
 nusouthsc@gmail.com

Anderson County South Carolina
 Scale 1" = 40' Date: Nov. 11, 2019

Nearby Non-Conforming Accessory Buildings





96014

15

016

0406017

970406018

CLARMONT LN

970407008

970407009

970303001

970303015

970303014

970303013

970303012

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970301006

970301007

970301008

971001004

971001005

971001024

971001023

971001022

971002002

971002001

SAR

102005

ASPENWAY

MEADOWBROOK

BERNIER

BERNIER

Staff Report

Application for a **Variance** – To allow a reduction of front setback to accommodate commercial boat storage addition
Anderson County Land Use Board of Zoning Appeals Meeting - District 4
Civic Center, 3027 Martin Luther King Jr Blvd.
Anderson, SC 29625
Monday, November 23, 2020
5:30 PM

Applicant: Graham Hall

Owner of Property: Charles Hall

Property Location: 110 Broyles Lndg, Townville

Council District: Four (4)

Tax Map Number (TMS #): 29-04-01-001

Property Description: 1.01 Acres on the corner of Broyles Lndg

Current Zoning: Unzoned

Land Use: Commercial Storage Facility

Applicant Request: Applicant is requesting a **Variance** to allow a reduction of front setback requirement from 20 feet to 9'8" feet from the right-of-way of Broyles Landing to accommodate the addition of a commercial boat storage building.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 38, Section 38-120, the required front setback on a local road shall be 20 feet from the right-of-way.

Staff Recommendation:

- 1) The location of the building is to provide a safe turning radius for boat trailers.
- 2) The placement of the storage will not cause a detriment to the road right-of-way because the potential building is approximately 4 feet higher than the road and a chain-link fence is located between the proposed building and right-of-way.
- 3) The proposed addition will not cause detriment to other properties as adjacent property has a privacy fence and the property across the road is vacant.
- 4) If approved, the applicant will be required to obtain a land use permit from Development Standards and a building permit from Building & Codes.



Variance Application

There is a Variance Application Fee of \$200.00

10/20/2020
Date of Application Completion

Application Status (Approved or Denied)

Applicant's Information

Name: Graham Hall

Mailing Address: 2203 Poplar Lane

Telephone and Fax: 864-940-4732 E-Mail: ghhall616@gmail.com

Owner's Information *(If Different from Applicant)*

Name: Charles Hall

Mailing Address: P.O. Box 4434

Telephone and Fax: 864-940-4730 E-Mail: 1cwhall@gmail.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.

Charles Hall
Owner's Signature

10/18/200
Date

Project Information

Property Location: 110 Broyles Ldg Townville, SC 29689

Parcel Number(s)/TMS: 290401001

County Council District: 4 School District: 4

Total Acreage: 1.01 Current Zoning: Not Zoned

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

Purpose of Variance: To build a boat storage building within the setback.

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

If you indicated no, your signature is required.

[Signature]
Applicant's Signature

10/18/2020
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.

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 placement of the potential building is approximately 4 feet in elevation higher than the road.

Conditions do not generally apply to other properties in vicinity, as shown by: Properties in Exhibits 2-6 are less than a mile from the property with setback variances: TMS #'s: 290402047, 290403001, 290404004, 290402021, 290401014. Commerical property TMS 280002005, Exhibit 7, is in the area.

Application of the ordinance to the particular piece of property would effectively prohibit or unreasonable restrict the utilization of the property as follows: Strict application of the ordiance would not allow expansion of the business using optimal sized building and prohibits best use of property.

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:

Adjacent property has a privacy fence and property across the street is empty. No harm will be made to the public good if there is ever an improvement to the nearby intersection at Hattons Ford Road, the safest option would be to shift the road away from the potential building. The character of the district will not change as existing boat storage unites are in the area.

The following documents are submitted in support of this application: (Please attach copies of all additional information to this application.) Index and exhibits are attached with County maps and photographs of setback variance examples in the area: 17 pages.

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.

[Signature]
Applicant's Signature

10/18/2020
Date

For Office Use Only:

Application Received By: Brittany M Date Complete Application Received: 10/19/20

Application Fee Amount Paid: \$200 Check Number: 1003

Scheduled Advisory Hearing Date: _____ Scheduled Board Hearing Date: 11/23/20

Staff Recommendation: _____ Advisory Recommendation: _____

Land Use/Board of Zoning Appeals' Decision: _____

INDEX OF EXHIBITS:

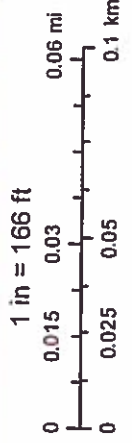
- Exhibit 1.....Anderson County Property map of Existing Setback Variances**
- Exhibit 2.....Setback Variance 1 Anderson County property map and pictures**
- Exhibit 3.....Setback Variance 2 Anderson County property map and pictures**
- Exhibit 4.....Setback Variance 3 Anderson County property map and pictures**
- Exhibit 5.....Setback Variance 4 Anderson County property map and pictures**
- Exhibit 6.....Setback Variance 5 Anderson County property map and pictures**
- Exhibit 7.....Setback Variance 6 Anderson County property map and picture**
- Exhibit 8.....Anderson County property maps of sharp intersection at
Hattons Ford Road and adjacent properties**
- Exhibit 9.....Plot Plan**

Anderson County



EXHIBIT

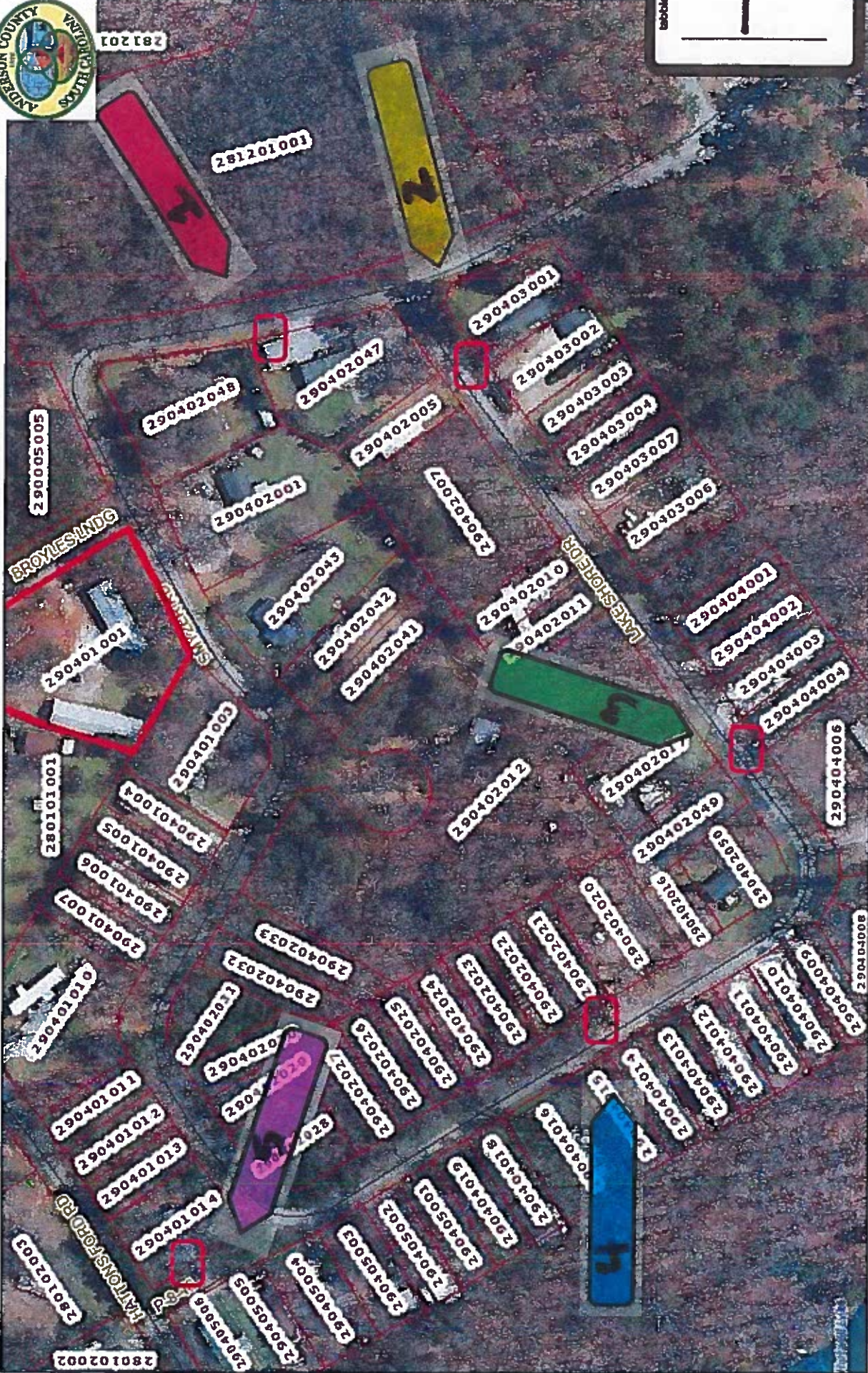
feet



ESRI, Highland Mapping, and Anderson County GIS



AGIS

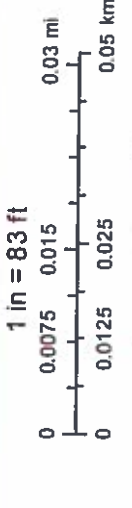


October 16, 2020 Disclaimer accepted.

TMS: 290401001
 Owner: HALL CHARLES W
 Owner Address: PO BOX 4434
 City/State: ANDERSON SC
 Zip Code: 29622
 Deed Page: 314
 Deed Book: 1403
 Tax District: 4
 Description: LT A + C BROYLES LDG 1.01 AC
 Sale Year: 1992
 Market Value:



EXHIBIT
2



October 16, 2020 Disclaimer accepted.

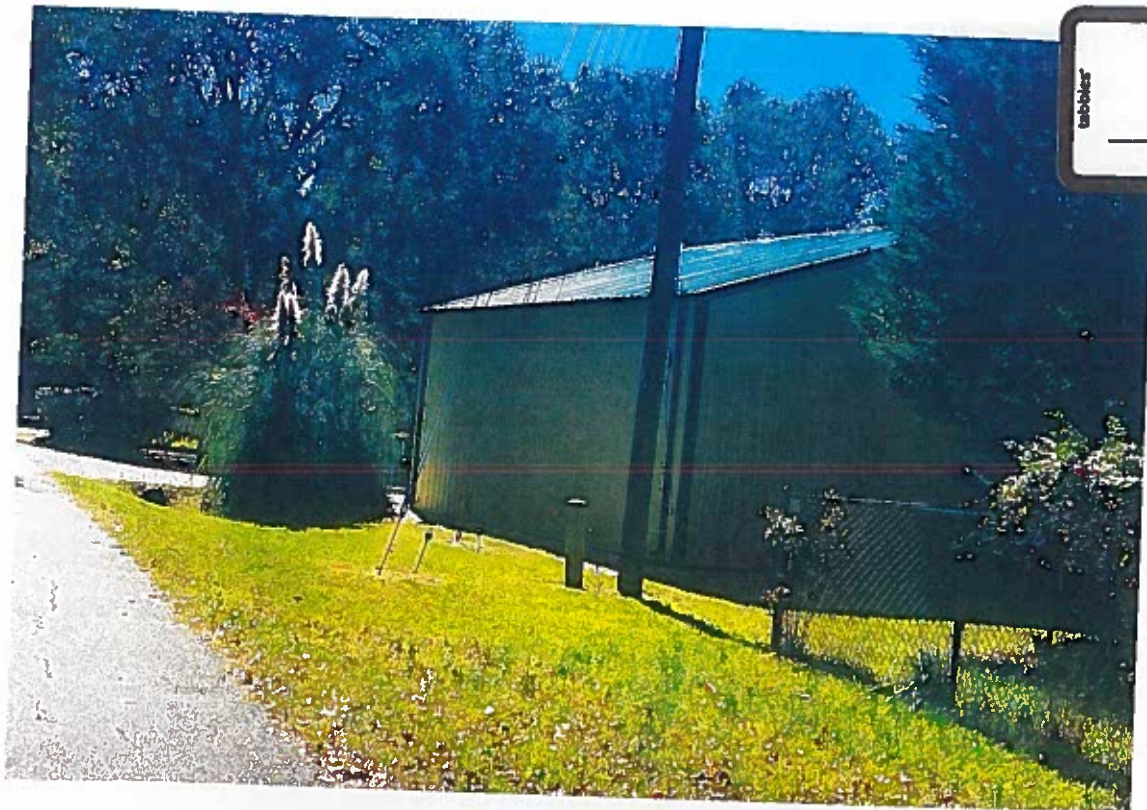
TMS: 290402047
 Owner: TOLLEY MARK + ROBERT S MCINTOSH
 Owner Address: 4069 BEAVERDAM RD
 City/State: CANTON NC
 Deed Book: 5725
 Tax District: 4
 Sale Year: 2003

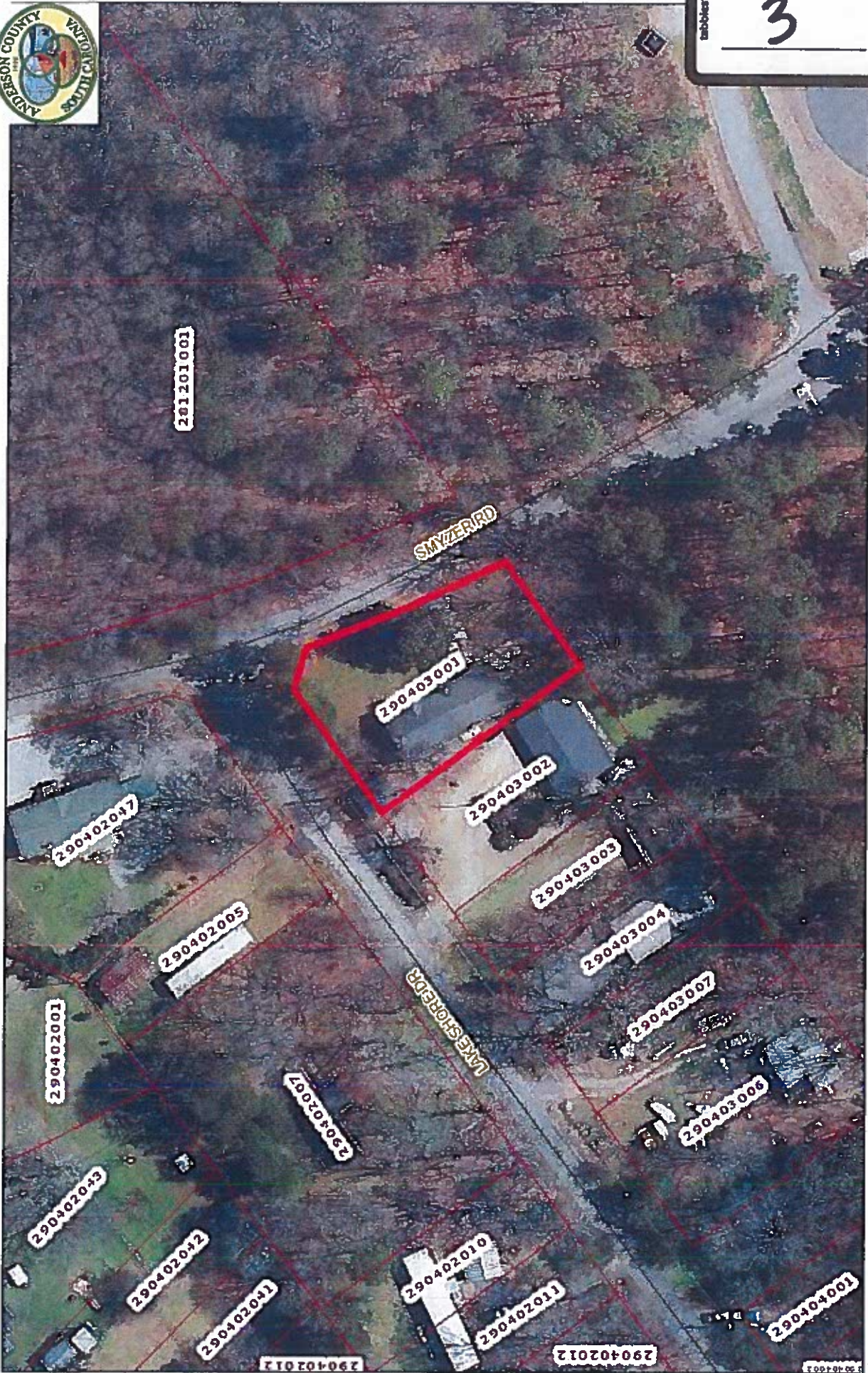
Deed Page: 150
 Current Plat: CP S 1102/7B
 Description: LOTS A + B LAKE SHORE DR
 Sale Price: \$74,000
 Market Value: \$20,800

ESRI, HighEnd Mapping, and Anderson County GIS

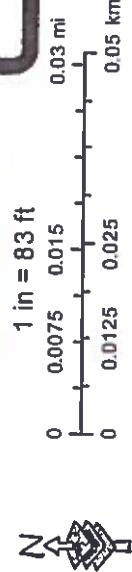
EXHIBIT

2





tabbiter
EXHIBIT 3



PP 094/00185
A^{LL} C^{ITY} GIS

ESRI, HighEnd Mapping, and Anderson County GIS

October 16, 2020 Disclaimer accepted.

TMS:	290403001
Owner:	GASPAROVIC MICHAEL
Owner Address:	1134 PINE LAKE DR
City/State:	TOWNVILLE SC
Deed Book:	2714
Tax District:	4
Sale Year:	1997
Zip Code:	29689
Current Plat:	CP S 379/3A
Description:	LT 1 + PT LT 2 LAKE SHORE DR
Sale Price:	\$5
Market Value:	\$104,530

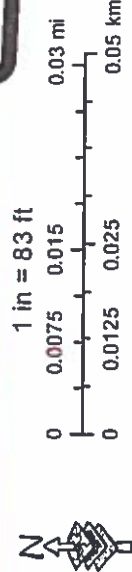
EXHIBIT
3



Anderson County



EXHIBIT
4



October 16, 2020 Disclaimer accepted.

TMS: 290404004
 Owner: OKES DOLORES E
 Owner Address: 1102 LAKE SHORE DR
 City/State: TOWNVILLE SC
 Zip Code: 29689
 Deed Book: 11192
 Deed Page: 50
 Tax District: 4
 Description: LT 13 LAKE SHORE DR
 Sale Year: 2013
 Sale Price: \$1
 Market Value: \$159,890



Anderson County

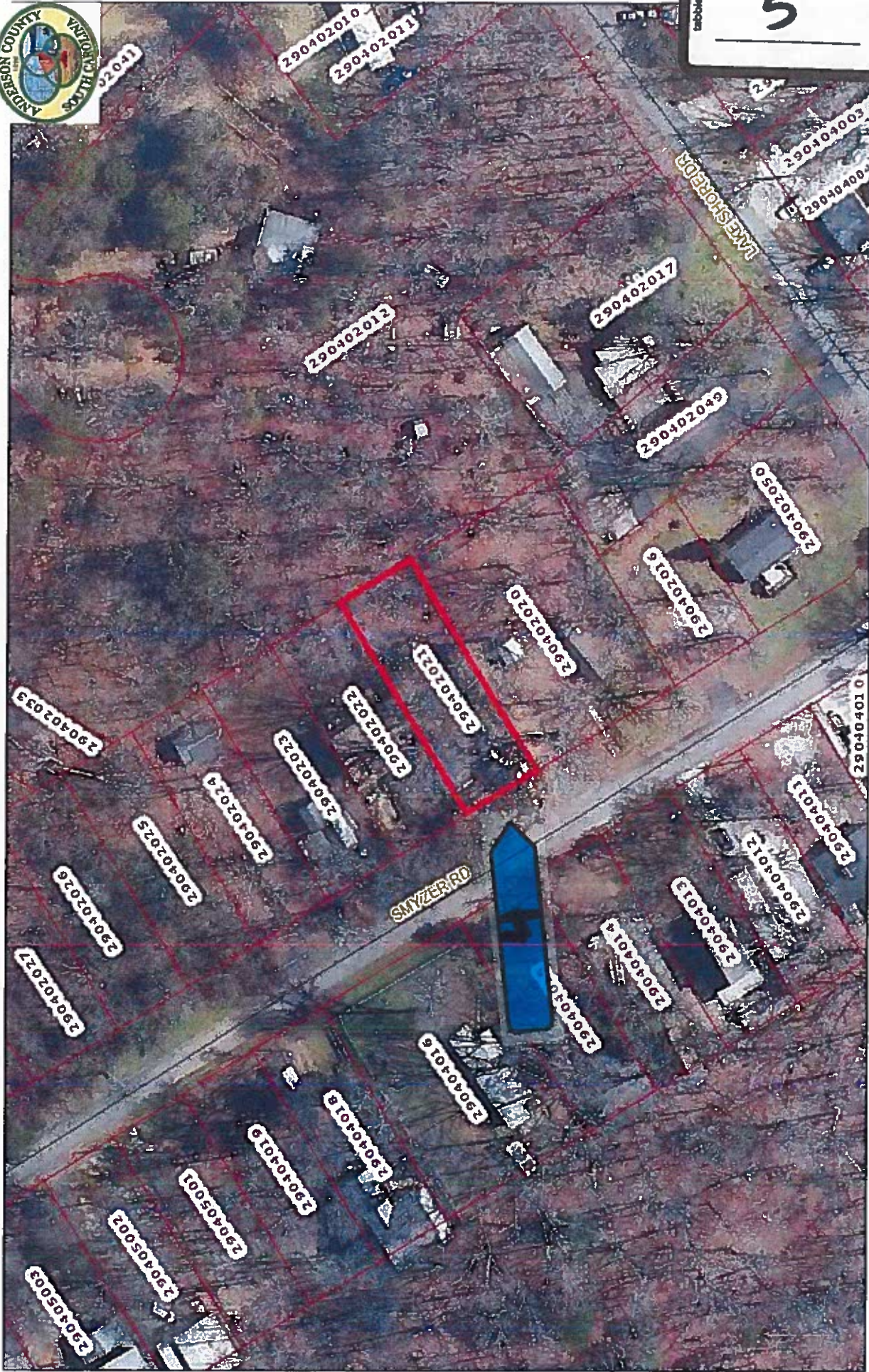
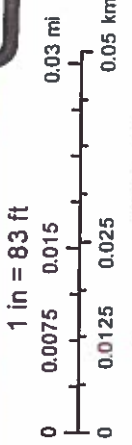


EXHIBIT
5



ESRI, Highland Mapping, and Anderson County GIS

October 16, 2020 Disclaimer accepted.

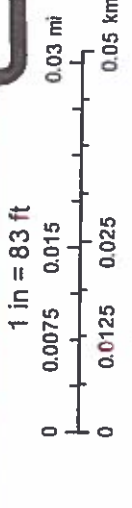
TMS: 290402021
 Owner: BROCK SLOAN
 Owner Address: 1041 SMYZER RD
 City/State: TOWNVILLE SC
 Deed Book: DOD Deed Page: 2010
 Tax District: 4 Description: LT 72 SMYZER RD
 Sale Year: 2010 Sale Price: \$1 Market Value: \$13,960



Anderson County



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6



ESRI, HighLand Mapping, and Anderson County GIS

A-C GIS

October 16, 2020 Disclaimer accepted.

TMS: 290401014
 Owner: MOREHEAD MICHAEL H + MONICA L MCDONALD
 Owner Address: 425 HATTONS FORD RD
 City/State: TOWNVILLE SC
 Deed Book: 21G Deed Page: 341
 Tax District: 4 Description: LTS 37 + 38 HATTONS FORD RD
 Sale Year: 1987 Sale Price: \$6,000 Market Value: \$59,030
 Zip Code: 296894115
 Current Plat: CP S 1611/5B



C

C

Anderson County, South Carolina

Geographic Information Systems

Search Results Layers

Results List

Details

Zoom To Clear

Adjainers Buffer

Anderson County Tax Parcel

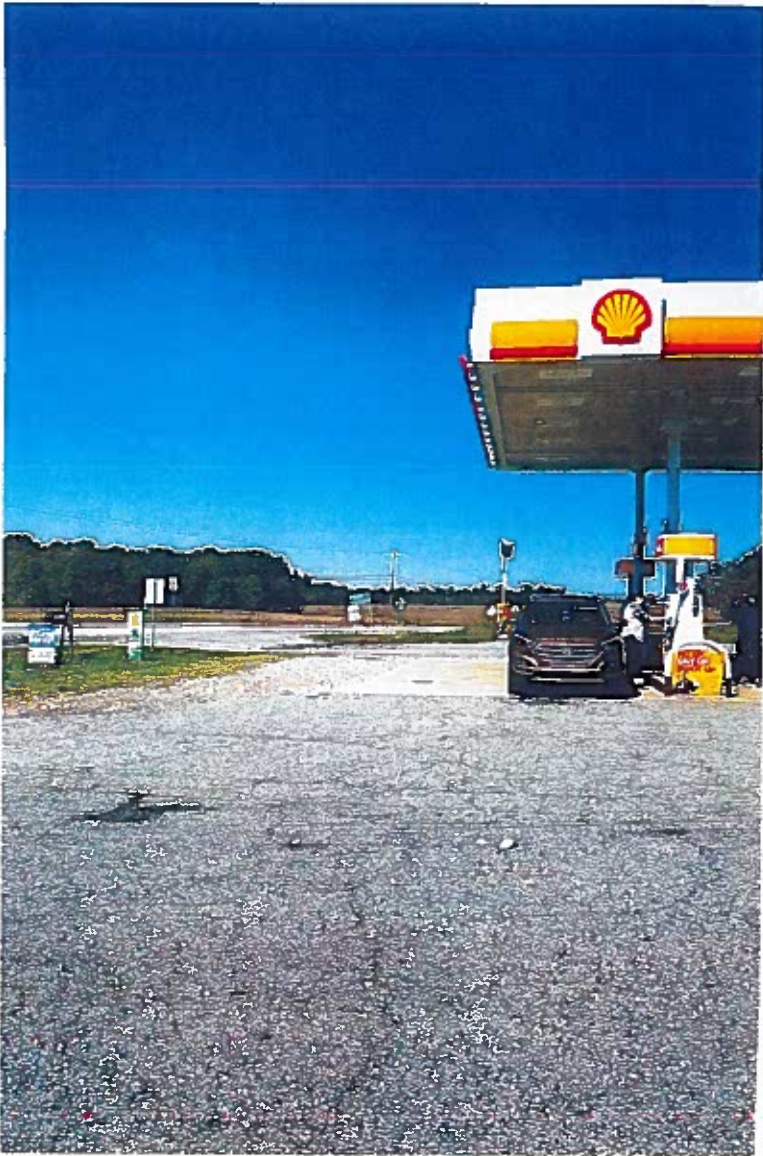
TMS: 280002005
Owner: ACE ENERGY CORP
1414 E WASHINGTON ST
GREENVILLE SC 29607
Physical Address: 6600 HWY 24
Description: HWY 24 1 15 AC
Deed Reference: 13534 226
Sale Price: \$550,000
Sale Year: 2018
Previous Owner: DOBBINS STANLEY RHETT + JACK
DOBBINS T

Buffer



EXHIBIT
7

EXHIBIT
7



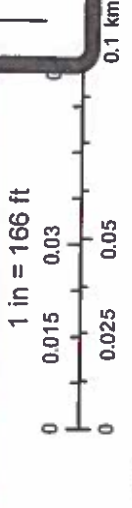
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Anderson County



EXHIBIT
8

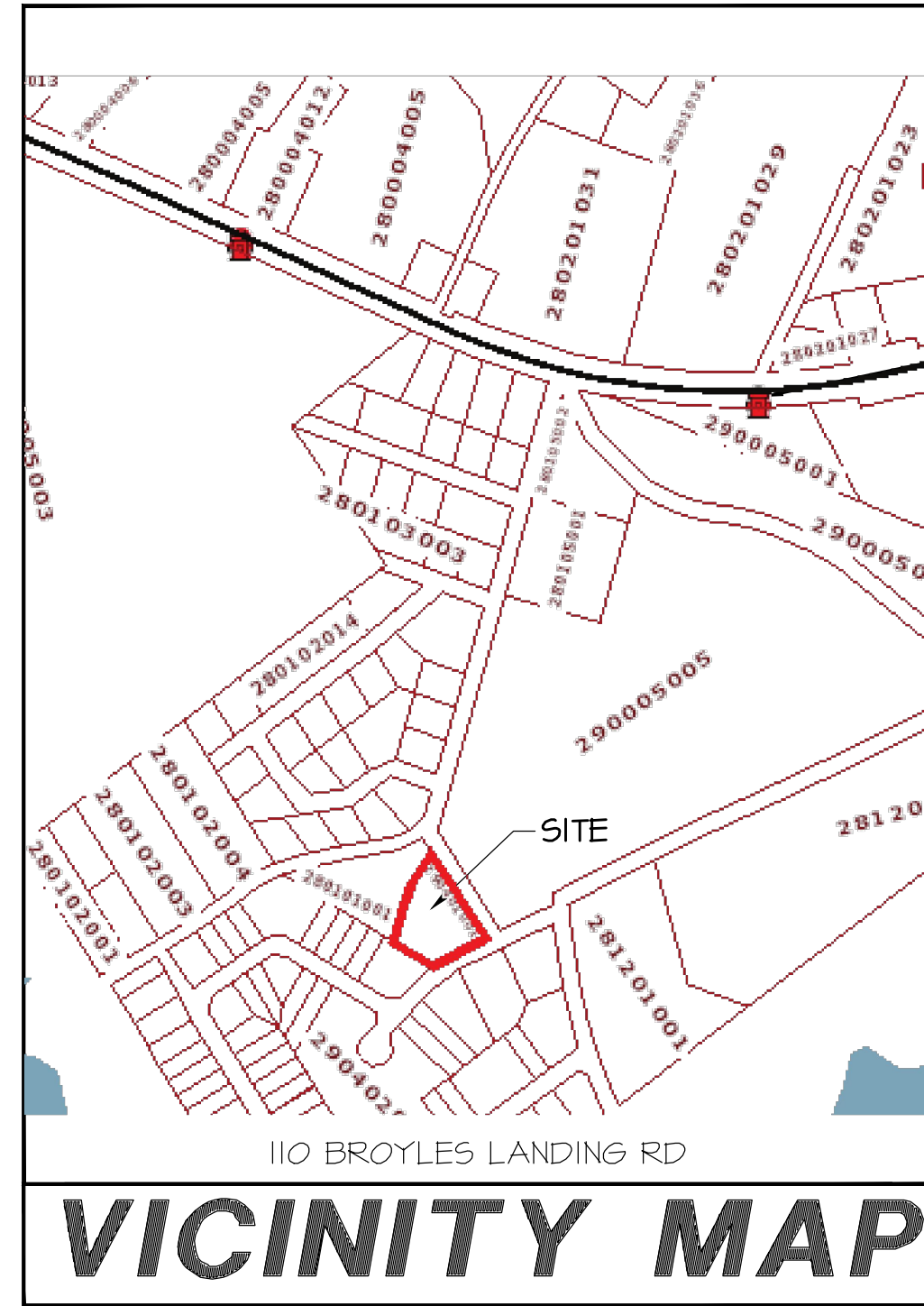


October 16, 2020 Disclaimer accepted.

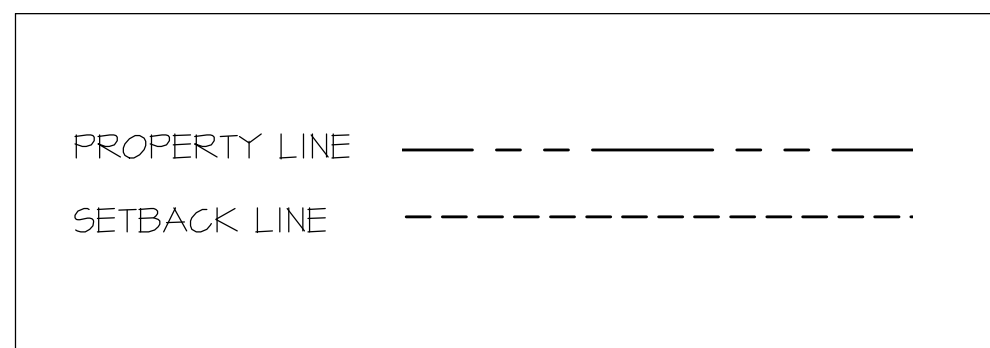
TMS: 290401001
 Owner: HALL CHARLES W
 Owner Address: PO BOX 4434
 City/State: ANDERSON SC
 Deed Book: 1403 Deed Page: 314
 Tax District: 4 Description: LT A + C BROYLES LDG 1.01 AC
 Sale Year: 1992 Sale Price: Market Value:

PALMETTO STORAGE

REVISIONS		
NO.	DATE	COMMENTS
0	10.13.20	FOR CONSTRUCTION



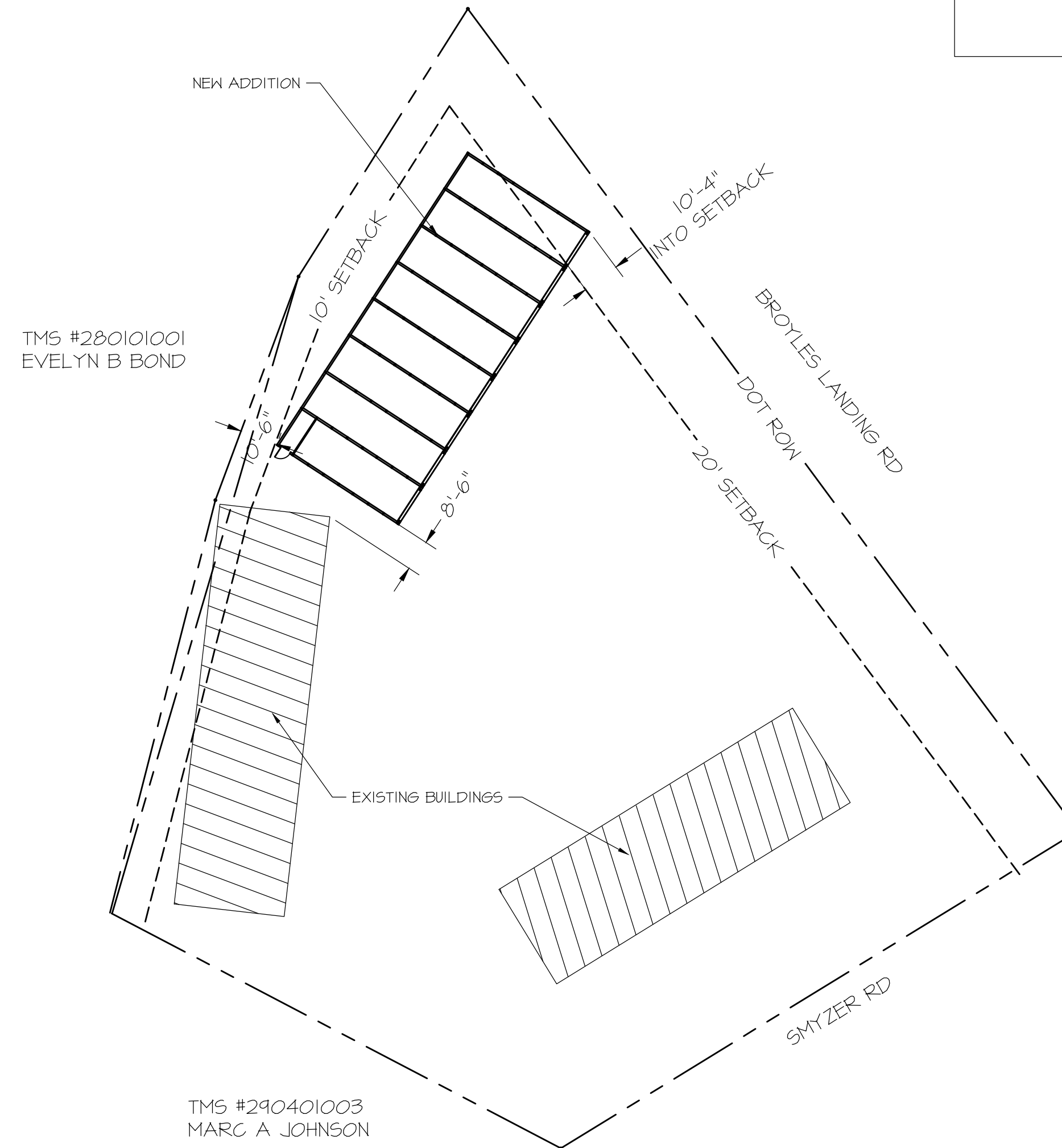
TMS# 290401001



NOTE:

OWNER TO HAVE SURVEYER VERIFY THE LOCATIONS OF EXISTING STRUCTURES AND THE EXTENT OF NEW BUILDING'S INTRUSION INTO SETBACK.

REQUEST VARIANCE OF FRONT SETBACK REDUCTION FROM 20' TO 9'-8".



PRIME PROFESSIONAL:
JOHN HIPSHER - ENGINEER

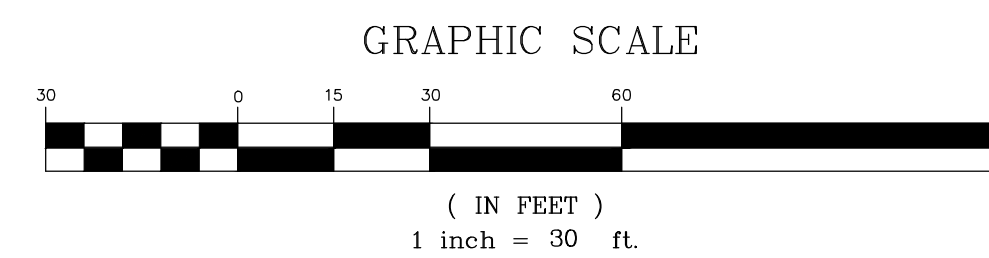
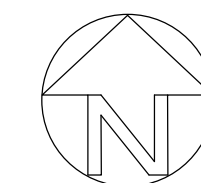
DESIGN PROFESSIONALS:
JOHN HIPSHER - ENGINEER
DAVID SIMPSON - ARCHITECT

DRAWING LIST:

- 000 SITE UTILIZATION PLAN
- 001 CODE REVIEW
- 200 FOUNDATION PLAN
- 300 FLOOR PLAN & ELECTRIC

SITE PLAN

SCALE 1" = 20' - 0"

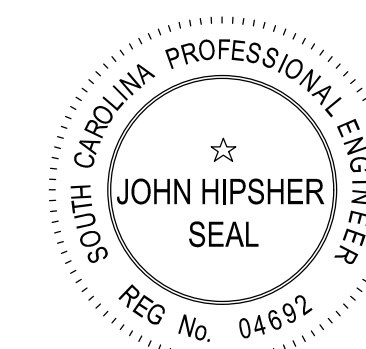


David M. Simpson
Architect

132 Broughton Drive
Greenville, SC 29604

864-233-5090 (FON)
864-232-0522 (Fax)

TOWNVILLE



JOHN HIPSHER
ESTIMATING ENGINEERING
CONSTRUCTION MANAGEMENT

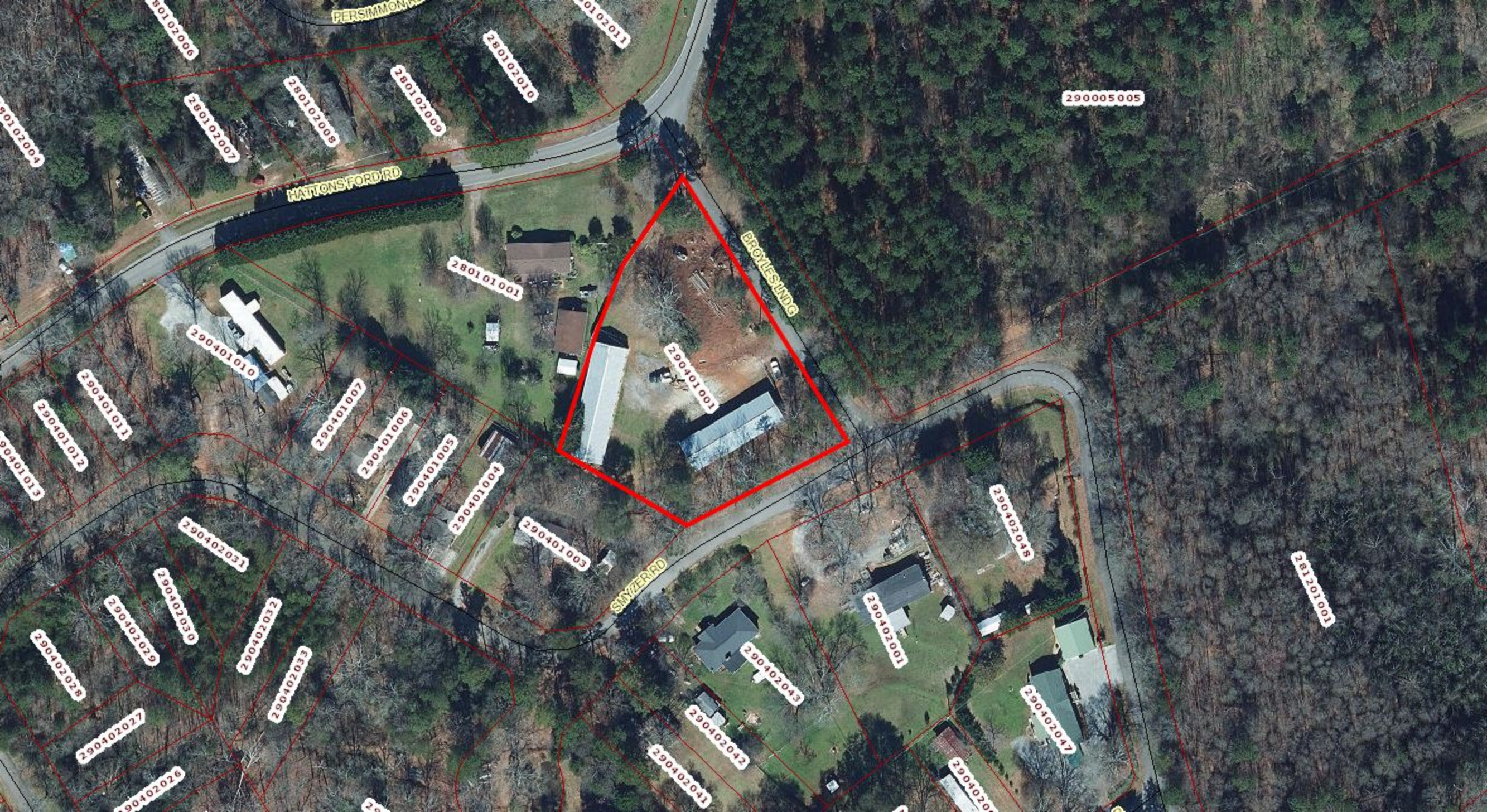
2121 DANENHOWER FARM RD
PENDLETON, SC 29610

864-225-9101 (FON)
864-225-9125 (FAX)

email: gchardjh@bellsouth.net

Site Photos





HATTONSFORD RD

BROMES LINDG

SWZER RD

290005005

290102000

290102007

290102008

290102009

290102010

290102011

280101001

290401001

290401010

290401007

290401006

290401005

290401004

290401003

290402031

290402030

290402032

290402033

290402028

290402029

290402027

290402026

290402011

290402012

290402013

290402001

290402048

290402047

281201001

Staff Report

Application for a **Variance** – Reduction of Off-Street Parking Requirements
Anderson County Land Use Board of Zoning Appeals Meeting - District 6
Civic Center, 3027 Martin Luther King Jr Blvd.
Anderson, SC 29625
Monday, November 23, 2020
5:30 PM

Applicant: Ingles Markets, Inc. Preston Kendall Construction Manager

Owner of Property: Ingles Markets, Inc.

Property Location: 10903 Anderson Road, Piedmont, SC 29673

Council District: Six (6)

Tax Map Number (TMS #): 236-07-04-005, -009

Property Description: 9.97 Acres on the corner of Anderson Road & Cooper Lane

Current Zoning: Unzoned

Land Use: Supermarket-Auto Service Station Self-Service/Restaurant/Retail

Applicant Request: Asking for a variance for parking reduction based on 38-215 (Joint Use of Off-Street parking lots). Considering varying peak hours of existing and proposed businesses.

Parking Analysis: The existing site required 316 parking spaces, The proposed new additions will require 74 parking spaces for a total of 390 parking spaces, the parking study indicates 311 parking spaces based on Section 38-215.

The existing and proposed businesses that share this joint parking lot will vary in operation hours, supermarket will open at 7:00am, restaurants may open at 6:00am, and other retail stores may open at 10:00am and close at difference times in the evenings. The peak hours will vary throughout the day which will allow up to a 50 percent reduction in parking base on Section 38-315.

Findings of Fact: *Anderson County Code of Ordinances*, Sec. 38-215. - Joint use of off-street parking lots.

Up to 50 percent of the parking spaces required for (1) theaters, public auditoriums, bowling alleys, dance halls, clubs, churches and religious institutions may be provided and used jointly by (2) financial institutions, offices, retail stores, repair shops, service establishments, and similar uses not normally open, used, or operated during the same hours as those listed in (1); provided, however, that written agreement ensuring their retention for such purposes shall be properly drawn and executed by the parties concerned, approved as to form and content by the county attorney, and shall be field with the application for a building permit.

Staff Recommendation:

- 1) If approved, the applicant will be required to obtain a land use permit from Development Standards and a building permit from Building & Codes.



Variance Application

There is a Variance Application Fee of \$200.00

Date of Application Completion

Application Status (Approved or Denied)

Applicant's Information

Name: Ingles Markets, Inc. - Preston Kendall (Construction Manager)

Mailing Address: P.O. Box 6676, Asheville, NC 28816

Telephone and Fax: P: 828.669.2941, F: 828.669.3678 E-Mail: pkendall@ingles-markets.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.


Owner's Signature

11/18/2020
Date

Project Information

Property Location: 10903 Anderson Road, Powdersville, SC 29673

Parcel Number(s)/TMS: 2360704005, 2360704009

County Council District: 6 School District: 1

Total Acreage: 9.97 acres Current Zoning: N/A

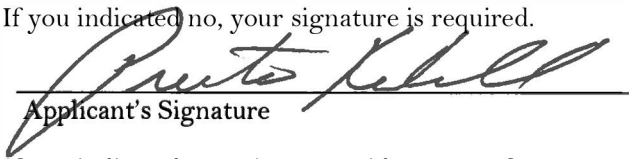
Requested Variance: Parking Variance
Please indicate if setback variance, sign variance or minimum lot size variance.

Purpose of Variance: Asking for a variance for parking reduction based on 38-215 (Joint Use of Off-Street parking lots).

Considering varying peak hours of existing and proposed businesses.

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

If you indicated no, your signature is required.


Applicant's Signature

11/18/2020
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.

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 existing and proposed businesses that share this joint use parking lot have varying peak hours of operation which is why a variance is requested to reduce the parking based on Section 38-215 (Joint Use of Off-Street Parking Lots).

Conditions do not generally apply to other properties in vicinity, as shown by: The businesses existing and proposed have varying peak hours and share a parking lot so the required peak parking requirements in the ordinance are not reflective of the parking demands of this site.

Application of the ordinance to the particular piece of property would effectively prohibit or unreasonable restrict the utilization of the property as follows: The parking ordinance restricts the allowable square footage of

the businesses to 90,285 sf based on the proposed parking, which would prohibit approximately 20,532 sf of the proposed development without the parking reduction based on Section 38-215 (Joint Use of Off-Street Parking Lots).

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:

The existing and proposed businesses all have varying peak parking hours therefore the peak parking requirement outlined in the ordinance should never be met, and granting the variance to reduce the number of spaces based on Section 38-215 (Joint Use of Off-Street Parking Lots) shall not negatively impact the adjacent properties or the public good.

The following documents are submitted in support of this application: (Please attach copies of all additional information to this application.) Parking Studies and an evaluation of each stores peak hours, and peak parking breakdown is also provided.

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.


Applicant's Signature

11/18/2020
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: _____



11/18/2020

Anderson County Public Works Division
 Development Standards
 401 East River Street
 Anderson, SC 29624

Subject : Peak Parking Analysis

To Whom it May Concern,

Land Planning Associates, Inc. is submitting for a parking variance for the Ingles #73 Store in Powdersville, SC. We have calculated the peak required parking for the shopping center based on the existing Ingles store, vacant retail and restaurant, as well as the proposed businesses. The table below provides each businesses operating hours, peak hours, parking space requirements based on peak parking, and the non- peak parking spaces required based on the assumption that non-peak hours parking demand for the businesses are on average 50% of the peak parking requirement.

	Operating Hours	Peak Hours	Square Footage	Parking Requirements (Sec. 38-210)	Non-peak hours parking count (assume 50% capacity.)
Ingles	7 am - 10 pm	4-6 pm	72,260	253	105*
Paint Store	7 am - 7 pm	8-10 am	4,000	14	7
Burkes	9 am - 10 pm	12-3 pm	20,000	70	35
Restaurant	6 am - 2 pm	7-9 am	4,800	32	16
Vacant Retail	N/A	N/A	9,600	32	16

*the non-peak hour parking for ingles is provided from the parking study table provided below

Using the information provided in the table below the daily parking demand was calculated in 2-hour increments for all business operating hours. The table calculating the parking demand to which we are asking a parking variance is provided.

Daily Parking Demand								
	6 am to 8 am	8 am to 10 am	10 am to 12 pm	12 pm to 2 pm	2 pm to 4 pm	4 pm to 6 pm	6 pm to 8 pm	8 pm to 10 pm
Ingles	105	105	105	105	105	253	105	105
Paint Store	7	14	7	7	7	7	7	7
Burkes	0	35	35	70	70	35	35	35
Restaurant	32	32	16	16	0	0	0	0
Vacant Retail	16	16	16	32	32	16	16	16
Total	160	202	179	230	214	311	163	163

As you can see the highest parking demand is from 4pm to 6pm, with a parking total demand of 311 parking spaces. The ordinance requires a parking count of 390 parking spaces for this shopping center. Based on Section 38 – 215 we are requesting a variance to reduce the parking to 316 parking spaces due to the business having joint use of the off street parking lot. Since none of the businesses shar the same peak hours it is rare that the required parking will be needed. With the assumption that the businesses in non-peak hours will need 50% of the required parking the most in demand the parking lot will be is from the hours of 4pm to 6pm. During those hours the parking demand is calculated as 311 parking spaces. Additionally, a parking study was also completed on site during peak hours. The parking study is provided in the table below.

201029 PARKING STUDY - TABLE 1							
Start Time	Occupied Parking Spaces	Powdersville, SC - Store #73			82,121 sq. ft.		
		Existing Spaces	Occupied Spaces		Ratios (spaces / 1,000 sq. ft.)		
			Average	Peak	Existing	Average	Peak
Weekday		Parking Spaces			Square Feet		
4:00	109	299	105	123	3.64	1.28	1.50
4:15	117						
4:30	103						
4:45	96						
5:00	98						
5:15	123						
5:30	116						
5:45	93						
6:00	89						
Saturday							
3:00	116	299	108	125	3.64	1.32	1.52
3:15	99						
3:30	114						
3:45	105						
4:00	125						
4:15	113						
4:30	106						
4:45	96						
5:00	101						

From the parking study submitted for the site, the peak parking during the parking study was at 4pm on a Saturday and there were only 125 parking spaces occupied compared to the ordinance required parking of 253 spaces for the grocery store.

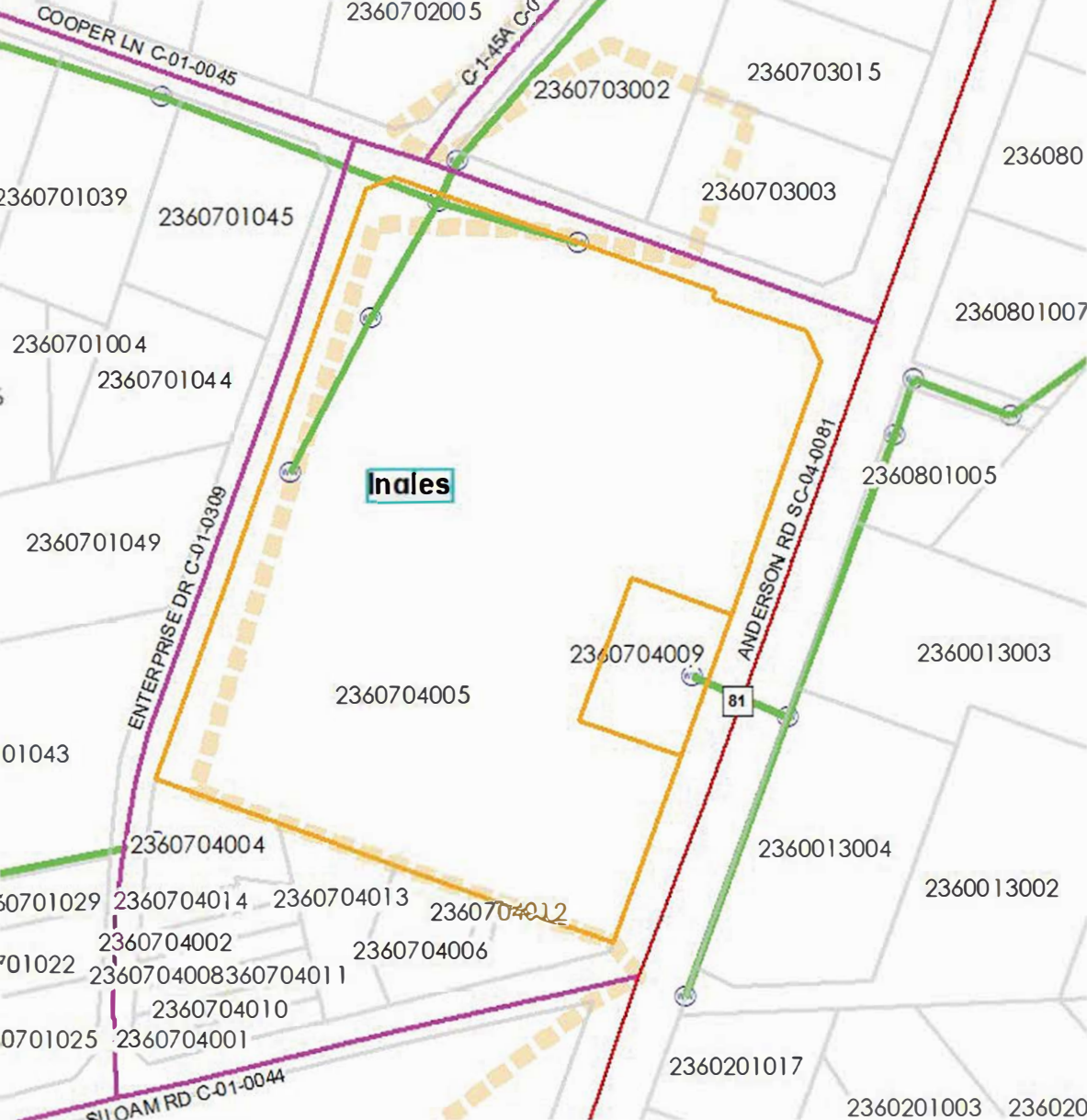
If you have any questions or comments about this study, please feel free to call me at (864) 242-6072.

Thanks

Sincerely,



John D. Cox, P. E.



Inales

COOPER LN C-01-0045

C-1-45A C-0

ENTERPRISE DR C-01-0309

ANDERSON RD SC-04-0081

SILOAM RD C-01-0044

81

2360701039

2360701045

2360702005

2360703002

2360703015

236080

2360703003

2360701004

2360701044

2360801007

2360701049

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2360013004

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2360013002

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2360704002

2360704006

2360704012

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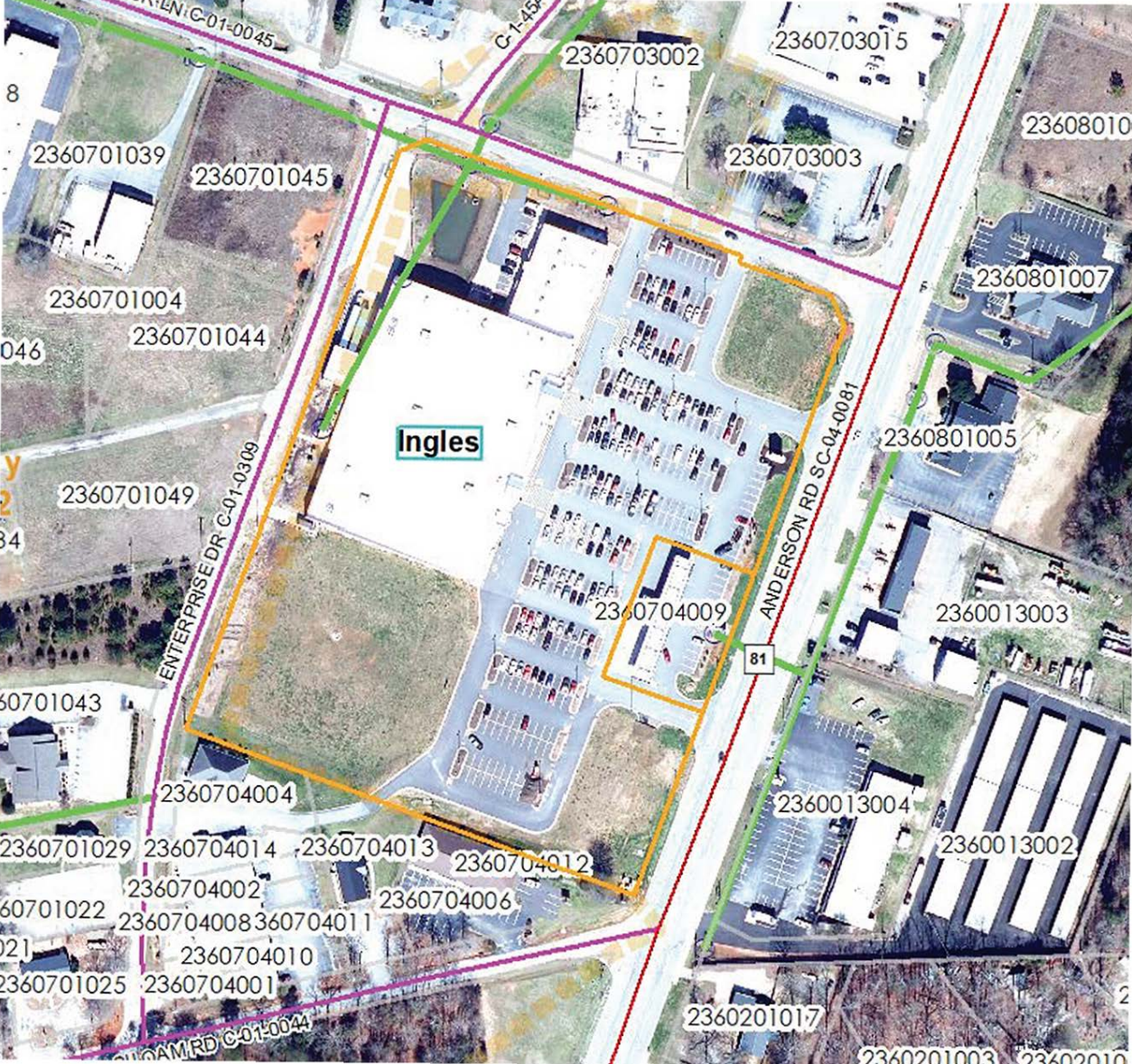
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Ingles

ENTERPRISE DR C-01-0309

ANDERSON RD SC-04-0081

CAM RD C-01-0044

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Staff Report
Application for a **Variance** – To allow one additional wall sign
Anderson County Land Use Board of Zoning Appeals Meeting - District 3
Civic Center, 3027 Martin Luther King Jr Blvd.
Anderson, SC 29625
Monday, November 23, 2020
5:30 PM

Applicant: Dollar General (*contact: Donna Zielinski, St Clair Signs*)

Owner of Property: Upstate DG Belton, LLC (Dollar General)

Property Location: 2425 SC Hwy 252 (Honea Path Hwy), Belton, SC 29627 (*approx. 4 miles west of Honea Path and 5 miles south of Belton*)

Council District: Three (3)

Tax Map Number (TMS #): 254-00-14-003

Property Description: Subject is described as 5.47 acres of highway commercial with extended frontage on both SC Hwy 252 (Honea Path Hwy) and Clinkscates Rd. The tract is further described as located within the “fork” created at the intersection of these 2 streets.

Current Zoning: The property is not zoned.

Land Use: This tract was recently developed as a free-standing single-tenant retail store.

Applicant Request: To allow the placement of 1 additional wall sign on a new Dollar General above the main customer entrance facing the parking area. This will be in addition to 1 wall sign already permitted at this location currently facing Hwy 252. Both wall signs will be identical.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 38, Section 38-255. – Regarding permanent business identification signs attached to buildings (wall signs): Allowable area, where a freestanding business identification sign also exists, one permanent business identification sign containing not more than one square foot of total signage area per lineal foot of principal building frontage may be placed on the building. The number of wall signs is also limited to one projecting sign allowed per building frontage.

Signs Previously Approved: Permits were issued earlier this year for 2 signs at this location, (1 wall sign and 1 pylon sign).

Staff Recommendation:

- 1) Though 2 free-standing signs would be allowed because the parcel fronts 2 public roads, the applicant has elected to forgo a 2nd highway sign for one additional wall sign.
- 2) The proposed 2nd wall sign will be located above the main customer entrance and is intended to direct appropriate traffic from the parking areas.
- 3) Currently there is no commercial signage visible from Clinkscates Road, despite an entrance to the parking area from this direction. A 2nd wall sign would improve identification of the business from this approach.

PAID
#20-2694



Variance Application

There is a Variance Application Fee of \$200.00

9-25-2020
Date of Application Completion

Application Status (Approved or Denied)

Applicant's Information

Name: St. Clair Signs
Mailing Address: 1334 Miller Rd Greenville, SC 29607
Telephone and Fax: 864-244-0040 E-Mail: donna@stclairsigns.com

Owner's Information (If Different from Applicant)

Name: Upstate DG Belton, LLC
Mailing Address: 514 NE Main St Simpsonville, SC 29681
Telephone and Fax: 864-963-8300 E-Mail: ron.phillips49@yahoo.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.

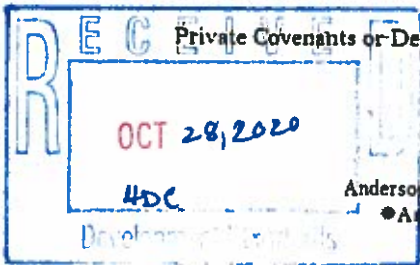
[Signature]
Owner's Signature

09/16/2020
Date

Project Information

Property Location: 2425 Hwy 252
Parcel Number(s)/TMS: 02540014092 - 003
County Council District: 3 School District: Anderson School District Two
Total Acreage: 4.73 Current Zoning: Not zoned
Requested Variance: Sign Variance
Please indicate if setback variance, sign variance or minimum lot size variance.
Purpose of Variance: To be allowed to have a 2nd sign on the building

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



If you indicated no, your signature is required.

Donna Zielinski
Applicant's Signature

9-16-20
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:

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

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

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:

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

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.

Donna Zielinski
Applicant's Signature

Date

For Office Use Only:

Application Received By: HDC Date Complete Application Received: 10-29-2020

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

Scheduled Advisory Hearing Date: _____ Scheduled Board Hearing Date: 11-23-2020

Staff Recommendation: _____ Advisory Recommendation: _____

Land Use/Board of Zoning Appeals' Decision: _____

DOLLAR GENERAL

DOLLAR GENERAL CORPORATION
100 MISSION RIDGE / GOODLETTSVILLE, TENNESSEE 37072-2170
PHONE 615-855-4641
FAX 615-855-4706
E-Mail kagarmon@dollargeneral.com

September 16, 2020

Anderson County Public Works Division
Development Standards – Attn: Alesia Hunter
401 East River St.
Anderson, SC 29624

Re: Dollar General Store #21421
2425 Highway 52
Belton, SC 29627

Dear Ms. Hunter:

We opened a new Dollar General store in Belton on August 13, 2020. At that time, we were advised that we were only allowed a single building sign and that it had to be installed on a wall facing a street. That single building sign, along with a 5' x 10' pylon sign, is all the signage we were allowed to install.

Our issue is that we had to install the building sign on the side of the building (facing Hwy. 252) instead of on the front of the building (over our entrance doors) as the front wall does not face a street (faces the side of Clinkscapes Garage). Our pylon sign is also installed on Hwy. 252. While drivers on the Hwy. 252 side of the building have good visibility of our signs, no one on Clinkscapes Road has any indication that a Dollar General store is there even though there is an entrance into the lot from that road.

With increased customer awareness sales will increase and when sales are increased, tax dollars to the City of Belton are increased. We want to be a good community partner and need your help in doing so by granting us a variance for a second building sign that would be installed on the front wall of our building. We appreciate your consideration to our request and look forward to hearing from you soon. Thank you.

Sincerely,

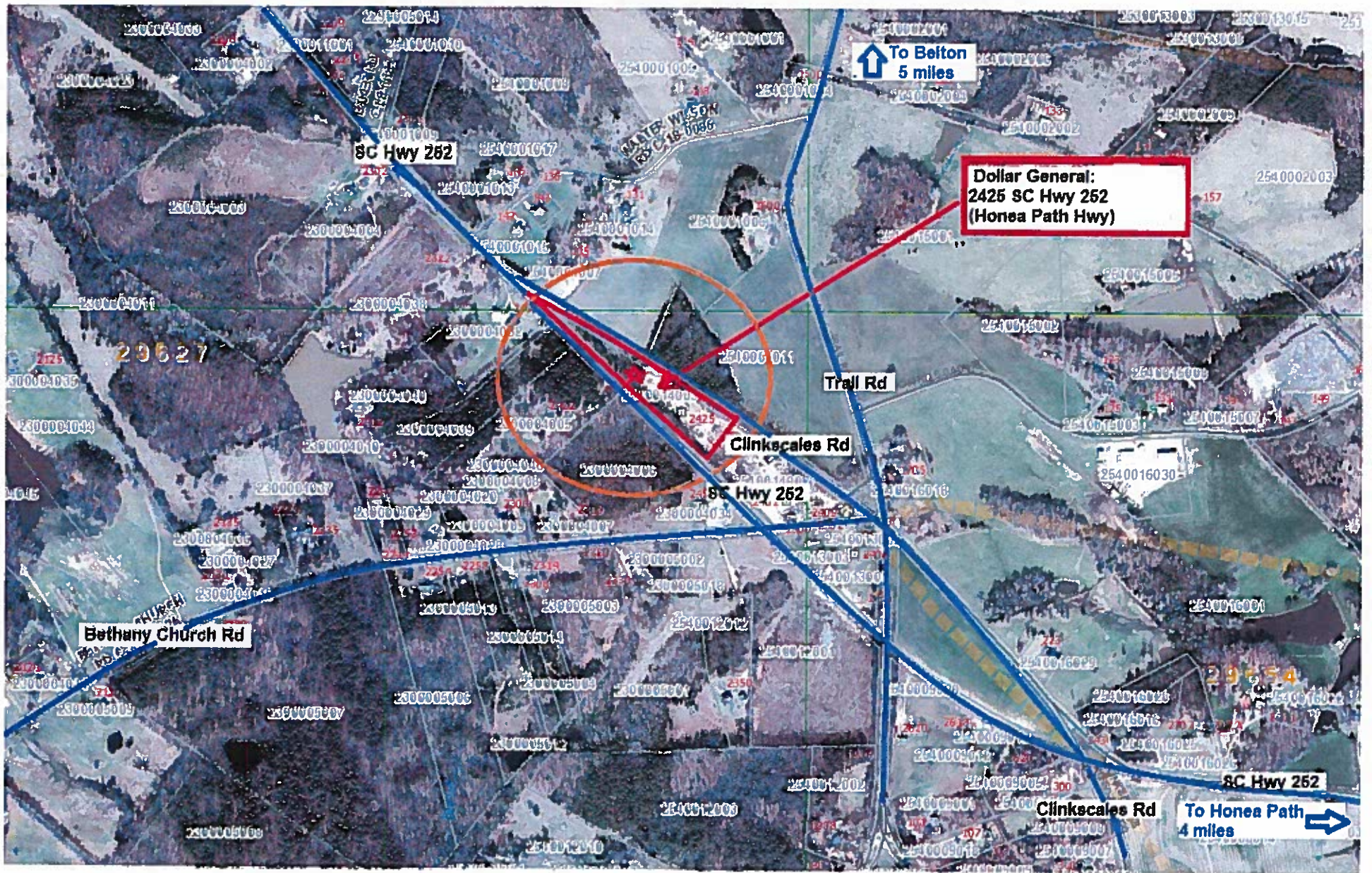
DOLLAR GENERAL CORPORATION

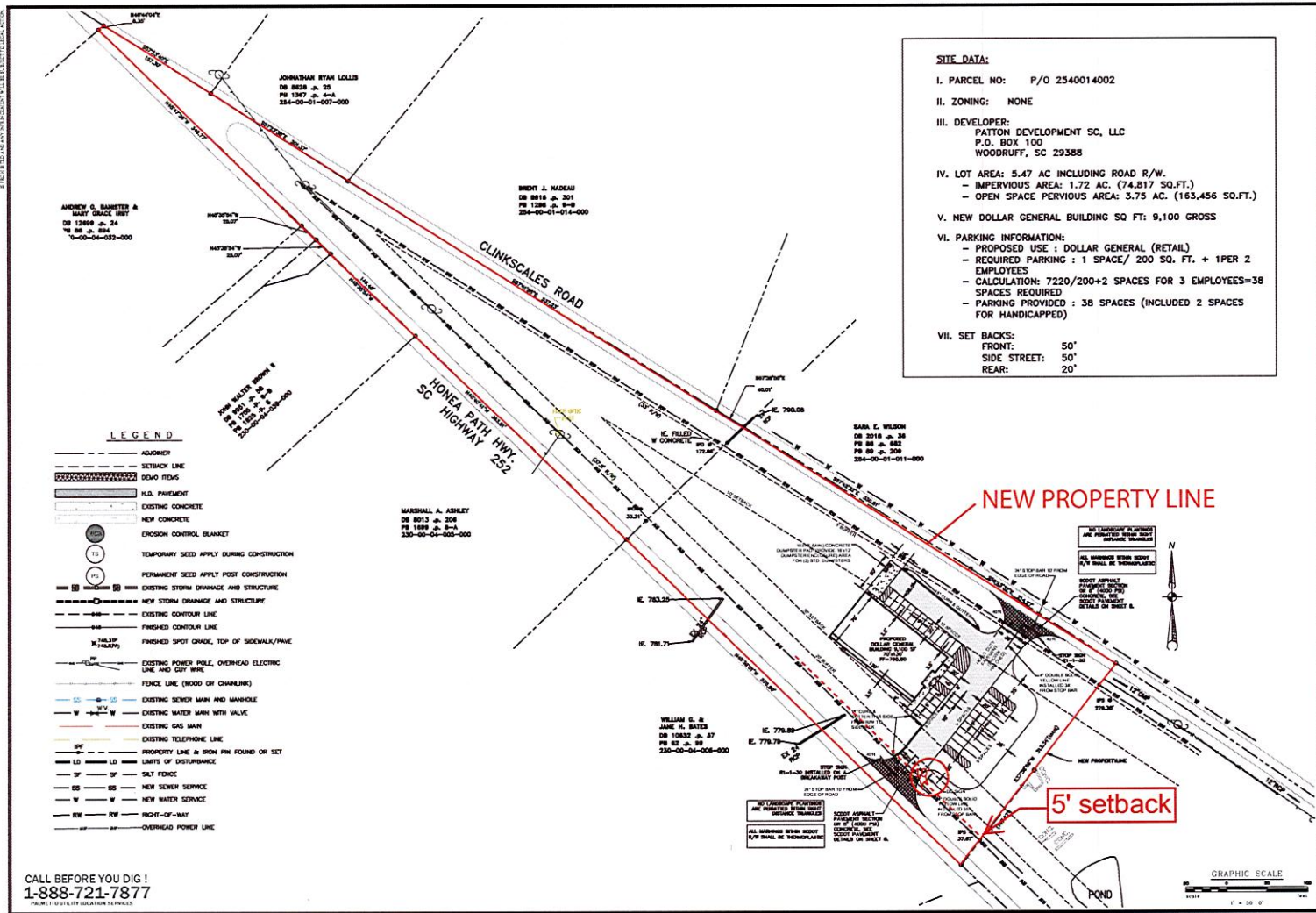


Kathy Garmon
Exterior Sign Buyer

/kg

Save time. Save money. Every day!





SITE DATA:

I. PARCEL NO: P/O 2540014002

II. ZONING: NONE

III. DEVELOPER: PATTON DEVELOPMENT SC, LLC
P.O. BOX 100
WOODRUFF, SC 29388

IV. LOT AREA: 5.47 AC INCLUDING ROAD R/W.
- IMPERVIOUS AREA: 1.72 AC. (74,817 SQ.FT.)
- OPEN SPACE PERVIOUS AREA: 3.75 AC. (163,456 SQ.FT.)

V. NEW DOLLAR GENERAL BUILDING SQ FT: 9,100 GROSS

VI. PARKING INFORMATION:
- PROPOSED USE : DOLLAR GENERAL (RETAIL)
- REQUIRED PARKING : 1 SPACE/ 200 SQ. FT. + 1PER 2 EMPLOYEES
- CALCULATION: 7220/200+2 SPACES FOR 3 EMPLOYEES=38 SPACES REQUIRED
- PARKING PROVIDED : 38 SPACES (INCLUDED 2 SPACES FOR HANDICAPPED)

VII. SET BACKS:
FRONT: 50'
SIDE STREET: 50'
REAR: 20'

KB SELLARS ENGINEERING & PLANNERS
REGISTERED PROFESSIONAL ENGINEER
P.O. BOX 100
WOODRUFF, SC 29388
TEL: 803-785-1111
WWW.KBSELLARS.COM

DOLLAR GENERAL
BELTON DOLLAR GENERAL 21421

SITE PLAN

SHEET NO 3 OF 9
PROJECT NO 15-703



DISCLAIMER: Renderings are for graphic purposes only and not intended for actual construction dimensions. For windload requirements, actual dimensions and mounting detail, please refer to engineering specifications and install drawings. These drawings and designs are the exclusive property of Everbrite LLC Use of, or duplication in any manner without express written permission of Everbrite LLC is prohibited.

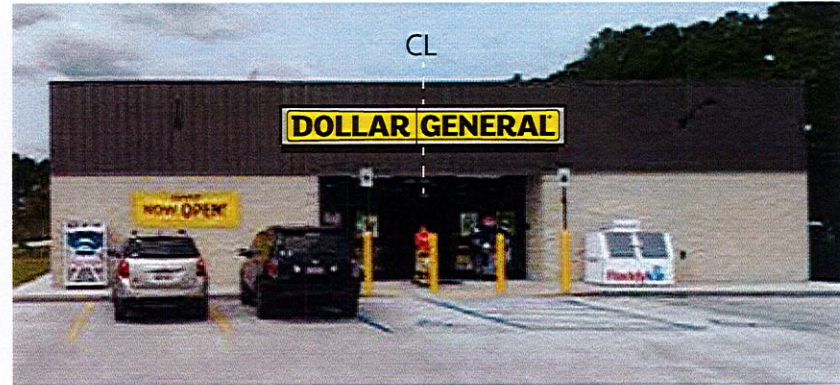
Customer: Dollar General	
Project No: 430518	Scale: NTS
Date: 5/13/20	Drawn By: DB
Location & Site No: 2425 Hwy 252 Belton, SC	DG21421

Description: Site Plan	
Revised:	
Revised:	

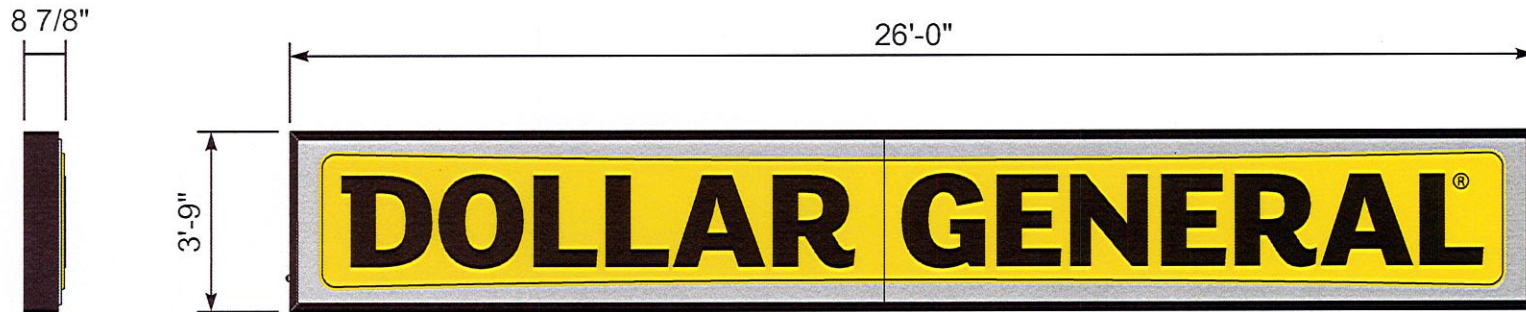
Customer Approval: NOTE: Unless specified by customer, all depth of embossing will be determined by Everbrite Engineering or existing customer specifications on file. Colors and graphics on file will be used unless otherwise specified by customer.	
Please read carefully, check appropriate box and fax back to Everbrite:	<input type="checkbox"/> Sketch OK as is <input type="checkbox"/> New sketch required
SIGNATURE	DATE



BEFORE



AFTER

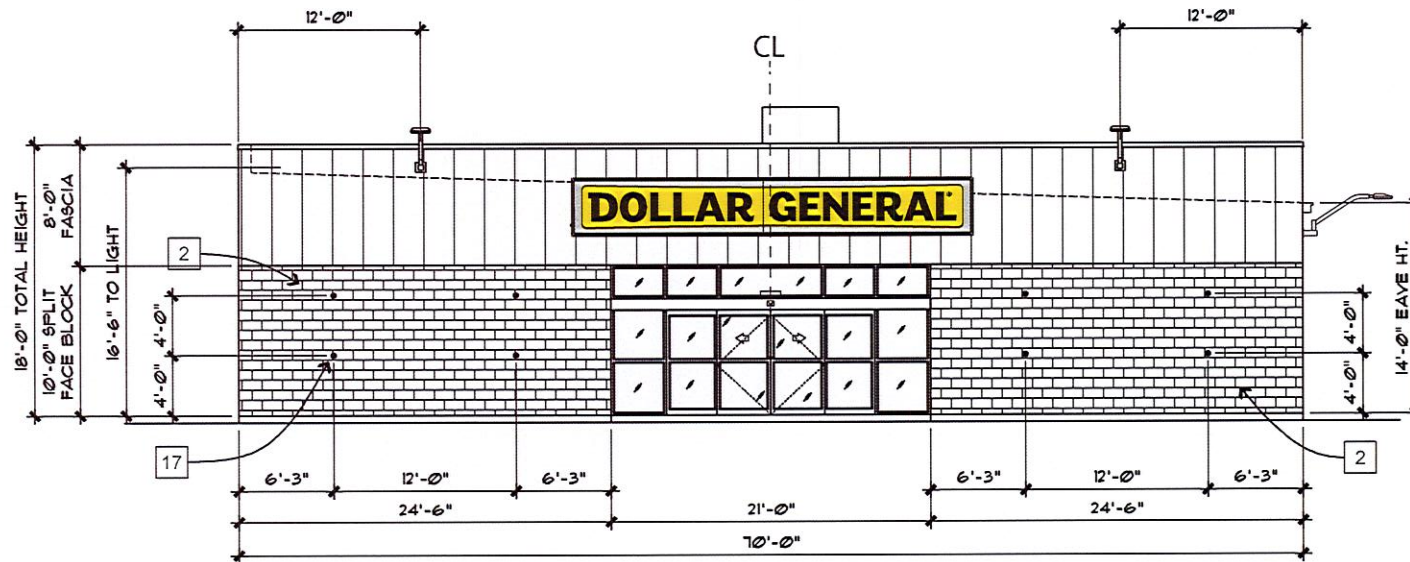


3'-9" x 26'-0" WALL CABINET

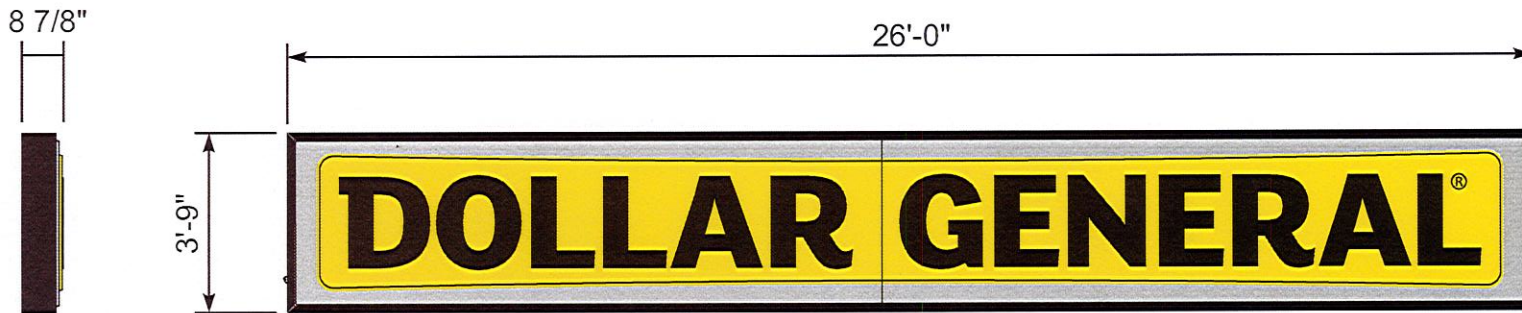


DISCLAIMER: Renderings are for graphic purposes only and not intended for actual construction dimensions. For windload requirements, actual dimensions and mounting detail, please refer to engineering specifications and install drawings. These drawings and designs are the exclusive property of Everbrite LLC Use of, or duplication in any manner without express written permission of Everbrite LLC is prohibited.


Customer: Dollar General		Description: 3' - 9" x 26' Wall Sign	Customer Approval: NOTE: Unless specified by customer, all depth of embossing will be determined by Everbrite Engineering or existing customer specifications on file. Colors and graphics on file will be used unless otherwise specified by customer. Please read carefully, check appropriate box and fax back to Everbrite:
Project No: 436769	Scale: NTS		
Date: 9/24/20	Drawn By: DB	Revised:	<input type="checkbox"/> New sketch required
Location & Site No: 2425 Hwy 252 Belton, SC		Revised:	SIGNATURE _____ DATE _____
DG21421-1			



FRONT ELEVATION



3'-9" x 26'-0" WALL CABINET

		<p>DISCLAIMER: Renderings are for graphic purposes only and not intended for actual construction dimensions. For windload requirements, actual dimensions and mounting detail, please refer to engineering specifications and install drawings. These drawings and designs are the exclusive property of Everbrite LLC Use of, or duplication in any manner without express written permission of Everbrite LLC is prohibited.</p>	
Customer: Dollar General		Description: 3' - 9" x 26' Wall Sign	
Project No: 436769	Scale: NTS	Customer Approval: NOTE: Unless specified by customer, all depth of embossing will be determined by Everbrite Engineering or existing customer specifications on file. Colors and graphics on file will be used unless otherwise specified by customer.	
Date: 9/24/20	Drawn By: DB		
Location & Site No: 2425 Hwy 252 Belton, SC		Revised:	Please read carefully, check appropriate box and fax back to Everbrite: <input type="checkbox"/> Sketch OK as is <input type="checkbox"/> New sketch required
DG21421-1		Revised:	
		SIGNATURE _____	DATE _____











Staff Report

Application for a **Variance** – To allow 3 additional wall signs
Anderson County Land Use Board of Zoning Appeals Meeting - District 6
Civic Center, 3027 Martin Luther King Jr Blvd.
Anderson, SC 29625
Monday, November 23, 2020
5:30 PM

Applicant: D-1 Training & Bon Secours/St Francis Therapy Center (*contact: Brad Johnson*)

Owner of Property: JJSC Enterprises, LLC

Property Location: 100 Powers Blvd, Piedmont, SC 29673

Council District: Six (6)

Tax Map Number (TMS #): 236-00-11-019

Property Description: This is a highway commercial site, located at the intersection of SC Hwy 153. Described as a corner lot with direct access only from Powers Blvd and Wellington Lane. The property is elevated by as much as 30 feet above Hwy 153 and does not offer highway or pedestrian access from this direction.

Current Zoning: The property is not zoned.

Land Use: The 1.70 acre site is improved with a large professional office building and related parking. The building is currently occupied by 2 sports/medical therapy businesses. The primary occupant has been at this location for several years under the name **Velocity** which has since become **D1 Training. Bon Secours/St. Francis Therapy Center** occupies the remaining space.

Applicant Request: To place 4 wall signs on an existing professional office building. Two wall signs, one for each of the 2 business occupants, will face Hwy 153. A similar pair of signs is proposed for the Powers Blvd façade.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 38, Section 38-255. – Regarding permanent business identification signs attached to buildings (wall signs): Allowable area, where a freestanding business identification sign also exists, one permanent business identification sign containing not more than one square foot of total signage area per lineal foot of principal building frontage may be placed on the building. The number of wall signs is also limited to one projecting sign allowed per building frontage.

Existing signs: One large permanent wall sign has been associated with this building since before 2008. This large sign on the Hwy 153 elevation is to be replaced by two of the proposed smaller wall signs.

Staff Recommendation:

- 1) The corner lot has limited visibility from Hwy 153 due to several site related obstructions, including an embankment height of nearly 30 feet above this highway preventing direct access from a major traffic artery.
- 2) Direct highway access to the property is available only from a secondary side street (Powers Blvd) which will depend on having additional signage on that elevation for adequate building identification.
- 3) The applicant intends to install a free-standing sign at this location in the future. Total size for the wall signs on each façade will be limited accordingly.



Variance Application

There is a Variance Application Fee of \$200.00

Date of Application Completion _____

Application Status (Approved or Denied) _____

Applicant's Information

Name: Brad Johnson

Mailing Address: 313 S Severn Circle

Telephone and Fax: 864-230-1884

E-Mail: brad@bradjohnson-ccim.net

Owner's Information

(If Different from Applicant)

Name: JJSC Enterprises, LLC

Mailing Address: 602 Ranger Lane, Longboat Key, FL 34228-3726

Telephone and Fax: 917-951-3968

E-Mail: scelfo_john@yahoo.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.

Owner's Signature _____

Date _____

10/22/20

Project Information

Property Location: 100 Powers Blvd, Piedmont, SC 29673

Parcel Number(s)/TMS: 2360011019

County Council District: 6

School District: 1

Total Acreage: 1.7

Current Zoning: NONE

Requested Variance: Second signage position building facing Powers Blvd. as reflected on page 14

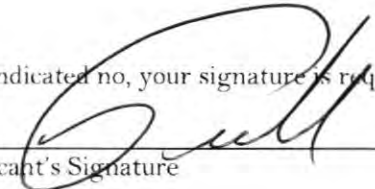
Please indicate if setback variance, sign variance or minimum lot size variance.

Purpose of Variance: Signage for Tenant Awareness and Exposure

Private Covenants or Deed Restrictions on the Property: Yes _____

No N/A

If you indicated no, your signature is required.


Applicant's Signature

10/22/20
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:

Building is situated on corner lot approximately 30' above Hwy 153 and Powers Blvd intersection, thus restricting public awareness.

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

This property is elevated some 30' or so above the main traffic corridor. The building provides a unique opportunity for additional signage because of elevation and structure size

Application of the ordinance to the particular piece of property would effectively prohibit or unreasonable restrict the utilization of the property as follows: _____

Being the property elevated above Hwy 153, the building is not in the normal line of sight, therefore consideration of this variance request will promote tenant identification

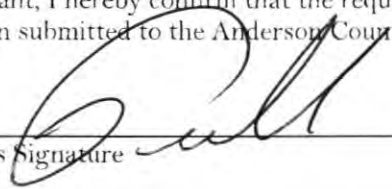
Authorization of variance will not be of substantial detriment to adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance for the following reasons:

There will be no detrimental affect to the property or surrounding properties. It promotes public awareness and better tenant identification

The following documents are submitted in support of this application: (Please attach copies of all additional information to this application.) Site plan, Photo of Building and surrounding area

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.


Applicant's Signature

10/22/20
Date

For Office Use Only:

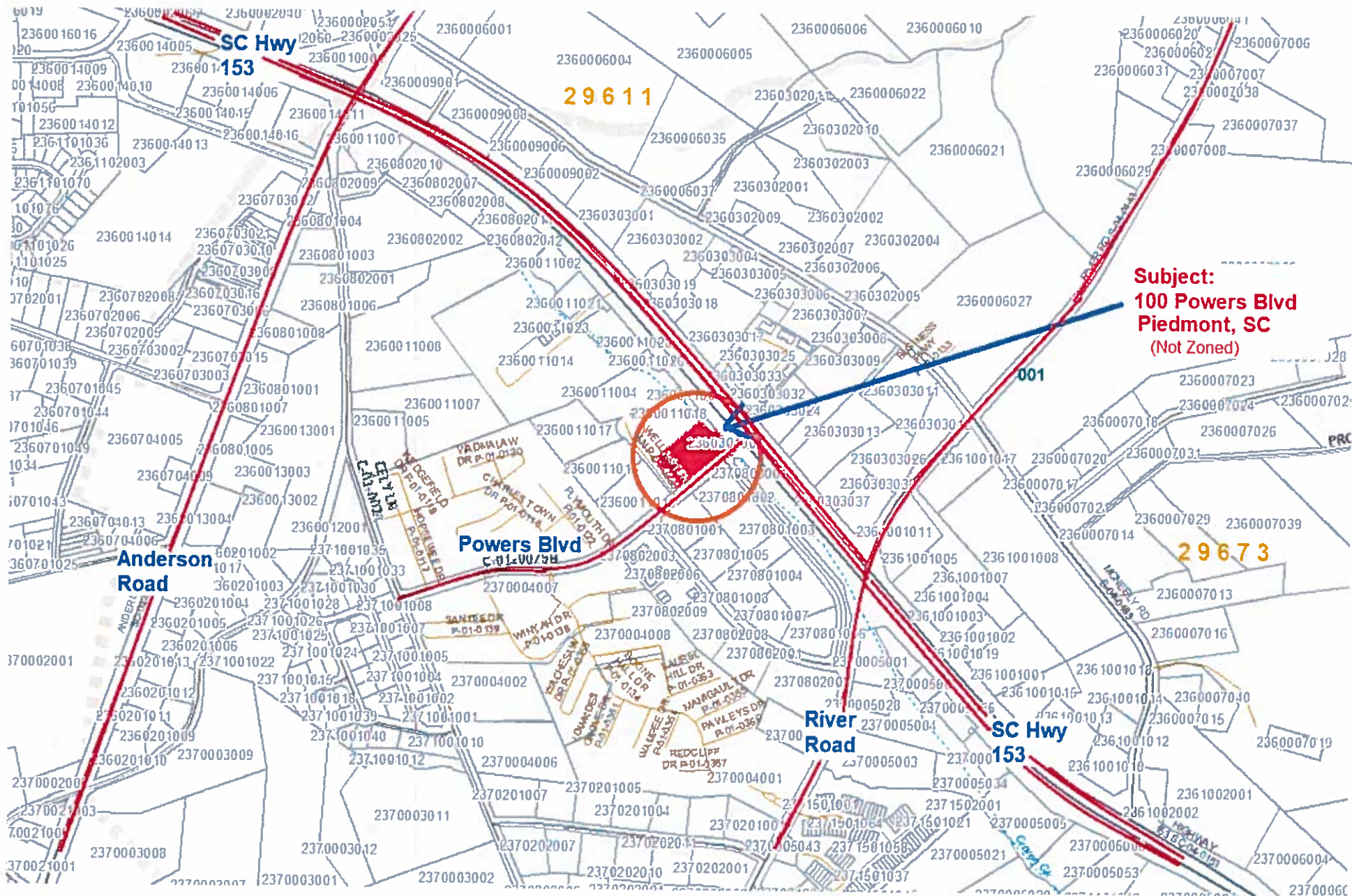
Application Received By: _____ Date Complete Application Received: _____

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: _____



SC Hwy 153

29611

**Subject:
100 Powers Blvd
Piedmont, SC
(Not Zoned)**

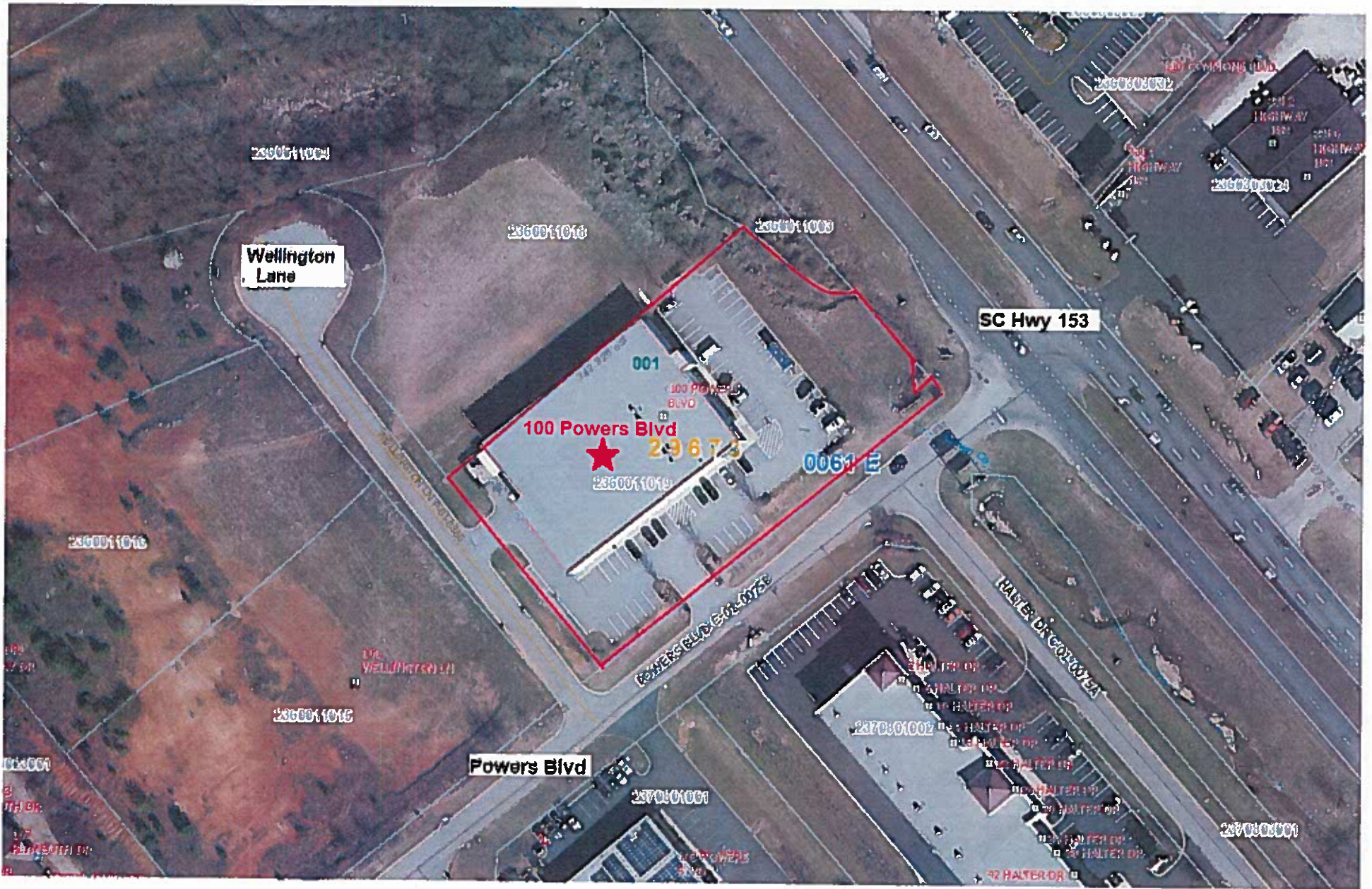
Anderson Road

**Powers Blvd
C-01-VU/24**

29673

River Road

SC Hwy 153



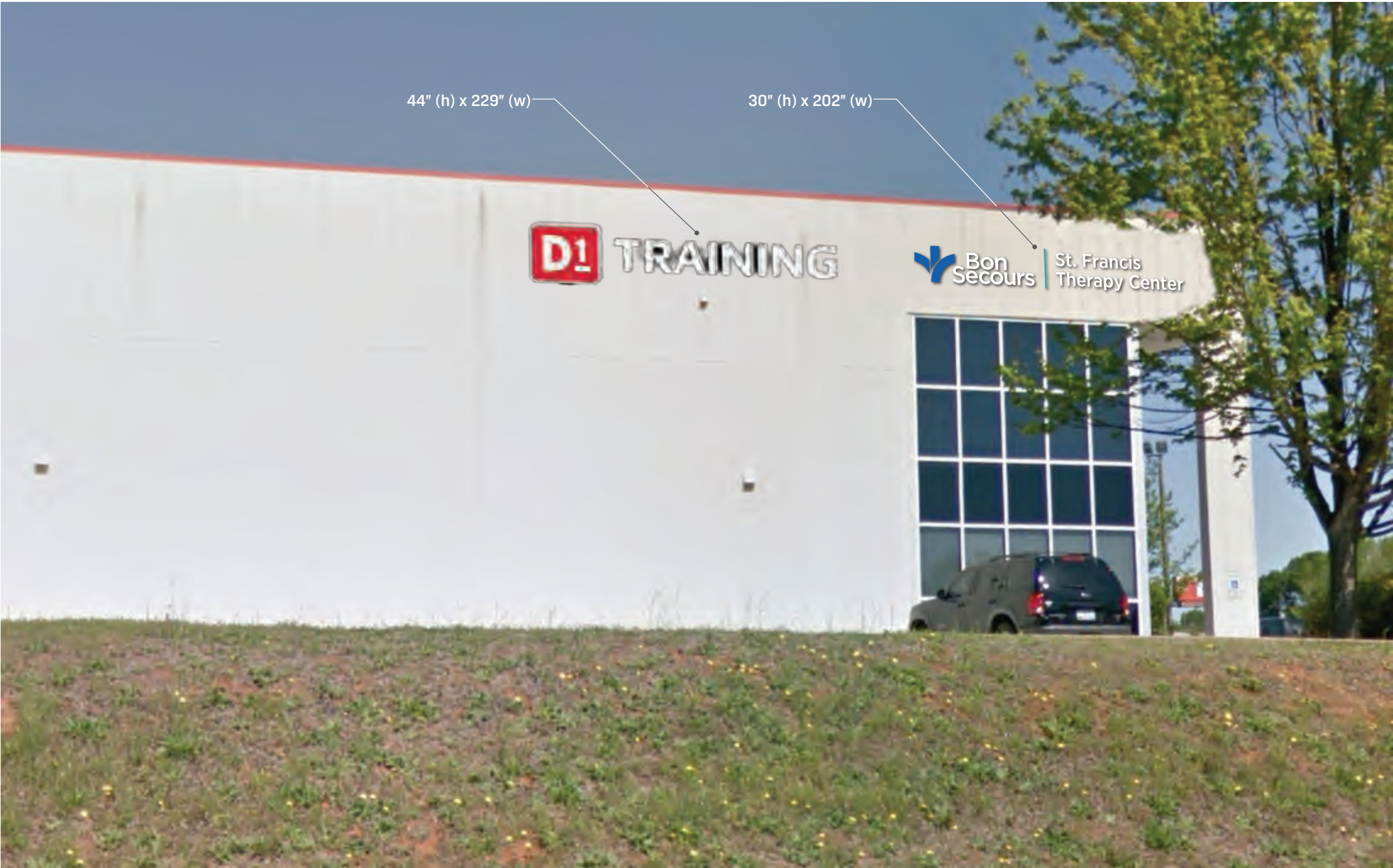






April 2019 - Google Maps

← SC Hwy 153 →



44" (h) x 229" (w)

30" (h) x 202" (w)

D! TRAINING

Bon Secours | St. Francis Therapy Center

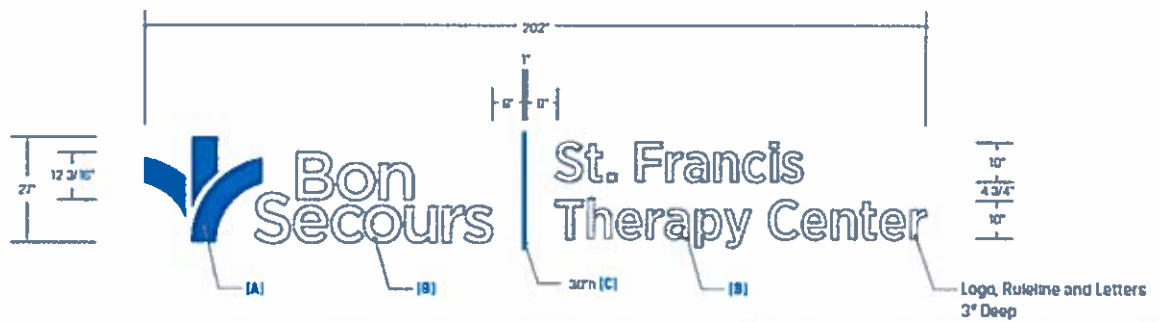
Signage Scaled up by 50%



**Detailed Sample of Logo & Letters for 2 Sets of Paired Wall Signs
Paired Signs to Face Hwy 153 and Powers Blvd.**



Logo & Letters for Hwy 153 Face



Logo & Letters For Powers Blvd. Face

100 Powers Blvd, Piedmont, SC