

ORDINANCE NO. 2021-009

AN ORDINANCE TO AMEND SECTION 38-371 OF THE CODE OF ORDINANCES, ANDERSON COUNTY, SOUTH CAROLINA REGARDING MINIMUM AREA FOR LOTS AND MINIMUM SETBACK REQUIREMENTS; AND OTHER MATTERS RELATED THERETO.

WHEREAS, land use and development standards is a matter of concern within the unincorporated areas of Anderson County;

WHEREAS, it is necessary to revise and amend the land use and development standards from time to time; and

WHEREAS, the Anderson County Council desires to amend Section 38-371 of the Code of Ordinances, Anderson County, South Carolina to better protect the health, safety, and welfare of Anderson County citizens.

NOW, THEREFORE, be it ordained by the Anderson County Council in meeting duly assembled that:

1. Section 38-371 of the Code of Ordinances, Anderson County, South Carolina is hereby amended to read as follows:

See attached **Exhibit A**

2. The remaining terms and provisions of the Anderson County Code of Ordinances not revised or affected hereby remain in full force and effect.

3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance, all of which is hereby deemed separable.

4. All Ordinances, Orders, Resolutions, and actions of Anderson County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

5. This ordinance shall take effect and be in full force upon the Third Reading and Enactment by Anderson County Council.

ORDAINED in meeting duly assembled this 16th day of March, 2021.

ATTEST:


Rusty Burns
Anderson County Administrator


M. Phyllis White
Assistant Clerk to Council

FOR ANDERSON COUNTY:


Tommy Dunn, District #5, Chairman

APPROVED AS TO FORM:


Leon C. Harmon
Anderson County Attorney

1st Reading: February 2, 2021

2nd Reading: February 16, 2021

3rd Reading: March 16, 2021

Public Hearing: March 16, 2021

EXHIBIT A

Sec. 38-371. - Lot dimensions; setbacks.

- (a) The following minimum dimensions apply for lots with access to public water and sewer:
- (1) Minimum area of 10,000 sq. ft. for a single lot, when not in a zoned area of Anderson County. In zoned areas, the applicable minimum area requirements of the zoning ordinance shall apply.
 - (2) For twin home lots, the minimum combined total area of both lots must be at least 10,000 sq. ft. and each lot must have a minimum area of 5,000 sq. ft. when not in a zoned area of the county. In zoned areas, the applicable minimum area requirements of the zoning ordinance shall apply.
 - (3) Minimum width of 60 feet between side lot lines measured at the front setback line. Minimum width for corner lots shall be measured from the side road setback line, rather than the side lot line to accommodate the need for additional width on corner lots.
 - (4) Minimum depth as required to meet minimum area requirements as specified in subsection (a)(1) and (3) of this section.
 - (5) Minimum rear setback of 15 feet from rear property line for a single family residence or a twin home.
 - (6) Minimum side setback of 15 feet from the lot line shall be maintained on each side of a twin home and on both sides of a single family dwelling. Side setbacks on corner lots shall be equal to half the distance required for the front setback.
- (b) The following minimum dimensions apply for lots with access only to well and septic tank:
- (1) Minimum area of one acre for a single lot, when not in a zoned area of the county. In zoned areas, the applicable minimum area requirements of the zoning ordinance shall apply. Minimum dimensions are subject to approval of lot for septic tank by the county health department. The county health department shall notify the planning commission and the subdivider of its approval in writing. Such notification shall include, at a minimum, information sufficient for identification of the individual lot. Any area within road right of ways shall not be included in calculating the minimum acre requirement.
 - (2) For twin home lots, minimum combined total area of two acres, with each lot containing a minimum area of one acre. Any area within road right-of-ways shall not be included in calculating the minimum acre requirement. In zoned areas, the applicable minimum area requirements of the zoning ordinance shall apply.
 - (3) Minimum width of 100 feet at the building line for a single family residence.
 - (4) Minimum combined width for both lots of 150 feet at the building line for a twin home.
 - (5) Minimum side/rear setback. No residence shall be placed within 15 feet of a side or rear lot line.
- (c) The following minimum dimensions apply for lots with access to public water and septic tank:
- (1) Minimum area of 25,000 sq. ft. for a single lot, when not in a zoned area of the county. In zoned areas, the applicable minimum area requirements of the zoning ordinance shall apply. Minimum dimensions are subject to approval of lot for septic tank by the county health department. The county health department shall notify the planning commission and the subdivider of its approval in writing. Such notification shall include, at a minimum, information sufficient for identification of the individual lot. Any area within road right of ways shall not be included in calculating the minimum acre requirement.
 - (2) For twin home lots, minimum combined total area of 25,000 square feet, with each lot containing a minimum area of 11,500 square feet. Any area within road right of ways shall not be included in calculating the minimum acre requirement. In zoned areas, the applicable minimum area requirements of the zoning ordinance shall apply.
 - (3) Minimum side/rear setbacks. No residence shall be 15 feet from a side or rear lot line.
 - (4) Minimum width shall be 100 feet at the building line for a single family residence.

- (5) Minimum combined width for both lots of 150 feet at the building line for a twin home, with a minimum lot width for each lot of 49 feet.