



MEMORANDUM

ANDERSON COUNTY DEVELOPMENT STANDARDS

DATE: September 2, 2021

TO: Board of Zoning Appeals Members

FROM: Brittany McAbee

SUBJECT: September 9, 2021 Meeting

The Anderson County Land Use and Zoning Board of Appeals is scheduled to hold its next meeting on Thursday, September 9, 2021 at 5:15 PM at the Historic Courthouse, 101 South Main Street, Anderson, SC 29624.

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

John Wright, Jr.
Council District 1

Ray Graham
Council District 3

Cindy Wilson
Council District 7

ANDERSON COUNTY
SOUTH CAROLINA

Brett Sanders
V. Chairman, District 4

Glenn Davis
Council District 2

Jimmy Davis
Council District 6

Lacey Croegaert
Clerk to Council

Rusty Burns | County Administrator
rburns@andersoncountysc.org

Anderson County Board of Zoning Appeals

Hubert McClure, Chair, District #5
John Farr, District #1
Vacant, District #4
Dan Harvell, District #7

Mike Miller, Vice-Chair, District #2
Allen Ashley, District #3
Brad Swillen, District #6

AGENDA

Thursday, September 9, 2021

5:15 PM

Historic Courthouse
101 South Main Street
Anderson, South Carolina

- 1.) Call to Order: Mr. Hubert McClure, Chairman
- 2.) Invocation: Mr. Hubert McClure
- 3.) Approval of Minutes: Meeting held on June 9, 2021 & July 8, 2021
- 4.) Public Hearing:
 - (A) Variance application- request to allow front setback reduction to accommodate a carport, located at 625 George Albert Lake Rd., Anderson [Council District 2]
 - (B) Variance application- request to allow rear setback reduction, located at 131 Preamble Ct., Anderson, SC [Council District 4]
- 5.) Old Business:
- 6.) New Business:
 - (A) Continuing Education Training
- 7.) Adjournment.

STATE OF SOUTH CAROLINA)
COUNTY OF ANDERSON)

ANDERSON COUNTY
LAND USE AND BOARD OF ZONING APPEALS
JUNE 10, 2021

PRESENT:

HUBERT MCCLURE, CHAIRMAN
ALLEN ASHLEY
DAN HARVELL
JOHN FARR

ALSO PRESENT:
ALESIA HUNTER
BRITTANY MCABEE
TIM CARTEE
HENRY COPELAND
HOPE WARREN

1 HUBERT MCCLURE: Everybody ready on
2 staff? All right. We'll go ahead and call this
3 meeting to order. And we will go ahead and have the
4 invocation and then we will start the business meeting.

5 Let us pray.

6 **INVOCATION BY HUBERT MCCLURE**

7 HUBERT MCCLURE: First thing is the
8 minutes. Y'all read the minutes. Anything needing to
9 be edited or added or subtracted from the minutes?

10 JOHN FARR: I move we approve.

11 HUBERT MCCLURE: Moved by Mr. Farr.

12 Second?

13 ALLEN ASHLEY: Second.

14 HUBERT MCCLURE: Second by Mr.

15 Ashley. All those in favor show by the uplifted hand.
16 And that passes.

17 All right. Staff report. First public hearing is
18 variance on Townville Point (A) Variance application-
19 request to allow for lots at Townville Point (Water's
20 Edge). Staff report.

21 TIM CARTEE: Thank you, Mr.
22 Chairman. This is a variance for Townville Point.
23 Tony Cirelli is the applicant. Townville Point, LLC is
24 the property owner.

25 It's located on Bay Ridge Drive in Townville in
26 District 4. It's 2.3 acres. And the property is
27 currently unzoned. And Townville Point Water's Edge
28 was approved June 13, 2000 for thirty-one single-family
29 lots and twenty-two camper spaces. And one lot as
30 shown on preliminary plat for construction of mini
31 chalets along the lake front.

32 The requested variance is to combine spaces C-2
33 through C-9 and make four lots. Under Chapter 38, the
34 following minimum dimensions apply for lots with access
35 to public water and septic and the minimum area is
36 twenty-five thousand square feet for a single-family
37 lot in an unzoned area.

38 The current final plat does not allow for the sale
39 of individual cabins. The houses were already built
40 there, the chalets, which was approved by the Planning
41 Commission as part of this development. But now the
42 developer wishes to set up renting. He would like to
43 change these just two lots. And the remaining acreage
44 on that will stay the same as it is.

45 If you'll see the current plat the way it is, you
46 can see the little smaller spaces up close to where the
47 boat dock -- on the left side. And then here's a plat
48 showing what exactly they would like to combine these
49 together to make it four lots. And this is an aerial
50 overview and you can see the chalets that are already

1 there.

2 Staff recommends approval of the variance request
3 for the following reasons: As I said earlier, the
4 owner wishes to sell C-2 through C-9. Instead of
5 renting the spaces he would like to sell these as lots.
6 This would not impact the subdivision with these
7 additional lots since the mini chalets are already
8 built and they were there since the 2000s. The use
9 will not and does not violate neighborhood character
10 nor adversely affect surrounding land use and the use
11 is not detrimental to the public health and general
12 welfare.

13 That's all I have, Mr. Chairman.

14 HUBERT MCCLURE: Okay. Staff report
15 is concluded. At this time we'll open up the public
16 hearing. And we usually ask for those speaking
17 against, because we know that the people speaking for
18 are for it. So we just want to speak for those
19 against. Is anyone speaking against Townville Point?
20 Okay. No one is speaking against, so we'll reserve
21 questions and comments for staff and Mr. Cirelli and
22 Townville Point people. Any questions for staff from
23 the board at this time? Any questions for Mr. Cirelli
24 since he's the only one here sneaking for. There's
25 nobody sneaking against.

26 All right. What's the feeling of the board?

27 DAN HARVELL: Motion to approve.

28 HUBERT MCCLURE: Motion to approve.

29 ALLEN ASHLEY: Second.

30 HUBERT MCCLURE: Second by Mr.

31 Ashley. All those in favor? And that passes.

32 Okay. Next is Stanley Martin Company. Staff
33 report.

34 BRITTANY MCABEE: Thank you, Mr.
35 Chairman. The applicant and owner of the property is
36 Stanley Martin Homes. It's located at 319 Village
37 Boundary in Anderson. This is in the Northmede
38 Subdivision. This is located in Council District 4 and
39 the tax map number is there for your viewing.

40 The property is Lot 10 in Northmede. It's
41 approximately four thousand square feet. It was eight
42 thousand square combined with the duplex. The current
43 zoning is RM-1 which is mixed residential use. The
44 land use is a vacant duplex lot and the intention is to
45 reduce the front setback to allow construction of a
46 duplex.

47 Findings of fact is according to Anderson Code of
48 Ordinance under Chapter 70, non-single-family detached
49 dwellings or duplexes, in this case, shall not be
50 located closer than thirty feet on a residential

1 service street. Village Boundary is a residential
2 street. The current condition is, of course, a vacant
3 lot in Northmede Subdivision.

4 This is a proposed layout of how the duplex is.
5 That upper corner there is encroaching a little bit
6 into a previous variance requested setback. Next
7 slide. That's the aerial showing the development as a
8 whole. That is the zoning map.

9 Staff recommends approval of the variance request
10 for the following reasons: In 2004 the board did grant
11 a variance to Lots 6, 10, 11 and 22 to reduce the front
12 yard setback to fifteen feet. The same conditions and
13 hardships apply to this property now. The property is
14 located on an unusual road curvature so it curves and
15 takes up a good bit of the property. The roads are
16 private and serve the residents of the development
17 only. As such, the proposed addition will not cause
18 detriment to other properties. If approved, the
19 applicant will be required to obtain a residential
20 compliance letter from Development Standards and
21 building permit from Building and Codes.

22 This concludes the staff report.

23 HUBERT MCCLURE: Okay. I don't see
24 anybody -- I don't see this page on here. Village
25 Boundary, oh, there we go. Okay. Where exactly is
26 this? Because I don't see a major intersection.
27 Whereabouts is this?

28 BRITTANY MCABEE: It's near Hanna
29 High School. It's -- I believe Dunlap is the -- by
30 Scenic Road. That area.

31 HUBERT MCCLURE: Okay. All right.
32 So at this time we conclude the staff report. If
33 there's anybody here speaking against, we'll open up
34 the public hearing. Anyone speaking against? I think
35 we have Mr. Gray here, and I would assume he is
36 speaking for. Mr. Gray? Okay. We'll reserve
37 questions. We'll close the public hearing and reserve
38 our questions for staff, as well as Mr. Gray. What's
39 the feeling of the board if you do not have any
40 questions or comments?

41 ALLEN ASHLEY: Move to approve.

42 HUBERT MCCLURE: Mr. Ashley makes a
43 motion to accept. Do we have a second?

44 JOHN FARR: Second.

45 HUBERT MCCLURE: Second by Mr. Farr.
46 All in favor? And everybody raised their hand.

47 Okay. Next is 7-Eleven on Highway 81. Staff's
48 report.

49 HENRY COPELAND: Mr. Chairman, items
50 (c), (d) and (e) are all going to be related to signs.

1 Item (c) is a 7-Eleven Exxon located on Highway 181
2 (verbatim) at the I-85 intersection. The applicant,
3 St. Clair Signs, is -- has representatives here that
4 will be available to answer any questions.

5 This is located in Council 4. It does -- Council
6 District 4. It does contain three parcels where part
7 of the third parcel, the description is an assemblage
8 of all or part of the three parcels containing
9 approximately five acres. It's adjacent to I-85
10 Southbound on Exit 27 off ramp, and it's intersection
11 with Highway 81 North.

12 It's not zoned. The land use is fully occupied by
13 a newly constructed convenience store fuel station and
14 quick service restaurant. All three nationally branded
15 as 7-Eleven Exxon and Roost Restaurant.

16 The applicant's request is to allow placement of
17 five additional wall signs; one for a restaurant and
18 four for gas and diesel island canopies relating to the
19 new 7-Eleven Exxon Convenience Store and Roost
20 Restaurant.

21 The findings of facts under the appropriate
22 chapter in the county code relating to permanent --
23 permitted signs where a freestanding business
24 identification sign exists, one permanent business
25 identification sign containing not more than one square
26 foot per total signage area per linear foot of the
27 principal building frontage may be placed on the
28 building. The number of wall signs is also limited to
29 one projecting sign allowed per building frontage.

30 On the next slides you'll see this is a site plan
31 overview at the -- with the intersection facing on the
32 left side of the screen is Highway 181 -- excuse me --
33 Highway 81. The next is the front and side elevations
34 of the convenience store showing the signage. If
35 you'll notice, the 7-Eleven sign and the first Roost
36 sign with the yellow comments immediately above it have
37 already been permitted. They're looking for an
38 additional Roost sign that will be facing the I-85 off-
39 ramp.

40 The next is the Roost sign in detail. The next is
41 the gas canopy where there will be three Exxon logos
42 located on the canopy. The next is the diesel canopy
43 with one Exxon diesel sign placed. And then this is
44 the location map and aerial overview showing the major
45 intersection of 81 and I-85.

46 And finally, the zoning map. This area, as I
47 said, is unzoned. I've highlighted the property in
48 relation to the others on the tax map.

49 The staff recommends approval of the variance
50 request for the following reasons: The convenience

1 stores and fuel stops located in high traffic areas
2 with multiple access points require clearly marked
3 signage to direct traffic around multiple customer
4 service points, including self-service fuel islands and
5 walk-in retail businesses. The 7-Eleven Convenience
6 Store and Roost Restaurant are separate businesses
7 operating within the same building. As per code, each
8 business has been approved for a single wall sign on
9 the front elevation where a primary entrance is shared.

10 The Roost sign proposed for the side elevation
11 facing I-85 off-ramp is intended to alleviate
12 confusion. The traffic transition is from the
13 interstate highway. I've given some description on
14 that. The use of the uniform gas canopy signage as
15 proposed is part of an effort to establish a consistent
16 and coordinated commercial image while reducing visual
17 clutter. The request is in line with the spirit and
18 intent of the ordinance to grant a variance where a
19 hardship exists. The board has granted other variances
20 similar to this request and it would be consistent with
21 its approval.

22 I might also point out that similar requests have
23 come forward with another 7-Eleven and other gas
24 stations in the immediate area. So I think this,
25 again, underscores how the board's actions would be
26 consistent with that.

27 This concludes the report. Staff will be
28 available to answer any questions.

29 HUBERT MCCLURE: Okay. Thank you,
30 Henry. Thank you, staff. Am I safe to say that we can
31 vote on through these three together or separately?
32 Because you're kind of presenting them together.

33 HENRY COPELAND: Well, we placed
34 them together in succession, but not for that purpose.
35 Each is unique and different and I think the board
36 would rather look at ---

37 HUBERT MCCLURE: Okay.

38 HENRY COPELAND: I know the next
39 one, in particular, since it relates to something the
40 board has taken ---

41 HUBERT MCCLURE: Okay. So on the
42 81, which is (c) I would assume, we have a Kayla Kelly,
43 I guess speaking for. Do we have anybody speaking
44 against? Are you speaking for or against?

45 KAYLA KELLY: For.

46 HUBERT MCCLURE: For. So that kind
47 of narrows it down since nobody else is here. I guess
48 nobody else is speaking against. I think she's here
49 for. So we'll close the public hearing and reserve
50 questions for Ms. Kelly or staff at this time. What's

1 the feeling of the board if they don't have any
2 questions or concerns?

3 DAN HARVELL: Motion to approve.
4 HUBERT MCCLURE: Motion to approve.
5 JOHN FARR: Second.
6 HUBERT MCCLURE: Second by Mr. Farr.
7 All in favor. And it passes.

8 KAYLA KELLY: Thank you.
9 HUBERT MCCLURE: You didn't have to
10 ask any questions.
11 Next.

12 HENRY COPELAND: Mr. Chairman, on
13 item (d), this is Good 2 Go Auto Sales of Anderson.
14 This is located at the 162 East Shockley Ferry Road.
15 This is a former bank building, branch bank building,
16 in the out parcel of the Watson Village Shopping
17 Center. The owner applicant Good 2 Go represented by
18 Leroy Dyer and Sons signs. They, I believe, may have a
19 representative here. This is in Council District 2.
20 Tax map number is given. The property description is a
21 highway commercial out parcel. As I mentioned in the
22 Watson Village retail center. It contains about half
23 an acre with two hundred feet of frontage located along
24 the south side of East Shockley Ferry Road. This not a
25 corner lot. The property is not zoned. Land use, the
26 property was originally developed, as I mentioned, as a
27 branch bank building. It has adequate off-street
28 parking. The building has since been subdivided for
29 general commercial use by one or two business tenants.
30 The drive-through teller canopy was recently removed to
31 provide for additional on-site parking.

32 The applicant's request is to allow placement of a
33 second freestanding pylon sign on the same street front
34 with two separate freestanding signs, each representing
35 a different business.

36 Findings of facts: Under the appropriate section
37 in the Anderson County Code relating to permitted
38 signs, the size, number, location and height of
39 permanent freestanding business identification signs,
40 highway signs are specifically regulated. Freestanding
41 signs may contain up to one and a half square feet of
42 total area per linear foot of street signage for the
43 developed site or lot or parcel up to three hundred
44 square feet of total area. By the way, this site would
45 qualify for three hundred square feet. Only one
46 freestanding sign is allowed, however, for each
47 developed site. Where a developed site fronts more
48 than one publicly developed dedicated street, one
49 additional freestanding sign is allowed for each
50 street, but shall not be located on the same street

1 front. As I underscored, this has only one street
2 front.

3 The images as you see here is a proposed second
4 highway sign as shown by the applicant looking east.
5 The next one is the same view looking west. The next
6 sign is a -- straight from Google. Shows you what the
7 property looks like now. Or at least this was as of
8 June 2019.

9 The next image I have adjusted it to is a
10 conjecture of what a second freestanding sign might
11 look like in the place that was identified by the
12 applicant.

13 The aerial view shows the out parcel as I
14 described earlier with the adjacent commercial areas.
15 The next map is a location map and aerial view showing
16 the large surrounding commercial areas. And finally
17 the zoning map with the highlighted adjacent traffic
18 lanes.

19 The staff recommends denial of the variance
20 request for the following reasons: Two related
21 businesses occupy the same building. Both businesses
22 have been approved and permitted for separate wall
23 signs in accordance with existing code requirements.
24 With two hundred linear feet of frontage along East
25 Shockley Ferry Road, the site is entitled to one
26 freestanding sign containing up to three hundred square
27 feet. Cash n Go currently uses a freestanding poll
28 sign supporting approximately sixty square feet of sign
29 area. The allowable sign area remaining for the
30 existing freestanding sign is sufficient for panels
31 dedicated to other businesses similar to a shared or
32 common sign used for small retail centers.

33 The applicant proposes to place two freestanding
34 highway signs in the same parcel on the same street
35 front with less than one hundred feet between the two
36 signs. The applicant has not demonstrated the
37 existence of a hardship requiring a remedy. Approval
38 of the applicant's request would not be in line with
39 the spirit and intent of the ordinance, which is to
40 grant a variance where a hardship exists and the board
41 has not approved other variances similar to this
42 request and would be consistent with its disapproval.

43 That concludes the report. And I'm available --
44 staff is available to answer questions.

45 HUBERT MCCLURE: Thank you, Henry
46 and staff. At this time I'll open up for public
47 hearing. Are there anyone here speaking against?
48 Anyone here speaking against Shockley Ferry? I believe
49 we have Mr. Dyer speaking for. We'll reserve all
50 questions for you and staff. Is there any questions --

1 since there is a denial here or request for denial is
2 the recommendation. Is there any questions for staff
3 from the board or Mr. Dyer before we go into any
4 further discussion? Anything?
5 I'll ask Mr. Dyer a question if you could address
6 the microphone. You want to put two signs a hundred
7 feet from each other? Is that what I'm ---
8 LEROY DYER: Yes, sir.
9 HUBERT MCCLURE: I'm very familiar
10 with that intersection. It's confunction junction.
11 LEROY DYER: Yeah.
12 HUBERT MCCLURE: I was just curious.
13 Why do you want to put signs a hundred feet from each
14 other because people do stop at that red light and they
15 see your building. I mean ---
16 LEROY DYER: They see the
17 building and the current sign that's there now. But
18 the business has two entrances; the first entrance
19 being for the cash business and then the second
20 entrance being for the car business. And we would like
21 to place a sign closer to the car business or where the
22 cars will be displayed.
23 HUBERT MCCLURE: Okay. So you're
24 going to have cars on the left side and that's where
25 you want the car sign?
26 LEROY DYER: Yes, sir.
27 HUBERT MCCLURE: Okay. And you want
28 -- okay. That's why I was asking. The reason why I
29 was asking is I know people don't drive very fast right
30 there.
31 LEROY DYER: Right. And they
32 are stopped at the light.
33 HUBERT MCCLURE: Okay. Does anybody
34 else have questions for Mr. Dyer?
35 JOHN FARR: I just wonder why
36 you can't add the sign you want to the pole that's
37 already there.
38 LEROY DYER: We can. We can add
39 the sign. It would be legal for us to permit that.
40 But again, that puts the sign further away from where
41 the cars to be sold are located. And the other
42 entrance.
43 JOHN FARR: I understand.
44 LEROY DYER: The difference
45 being that one is going to be on a separate pole and --
46 one way it'll be on the same pole; one way it'll be on
47 separate poles. But the separation allows for the
48 division of the two businesses.
49 HUBERT MCCLURE: And he's basically
50 saying they're having two businesses and -- I see what

1 he's talking about.

2 DAN HARVELL: What about the
3 possibility of a monument sign for the second sign?
4 Let me ask the staff that?

5 HUBERT MCCLURE: Staff, can that
6 happen?

7 DAN HARVELL: Is there an
8 allowance within code or ordinance for a monument sign
9 there instead of one up on a pole?

10 ALESIA HUNTER: It's still
11 considered a freestanding sign, even though it's a
12 monument sign. It's just a lower sign. It's not
13 sticking up. As Mr. Copeland mentioned, the ordinance
14 does not allow it to be on the same street frontage.

15 DAN HARVELL: Thank you.

16 HUBERT MCCLURE: So the cars are
17 going to be parked over there where the drive-through
18 is; correct?

19 LEROY DYER: Yes, sir, the
20 former bank drive-through.

21 HUBERT MCCLURE: Okay.

22 LEROY DYER: Which has been
23 taken down. So it's a clear asphalt lot.

24 HUBERT MCCLURE: Well, I'm going --
25 Mr. Dyer, I understand exactly what you're doing, and
26 I'm one hundred percent for businesses opening up down
27 there because everything is dead down there. But the
28 problem we have is everybody thinks the west side of
29 Anderson has signs aplenty. And we put up signs left
30 and right, but if this was another part of the town,
31 this wouldn't even be discussed. And that's one of the
32 reasons we're very apprehensive about the signs. And
33 one other key part to me is that I understand what
34 you're doing. Now, you're not going to move the Cash n
35 Go sign; are you?

36 LEROY DYER: No, sir. It'll
37 stay presently where it's at.

38 HUBERT MCCLURE: Let me ask you a
39 question, and I'm just asking this, what if he was to
40 move the Cash n Go sign up toward the red light where
41 the flagpole is? Would that help any way as far as the
42 distance between the two signs?

43 ALESIA HUNTER: Mr. Chairman, we
44 could ask Mr. Copeland if that would give it -- I don't
45 have the drawing in front of me.

46 HUBERT MCCLURE: How would that
47 affect ...

48 ALESIA HUNTER: Henry, could you
49 give any shift to the sign somewhat ---

50 HUBERT MCCLURE: There's a flagpole

1 down there. He could leave the flagpole up.
2 LEROY DYER: Sure.
3 ALESIA HUNTER: --- to get it off
4 the same street frontage?
5 HUBERT MCCLURE: Yeah. What I'm
6 trying to say is we don't want to put signs on top of
7 each other. I mean that's just a ... But what if --
8 and he can put the flag pole in the middle and that
9 would be even better right up near the front door, what
10 if was to move the sign toward the -- right there near
11 the red car? Right there where the flagpole is? That
12 would give probably another fifty to seventy-five feet.
13 Would that help with some of the ordinances or whatever
14 on the road frontage? I'm just asking.
15 HENRY COPELAND: Mr. Chairman, I
16 think the ordinance is clear, and the board, I think,
17 has had to discuss this recently with one of the
18 restaurants, but -- and again even though this is like
19 an intersection, this is actually a driveway coming out
20 of the Watson Village.
21 HUBERT MCCLURE: Yeah.
22 HENRY COPELAND: However, there is
23 something I did not mention in the report that may have
24 some bearing on it. This building has had a history of
25 as many as three signs on the building. So ---
26 HUBERT MCCLURE: That was my next
27 thing.
28 HENRY COPELAND: Yeah. And again,
29 one of the signs -- it's not illustrated here, but one
30 of the signs was on the rear of the building. I don't
31 think we have an ordinance that says shifting the signs
32 around -- if precedent is already established for three
33 signs on the building, we can certainly adhere to that
34 under a grandfather clause. But the distance between
35 the signs is not the issue, although from a practical
36 standpoint ---
37 HUBERT MCCLURE: Yeah, but from our
38 standpoint it is. I think it is.
39 HENRY COPELAND: Yeah. But from an
40 ordinance -- the ordinance just does not allow for it
41 on the same parcel. The only thing that I could
42 suggest is -- well, I'm beyond suggesting the parcel be
43 divided ---
44 HUBERT MCCLURE: Well, could he not
45 put the Cash n Go sign, title loans, on the side right
46 up under there where he's already got a sign right
47 there in red? Could y'all do something like that, Mr.
48 Dyer?
49 LEROY DYER: You're speaking
50 about moving it?

1 HUBERT MCCLURE: Yeah. No, the Cash
2 n Go, title loan, couldn't you put the title loans
3 right below on the wall where you already have Cash,
4 and then use that sign and move it down toward the end
5 and put your car shop on that? Because I'm going to be
6 honest with you, that wall is facing that red light.

7 LEROY DYER: Yes, sir, I
8 understand that.

9 HUBERT MCCLURE: And that way you
10 could have your sign and have your other sign, too.

11 LEROY DYER: Which would all be
12 on the same structure?

13 HUBERT MCCLURE: The one -- the Cash
14 n Go being on that wall facing the red light, facing
15 the two to three parking spaces. And then you could
16 pull that sign up and move it down there where your car
17 sign -- where your car lot is going to be? Would that
18 be acceptable?

19 LEROY DYER: As I have it now,
20 there will be only two wall signs on the building when
21 the job is complete. There will be a Cash n Go sign on
22 one side and a Good 2 Go sign on the other. The side
23 sign and the rear sign are going away. That's the only
24 thing -- and which we have already obtained a permit
25 for that.

26 HUBERT MCCLURE: So what are you
27 saying, that wouldn't work? The Cash n Go titles on
28 that wall right there facing the ---

29 LEROY DYER: Well, we could, but
30 that side sign that's existing on the corner is coming
31 off. We're going -- that sign comes around to the
32 front now. And down on the left end the Good 2 Go sign
33 will be. So it'll all be facing one ---

34 HUBERT MCCLURE: The other sign is
35 coming to the front?

36 LEROY DYER: Yes, sir.

37 HUBERT MCCLURE: Which one?

38 LEROY DYER: The one on the end.

39 HUBERT MCCLURE: The one on the
40 wall?

41 LEROY DYER: Yes, sir, it's
42 coming to the front wall. So in other words that sign
43 goes away and the sign on the back goes away.

44 HUBERT MCCLURE: Well, I don't
45 really care about what's on the front and I don't care
46 about what's on the side. But what I do care about is
47 having two signs right on top of each other.

48 LEROY DYER: Sure.

49 HUBERT MCCLURE: And I'm trying to
50 figure out a way to give you exposure on that wall ---

1 LEROY DYER: Well, would it be
2 ---
3 HUBERT MCCLURE: --- and let you
4 have that sign down there where the car lot is.
5 LEROY DYER: Yes, sir. Would it
6 be feasible for us to move the newly proposed sign to
7 the other side of the driveway to incur further
8 separation? The other side of the entrance on the low
9 side? Because we're on the near side now and that's
10 closer to the building. But the entrance -- there's
11 property on each side. We just have it on this side.
12 So we could probably gain another twenty feet of
13 separation moving it to the other side of the driveway.
14 HUBERT MCCLURE: I have one question
15 for staff. What is that -- is that a billboard down
16 there? Why is that not on this picture?
17 LEROY DYER: Behind the
18 building?
19 HUBERT MCCLURE: What happened?
20 LEROY DYER: That's what he --
21 he put it up to show what it would be like.
22 HUBERT MCCLURE: Okay. Put it back
23 up there. Are they going to be the same height?
24 HENRY COPELAND: To the best of my
25 knowledge -- we had a little bit of trouble reading the
26 proposal -- but it is going to be approximately twenty
27 feet or possibly a little higher.
28 LEROY DYER: Nineteen feet.
29 HUBERT MCCLURE: All right. And
30 what is the current sign?
31 HENRY COPELAND: As far as the
32 current sign's height?
33 LEROY DYER: The current sign I
34 believe is twenty-four.
35 HUBERT MCCLURE: All right. So it's
36 high?
37 LEROY DYER: Yes, sir, that's
38 correct. Now I did furnish an elevation that shows
39 those signs coming in the other direction with a better
40 look of where one is and where the other one is as far
41 as separation of heights go. And I don't know if it
42 ---
43 HENRY COPELAND: I'll go back to the
44 slides -- the application.
45 LEROY DYER: That's not here.
46 Yeah. It's not shown. I do have it with me, but it's
47 not shown here.
48 HENRY COPELAND: But it didn't come
49 in the package.
50 LEROY DYER: We did send it. I

1 don't know whether it got lost, but we did send it.
2 That was a second request. Can we get a better view?
3 And we supplied that. I think.

4 HUBERT MCCLURE: Do you have any
5 problem with moving the current sign like toward that
6 flagpole?

7 LEROY DYER: No. We can move
8 it. We can move it as long as we don't have -- when we
9 get over into the corner, we might encroach a site
10 triangle. I don't know -- just have to get out and do
11 ---

12 HUBERT MCCLURE: Well, I think if
13 you move it back towards -- there's a lot of side. I
14 think you can move it back towards the parking lot a
15 little bit.

16 DAN HARVELL: Over and back a
17 little.

18 LEROY DYER: Go back to that
19 other picture if you would.

20 HUBERT MCCLURE: I think where the
21 flagpole is back just a few feet, I think you'd be all
22 right. Would you not?

23 Staff, would they be all right by putting where
24 that flagpole is back, and then put the other sign on
25 the other side of the driveway, you said?

26 LEROY DYER: Yes, sir. We
27 could push that sign from this side where that
28 landscaping line there is to the other side of the
29 drive. If you go back to the picture previous.

30 HUBERT MCCLURE: Yeah.

31 LEROY DYER: Okay. There.

32 HUBERT MCCLURE: Right there?

33 LEROY DYER: Right. Now I'm on
34 the far side of that hedge. We could come over to this
35 side of the hedge. But now part of that building and
36 that canopy is all gone now. Yeah. Put it in that
37 area would give it a lot more separation.

38 HUBERT MCCLURE: Now, are you going
39 to try to put these signs about the same height; aren't
40 you?

41 LEROY DYER: Yeah. Well, this
42 one would be nineteen feet. And what we're observing
43 is just a height ---

44 HUBERT MCCLURE: Okay. Well, let me
45 ask you this. And staff, I'm just asking because he's
46 got two businesses. They need businesses down there.
47 I don't see -- I just wonder if he was to move that
48 sign where the flagpole is and move the other, I know
49 you're saying there's one business there and there's
50 two signs; I know that. But I'm saying is, is that the

1 only thing that is holding this up, is there's two
2 businesses with one sign? Is that basically the only
3 thing?

4 HENRY COPELAND: We required the
5 variance was the fact that it would be two signs for
6 one parcel. And that's ---

7 HUBERT MCCLURE: That's what I
8 meant. Yeah. In other words, two signs, and there's
9 two businesses in one building.

10 HENRY COPELAND: Right. Well, there
11 are examples of two buildings on the same parcel with
12 two separate freestanding signs. That's all up and
13 down Clemson Boulevard. But when you have the same
14 building and multiple businesses, whether it be two or
15 more, usually you have a common sign. That's a
16 standard strip center. This would be a very small
17 strip center by comparison, but you would have one
18 common sign for all of the businesses.

19 HUBERT MCCLURE: Let me ask you one
20 more question, Mr. Dyer.

21 LEROY DYER: Sure.

22 HUBERT MCCLURE: Are you totally one
23 hundred percent against putting another sign on the
24 Cash n Go sign?

25 LEROY DYER: Well, it's the
26 customer's intent not to. I mean, both of those ID
27 signs on one pole creates a little more confusion for a
28 customer, in our opinion.

29 HUBERT MCCLURE: Okay.

30 LEROY DYER: Is it a cash place
31 or is it a car lot?

32 HUBERT MCCLURE: Okay. I don't know
33 what to do on this one. Fellows, what do y'all -- have
34 you got any more questions for Mr. Dyer or the staff at
35 this time?

36 DAN HARVELL: The owner is not
37 here; right?

38 LEROY DYER: No, sir, he's not.

39 DAN HARVELL: He might should
40 have been.

41 HUBERT MCCLURE: Yeah.

42 LEROY DYER: Well, maybe.

43 DAN HARVELL: I'm not blaming
44 you, Mr. Dyer. I'm just saying for his own benefit he
45 should have been.

46 LEROY DYER: Sure. We had a
47 talk and I told him I thought I could answer all the
48 questions. But I do not own the business.

49 DAN HARVELL: This is a sticky-
50 wicket.

1 HUBERT MCCLURE: I make a motion we
2 table this on the grounds that I believe we can come to
3 a -- I believe we can come to something on this between
4 staff and the owner. Do I have a motion to table this
5 and take it up at the next meeting after staff meets
6 with the owner and Mr. Dyer again and see if there's
7 some other options that could be less -- I don't know,
8 sign on top of sign or work with the sign on the side
9 of the building versus the front. Maybe something. I
10 think something can be done here that we're not looking
11 at. So I'm going to make a motion to table until the
12 next meeting. Do I have a second? No second.

13 DAN HARVELL: Well, I'll second
14 for discussion.

15 HUBERT MCCLURE: All right. Go
16 ahead.

17 DAN HARVELL: Let me ask Mr.
18 Dyer. I mean you know the owner probably well by now
19 so how do you think -- since he's not here, on his
20 behalf, what's your opinion of tabling and trying to
21 work something out?

22 LEROY DYER: I think if it's
23 tabled, he would be flexible if we could find a
24 solution.

25 DAN HARVELL: I mean it adds one
26 month to it. But understand, we try, as a board --
27 we're citizens, you know. We're not the law of the
28 county. We're citizens that try to be the go-between
29 between the rules, regulations and the rights of the
30 owner, the property owner.

31 LEROY DYER: Right.

32 DAN HARVELL: So we always want
33 to do what's the most ---

34 LEROY DYER: Well, I think --
35 well, I know he'll be able to ---

36 DAN HARVELL: --- most benevolent
37 thing if we can.

38 LEROY DYER: I know he'll be
39 able to open using his wall sign, which whoever is in
40 charge of used car lots, they require a sign. So he'll
41 have that and he can open and work. So, you know, if
42 it's another month to come back and discuss it ---

43 HUBERT MCCLURE: Well, my personal
44 opinion is, you're there at that intersection. I would
45 utilize every bit of that intersection I could and I'd
46 use that wall over there to help distinguish the
47 difference -- you know, that wall is just sitting
48 there. I mean I would use it. I wouldn't take the
49 sign off of it. That's just my own personal opinion.

50 LEROY DYER: Right.

1 DAN HARVELL: One question. Will
2 the car lot be on this side, the other side or both
3 sides?

4 HUBERT MCCLURE: It's down there
5 where the drive-through is. It's ---

6 DAN HARVELL: It's down there.
7 Okay. So no cars are parked there other than the
8 service and the customers of the existing business?

9 LEROY DYER: Yeah.

10 DAN HARVELL: Okay.

11 HUBERT MCCLURE: So we have a
12 motion. Do we have any other discussion? And we have
13 a second. Okay. All in favor show by uplifted hand.
14 And that passes.

15 If we could, let's get with the owner and Mr. Dyer
16 before the next meeting and let's see if we can iron
17 this out and where it would be the best for everybody.
18 Because I know I don't want signs on top of signs,
19 especially down there, because we've been signed to
20 death down there.

21 LEROY DYER: Yeah.

22 HUBERT MCCLURE: Okay.

23 DAN HARVELL: Staff, do we need
24 to hold on to this for next time?

25 ALESIA HUNTER: Yes, sir.

26 DAN HARVELL: Okay.

27 HUBERT MCCLURE: Okay. The last one
28 on the agenda, I think, is Hopewell Family Dentistry.

29 HENRY COPELAND: Yes, sir, Mr.
30 Chairman, this is item (e) on the agenda and this is
31 brought -- well, Signarama is the co-applicant, along
32 with Patrick Carter, the owner of Hopewell Family
33 Dentistry. Dr. Carter has proposed a monument sign for
34 this location. This is in Council District 7. The tax
35 map number is shown.

36 The neighborhood oriented property description is
37 as follows: Neighborhood oriented commercial site
38 facing a major arterial highway leading into the city
39 of Anderson. The parcel contains approximately just
40 under an acre with nearly two hundred and thirty feet
41 of frontage on each side of Highway 81, also known as
42 East Greenville Street. It's not located on a corner.

43 The current zoning is C-1N, neighborhood
44 commercial district, and it should be pointed out that
45 the site is also located within the Gateway to Anderson
46 overlay district. The land use, the property was
47 recently approved for use as a single tenant
48 professional office building with a dentistry practice
49 and related offices subsequently constructed.

50 The applicant's request is to allow the required

1 minimum setback for a monument sign to be reduced from
2 five feet to zero feet as measured from the edge of the
3 public right-of-way on Highway 81.

4 The findings of facts: Again, under Anderson
5 County Code relating to permanent signs, the size,
6 number, location, height of permanent freestanding
7 business identification or highway signs are
8 specifically regulated. No portion of any freestanding
9 sign may be located closer than 5 feet from any defined
10 right of way or property line, nor within fifteen feet
11 from the edge of a roadway where the right of way is
12 undefined.

13 Also under the facts, this Gateway to Anderson --
14 I'm calling it GTA -- overlay district, is all new
15 detached signage shall be monument type only, and shall
16 be architecturally designed to reflect the character of
17 the structure to which the sign is associated. The
18 maximum height of a single tenant sign shall be ten
19 feet. Where two driveway entrances exist, a monument
20 sign may be used at each entrance, provided the
21 distance between the two monument signs is at least one
22 hundred feet. The images that are showing now, this is
23 a proposed monument sign rendering its change from the
24 original, which by the way has already been permitted,
25 the site plan included location of right-of-way. The
26 location of the right-of-way, which unfortunately from
27 this image cannot be seen very well. While you're
28 looking at it, let me describe it. The edge of the
29 right-of-way is measured from the coping on the curve,
30 the edge of the asphalt, is twenty-seven feet. There
31 is a five-foot wide sidewalk there. So if you measure
32 the edge of the right-of-way from the sidewalk to the
33 edge of the right-of-way, you have twenty-two feet. So
34 that's just for future reference on that. The proposed
35 sign is supposed to come forward to right at the edge
36 of the right-of-way but not across it.

37 The next signage has been provided by the
38 applicant. This is looking north on 81 -- no, it's
39 looking south on 81 with the subject ahead on the
40 right. There is some obstruction because of the
41 topography. And that has also caused the highway
42 department to determine exactly where their entrance is
43 so that they can have a line of sight unobstructed for
44 the entrance to the parking lot.

45 The next is a location map of the aerial view of
46 the subject and surrounding neighborhoods. And
47 following that is a zoning map also showing the Gateway
48 to Anderson's overlay district corridor along 81 North.

49 The recommendation, based on that fact that we
50 have -- this is an overlay district which has a strict

1 interpretation of how its requirements are, the staff
2 recommends denial of the variance request for the
3 following reasons: The applicant's business is located
4 in the overlay district as mentioned, and those
5 regulations are new on the books and there's some
6 resistance to any variation from that. The overlay
7 district sign regulations specifically limit the
8 number, size, location and height of signage to a
9 greater degree than what is covered in the county-wide
10 sign ordinances, including required sign setbacks,
11 height limits and use of monument signs in place of
12 other types of freestanding signs.

13 An application was approved and a permit issued in
14 February of 2021 for a monument sign at this location,
15 which according to the plans, met all requirements,
16 including setbacks as found in the code and for the GTA
17 overlay district.

18 I had stated in your report that the site has
19 potentially two entrances from Highway 81 North. As it
20 turns out, that has been essentially co-opted by the
21 highway department. They say not because of the fact
22 of the line of sight at that location because of the
23 rise in the highway. So they would not be eligible for
24 a second monument sign. And this goes to the other
25 issue that we discussed just a little bit earlier on
26 the other applicant.

27 In the overlay district, two monument signs could
28 be on the same highway. However, they have to have two
29 entrances and they have to be one hundred feet apart.
30 This would not be eligible for that since the highway
31 department has nixed the idea of a second entrance.

32 Based on the information that we have available,
33 the applicant has not demonstrated the existence of a
34 hardship as part of the application or relative to the
35 plan submitted. Denial would be in line with the
36 previous decision of the board when the applicant could
37 make adjustments to the proposal to comply with the
38 code requirements. And the board has not approved
39 other variances similar to this request and would be
40 consistent with its disapproval.

41 I will once again mention that the edge of the
42 right-of-way is twenty-two feet from the sidewalk.

43 Having said that, that concludes the report. And
44 staff is available for answering any questions.

45 HUBERT MCCLURE: Well, I have a
46 question for staff. I might have missed it, but why is
47 the -- I mean, what's the purpose for moving the sign
48 from five foot to zero feet? Which zero feet does not
49 exist, but we'll address that later. But why is that?
50 I'll ask that of the owner in just a minute if you

1 don't know.

2 HENRY COPELAND: I believe so, yes,
3 sir, the owner is here.

4 HUBERT MCCLURE: So we'll open up
5 the public hearing. Anyone speaking against Hopewell
6 Family Dentistry? Anybody?

7 Okay, if you would address the microphone and give
8 us your name and what you have to do with it, and we'll
9 ask you the question that I asked him.

10 PATRICK CARTER: Okay. I'm Patrick
11 Carter. I'm the owner of Hopewell Family Dentistry.

12 The issue is we don't have the current space to be
13 able to have a sign that can be seen traveling
14 northbound. This is traveling north on Highway 81.
15 This picture is kind of difficult to see. This is a
16 pretty severe incline as we're approaching my office.
17 There's -- the adjacent property is much higher in
18 elevation.

19 When we originally had the site plan from the
20 civil engineer, we had an entrance on the far side plan
21 from the civil engineer, which was the intent
22 originally because of the hill. It would have been
23 much easier to get in and out and safer to get in and
24 out of the property if the entrance was on the far
25 side. When the civil engineering took it to the SCDOT
26 they said because of exiting the dominion and the
27 center lane, they wanted it as close to this property
28 as possible. So that moved our entrance closer to the
29 hill.

30 When we come up this, we're trying to gain five
31 feet. The current guidelines in the overlay district
32 say the edge of the sign needs to be from the right-of-
33 way plus five feet. And we're trying to ask to gain
34 that five feet to the right-of-way so that we have a
35 little bit earlier visibility of our sign so that as
36 motorists are coming up Highway 81 they can safely see
37 our sign in time to know where they need to turn in and
38 prevent people from slamming on their brakes and
39 turning into our property.

40 HUBERT MCCLURE: Visibility is why
41 y'all want to place it there?

42 PATRICK CARTER: Yes. To my next
43 point, Anderson County is -- the minimum -- if it says
44 the right-of-way is not defined if there's not a marker
45 if it's fifteen feet from the edge of a structure,
46 which is the sidewalk or pavement, if it's not defined.
47 And right now -- if it's not defined it is fifteen feet
48 if we don't have it defined right away. Right now it
49 is currently at twenty-seven feet and I'm asking to go
50 to twenty-two feet, which is still seven feet over the

1 minimum of a non-defined property right-of-way that's
2 marked.

3 There is another -- actually happens to be a
4 dental office -- less than a thousand feet from my
5 office this way. There they have a monument sign.
6 This was done -- they opened in 2015, which is right
7 around the time that the overlay district was done, the
8 rules. And I'm not sure if they were in it or not.
9 But their sign is twelve feet -- twelve and a half feet
10 from the edge of the sidewalk. We've asking it to be
11 at twenty-two feet. So, you know ...

12 HUBERT MCCLURE: Okay. Do y'all
13 know about that sign or when that sign was put up?
14 Which sign is that, Mr. ---

15 PATRICK CARTER: Oh, that is Ashby
16 Park. I've got a picture of it.

17 ALESIA HUNTER: That was there
18 before. We had permitted that ---

19 PATRICK CARTER: Yeah, I know it was
20 2015. It's a new building. I don't know how new. But
21 it certainly wouldn't, you know, as far as appearances,
22 you're traveling down Highway 81, after passing that
23 one that's twelve feet off the road and passing mine
24 that's twenty-two feet off the road would be thinking
25 that that sign is ...

26 HUBERT MCCLURE: Okay. Any other
27 questions? And what was your last name?

28 PATRICK CARTER: Carter.

29 HUBERT MCCLURE: Okay. Any other
30 questions for Mr. Carter, you said?

31 DAN HARVELL: Dr. Carter.

32 HUBERT MCCLURE: Dr. Carter?

33 PATRICK CARTER: Yes, sir.

34 HUBERT MCCLURE: Make sure we've got
35 your name right.

36 PATRICK CARTER: Yeah, no problem.

37 HUBERT MCCLURE: Okay. Thank you,
38 sir. Are there any other questions for staff? Okay,
39 first of all as chairman, and I'll say this a hundred
40 times. I don't agree with putting something zero feet
41 because one person can go out there and put the
42 property line here and another person would put the
43 property line here. It might be a few millimeters
44 different, but ... The right-of-way, why isn't the
45 right-of-way cleared there?

46 PATRICK CARTER: It is cleared.
47 It's twenty-two feet off of the sidewalk.

48 HUBERT MCCLURE: Because I'm a
49 little bit confused.

50 PATRICK CARTER: (Not at microphone)

1 So the sign rests in its current regulations and it is
2 -- so it needs to be twenty-seven feet off of -- from
3 the sidewalk. It needs to be twenty-seven away. We're
4 asking to be twenty-two feet away from the sidewalk.

5 HUBERT MCCLURE: Is that correct,
6 staff?

7 HENRY COPELAND: That's one way of
8 interpreting it. Twenty-two feet from the edge of the
9 sidewalk is the edge of the right-of-way. Twenty-seven
10 feet would include the five foot setback.

11 DAN HARVELL: So the new overlay
12 zone, that didn't change the -- the new overlay zone
13 didn't change the setback; right? But the highway
14 department determined the right-of-way is further back
15 there than it is ---

16 HENRY COPELAND: Some other places.

17 DAN HARVELL: --- some other
18 places. That's ---

19 ALESIA HUNTER: Okay, that right-
20 of-way varies on down 81.

21 DAN HARVELL: Okay. And that's
22 probably relative to the location of the intersections,
23 I'm guessing? Yeah, line of sight for intersections?
24 Okay.

25 HUBERT MCCLURE: Okay. Any other
26 questions for staff? At this time we'll close the
27 public hearing.

28 I don't usually make a motion, but I'm going to
29 make a motion here. I make a motion that we grant it
30 to one foot off the setback.

31 DAN HARVELL: That's exactly what
32 I was going to say.

33 HUBERT MCCLURE: Exactly. So that
34 way it will not be zero feet. Okay? Does that make
35 sense to staff? Make it one foot.

36 DAN HARVELL: And we might add to
37 Dr. Carter, we have never, ever granted zero setback.
38 Because we just know the complications that can cause
39 down the road. In certain instances that could be a
40 huge legal issue.

41 HUBERT MCCLURE: Yeah. So we always
42 come off a foot or two foot.

43 DAN HARVELL: Yeah.

44 HUBERT MCCLURE: Do we have a second
45 with that motion?

46 DAN HARVELL: Second.

47 HUBERT MCCLURE: Second. All in
48 favor. And that's a one-foot setback. Thank you.

49 Do we have any old or new business? I know the
50 new dates are in here. I just got an email from the

Anderson County - Land Use Board of Zoning Appeals - June 10, 2021

1 councilmen saying that they're on it.
2 ALESIA HUNTER: Yes, sir.
3 DAN HARVELL: On what?
4 HUBERT MCCLURE: They're on the two
5 vacancies. They're on it.
6 DAN HARVELL: Oh, that. Okay.
7 ALESIA HUNTER: There's no further
8 business, Mr. Chairman.
9 HUBERT MCCLURE: Okay. Do we have a
10 motion to adjourn?
11 ALLEN ASHLEY: So moved.
12 HUBERT MCCLURE: Second?
13 JOHN FARR: Second.
14 HUBERT MCCLURE: All those in favor.
15 And I hope everybody has a good night and good weekend.
16
17 MEETING ENDED AT APPROXIMATELY 6:09 P.M.

STATE OF SOUTH CAROLINA)
COUNTY OF ANDERSON)

ANDERSON COUNTY
LAND USE AND BOARD OF ZONING APPEALS
JULY 8, 2021

PRESENT:

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

ALSO PRESENT:
ALESIA HUNTER
BRITTANY MCABEE
JEFF GUILBAULT

1 MIKE MILLER: It is now 5:20. I would
2 like to go ahead and call Anderson County's Land Use
3 and Zoning Board of Appeals meeting to order. I will
4 go ahead and open us with prayer.

5 **INVOCATION BY MIKE MILLER**

6 MIKE MILLER: Our last
7 communication was held on May 24, 2021. Are there any
8 deletions or corrections to the last communication?

9 HUBERT MCCLURE: I make a motion we
10 approve.

11 ALLEN ASHLEY: Second.

12 MIKE MILLER: I have a motion
13 from Mr. McClure; a second from Mr. Ashley. All in
14 favor raise your right hand. All opposed like sign.
15 Staff report.

16 BRITTANY MCABEE: Thank you, Mr.
17 Chairman. This is a special exception request to allow
18 a meat process/abattoir facility. It is located at
19 2945 Lebanon Road in Anderson. The applicant is PF
20 Meat Holdings Corporation, and it's David Werth/Donald
21 Snow. The owner of the property is Walker Investment
22 Management Trust or David Walker.

23 This is located in Council District 4, and the TMS
24 number was included in your packet. The property is
25 two separate parcels located at 2945 Lebanon Road. The
26 existing abattoir is located on the TMS ending in 007.
27 And the expansion would be located on the TMS ending in
28 010. The two properties are linked via the owner, as
29 well as the operations. The existing abattoir's lagoon
30 is located on 010, as well as the abattoir itself is
31 located on 007. So the two properties are linked.

32 The property is currently zoned I-2, which is
33 industrial park district. The existing condition is
34 agriculture and the abattoir. Zoning was implemented
35 in 1999 and Clemson University agriculture inspection
36 reports from 1995 confirm the grandfathered land use
37 prior to zoning.

38 The applicant is requesting a special exception to
39 allow for an expansion of the existing abattoir for
40 construction of a combined meat processing/abattoir
41 facility.

42 The findings of fact is under Chapter 70, Article
43 6, non-conforming uses are -- do require a special
44 exception and they have various restrictions on how big
45 it can be. In this case the restriction would be no
46 more than twenty-five percent of the total property.

47 Staff recommends approval of this special
48 exception request for the following reasons: The land
49 use is grandfathered agriculture and abattoir use since
50 1967. An expanding meat processing abattoir operation

1 is an existing use to the grandfathered use. The
2 expansion will require accessing sewer that will
3 minimize the current open air lagoon use. Accessing
4 sewer and minimizing the open air lagoon will be an
5 improvement to the overall property and reduce the
6 impact on the neighboring properties. The use is not
7 detrimental to the public health or general welfare at
8 the location. The use will not violate neighborhood
9 character nor adversely affect surrounding land uses.
10 If approved, a land use permit, buffer yards and
11 building permits will be required. Any additional
12 permits with the state of South Carolina regarding
13 agriculture and USDA that may be required will be the
14 responsibility of the owner. In addition, onsite
15 measures to protect groundwater from contamination will
16 be required.

17 This concludes the staff report.

18 MIKE MILLER: Thank you, staff.
19 I will go ahead and open up this special exemption to
20 public hearing. Are there anyone speaking against? If
21 you are speaking against, ma'am, has your name been
22 placed on ... Please come forward, state your name and
23 your address, please, where you're located.

24 LISA TROUP: Hi, my name is Lisa
25 Troup. We're a new landowner on 2934 Lebanon Road,
26 right down the street on the left.

27 We literally -- I don't know that I'm against it
28 at this point. I just don't know what it's going to do
29 to property values or homeowners in that area. And I
30 also don't know what the environmental -- I know that
31 they said they're going to follow the guidelines, but
32 I'm a little concerned. There's creeks on both sides.
33 And those are concerns as much as against.

34 HUBERT MCCLURE: Well, I can tell
35 you, personal, I know that place has been out there
36 ever since I was born.

37 LISA TROUP: That's what I've
38 heard.

39 HUBERT MCCLURE: It's been there and
40 it's been run professionally all my life. So I don't
41 -- I'm not an assessor by no means, but I can tell you
42 it's been there for a long time.

43 LISA TROUP: My understanding,
44 however, is that it was shut down a year ago by DHEC.
45 Is that correct?

46 HUBERT MCCLURE: I don't know. I
47 don't know that.

48 LISA TROUP: That's my
49 understanding. I think that warrants looking into it.

50 HUBERT MCCLURE: I think the staff

1 -- y'all would know about that.
2 Mr. Walker, do you have anything to say? Okay.
3 Go ahead. If you don't mind, speak in the ...
4 DAVID WALKER: (Not speaking into
5 mic.)
6 HUBERT MCCLURE: Mr. Walker, I grew
7 up around Price's Meats and I grew up over here at
8 Harper's Meats. DHEC is very stringent on abattoirs;
9 are they not? DHEC or EPA? Aren't they very
10 stringent?
11 DAVID WALKER: DHEC is only
12 involved in like the wastewater. The operation comes
13 under South Carolina (not speaking into mic).
14 HUBERT MCCLURE: How often do they
15 inspect?
16 DAVID WALKER: (Not speaking into
17 mic.)
18 HUBERT MCCLURE: Thank you.
19 MIKE MILLER: We do not right
20 now, Mr. Walker.
21 Ma'am, does that -- okay. Does that answer some
22 of your questions?
23 LISA TROUP: (Inaudible) just
24 learning about this for just the land about thirty
25 minutes ago (not speaking into mic). My question is
26 (not speaking into mic).
27 HUBERT MCCLURE: Go right ahead.
28 This is the only thing on the agenda, and if she wants
29 to know, let her, you know ...
30 MIKE MILLER: Go right ahead,
31 sir. You're so used to doing this anyway.
32 HUBERT MCCLURE: Any environmental
33 impact (audio cutting out).
34 MALE: (Not speaking into
35 mic.)
36 MIKE MILLER: Staff, can you
37 answer his question?
38 BRITTANY MCABEE: We look at the
39 existing land use there and what has been pre-existing.
40 This falls under special exception because it is an
41 expansion of an existing land use or current land use.
42 We haven't looked into any environmental studies
43 because that's not something that we are required to
44 do. And they are coming before you guys to see if you
45 think the expansion is a good fit for the community.
46 But it is a special exception because it is expansion
47 of an existing use.
48 MIKE MILLER: Does that answer
49 your question?
50 MALE: That it's not

1 required, you're asking me (not speaking into mic).
2 MIKE MILLER: Alesia, can you
3 tell us a little bit more, please?
4 ALESIA HUNTER: Yes, sir, Mr.
5 Chairman. What Ms. McAbee was referring to as she
6 lists in her report, that additional approvals may be
7 required. This is through the meat processing agencies
8 that will oversee that. They will make sure -- and
9 actually, DHEC, they're environmental. We're not an
10 environmental agency, so we don't regulate groundwater.
11 But they will have those agencies to oversee just like
12 they were doing in the existing processing place to
13 make certain that those guidelines are followed.
14 So as far as the county, we can't require that up
15 front because we're not the agency that does that
16 inspection.
17 Does that answer, Mr. Chairman?
18 HUBERT MCCLURE: Mr. Chairman, I
19 have a question. Staff, just remind me, this
20 intersection, what is it zoned for?
21 MIKE MILLER: Industrial.
22 HUBERT MCCLURE: Industrial; right?
23 ALESIA HUNTER: It's industrial;
24 yes, sir.
25 HUBERT MCCLURE: Okay. I just
26 wanted to make sure I remembered that. That's what I
27 thought.
28 MIKE MILLER: And as you read, it
29 said the land use permits, buffer yards, building
30 permits will be required. Any additional permits
31 within the state such as USDA and all of that. So I
32 mean they're the ones that will actually be doing all
33 approvals, and the county, if they build or whatever,
34 so that's the way I take it. You know, this is the
35 first step that we approve it and then the rest will
36 have to follow with other agencies.
37 ALESIA HUNTER: Yes, sir, Mr.
38 Chairman. Yes, sir.
39 MIKE MILLER: Do you have any
40 other questions? Mr. Harvell.
41 DAN HARVELL: Ms. McAbee, you
42 showed them that map. Is that the same map that we
43 have because I wanted to know the proximity of their
44 property to this.
45 BRITTANY MCABEE: Yes, sir, you do
46 have that map in your packet, but I'll get it for you
47 because it is larger and maybe easier to see.
48 DAN HARVELL: And I don't
49 understand where there is a relation to this.
50 MALE: And we share the

1 creek. We're on the same creek.
2 MIKE MILLER: So you're more back
3 toward Lebanon School?
4 DAVID WALKER: Yes, sir.
5 MIKE MILLER: Across the creek up
6 there on the right?
7 HUBERT MCCLURE: Google maps says
8 seven hundred feet.
9 DAN HARVELL: According to that
10 map it looks like it's about seven to eight hundred
11 feet. Or about two-tenths of an acre.
12 MIKE MILLER: Are there anyone
13 else speaking against? Hearing no one else speaking
14 against, I will close the public hearing. I will
15 reserve all rights for staff or any questions from the
16 board members.
17 HUBERT MCCLURE: I make a motion we
18 approve the special exception.
19 MIKE MILLER: I've got a motion
20 from Mr. McClure. Do I have a second? Mr. Ashley.
21 All in favor raise your right hand. All opposed like
22 sign. Thank you.
23 Have we got any old business, staff?
24 BRITTANY MCABEE: No, sir.
25 MIKE MILLER: All right. Do we
26 have any new business?
27 BRITTANY MCABEE: No, sir.
28 ALESIA HUNTER: Mr. Chairman, I
29 wanted to let the board know that Brittany and Mr. Jeff
30 Guilbault will be coordinating your required continuing
31 educational training. Brittany will oversee that with
32 Mr. Jeff Guilbault here. He started today. He's our
33 Zoning Administrator. And we're happy to have him.
34 Twenty-five years experience, so we're lucky and
35 fortunate to have him from the city.
36 MIKE MILLER: So we can retire.
37 HUBERT MCCLURE: I don't know
38 anything and I can't learn, so ...
39 ALESIA HUNTER: Also, Mr. Chairman,
40 you will have a new board member that will be appointed
41 by county council on July 20th. So Brittany will help
42 do orientation for the new board members.
43 DAN HARVELL: And that's District
44 ...
45 ALESIA HUNTER: 6. District 6.
46 So, Mr. Chairman, thanks to you, we've got just one
47 more to replace and then we'll have a full board.
48 Thank you.
49 MIKE MILLER: Thank you.
50 HUBERT MCCLURE: I reserve my

1 comments. I'll believe it when I see it.
2 DAN HARVELL: Were you about to
3 leave? She said thanks to you.
4 HUBERT MCCLURE: I kind of hollered
5 at them a little bit, since it's been a year.
6 MIKE MILLER: That's the chairman
7 over there. I'm vice chairman, so I may be one foot
8 out the door. We don't know yet.
9 DAN HARVELL: I think you're both
10 vice myself.
11 MIKE MILLER: Anybody on the
12 board got anything else? Hearing nothing, I've got a
13 motion from Mr. Ashley to adjourn.
14 HUBERT MCCLURE: Second.
15 MIKE MILLER: All in favor raise
16 your right hand. Thank you. Meeting is adjourned.
17
18 **MEETING ADJOURNED AT APPROXIMATELY 5:38 P.M.**

A Staff Report

Application for a **Variance** – To allow reduction of front yard setbacks to accommodate an attached carport
Anderson County Land Use Board of Zoning Appeals Meeting - District 2
Historic Courthouse – 101 South Main Street – 2nd Floor County Council Chambers
Anderson, South Carolina
September 9, 2021 5:15 PM

Owner of Property / Applicant: Martin Prez (*Contact: Lonnie Watts*)

Property Location: 625 George Albert Lake Rd, Anderson, SC 29624

Council District: Two (2)

Tax Map Number (TMS #): 125-21-05-010

Property Description: This parcel is an improved residential lot containing approximately 0.246 acres located within Green Oaks subdivision. The lot is described as nearly square with a width of 100 feet and a depth of 107 feet. The property fronts a state maintained highway classified by default as a collector road.

Current Zoning: The property is not zoned.

Land Use: A single-family residence situated approximately 54 feet back from the front property line. A carport was recently added and is attached to the front elevation of the existing home. With this addition, the principal structure is now setback 34 feet from the edge of the R/W as measured from the property line. The carport was constructed in early 2021 following the issuance of a residential compliance letter permitting a front yard setback of 40 feet.

Applicant Request: Applicant is requesting a **Variance** to allow a reduction of the front yard setback requirement to accommodate the construction (after the fact) of an attached carport. The requested front yard setback, as measured front the property line, is a reduction from 40 feet to 34 feet.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 38, Section 38-120 – relating to residential setbacks, the code states where a principal residential structure or dwelling, including any attachments or additions, the required front yard setback is forty feet (40'), if the public road or street is classified as a collector road. A state maintained road is classified as a collector road. The state maintained R/W is reported to extend 25 feet on either side of the center line of the paved road.

Staff Recommendation: Staff recommends **APPROVAL** of the **Variance** request for the reduction of the front yard setback from 40 feet to 34 feet for the following reasons:

1. The residence did not have a garage or carport when the current owner purchased the property, although it originally had one similar to other homes in the neighborhood. This one was later enclosed.
2. The state maintained road R/W in front of the applicant's home may fall short of the front property line, as it appears in the site plan submitted by the applicant and when compared to the county's GIS maps.
3. The applicant has a need to provide shelter from weather and the elements for 2 vehicles with access to the existing front entrance of the home.
4. Similar homes in the neighborhood have covered or enclosed areas for vehicles.
5. The location of the existing driveway and the narrowness of the side yard make reasonable alternative placements for a carport or garage, attached or detached, difficult or unlikely.
6. The applicant has demonstrated the existence of a hardship and the placement of the carport would not be a detriment to traffic or safety.
7. This request is in line with the spirit and intent of the ordinance to grant a variance when a hardship exists.
8. The Board has granted other variances similar to this request and would be consistent with its approval.

PAID
#21-1901



Variance Application

There is a Variance Application Fee of \$200.00

8-2-2021

Date of Application Completion

Application Status (Approved or Denied)

Applicant's Information

Name: MARTIN PREZ

Mailing Address: 625 GEORGE ALBERT LAKE RD

Telephone and Fax: 864 209 4936 E-Mail: _____

Owner's Information

(If Different from Applicant)

Name: MARTIN PREZ

Mailing Address: 625 GEORGE ALBERT LAKE RD

Telephone and Fax: 864 209 4936 Email: _____

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: 625 GEORGE ALBERT LAKE RD. (Anderson 29624)

Parcel Number(s)/TMS: 125 21 05 010

County Council District: 2 School District: _____

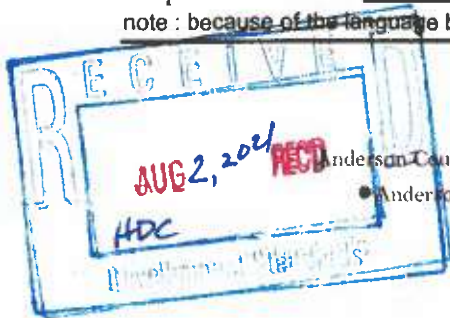
Total Acreage: _____ Current Zoning: NOT ZONED

Requested Variance: FRONT SETBACK REDUCTION FROM 40' TO 34'

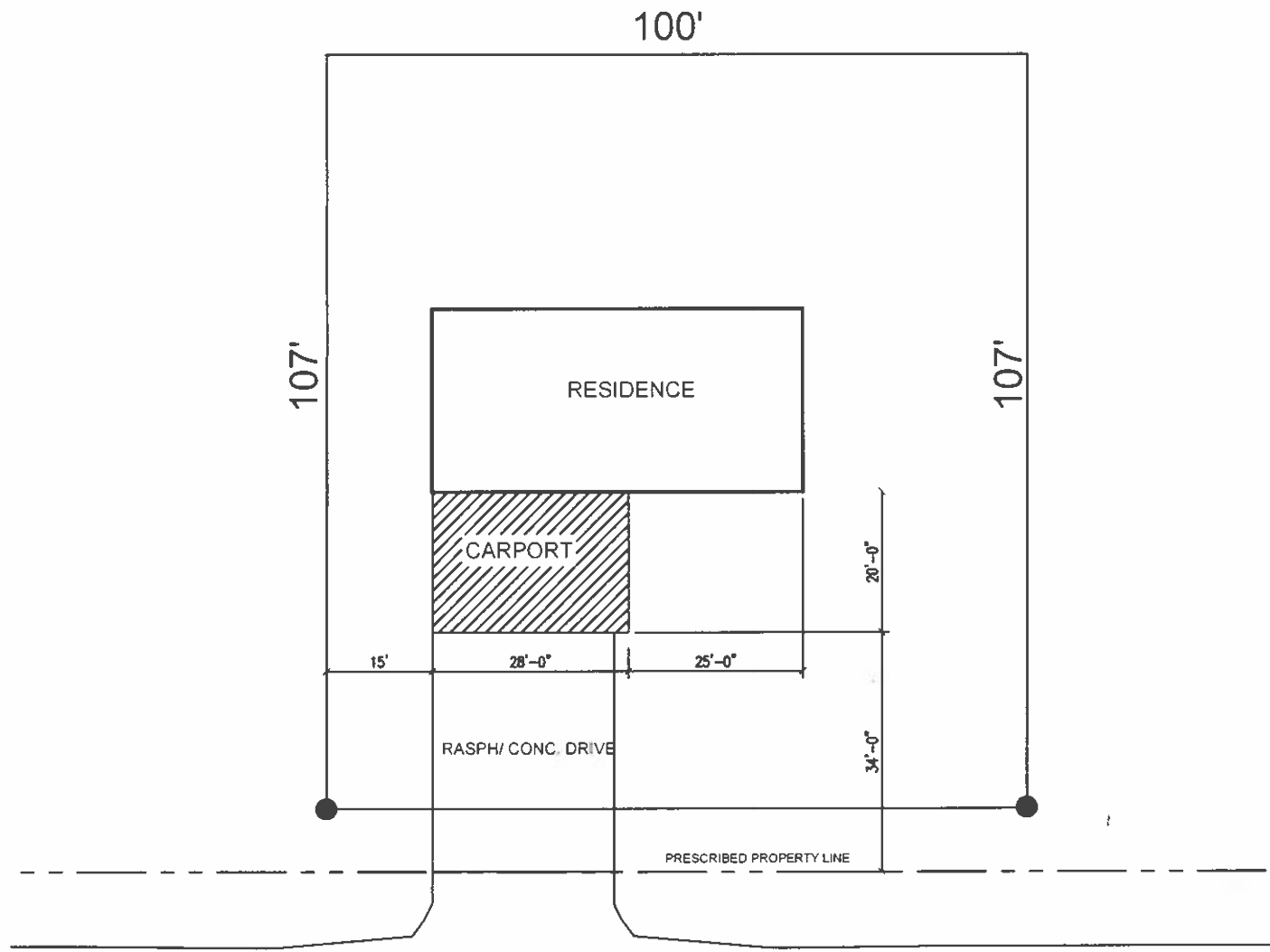
Please indicate if setback variance, sign variance or minimum lot size variance.

Purpose of Variance: TO ACCOMODATE A 20' X 28' CARPORT

note : because of the language barrier for the understanding of a prescriptive r/w mr. prez failed to comply, not intentionally



Date: August 2, 2022
To: Henry Capeland
For: Martin P rez Carpint



1 SITE PLAN
1/16" = 1'

GEORGE ALBERT LAKE RD.
(25' R/W)

Staff Report

Application for a **Variance** – To allow reduction of rear yard setbacks to accommodate addition to commercial warehouse
Anderson County Land Use Board of Zoning Appeals Meeting – District 4
Historic Courthouse – 101 South Main Street – 2nd Floor County Council Chambers
Anderson, South Carolina
September 9, 2021

Applicant: Kurt Brower

Owner of Property: Negri Investment Group

Property Location: 131 Preamble Ct., Anderson, SC 29621

Council District: Four (4)

Tax Map Number (TMS #): 093-00-06-002

Property Description: This parcel is 1.61 acres and is part of a small industrial park located on a cul-de-sac just off Liberty Highway, adjacent to a tributary of Lake Hartwell. The “Corps property” located at the rear of the subject is maintained as a buffer and is not considered as having exposure to the nearby lake.

Current Zoning: The property is zoned S-1 (Services District)

Land Use: The lot has a commercial building intended for a single tenant with office, commercial warehouse and limited industrial capabilities with open paved parking, truck loading and commercial deliveries.

Applicant Request: Applicant is requesting a **Variance** to allow a reduction of the rear yard setback requirement to accommodate the construction of an addition to the warehouse at the rear of the present building. The requested setback, as measured front the rear property line to the corner of the proposed addition, is a reduction from 25 feet to 15 feet.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 70, Section 5:19 – relating to setbacks for within Service District zones, the code states where a principal commercial structure, including any major structural attachments or additions, the required rear yard setback is twenty-five feet (25’).

Staff Recommendation: Staff recommends **APPROVAL** of the **Variance** request for the reduction of the rear yard setback from 25 feet to 15 feet for the following reasons:

1. The rear property line of the subject property is the irregular side of the parcel, not parallel with the front line, therefore limiting a full use of the site in this direction.
2. Open areas along the street front and SE of the present building are reserved for surface parking, deliveries, and other truck access.
3. Proposed addition will extend the existing work area within the present structure without requiring a turn in the building’s layout and without eliminating existing on-site parking, employee entrances or delivery bays.
4. One corner of the proposed addition will fall within the present setback requirements relative to the Corps line.
5. Applicant has demonstrated the existence of a hardship and the addition would not be a detriment to the area.
6. This request is in line with the spirit and intent of the ordinance to grant a variance when a hardship exists.
7. The Board has granted other variances similar to this request and would be consistent with its approval.

PAID #21-1878



Variance Application

There is a Variance Application Fee of \$200.00

7-29-2021
Date of Application Completion

Application Status (Approved or Denied)

Applicant's Information

Name: Kurt Brower

Mailing Address: 131 Preamble Ct., Anderson, SC 29621

Telephone and Fax: 937.418.9446 E-Mail: kurt@carolinabotanical.com

Owner's Information

(If Different from Applicant)

Name: Negri Investment Group

Mailing Address: 8961 Quality Rd., Bonita Springs, FL 34135

Telephone and Fax: 561.239.3803 Email: sam.negri@ramcoprotective.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.

Sam Negri
Owner's Signature

07.29.2021
Date

Project Information

Property Location: 131 Preamble Ct., Anderson, SC 29621

Parcel Number(s)/TMS: 0930006002

County Council District: 04 School District: 04

Total Acreage: 1.61 Current Zoning: S1

Requested Variance: Approx. 10' setback intrusion

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


Purpose of Variance: Setback variance



Have you researched your Private Covenants/Deed restrictions at the Anderson County Register of Deeds?
Yes: No: Date visited ROD or Date searched online: 7/20/2021

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

If you indicated no and covenants/deed restrictions are discovered after application submittal, the application will be removed from the agenda and any approvals granted by the Board of Zoning Appeals or Planning Commission will be null and void. If you indicated no, your signature is required.



Applicant's Signature

7/20/2021
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:

Variance issuance would allow most efficient use of the property.

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: Current ordinance would render space inadequate & equipment vital for operations would be unusable and processes would be unable to be pe


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:

Authorized variance will decrease rear setback by 9' 11.5" causing setback to be 15' 0.

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

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

7/20/2021
Date

For Office Use Only:

Application Received By: HDC Date Completed Application Received: 7-29-2021
Application Fee Amount Paid: 7200.00 Check Number: CC Pd-7-30-2021 HDC
Scheduled Board Hearing Date: 9-9-2021 Land Use/ Board of Zoning Appeals' Decision: _____

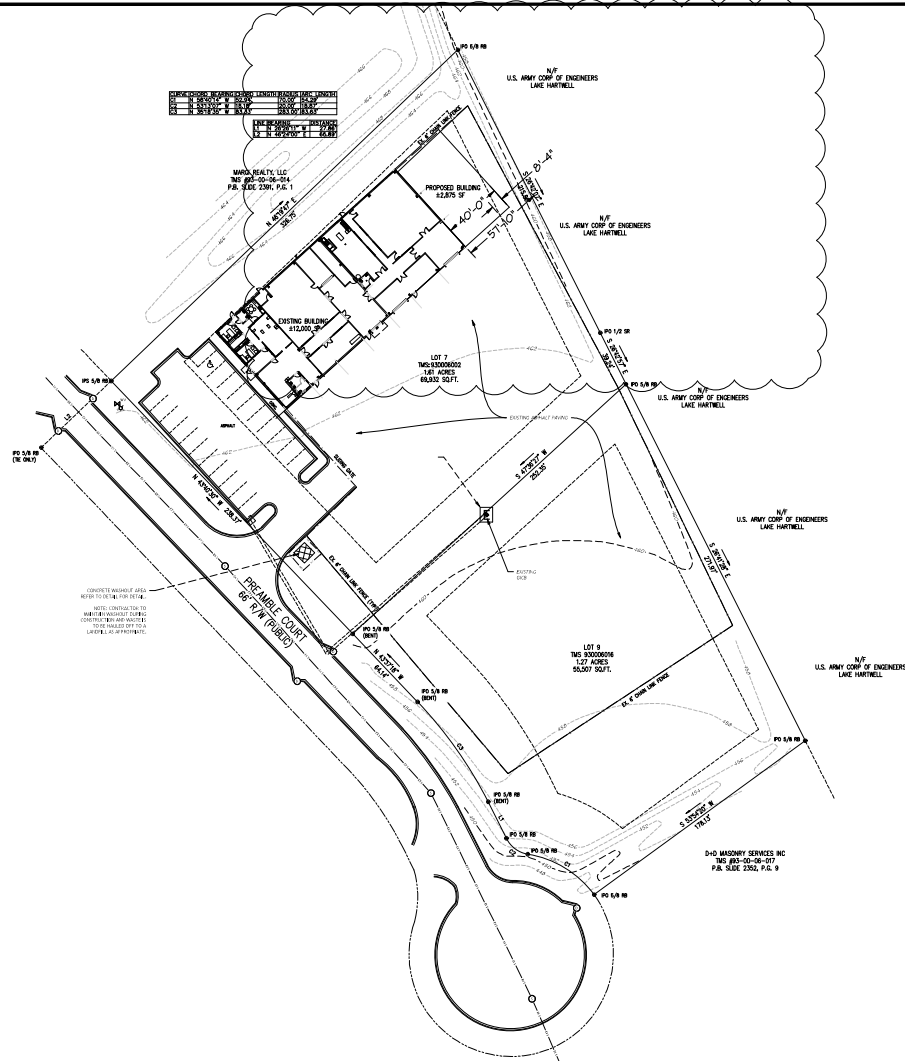
CAROLINA BOTANICAL DEVELOPMENT



VICINITY MAP

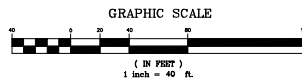
TMS4: 430006002

PROPERTY LINE
 SETBACK LINE



SITE PLAN

SCALE 1" = 40' - 0"



REVISIONS		
NO.	DATE	COMMENTS

PRIME PROFESSIONAL:
 JOHN HIPSHER - ENGINEER

DESIGN PROFESSIONALS:
 JOHN HIPSHER - ENGINEER
 DAVID SIMPSON - ARCHITECT

David M. Simpson
 Architect

192 Broughton Drive
 Greenville, SC 29604
 864-225-1090 (FON)
 864-225-0522 (FAX)

131 Preamble Ct, Anderson



JOHN HIPSHER
 ESTIMATING ENGINEERING
 CONSTRUCTION MANAGEMENT

212 DANENHOFER FARM RD
 FENOLETON, SC 29610
 864-225-1101 (FON)
 864-225-1122 (FAX)
 email: gohardj@bellsouth.net



