



MEMORANDUM

ANDERSON COUNTY DEVELOPMENT STANDARDS

DATE: April 5, 2022

TO: Land Use and Zoning Board of Appeals Members

FROM: Henry Youmans

SUBJECT: April 14, 2022

The Anderson County Land Use and Zoning Board of Appeals is scheduled to hold its next meeting on Thursday, April 14, 2022 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 hbyoumans@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
Tony Cirelli, District #4
Debbie Chapman, District #7

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

AGENDA

Thursday, April 14, 2022

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: March 10, 2022
- 4.) Public Hearing:
 - A. Variance – **Bluebird Lane and Manse Jolly Road, Anderson.** To allow a reduction of front setback from Bluebird Ln to construct warehouse and truck shop [Council District 4].
 - B. Variance – **329 Hopkins Road, Townsville.** To reduce side setback to allow construction of addition to house. [Council District 4].
 - C. Variance – **1132 Sandy Springs, Anderson.** To reduce side setback to allow construction of a detached garage. [Council District 4]
- 5.) Old Business:
- 6.) New Business:
- 7.) Adjournment.

STATE OF SOUTH CAROLINA)
COUNTY OF ANDERSON)

ANDERSON COUNTY
LAND USE AND BOARD OF ZONING APPEALS
MARCH 10, 2022

PRESENT:

HUBERT MCCLURE, CHAIRMAN
MIKE MILLER
ALLEN ASHLEY
JOHN FARR
TONY CIRELLI

ALSO PRESENT:
ALESIA HUNTER
HENRY COPELAND
TYANNA HOLMES

1 HUBERT MCCLURE: We'll go
 2 ahead and call this meeting to order. Since we have to
 3 legally start at 5:15, we're starting. Okay? I'm
 4 talking. And we'll go ahead and do our invocation.
 5 Let us pray.

6 **INVOCATION**

7 HUBERT MCCLURE: All right.
 8 So if you noticed in your packet, we had the December
 9 9th meeting notes, as well as the January 13th notes.
 10 Does anybody have any additions or deletions for those
 11 notes? Or do we have a motion to accept?

12 MIKE MILLER: I make a
 13 motion to accept.

14 HUBERT MCCLURE: Mr. Miller
 15 motions to accept. Second by Mr. Ashley. All those in
 16 favor. And everybody does that.

17 And that leads us to public hearing, variance on
 18 Clemson Boulevard. Staff report.

19 ALESIA HUNTER: Thank you,
 20 Mr. Chairman. Our first application is Tractor Supply
 21 located at 3719 Clemson Boulevard here in Anderson. It
 22 is a variance. The owner of the property is Sara
 23 Alexander. Location again, Clemson Boulevard, 3719.
 24 This is located in Council District 1.

25 Here's a tax map for your reference. The garden
 26 center site is there and its existing retail center
 27 that's adjacent to the next parcel there.

28 The property description, the subject includes
 29 2.09 acres. One of two level adjoining parcels
 30 associated with the retail, including the actual
 31 Tractor Supply. When combined the two parcels will
 32 contain 5.51 acres and will have 232 feet of frontage
 33 there, which is on a major commercial arterial highway
 34 there.

35 Land use, large freestanding multi-tenant retail
 36 store. Building is with the onsite surface and parking
 37 is also included in there, as well. The property is
 38 currently unzoned.

39 Again, the applicant is requesting to allow the
 40 placement of a second wall sign over the entrance of
 41 the new garden center.

42 Under findings of facts, Chapter 38 of the
 43 Anderson County Code of Ordinances only allows for one
 44 wall sign where there's actually one freestanding sign,
 45 so you're allowed one square foot sign area per lineal
 46 principal building except when you have actual shopping
 47 centers with two or more tenants there.

48 We have issued a commercial land use permit.
 49 There's a permit number there for your reference. That
 50 was issued the earlier part of this year for the actual

1 garden center. The existing wall sign over the main
2 entrance appears to be like 120 square feet and it's
3 125 feet of storefront elevation across there.

4 The proposed second sign for the garden center
5 entrance will have 30 square feet of sign area to be
6 installed on the 36 feet of the front elevation.

7 Here is a picture of what the actual proposed
8 garden center addition would look like here to the
9 right here. And to the left that's NTB; there's a tire
10 store there with the arrow to the right there -- to the
11 left actually. And then Tractor Supply. This will
12 actually be the street view that we took back in August
13 of last year.

14 Here is the garden center elevation with the
15 proposed sign here. You can see the square footage
16 there. Existing is six by three by twenty. And of
17 course, there's the overall elevation of the proposed
18 sign there.

19 Here is an aerial picture looking down on the
20 actual property there. You can see Tractor Supply
21 there and you can see the garden center there --
22 addition there.

23 Staff recommends approval of the variance request
24 for the following reasons: The garden center gives
25 more -- the addition gives the retail store a second
26 front entrance and it actually extends the total front
27 elevation to more than a hundred and sixty feet. Also,
28 the store faces a large parking area that you can see
29 on the previous slide and with a lot of heavy traffic
30 along Clemson Boulevard, so that does provide some
31 constraints for that.

32 The second wall sign above the new garden center
33 entrance, it will also provide direction. Also when
34 customers do pull into the parking area, they will see
35 the second major entrance there with the sales, so this
36 will give some visibility for it, as well. And of
37 course, three, the third reason why we do recommend
38 approval, the total sign area for the two signs, it
39 won't exceed the maximum allowed for one wall sign,
40 based on the width of the building.

41 And in the application, the applicant has
42 demonstrated that there exists a hardship in the
43 presence of the second wall sign addition, so we do
44 recommend approval. And this request is in the spirit
45 of what the board has previously approved in other
46 cases.

47 That concludes the staff report.

48 HUBERT MCCLURE: Thanks,
49 Alesia. So at this time we'll open up the public
50 hearing for anyone speaking again Tractor Supply.

Anderson County - Land Use Board of Zoning Appeals - March 10, 2022

1 Anyone speaking against? Okay. We will save our
2 questions and concerns for anybody wanting to speak for
3 Tractor Supply or staff. Anybody speaking for Tractor
4 Supply. Okay. And your name?

5 ED MALLARD: Ed Mallard.
6 HUBERT MCCLURE: What did he
7 say?

8 ALESIA HUNTER: Mr. Mallard.
9 HUBERT MCCLURE: Mr. Mallard,
10 if we have any questions -- I don't know if we'll have
11 any or not.

12 I'm going to close the public hearing and reserve
13 questions for staff and Mr. Mallard since no one is
14 here speaking against.

15 What's the feeling of the board?

16 MIKE MILLER: I make a
17 motion to approve.

18 HUBERT MCCLURE: I second that
19 motion. All those in favor. And everybody approves.
20 Thank you, Mr. Mallard. We'll sign a sheet for you
21 before you leave.

22 Next is staff report, 100 Shay Drive, Honea Path.
23 I'm sorry, Honea Path. Tammy Brown. Go ahead, staff
24 report.

25 ALESIA HUNTER: Mr.
26 Chairman, this actual application has been withdrawn.
27 So the board won't be hearing this.

28 HUBERT MCCLURE: Huh?
29 ALESIA HUNTER: This
30 application has been withdrawn.

31 HUBERT MCCLURE: Oh, it's been
32 withdrawn?

33 ALESIA HUNTER: Yes.
34 HUBERT MCCLURE: Okay. Well
35 then we don't have to listen to it.

36 ALESIA HUNTER: That's
37 correct.

38 HUBERT MCCLURE: Okay. So we
39 go to new business and old business. And of course,
40 I'm going to give it to Alesia. Go ahead, Alesia.

41 ALESIA HUNTER: Yes, sir.
42 Mr. Chairman, we'll have Tyanna to hand out the slips.
43 We're getting ready for the election of Board of Zoning
44 Appeals officers for the year 2022. So we'll pass that
45 out. And you can write down who you would like to
46 recommend Chair and Vice Chair. Our current Chair is
47 Mr. Hubert McClure. Our Vice Chair is Mr. Mike Miller.
48 That's our current officers.

49 HUBERT MCCLURE: Okay. I want
50 to talk about the mail-in vote. Do we have a mail-in

1 vote for this?
2 ALESIA HUNTER: No, sir.
3 HUBERT MCCLURE: We don't have
4 a mail-in vote?
5 ALESIA HUNTER: No, sir. We
6 need to take your vote ---
7 HUBERT MCCLURE: We can forget
8 it, Mike. We ain't going to be able to win.
9 ALESIA HUNTER: When you
10 finish, just let Tyanna know and she'll bring them up
11 here and we'll announce the winners.
12 HUBERT MCCLURE: I've got
13 three. Pass them down or pass them to her.
14 (OFF RECORD DISCUSSIONS AMONGST BOARD MEMBERS)
15 ALESIA HUNTER: So we have
16 unanimous, Mr. Hubert McClure will remain as Chairman.
17 Mr. Mike Miller will remain as Vice Chairman. Thank
18 you both.
19 HUBERT MCCLURE: Oh, me, I
20 don't know if it's a good thing or not.
21 Okay. Do we have any old business? Anything
22 else? Do we have a motion to adjourn?
23 ALLEN ASHLEY: Make a
24 motion.
25 HUBERT MCCLURE: Second. All
26 in favor. Don't need it, but everybody is adjourned.
27 Y'all have a good month and I'll see y'all next month.
28
29 **MEETING ADJOURNED AT APPROXIMATELY 5:41 P.M.**

Staff Report

Application for a **Variance** – To allow a reduction of front setback from Bluebird Ln to construct warehouse and truck shop
Anderson County Land Use Board of Zoning Appeals Meeting - District 4
Historic Courthouse
Thursday, April 14, 2022
5:15 PM

Applicant: David Konovalchuk

Owner of Property: Same

Property Location: Bluebird Ln Lot 3, Anderson, SC

Council District: Four (4)

Tax Map Number (TMS #): 119-00-02-036

Property Description: .65 acres, Lot 3 in Saraske Industrial Park (2003)

Current Zoning: I-2 (Industrial Park District)

Land Use: Vacant

Applicant Request: Applicant is requesting a **Variance** to allow a reduction of front setback from 50 feet to 5 feet on Bluebird Lane to accommodate construction warehouse and truck shop.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 70, Section 5:21.10 no building shall be located closer than 50 feet to all street right-of-way lines.

Staff Recommendation:

- 1) The parcel is only 34,048 square feet. The property will be unbuildable if the requested variance is not granted.
- 2) The parcel is located between Manse Jolly Rd and Bluebird Ln. Applicant meets the 50' setback from Manse Jolly right-of-way, a major rural collector which has a higher classification than Bluebird Ln, which is a major rural local and the lesser classification.
- 3) The property at its widest point is 127', leaving a width of only 2' to build within after right-of-way and required front setbacks are deducted. The applicant will meet the required side setback of 25 feet.
- 4) As such, the proposed building will not cause detriment to other properties which are zoned for industrial uses as well. The fact that the parcellfronts on two roads, the justification for the hardship exists.
- 5) If approved, the applicant will be required to obtain a commercial land use permit from Development Standards and a building permit from Building & Codes.



Variance Application

There is a Variance Application Fee of \$200.00

2/20/22

Date of Application Completion

Application Status (Approved or Denied)

Applicant's Information

Name: David Konovalchuk

Mailing Address: 5110 Persimmon LN Anderson, SC 29626

Telephone and Fax: 864/202/3245 E-Mail: Danilkoince@gmail.com

Owner's Information

(If Different from Applicant)

Name: _____

Mailing Address: _____

Telephone and Fax: _____ 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

2/20/22

Date

Project Information

Property Location: Blue Bird LN Anderson, SC

Parcel Number(s)/TMS: 1190002036

County Council District: 4 School District: 4

Total Acreage: .849 Current Zoning: 1-2

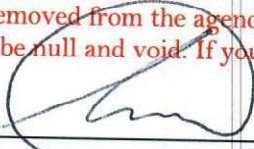
Requested Variance: Set Back Variance 50' to 5' from blue bird row
Please indicate if setback variance, sign variance or minimum lot size variance.

Purpose of Variance: unbuildable with current setBack

Have you researched your Private Covenants/Deed restrictions at the Anderson County Register of Deeds?
Yes: No: Date visited ROD or Date searched online. 2/22/22

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

2/22/22

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:
two road frontages, 50' from right of ways leaves 2' buildable

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

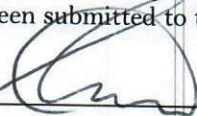
Application of the ordinance to the particular piece of property would effectively prohibit or unreasonable restrict the utilization of the property as follows: unbuildable with current setbacks of 50' from right-of-way

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: setback variance is requested on road of lesser classification.

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.



Applicant's Signature

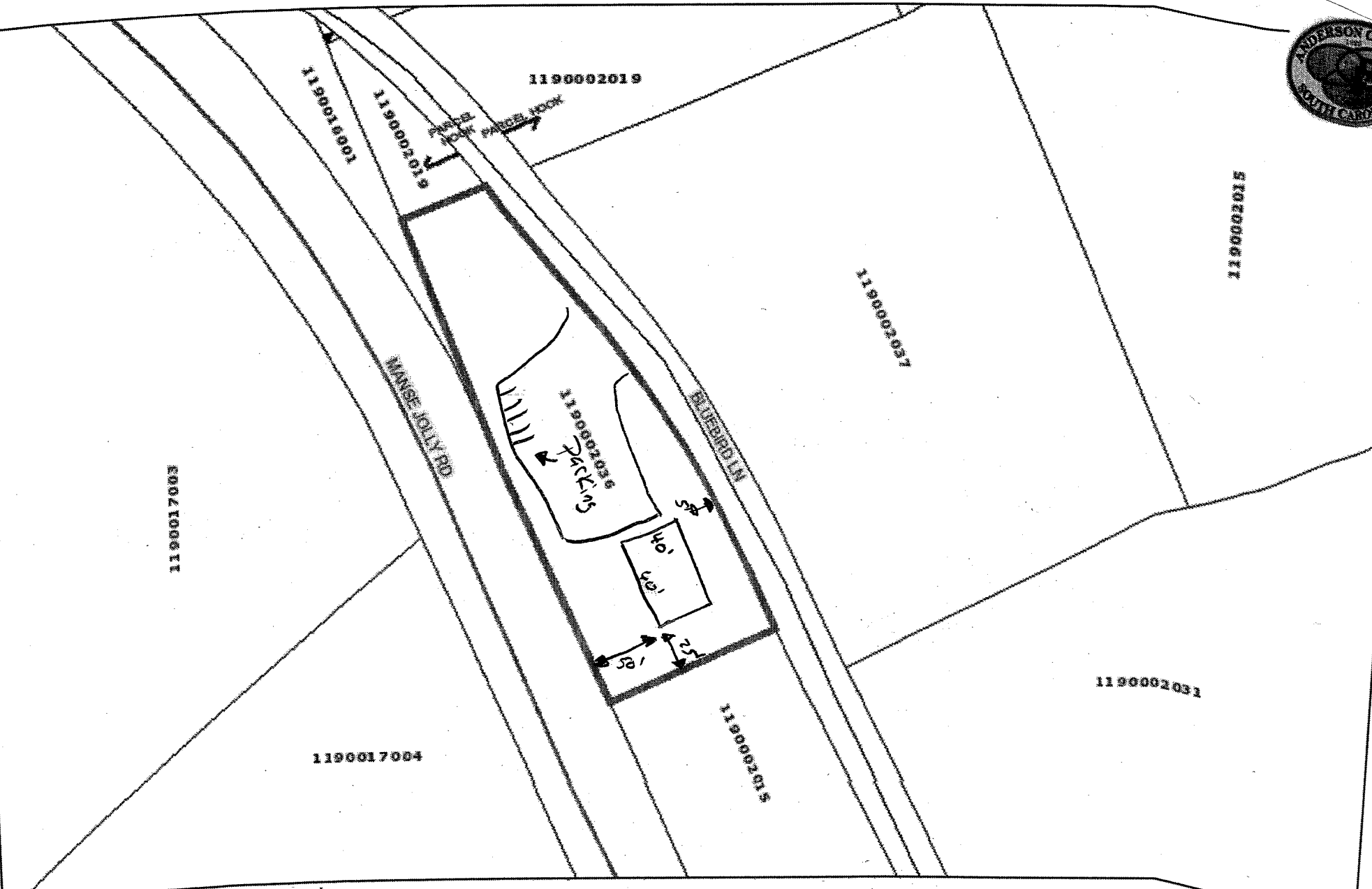
2/20/22

Date

For Office Use Only:

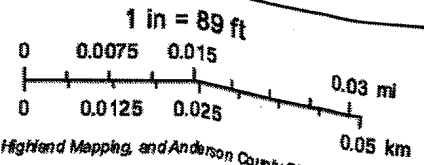
Application Received By: _____ Date Completed Application Received: _____
Application Fee Amount Paid: _____ Check Number: _____
Scheduled Board Hearing Date: _____ Land Use/Board of Zoning Appeals' Decision: _____

Anderson County

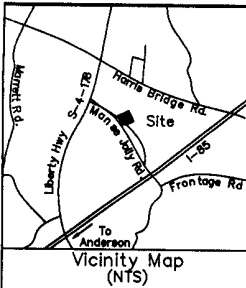


March 10, 2022 Disclaimer accepted.

TMS:	1190002036
Owner:	KONVALCHUK DAVID
Owner Address:	1618 DALRYMPLE RD
City/State:	ANDERSON SC
Deed Book:	10523
Tax District:	4
Sale Year:	2012
Deed Page:	4
Description:	LT 3 BLUE BIRD LN 65 AC
Zip Code:	29621
Current Plat:	CP S 1494/9B
Sale Price:	
Market Value:	



ESRI, Highland Mapping, and Anderson County GIS



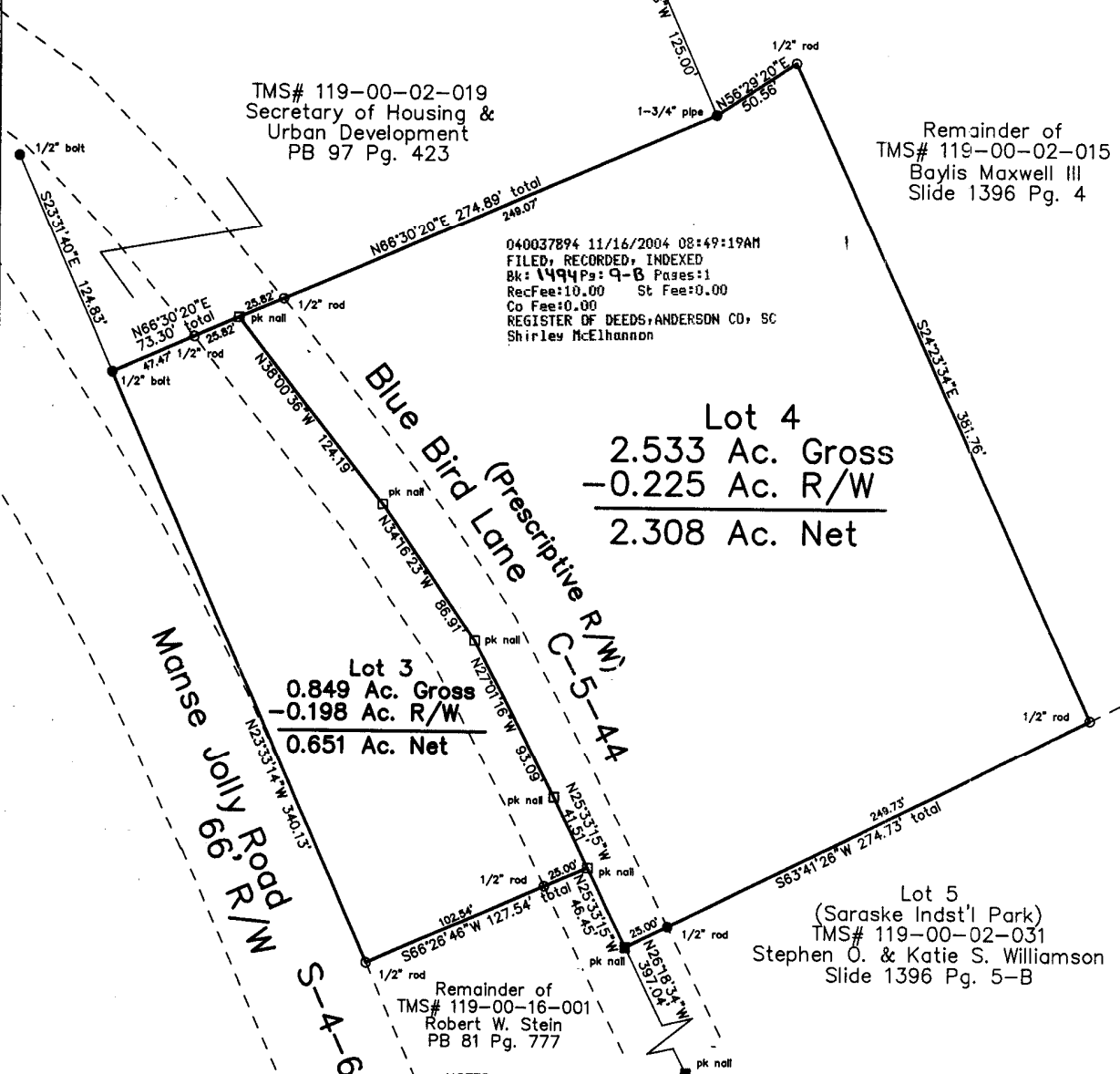
On any Road NOT having a designated Right-of-way width, the Area in the Right-of-way will be computed as per Anderson County Planning standards: 25' from the Centerline of a County Road, 33' from the Centerline of a State Road.

Subdivision Administrator Approval

THIS IS NOT A SUBDIVISION AS DEFINED BY ANDERSON COUNTY SUBDIVISION REGULATIONS

Ayesha Priggen 11/10/04
SUBDIVISION ADMINISTRATOR DATE

PLEASE ADD TC TAX ROLL



040037894 11/16/2004 08:49:19AM
FILED, RECORDED, INDEXED
Bk: 1494 Pg: 9-B Pages: 1
Rec Fee: 10.00 St Fee: 0.00
Co Fee: 0.00
REGISTER OF DEEDS, ANDERSON CO, SC
Shirley McElhannon

TMS# 119-00-02-019
Secretary of Housing &
Urban Development
PB 97 Pg. 423

Remainder of
TMS# 119-00-02-015
Baylis Maxwell III
Slide 1396 Pg. 4

Remainder of
TMS# 119-00-16-001
Robert W. Stein
PB 81 Pg. 777

- NOTES:
- 1) Parent TMS# 119-00-02-015 and 119-00-16-001
 - 2) Reference Plat Books: Slide 1393 Pg. 4 and PB 81 Pg. 777
 - 3) Reference Deed Books: 5595 Pg. 200 and 18-H Pg. 944
 - 4) Lots 3 & 4; Saraske Industrial Park Subdivision
 - 5) 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.



"I hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein, and there are no visible encroachments or projections other than shown."

Earl B. O'Brien
Earl B. O'Brien R.L.S. No.10755

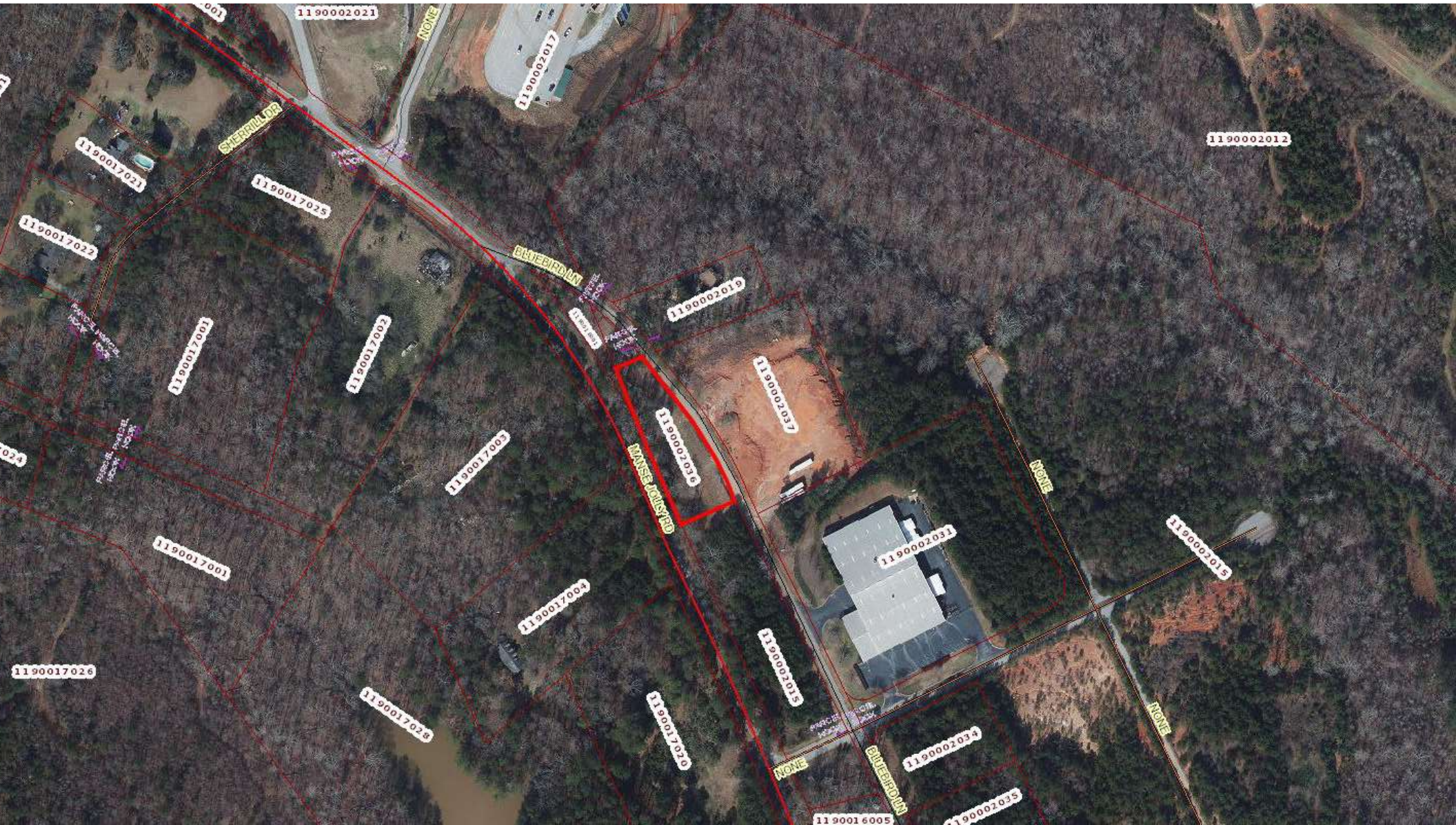
Legend	
(Old)	(New)
●	○ Iron Pin
■	□ Nail
△	Computed Pt.

Nu-South Surveying Inc.
111 Anderson Ave.
Anderson S.C. 29625
(864) 224-2754

Survey for
Baylis Maxwell III

Anderson County South Carolina
Scale 1" = 60' Date: Nov. 9, 2004

Map #6702





Staff Report

Application for a **Variance** – To reduce side setback to allow construction of addition to house
Anderson County Land Use Board of Zoning Appeals Meeting - District 4
Historic Courthouse – 101 South Main Street – 2nd Floor County Council Chambers
Anderson, South Carolina
Thursday, 14 April 2022
5:15 PM

Applicant: Michael P. Major

Property Owner: Michael P. and Karen D. Major

Property Location: 329 Hopkins Rd, Townville, SC 29689

Council District: Four (4)

Tax Map Number (TMS #): 026-03-01-009

Property Description: Irregular shaped residential lot containing 10,976 sq. ft. (0.252 ac.) with approximately 273 feet of frontage on Lake Hartwell.

Land Use: Single family dwelling.

Current Zoning: The property is not zoned.

Applicant Request: Reduction of required side yard setback from 10' to 5' to allow construction of addition to existing residence.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 38, Section 38-371 – for residential properties of this description, the minimum side yard setbacks shall be 10.0 feet from the side lot lines and 10.0 feet from the rear lot line.

Staff Recommendation:

- 1) The proposed new addition cannot be constructed based on the size, shape and topography of the lot to meet the required setbacks and would require major changes to the floor plan.
- 2) The septic system, including drain field, is located in front of the existing home and on the western side of the property, making placement of the addition on this side of the home difficult.
- 3) The Board has considered other variances similar to this request.
- 4) If approved, the applicant will be required to obtain a building permit from Buildings and Codes and a land use permit from Development Standards.

PAID
\$ #22-604



Variance Application

There is a Variance Application Fee of \$200.00

March 6, 2022

Date of Application Completion

Application Status (Approved or Denied)

Applicant's Information

Name: Michael P Major

Mailing Address: 329 Hopkins Road, Townville, SC 29689

Telephone and Fax: (864)423-3251 E-Mail: mpmajor@bellsouth.net

Owner's Information

(If Different from Applicant)

Name: _____

Mailing Address: _____

Telephone and Fax: _____ Email: mpmajor@bellsouth.net

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: 329 Hopkins Road, Townville, SC 29689

Parcel Number(s)/TMS: Lot 39 / 026-03-01-009

County Council District: 04 School District: 04

Total Acreage: 0/252 Current Zoning: N/A

Requested Variance: Setback variance

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

Purpose of Variance: We are planning an addition to our existing home and request a 5 foot setback for only the property line that is common with the US Army corps of engineers. Also one corner of the current structure only has a 5 foot setback with COE.



Have you researched your Private Covenants/Deed restrictions at the Anderson County Register of Deeds?
Yes: No: Date visited ROD or Date searched online: March 6, 2022

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.

Michael P. Major
Applicant's Signature

March 7, 2022
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:

Granted to us of a perpetual easement for p/o lot 40. (Ref deed book 3258, page 122)

Conditions do not generally apply to other properties in vicinity, as shown by: Other existing structures on COE property line are less than 10 foot setback

Application of the ordinance to the particular piece of property would effectively prohibit or unreasonable restrict the utilization of the property as follows: We could not construct the home addition as planned. A modified smaller design would be required.

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 US Army COE property is not impacted in any way. The COE Ranger is agreeable as long as no encroachment.

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

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.

Michael P. Major
Applicant's Signature

March 7, 2022
Date

For Office Use Only:

Application Received By: HDC Date Completed Application Received: 7 March 2022
Application Fee Amount Paid: 200.00 Check Number: #2639
Scheduled Board Hearing Date: 14 Apr. 2022 Land Use/Board of Zoning Appeals' Decision: _____

Page 2 of 2

Variance Appliance Checklist

The following checklist is to aid the applicant in providing the necessary materials for submittal.

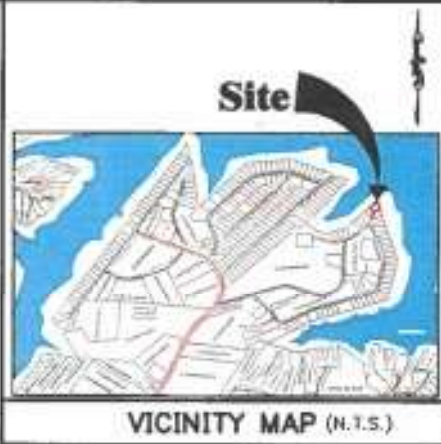
Application Submittal Requirements and Process

To submit a Variance Application, you must provide the following to the Development Standards Office:

- *Completed and Signed Variance Application
- *One (1) Copy of all Private Covenants and Deed Restrictions Related to the property, if applicable
- *One (1) Accurate, Legible Plot Plan with Dimensions and Locations of Structures and Improvements of the Property
- *Check made payable to Anderson County for Variance Application Fee of \$200.00

The Development Standards's Staff will recommend approval or denial to the Land Use/Board of Zoning Appeals at a scheduled Public Hearing. Applicants are notified of the date, time, and location of this meeting; and are encouraged to attend, in case questions arise. The Land Use/Board of Zoning Appeals will make the final decision.

Additional Requirements/Comments: I consulted our COE ranger and his only guidance is that no part of the addition or retaining wall encroach on the COE property line.



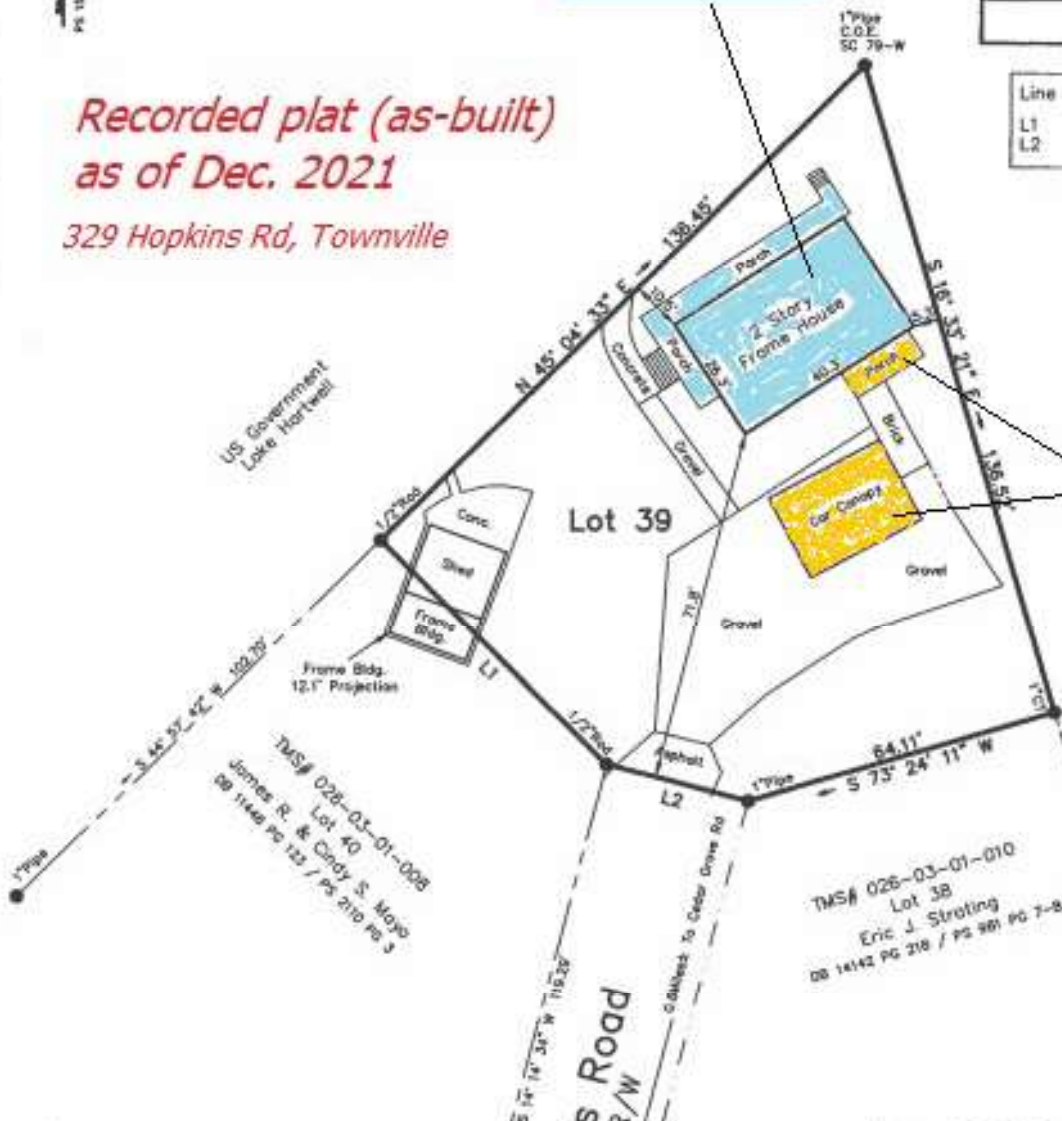
US Government
Lake Hartwell

existing house &
porch - to remain

*Recorded plat (as-built)
as of Dec. 2021*

329 Hopkins Rd, Townville

Line	Bearing	Distance
L1	N 45° 05' 08" W	64.35'
L2	N 75° 28' 42" W	29.45'



existing porch &
carport to be
removed

As-Built Survey Lot 39 (C.L. Hopkins Subd.)

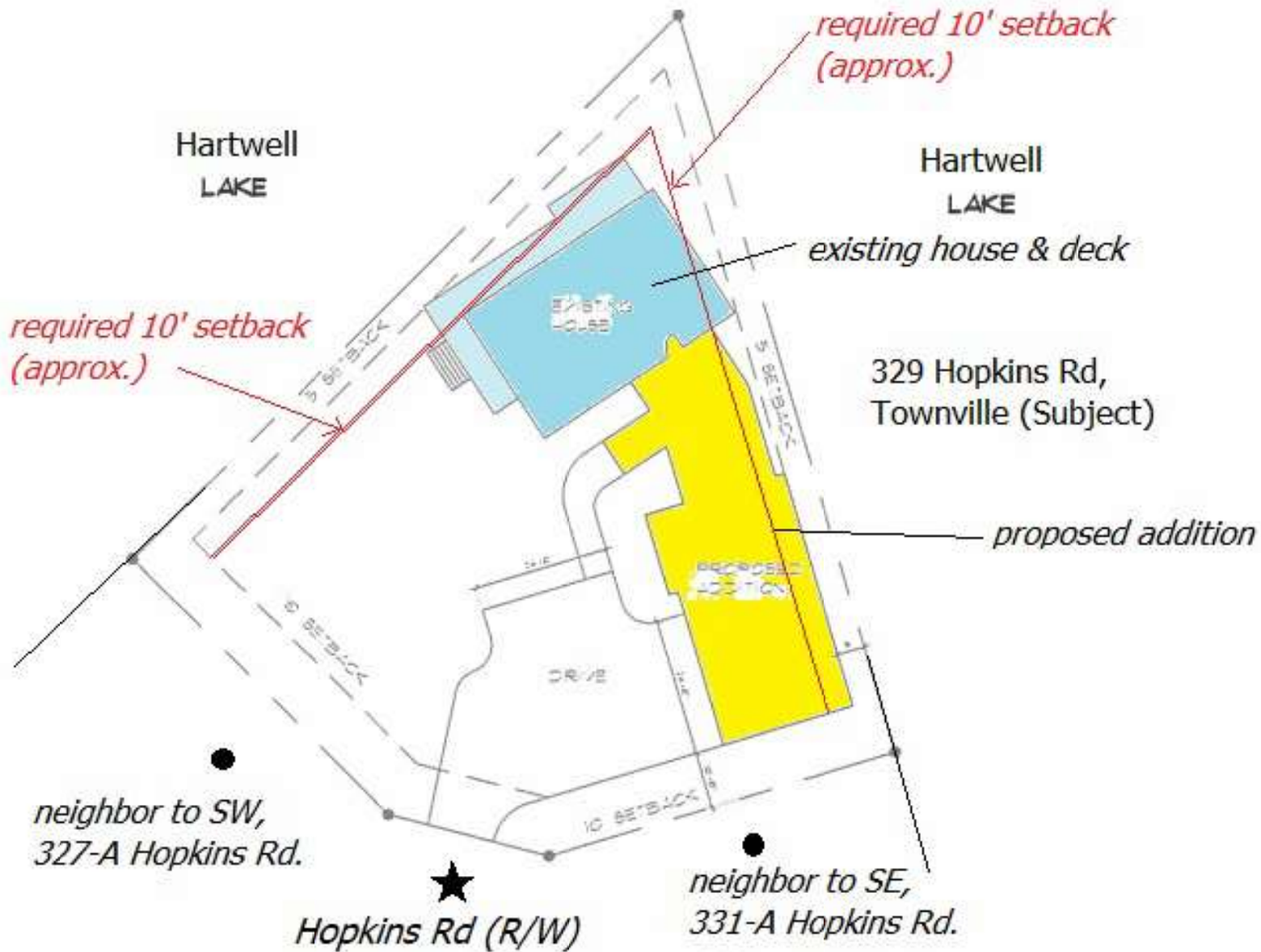
10,976 Sq. Ft. 0.252 Acres

- Legend**
- IRON PIN SET
 - IRON PIN FOUND
 - ▲ NAIL SET
 - ▲ NAIL FOUND
 - COMPUTED POINT

EXEMPTION FROM REVIEW PROCESS
This plot is a RESURVEY of
an existing lot of record.
Thomas E. Belcher
Thomas E. Belcher SCPLS# 16126

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.

NOTE: Utilities NOT shown on this survey.



Ⓢ SITE PLAN
SCALE: 1/4" = 10'-0"



CADDEZIGNS

532 Stagecoach Drive
Anderson, SC 29625

SITE PLAN
329 Hopkins Road
026-08-01-009

A New Addition for:
Mr. & Mrs. Major
Townville, SC

01

Hartwell Lake

AE

Hartwell Lake

**Townville
29689**

0205 F

*Subject Property:
329 Hopins Rd*



329
HOPKINS RD

260301009

327 A
HOPKINS RD

260301008

HOPKINS RD

C-06-0038E

331 A
HOPKINS RD

260301010

260301007

327
HOPKINS RD

260301006

325
HOPKINS RD

260301011

331
HOPKINS RD

Staff Report

Application for a **Variance** – To reduce side setback to allow construction of addition to house
Anderson County Land Use Board of Zoning Appeals Meeting - District 4
Historic Courthouse – 101 South Main Street – 2nd Floor County Council Chambers
Anderson, South Carolina
Thursday, 14 April 2022
5:15 PM

Applicant: Peter Wicha, Jr

Property Owner: Peter Wicha Jr Irrevocable Trust

Property Location: 1132 Sandy Springs Rd, Anderson, SC 29689

Council District: Four (4)

Tax Map Number (TMS #): 065-00-11-008

Property Description: This is a long and narrow rectangular lot containing 5.779 acres with approximately 220 feet of frontage along Sandy Springs Road. The property is slightly more than 1,200 feet deep.

Land Use: Single family dwelling.

Current Zoning: The property is zoned R-A (Residential Agricultural District).

Applicant Request: To allow a reduction of the required side yard setback from 22' to 10' in order to permit the construction of a detached garage using the existing driveway.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 70, Section 5:2, a Residential Agricultural District, in addition to the agricultural objectives, provides for spacious residential development. Under Section 5:2.6, regarding side yard setbacks, the minimum width of a residential side yard shall be ten percent of the total lot width or ten feet, whichever is greater, with a maximum side yard setback requirement of not more than 25 feet. The required minimum side yard setback for the subject property is 22 feet.

Staff Recommendation:

- 1) The variance request would not comply with intent of the ordinance for R-A zoning.
- 2) The installation of a new driveway or adding an extension of the existing driveway across the front of the home to a detached garage placed on the opposite side is possible.
- 3) A required part of the variance application is to demonstrate the existence of a hardship. No hardship has been shown to be addressed by the applicant's proposed solution, relative to the plans submitted.
- 4) Denial of this request is compatible with the spirit and intent of the ordinance should a variance be denied when a hardship does not exist.

PAID
#22-574



Variance Application

There is a Variance Application Fee of \$200.00

28 FEB 22
Date of Application Completion

Application Status (Approved or Denied)

Applicant's Information

Name: PETER WICHA JR

Mailing Address: 1132 SANDY SPRINGS RD, ANDERSON, SC. 29625

Telephone and Fax: 914-844-2091 CELL E-Mail: PWJBASE@VERIZON.NET

JOHN J STATHARIS, ATTORNEY FOR APPLICANT HOME #17
111-A WEST BENSON ST. ANDERSON SC 29624 - 864-236-1385
 Owner's Information STATHARIS@GILMCLAW.COM
 (If Different from Applicant)

Name: PETER WICHA JR IRREVOCABLE TRUST, PAUL WICHA TRUSTEE

Mailing Address: 109 VAILS LAKE SHORE DRIVE, BREWSTER NY 10509

Telephone and Fax: 845-205-2011 H Email: PWJT2000@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.

Peter Wicha Jr I, Trust Paul Wicha 28 FEB 22
 Owner's Signature: Trustee Date

Project Information

Property Location: 1132 SANDY SPRINGS RD, ANDERSON SC 29625

Parcel Number(s)/TMS: 065-00-11-008 000

County Council District: 4 School District: 094

Total Acreage: 5.779 Current Zoning: R-A

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

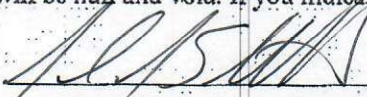
Purpose of Variance: BUILD GARAGE



Have you researched your Private Covenants/Deed restrictions at the Anderson County Register of Deeds?
Yes: No: Date visited ROD or Date searched online: 24 FEB 22

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 ATTORNEY N ARENT
FOIC APPLICANT

24 FEB 22
Date

If you indicated yes, please provide a copy of your covenants and deed restrictions with this application - pursuant to State Law (Section 6-29-1145: July 1, 2007) - determining existence of restrictive covenants. Copies may be obtained at the Register of Deeds Office. It is the applicant's responsibility for checking any subdivision covenants or private covenants pertaining to the property.

Applicant hereby appeals to the Board of Zoning Appeals for a variance from the strict application to the property described in the Notice of Appeal of the following provision of the Development Standards Ordinance.

The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by State Law and the ordinance are met by the following facts:

Extraordinary and exceptional conditions pertaining to the particular piece of property, as follows:

SEE ATTACHMENT #1

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

SEE ATTACHMENT #2

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

SEE ATTACHMENT #3

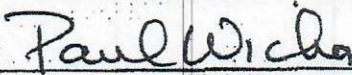
Authorization of variance will not be of substantial detriment to adjacent property or to the public good and the character of the district will not be harmed by the granting of the variance for the following reasons:

SEE ATTACHMENT #4

The following documents are submitted in support of this application: (Please attach copies of all additional information to this application.) SEE ATTACHMENT #5

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

_____ Date

For Office Use Only:

Application Received By: HDC Date Completed Application Received: 2-28-2022
Application Fee Amount Paid: \$ 200.00 Check Number: # 7072
Scheduled Board Hearing Date: Apr. 19, 2022 Land Use/Board of Zoning Appeals' Decision: _____

Variance Appliance Checklist

The following checklist is to aid the applicant in providing the necessary materials for submittal.

Application Submittal Requirements and Process

To submit a Variance Application, you must provide the following to the Development Standards Office:

- *Completed and Signed Variance Application
- *One (1) Copy of all Private Covenants and Deed Restrictions Related to the property, if applicable
- *One (1) Accurate, Legible Plot Plan with Dimensions and Locations of Structures and Improvements of the Property
- *Check made payable to Anderson County for Variance Application Fee of \$200.00

The Development Standards's Staff will recommend approval or denial to the Land Use/Board of Zoning Appeals at a scheduled Public Hearing. Applicants are notified of the date, time, and location of this meeting; and are encouraged to attend, in case questions arise. The Land Use/Board of Zoning Appeals will make the final decision.

Additional Requirements/Comments:

SEE ATTACHMENT #6

1 Although the subject property is in excess of 5 acres, is a narrow sliver carved out of much larger tracks. The subject property is only 219 feet wide. The house and driveway are 35 feet from the neighboring property line. A 20-foot sideline setback allows only 5 feet for expansion. The applicant requests a variance so as to allow a 10-foot sideline setback for the construction of an ancillary garage and boat storage. The applicant moved to the area to enjoy recreational boating and requires appropriate boat and an additional vehicle storage so as not to leave them parked in his front yard creating an unsightly scene for his neighbors. The current zoning anticipates large wide-open properties for which the applicant's property is not. However, adjoining properties are vast areas and the requested variance would not in any way hinder the intent of zoning. Due to the configuration of the applicant's property, no other alternatives are available thus creating the exceptional circumstances to support the variance.

#2 The other properties in the area are large wide-open spaces consistent with the conditions anticipated by A-2 Zoning. When the applicant's property was created through subdivision, it was inconsistent with A-2 Zoning considerations.

#3 As indicated above application of the ordinance would clearly prohibit making possible the applicant's plans for additional needed garage space.

#4 That the authorization of variance would not substantially be detrimental to adjacent property is clearly demonstrated by statement of Bruce C. Smith the adjacent property owner who is fully supportive of the applicant's project in his request for a variance. Please see attached statement of Bruce C. Smith.

#5 Statement of Bruce C. Smith
tax map of subject property and surrounding area
plat of subject property
to scale sketch with dimensions of proposed project
photos of area in proposed site

#6 Applicant looks forward to full presentation of his variance request before the Anderson County Board of Zoning Appeals.


Statement of Bruce C. Smith

Re: Variance Application of Peter Wicha

I am Bruce C. Smith and I am the property owner at 1101 Sandy Springs Road, Anderson, South Carolina, TMS number 650012001. My property is adjacent to that of Peter Wicha. Please know that I have spoken with Mr. Wicha regarding his plans to build a 36' x 26' garage between his driveway and our joint property line. Additionally, he has shared with me his proposed scale layout of the project.

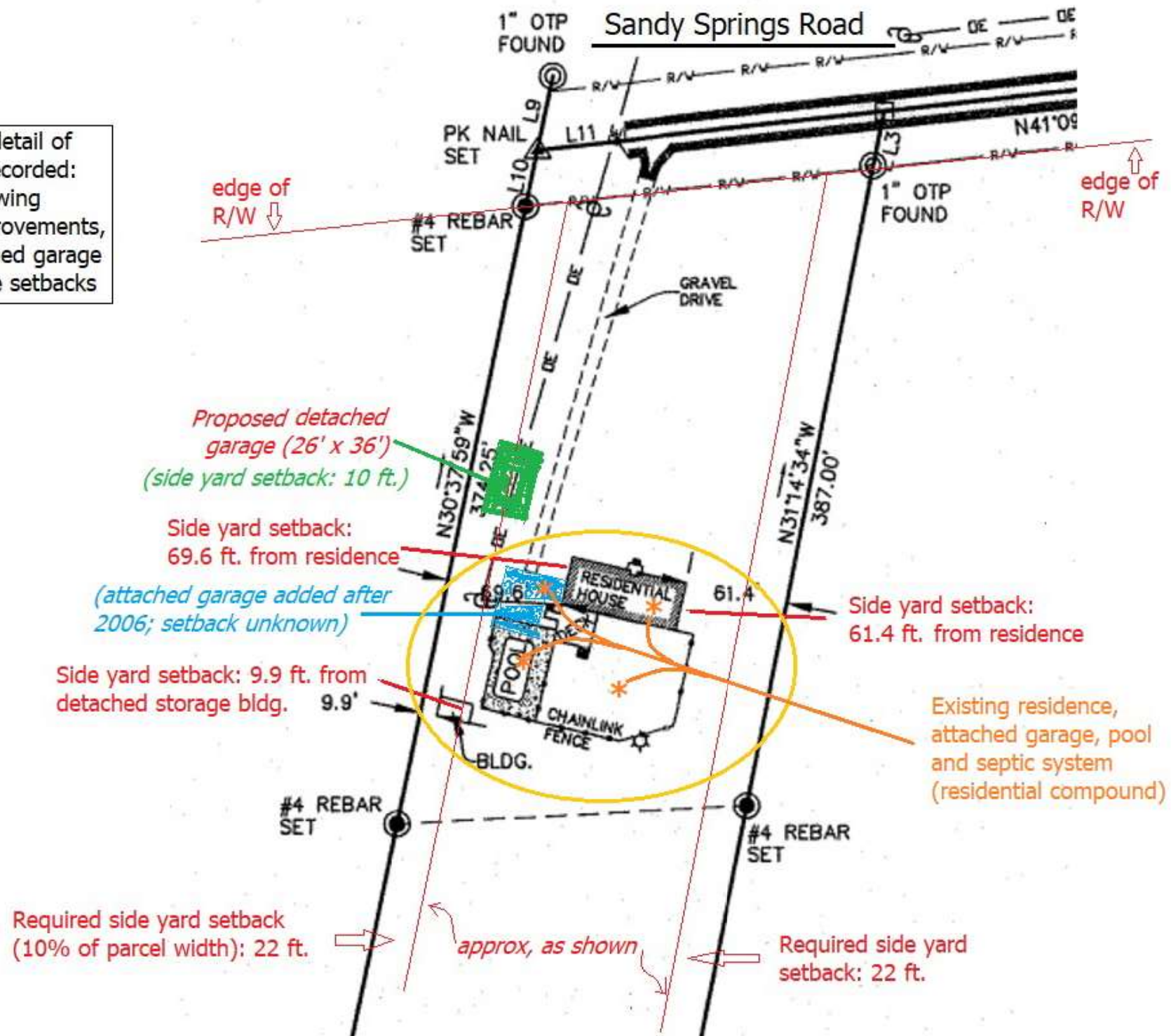
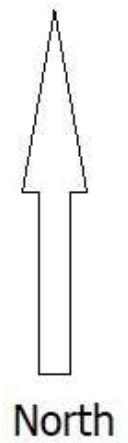
Please know that I am fully supportive of Mr. Wicha, his project and his request for a variance. I am fully understanding of the zoning requirements of a 20 foot side setback in our area. The idea, of course, is to preserve the openness of property and landscapes. However, in Mr. Wicha's case his lot is so narrow that the 20 foot side setback is not realistic, practical nor in my opinion fair to him. My joining property is open land and the variance requested will not in any way alter the open landscape in our area. Where he has chosen to place a garage in no way would interfere with me or my enjoyment of my property, nor do I think in any way would it be detrimental to the surrounding area. I believe his proposed project would only increase property values and is positioned in the best location.

Again, I am fully supportive of Mr. Wicha's variance request and urge the Anderson County Board of Zoning Appeals to grant his request. If I can be of any further assistance in this matter, please do not hesitate to contact me.


Bruce C. Smith
1101 Sandy Springs Road
Anderson, SC 29625
Telephone: 864-261-8748

Date: 02/23/2022, 2022

Site plan using detail of recorded plat (recorded: Oct. 2006); showing subsequent improvements, proposed detached garage and approximate setbacks



650013035

1132 Sandy Springs Rd.

0210 F

Proposed site of detached garage

Existing Residence, attached garage, pool and septic system

650011008

650012001

2020 Aerial Photo: detail



THIS IS NOT A SUBDIVISION AS DEFINED
 IN ANDERSON COUNTY SUBDIVISION
 REGULATIONS
 DATE 10/30/06
 DIVISION ADMINISTRATOR

PLEASE ADD TO TAX ROLL

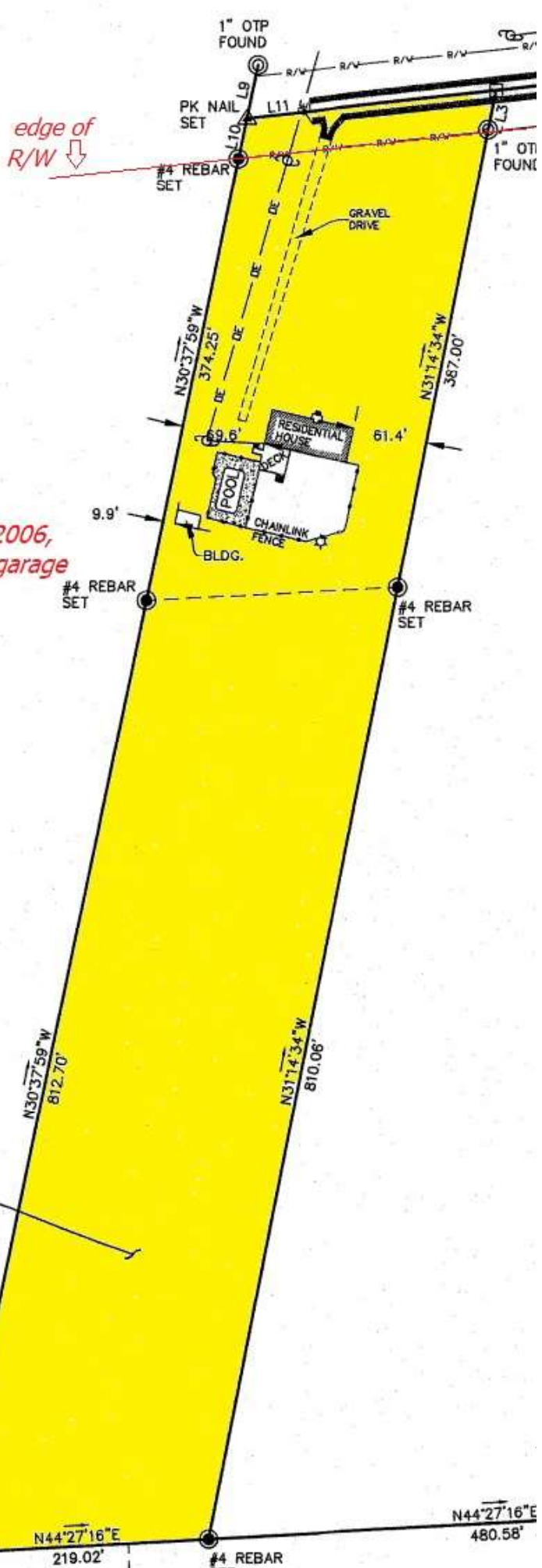
LINE	LENGTH	BEARING
1	70.23	N41°16'27"E
2	33.25	S52°08'46"E
3	32.97	N30°34'32"W
4	33.00	S48°49'06"E
5	33.00	N48°49'54"W
6	27.05	S31°02'15"E
7	22.70	N30°35'30"W
8	28.00	N44°20'56"E
9	44.80	N30°37'59"W
10	33.95	N30°37'59"W
11	209.42	N41°09'49"E

Portion of plat recorded in Oct. 2006,
 before construction of attached garage

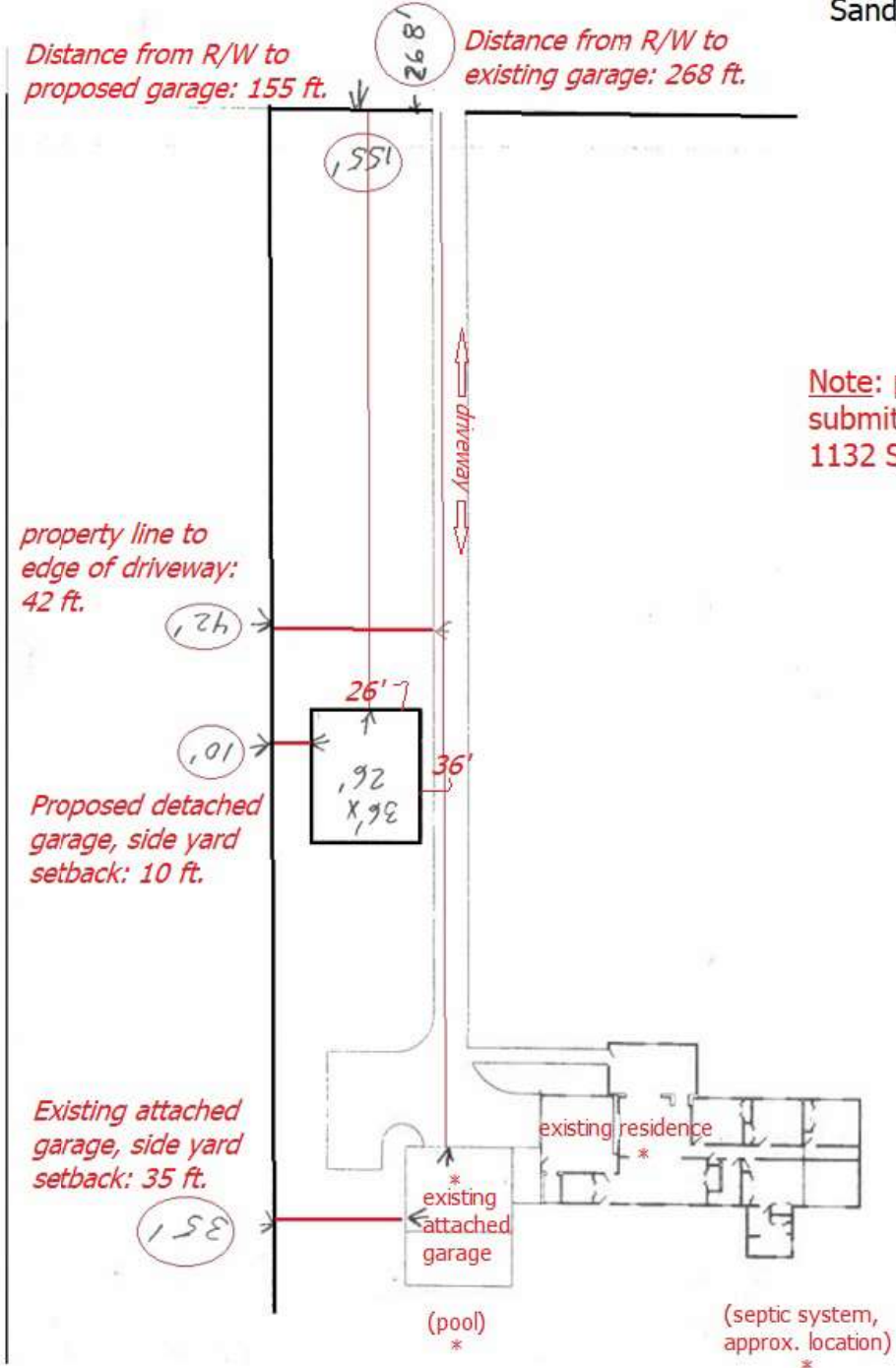
N/F
 BRUCE C. SMITH
 T.M.S. #065-00-12-001
 DEED BOOK: 20A PG: 548
 PLAT BOOK: 24 PG: 149.

TRACT "E"
5.779 ACRES

MAJDE WHITFIELD
 DIS M WHITFIELD
 SOUTH CAROLINA
 OF ANDERSON



Sandy Springs Road



Note: proposed site plan submitted by applicant, 1132 Sandy Springs Rd.





1132 Sandy Springs Rd.

Google Street View as of Dec. 2016



Google

1132 Sandy Springs Rd.
Anderson



650012002

650013036

650013010

650013035

650013012

650013011

650012001

650011016

SANDY SPRINGS RD S-04-0058

0210 F

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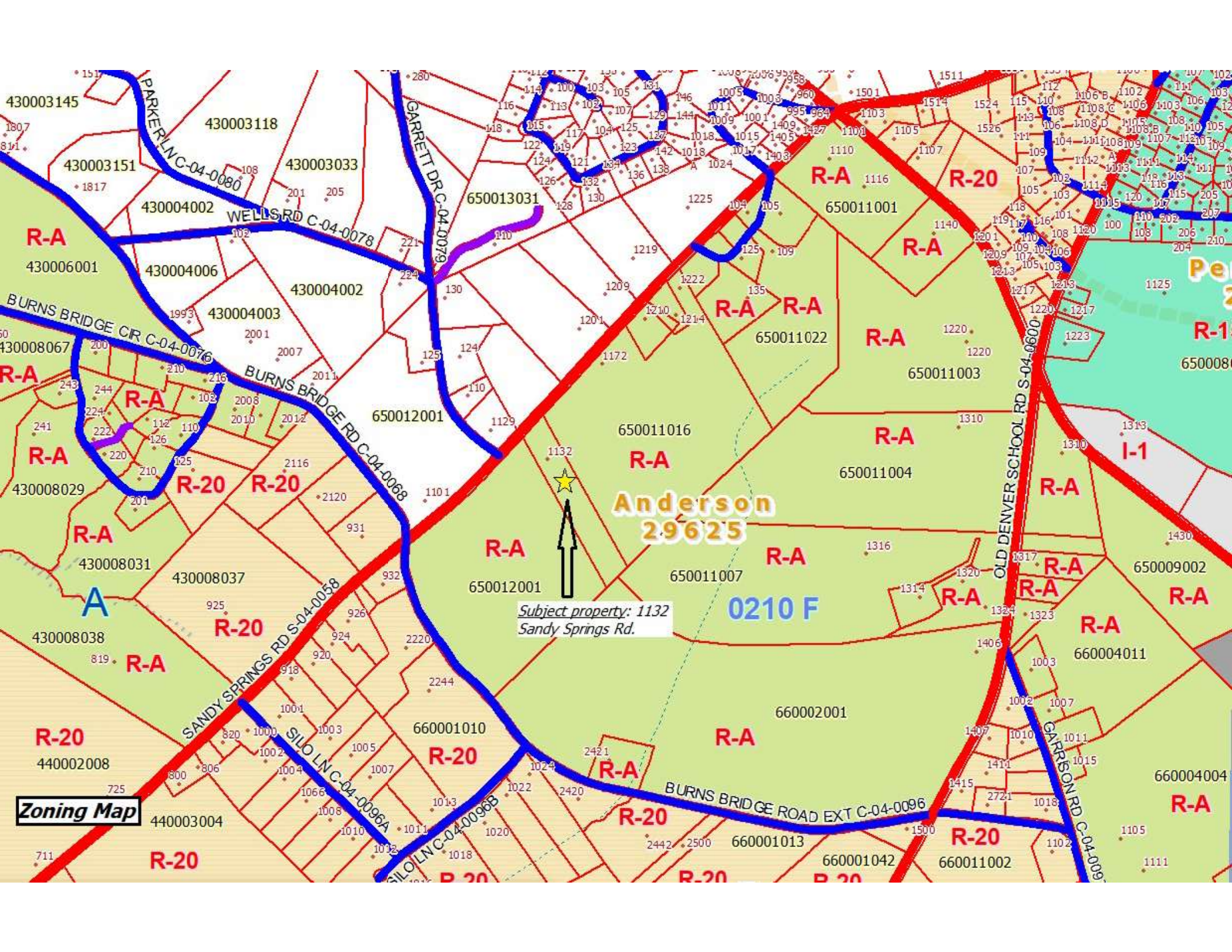
650011008

650012001

650011007

Subject property: 1132
Sandy Springs Rd.

Aerial Photo: 2020



Anderson
29625

Subject property: 1132
Sandy Springs Rd.

Zoning Map

R-A

R-20

R-A

R-A

R-A

R-A

R-A

R-A

R-A

R-A

R-A

I-1

R-A

R-A

R-A

R-A

R-20

R-20

R-A

R-A

R-20

R-20

R-20

R-A

R-20

R-20

R-A

R-A

R-A

R-A

R-A

R-1

R-1

R-1

R-1

R-1