



# MEMORANDUM

## ANDERSON COUNTY DEVELOPMENT STANDARDS

**DATE:** August 4, 2022

**TO:** Land Use and Zoning Board of Appeals Members

**FROM:** Henry Youmans

**SUBJECT:** August 11, 2022

The Anderson County Land Use and Zoning Board of Appeals is scheduled to hold its next meeting on Thursday, August 11, 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](mailto: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

**Renee D. Watts**  
Clerk to Council

**Rusty Burns** | County Administrator  
[rburns@andersoncountysc.org](mailto:rburns@andersoncountysc.org)

# Anderson County Board of Zoning Appeals

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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

August 11, 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:
  - a. July 14, 2022 Minutes forthcoming
- 4.) Public Hearing:
  - A. Variance request to allow additional wall sign on rear façade, located at 3808 Clemson Blvd., Anderson/ TMS#: 121-03-02-004, Council District 1.
  - B. Special exception request to allow short term rental in R-20 zoning, located 400 Lakewood Dr, Anderson/ TMS 120-05-02-001, Council District 1.
- 5.) Old Business:
- 6.) New Business:
- 7.) Adjournment.

Take 5  
3808 Clemson Blvd.

Staff Report

Application for a Variance – To allow a 2<sup>nd</sup> wall sign

Anderson County Board of Zoning Appeals- District 1

Historic Courthouse- 101 South Main Street- 2<sup>nd</sup> Floor County Council Chambers

Anderson, South Carolina

August 11, 2022

5:15 P.M.

The request was tabled by the Board to gather more information.

Applicant: Signs Unlimited Inc.

Owner of Property: NLJ Ventures LLC

Property Location: 3808 Clemson Blvd. Anderson SC 29621

Council District: One (1)

Tax Map Number: 121-03-02-004

Acreage of Property: 0.46 acres

Current Zoning: C-2

Land Use: The land supports a free-standing automotive service facility with intended use by 1 tenant.

Surrounding Zoning Districts: C-2

Applicant Request: Applicant is requesting a variance, allowing additional directional lettering on the rear façade.

Findings of Fact: Under Chapter 38, Section 38-255(2), Only one projecting sign as defined in section 38-37 is allowed per building frontage.

Staff Recommendation:

1. Applicant states placement of the structure affects the presentation of the instructional lettering to citizens traveling Clemson Blvd. However, it will only be visible when approaching from one direction.
2. The request is not compatible with the spirit and intent of the ordinance.
3. Other properties were referenced on the variance application. However, the properties that were referenced are not in our jurisdiction and fall under the jurisdiction of the City and are permitted accordingly.



# Variance Application

**There is a Variance Application Fee of \$200.00**

5/26/2022

Date of Application Completion

Application Status (Approved or Denied)

### Applicant's Information

Name: Signs Unlimited, Inc  
Mailing Address: 6801-C Mt Hermon Church Rd, Durham NC 27705  
Telephone and Fax: 919 552 8689 E-Mail: desi@signsunlimitedusa.com

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

Name: Lee Johnson  
Mailing Address: 3808 Clemson Blvd, Anderson SC 29621  
Telephone and Fax: \_\_\_\_\_ Email: desi@signsunlimitedusa.com

Designation of Agent: (Complete only if owner is not the applicant)

I (We) hereby appoint the person named the Applicant as my (our) agent to represent me (us) in this request for rezoning.

Owner's Signature

5.25.22

Date

### Project Information

Property Location: 3808 Clemson Blvd  
Parcel Number(s)/TMS: 1210302004  
County Council District: CCD 1 School District: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_ Current Zoning: C-2  
Requested Variance: Sign Variance  
*Please indicate if setback variance, sign variance or minimum lot size variance.*  
Purpose of Variance: Additional instructional lettering on rear facade.

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

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

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.

D. J. [Signature] Digitally signed by D. J. [Signature] 5/26/2022  
Applicant's Signature Date

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

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

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

Extraordinary and exceptional conditions pertaining to the particular piece of property, as follows:  
Building has a one-way flow of traffic, increasing a need for wayfinding signage.

Conditions do not generally apply to other properties in vicinity, as shown by: Property is on a corner lot and only able to have wall signage on one facade, despite other businesses in the vicinity with signs on multiple frontages (Zaxby's, Longhorn)

Application of the ordinance to the particular piece of property would effectively prohibit or unreasonable restrict the utilization of the property as follows: Due to the compact nature of the principal building, we are allowed a very minimal amount of wall signage per code, approx 55.69 sq ft.

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 additional sign proposed is non-illuminated and instructional in nature, ("STAY IN YOUR CAR")

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

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.

D. J. [Signature] Digitally signed by D. J. [Signature] 5/26/2022  
Applicant's Signature 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: \_\_\_\_\_



REAR ELEVATION

TAKE 5

OIL CHANGE

3808 Clemson Blvd  
Anderson, SC 29621



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UL File #E225670

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transmitted in any form or by any means  
without the prior written permission of  
Underwriters Laboratories Inc.

PROOF

INITIAL LAYOUT:

February 14, 2022

REVISIONS:

04/14/2022

I  
II  
III  
IV  
V



221.50"  
18.00"  
**STAY IN YOUR CAR**

INFORMATIVE/INSTRUCTIONAL MESSAGE  
(NOT COUNTED TOWARD ALLOWANCE)

QTY: 1

IMPOSED IMAGERY



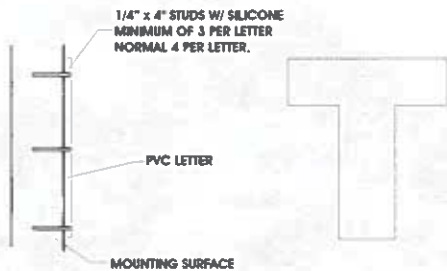
SPECIFICATIONS  
**NON ILLUMINATED  
PVC LETTERS W/ STUDS**

**Quantity:**  
See above  
**Size:**  
As in drawing  
**Thickness:**  
1/2"  
**Face Color:**  
Yellow  
**Edge Color:**  
Yellow  
**Mounting:**  
Studs w/ Silicone

**Sq. Ft. Signage:**  
27.69

**Signage Allowance:**  
N/A Not counted as signage

DETAIL



NOTES:

- INFORMATIVE/INSTRUCTIONAL MESSAGE (NOT COUNT TOWARD ALLOWANCE)
- IF ROOF PENETRATIONS ARE NECESSARY, THEY ARE TO BE SEALED BY A ROOFER. THIS IS HANDLED BY THE GC/OWNER

Owner/Landlord Approval \_\_\_\_\_

**SIGNS UNLIMITED**  
communicate your identity

6801 Mount Hermon Church Rd, Ste C, Durham, NC 27705 • (P) 919-552-8689 • (F) 919-557-1322

SITE PLAN

# TAKE 5

## OIL CHANGE

3808 Clemson Blvd  
Anderson, SC 29621



Underwriters Laboratories Inc. •  
UL File #E225670

Copyright Notice ©

This drawing shall be read in conjunction with the project  
Signs Unlimited, Inc. and  
may not be reproduced, published,  
transmitted or used in any form without  
the written consent of Signs Unlimited, Inc.

SITE PLAN



INITIAL LAYOUT:

February 14, 2022

REVISIONS:

04/14/2022

I  
II  
III  
IV  
V

EXIT ONLY/HONK  
DIRECTIONAL

FRONT SIGNAGE:  
CAN, "OIL CHANGE" & BURST

REAR:  
"STAY IN YOUR CAR"

ENTER/ENTER DIRECTIONAL

ENTER/ENTER DIRECTIONAL

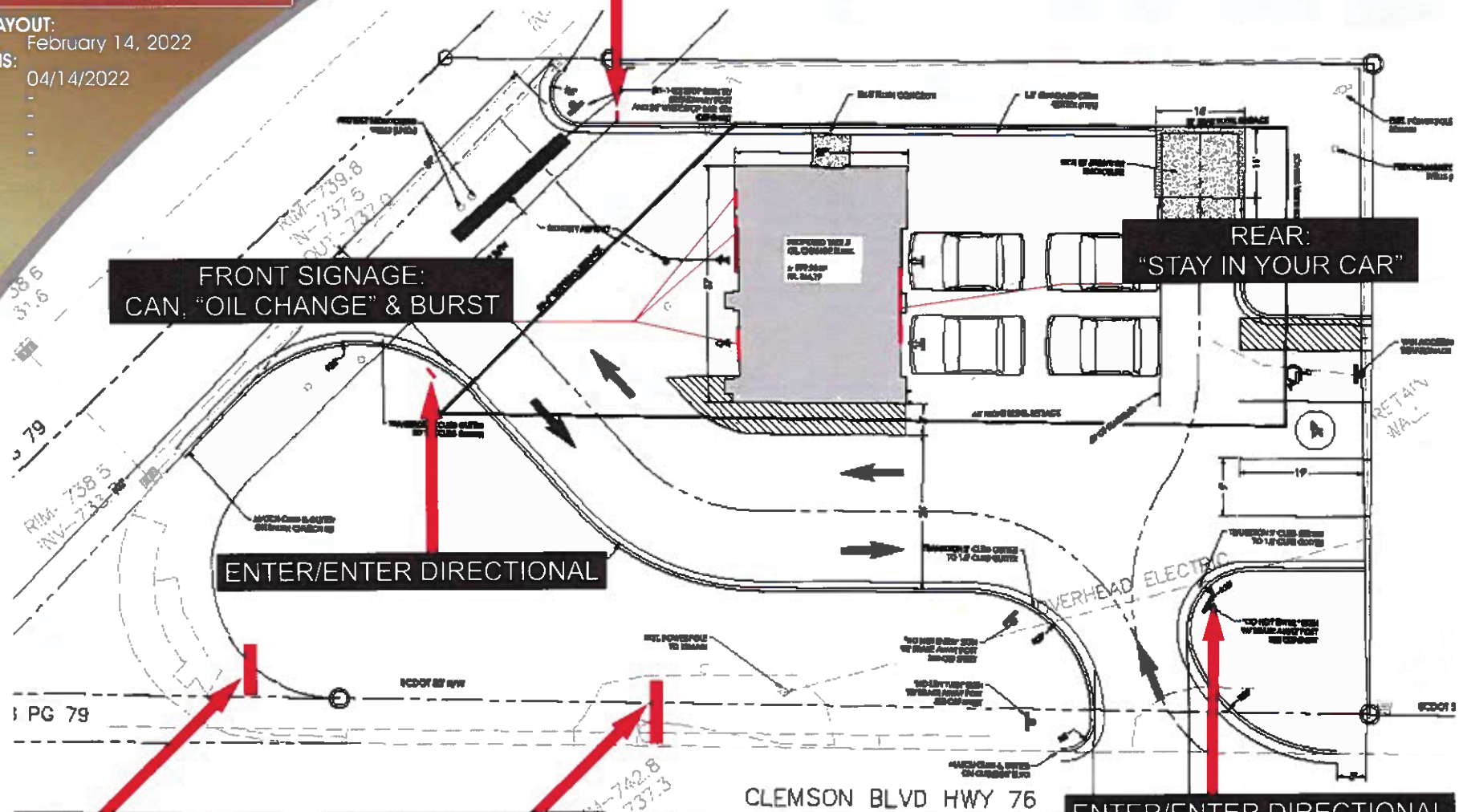
EXISTING PYLON TO  
BE RETROFITTED

EXISTING PYLON TO  
BE RETROFITTED

**SIGNS UNLIMITED**  
communicate your identity

Owner/Landlord Approval \_\_\_\_\_

6801 Mount Hermon Church Rd, Ste C, Durham, NC 27705 • (P) 919-552-8689 • (F) 919-557-1322



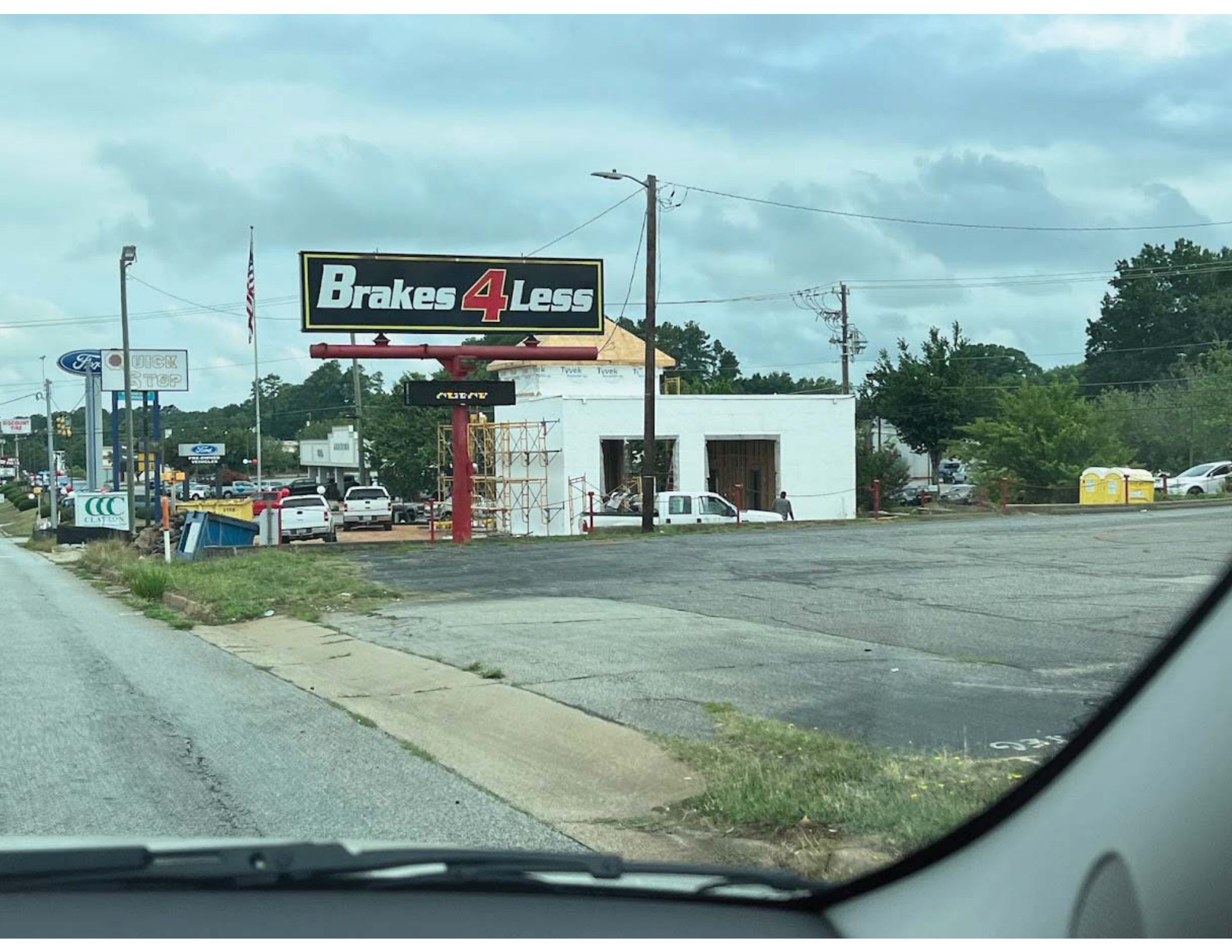


**Brakes 4 Less**

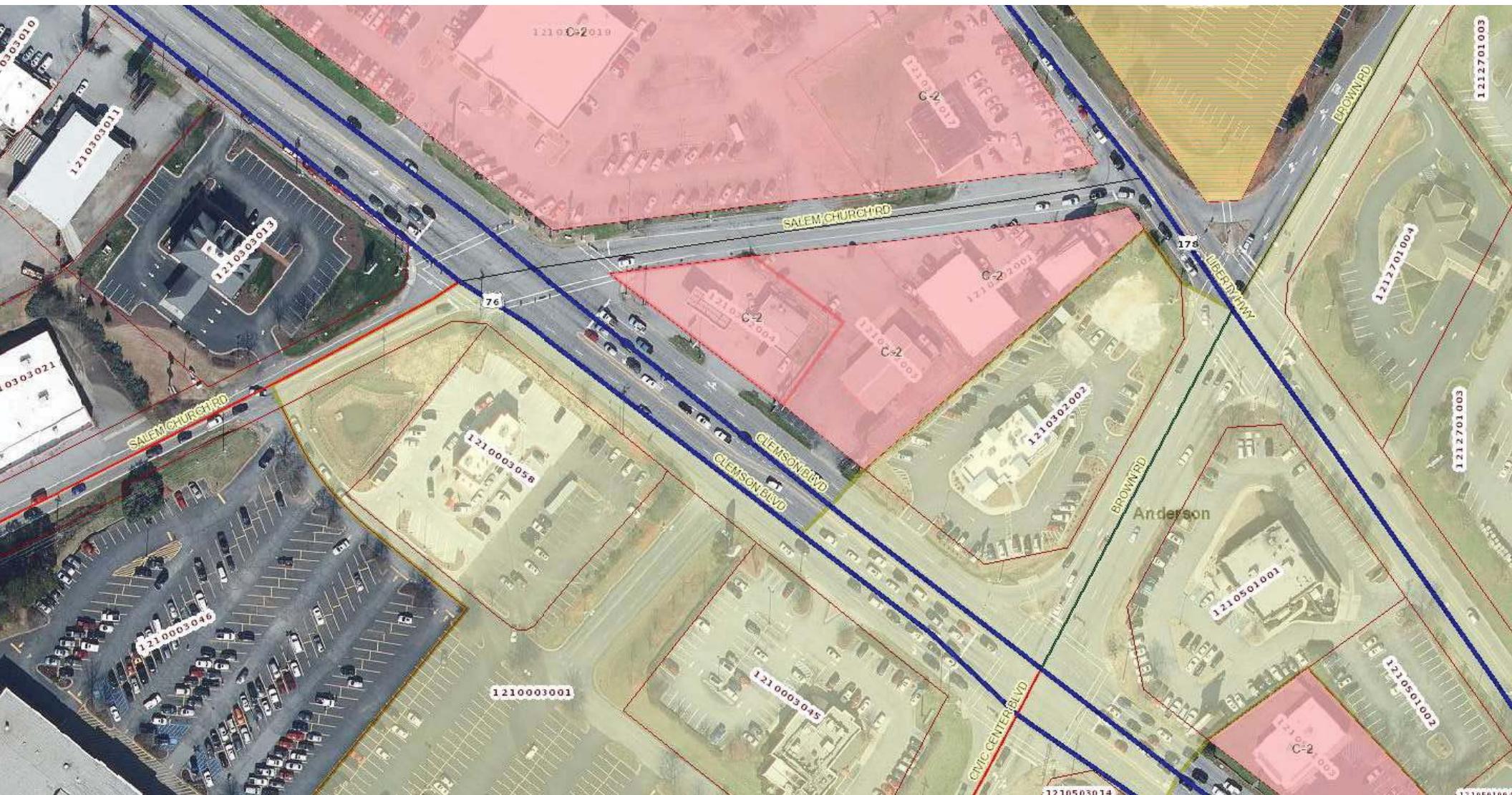
QUICK STOP

QUICK STOP

CLAYTON







Application for a Special Exception  
Anderson County Land Use Board of Zoning Appeals Meeting  
County Council Chambers 2<sup>nd</sup> Floor-Historic Courthouse (DISTRICT #1)  
Anderson, South Carolina  
August 11, 2022  
5:15 PM

Staff Report

Application for a **Special Exception** – To allow the use of a single-family residence as a short-term rental in R-20 Zoning.

Applicant: Maelen Ignacio

Owner of Property: Same as above

Property Location: 400 Lakewood Drive, Anderson, SC 29625

Council District: One (1)

Tax Map Number (TMS #): 120-05-02-001

Property Description: LTS 20 + 19B LAKEWOOD DR

Current Zoning: R-20

Land Use: Residential

Applicant Request: Applicant is requesting a Special Exception to allow the use of residence as a short-term/rental home.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 70, Section 7:17, establishments are permitted uses by special exception – Bed and breakfast, homestays, host homes and guest homes.....

Staff Recommendation:

- 1) The established restrictions of Lakewood Subdivision, Section A, item 1, states that the land use is for residential purposes only. The spirit and intention of a Host Home/Bed and Breakfast/Guest Homes is contrary to the prescribed use for this subdivision.
- 2) Under Section O, item 1, if the applicant provides the staff with an updated copy of covenants and restrictions allowing for a short-term rental, we can reevaluate the application.



**PAID**  
22-1658

# Special Exception Application

06/30/22

Date of Application Completion

Application Status (Approved or Denied)

### Applicant's Information

Name: Maelen Ignacio

Mailing Address: 219 Walnut Trace Court, Simpsonville, SC 29681

Telephone and Fax: (864) 800-6685

E-Mail: maelen@vesperltd.com

### Owner's Information

*(If Different from Applicant)*

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone and Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Designation of Agent: (Complete only if owner is not the applicant)

I (We) hereby appoint the person named the Applicant as my (our) agent to represent me (us) in this request for rezoning.

Owner's Signature

Date

### Project Information

Property Location: 400 Lakewood Drive, Anderson, SC 29621

Parcel Number(s)/TMS: 120-05-02-001-000

County Council District: \_\_\_\_\_ School District: \_\_\_\_\_

Total Acreage: 0.55

Current Zoning: R 20

Requested Special Exception: short-term rental

Purpose of Special Exception: short-term rental

Have you researched your Private Covenants/Deed restrictions at the Anderson County Register of Deeds?  
Yes:  No:  Date visited ROD or Date searched online: 10/27/21

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 will be null and void. If you indicated no, your signature is required.

Marden Ignacis

06/30/22

Applicant's Signature

Date

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

Comments: No CCRs associated with subdivision could be found. Note new owners after recent purchase of property on 06/29/22 from Michael Waldsmith.  
Please find attached structure dimension and location, as well as completed construction photos. Application fee payment to be made via credit card.

Please attach an accurate, legible plot plan showing the dimensions and locations of structures and improvements of the property to this application.

*\*There is a Special Exception Application Fee of \$200.\**

As the applicant, I hereby confirm that the required information and materials for this application are authentic and have been submitted to Development Standards.

Marden Ignacis

06/30/22

Applicant's Signature

Date

For Office Use Only:

Application Received By: H. Youmans Date Complete Application Received: 6/30/2022

Application Fee Amount Paid: 200.00 Check Number: \_\_\_\_\_

Scheduled Board Hearing Date: August

Land Use/Board of Zoning Appeals' Decision: \_\_\_\_\_

**LOT 20 AND LOT 19B, LAKEWOOD  
SITUATED @  
400 LAKEWOOD DRIVE  
ANDERSON, SC 29621  
ANDERSON COUNTY**

**LAKEWOOD  
LOT 19**  
MR. DAVID L. AXTHELM &  
JAN ELLEN AXTHELM  
TAX MAP # 122500000  
DEED BOOK 1300 DEED PAGE 187  
PLAT BOOK 8 286 PLAT PAGE 1  
PLAT BOOK 8 286 PLAT PAGE 98

**LAKEWOOD  
LOT 18**

**LAKEWOOD DRIVE  
(30' RIGHT-OF-WAY)**  
N 68°29'47" E 163.08'

**LAKEWOOD  
LOT 20  
0.56 ACRES  
(24,303 SQ. FT.)**

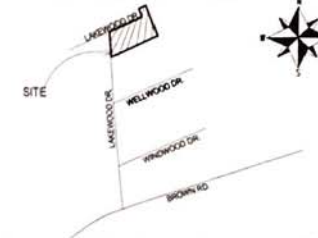
**LAKEWOOD DRIVE  
(40' RIGHT-OF-WAY)**  
N 10°45'13" W 94.60'

**LAKEWOOD  
LOT 21**  
MR. MARY J. BRACK  
TAX MAP # 122500000  
DEED BOOK 180 DEED PAGE 956  
PLAT BOOK 95 PLAT PAGE 229

**LAKE  
HARTWELL**

I.O. ELEVATION = 663.18'

**LOCATION MAP**



**N.T.S.  
NOTES**

"HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ANTI-SURVEYOR ACT, FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN. ALSO, THERE ARE NO KNOWN ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN."

THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS AND/OR RIGHTS-OF-WAY OF RECORD OR NOT OF RECORD.  
ACCORDING TO FEMA FLOODING DATA, THIS PROPERTY IS NOT LOCATED WITHIN AN ESTABLISHED FLOOD HAZARD AREA.

EXCEPT AS SPECIFICALLY STATED OR SHOWN HEREON THIS PLAN, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS OTHER THAN POSSIBLE EASEMENTS THAT WERE RECORDED AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES; ERECTOR'S CONTRACTS; ZONING OR RESTRICTIONS; CLAIMS OF OTHER LAND USE REGULATIONS; AND ANY OTHER FACTS THAT ARE ACCURATE AND CURRENT. TITLE SEARCH MAY DISCLOSE.

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE LAND SURVEYOR AND REFLECTS ONLY THE REFERENCES RECORDED HEREON UNLESS NOTED.

IRON PINS FOUND AT ALL PROPERTY CORNERS UNLESS NOTED.

CONDUCT A FLOOD FILE DOES NOT WARRANT THE EXISTENCE OR NON-EXISTENCE OF SUBSTRUCTURAL, RE-FRAMING OR HAZARDOUS MATERIALS ON THE SURVEY SITE.

SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF THE PROFESSIONAL LAND SURVEYOR.

**REFERENCES**

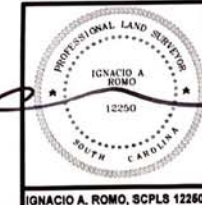
NO.	DATE	BY	DESCRIPTION
01	1983-45	80-729	MICHAEL J. WALDDMITH - SR
02	"	"	"
03	"	"	"
04	"	"	"
05	"	"	"

**PROPERTY SURVEY FOR  
MAELEN IGNACIO  
&  
STEVEN KORNWEISS**

SCALE: 30 0 30 60

DATE	TR	BY	TR	BY	DATE
05-11-2022	TR	BW/JR	TR/JR	JR	05-11-2022
1"=30'	FILE NO.	FILE NO.	FILE NO.	FILE NO.	22164

**I.A. ROMO, PLS**  
PO BOX 8327  
GREENVILLE, SC 29604-8327  
TEL OR TEXT: 864-905-6052  
EMAIL: TONY@IAROMOPLS.COM



EXEMPTION FROM REVIEW PROCESS  
THIS SURVEY IS A RESURVEY OF AN EXISTING LOT OF RECORD  
WITH NO CHANGES TO EXISTING LOT LINES.  
IGNACIO A. ROMO (REGISTERED SURVEYOR OR ENGINEER)  
PRINTED NAME: IGNACIO A. ROMO  
LIC. CERT. OR BAR # 12250

400 Lakewood Drive, Anderson, SC 29621  
New Construction Photos









not shown on the plat an easement is reserved by McCoy for himself and his assigns over the rear and side of the subject lot for a distance of 7.5 feet,

#### F. NUISANCES

1. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

#### G. TEMPORARY STRUCTURES

1. No structures of a temporary character, including but not limited to trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used or left on any lot at any time as a residence either temporarily or permanently, nor shall any form of construction material be stockpiled or parked on any lot which would be unsightly to the community, except during the actual time of construction of said house.

#### H. CONSTRUCTION

1. Any structure must be completed within one year after the initial construction has been commenced.

#### I. SIGNS

1. No sign of any kind shall be displayed to the public view on any lot, except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

#### J. LIVESTOCK AND POULTRY

1. No animals, livestock or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, or other household pets may be kept on any lot provided that they are not kept, bred, or maintained for commercial purposes.

#### K. SEWAGE DISPOSAL

1. No individual sewage disposal system shall be permitted on any lot unless such system is designed, located and constructed in accordance with the requirements, standards and recommendations of the Anderson County Health Department.

2. Approval of such system as is installed shall be obtained from such authority.

#### L. GARBAGE AND REFUSE DISPOSAL

1. No lot shall be used or maintained for or as a dumping ground for rubbish.

2. Trash, garbage or other waste shall be kept <sup>not</sup> except in containers approved as to sanitary conditions.

#### M. SIGHT DISTANCE AT INTERSECTIONS

1. No fence, wall hedge or other shrub planting which obstructs sight lines at elevations between two and six feet above the roadways shall be placed or permitted to remain on any corner.

lot within the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street property lines extended.

2. The same sight line limitations shall apply on any lot within ten feet from the intersection of the street property line with the edge of a driveway or alley pavement.

3. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

#### N. ARCHITECTURAL CONTROL

1. No building shall be erected, or placed on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by McCoy as to quality of workmanship, materials, harmony of external design with existing structures, and as to location with respect to topography and grade elevation.

2. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building setback lines as shown on the plat of subject property unless approved by McCoy.

3. No grading or filling which changes the elevation of any lot shall be done unless approved by McCoy.

4. Approval or disapproval by McCoy shall be given in writing within seven days after he has received said plans. In the event he or his agents fail to approve or disapprove within seven days after he has received said plans and specifications have been submitted to them, or in any event if no suit to enjoin the construction prior to the completion thereof, approval will not be required and the aforesaid restrictions will be deemed to have been fully complied with.

#### O. TERM

1. These restrictions are to run with the land and shall be binding on grantees and all persons claiming under them for a period of 25 years from the date of the deed to grantees from McCoy, after which time these restrictions shall be automatically extended for successive period of ten years unless an instrument, executed by the then owners of the lots and McCoy has been recorded, agreeing to change said restrictions in whole or in part.

#### P. ENFORCEMENT

1. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain violation or to recover damages.

#### Q. SEVERABILITY

1. Invalidation of any one of these restrictions by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

WITNESS my hand and seal this 5th day of October, A.D., 1966

In the presence of:

/s/ T. Ree McCoy, Jr.

/s/ Jean H. Todd

/s/ John C. Pracht, Jr.

RECORDED IN THE OFFICE OF THE CLERK OF COURT FOR ANDERSON COUNTY, S. C. in DEED BOOK 14-W AT PAGE 573.



