



MEMORANDUM

ANDERSON COUNTY DEVELOPMENT STANDARDS

DATE: September 1, 2022

TO: Land Use and Zoning Board of Appeals Members

FROM: Henry Youmans

SUBJECT: September 8, 2022 Meeting

The Anderson County Land Use and Zoning Board of Appeals is scheduled to hold its next meeting on Thursday, September 8, 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

Renee D. Watts
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
Vacant, District #3
Brad Swillen, District #6

AGENDA

September 8, 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
 - b. August 11, 2022 Minutes
- 4.) Public Hearing:
 - A. Application for a Variance – To allow a reduction of side setback from 10 feet to 3 feet, 8 Saluda Road, Williamston, SC, TMS#: 245-02-03-002. Council District Seven (7).
 - 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.

STATE OF SOUTH CAROLINA)
COUNTY OF ANDERSON)

ANDERSON COUNTY
LAND USE AND BOARD OF ZONING APPEALS
JULY 14, 2022

PRESENT:

MIKE MILLER, CHAIRMAN
ALLEN ASHLEY
JOHN FARR
TONY CIRELLI
DEBBIE CHAPMAN
BRAD SWILLEN

ALSO PRESENT:

ALESIA HUNTER
TIM CARTEE
HENRY YOUMANS
BRITTANY MCABEE
GAYE SPRAGUE
TYANNA HOLMES
BRADEN BANNISTER
DANIEL COOPER
GUADALUPE FRANCHI

1 permits from Building and Code and compliances from
 2 Development Standards. The board's granting of the
 3 approval of this special exception is in keeping with a
 4 similar requests that have been previously granted and
 5 the ordinance. This is your report.

6 MIKE MILLER: Thank you,
 7 staff. I want to go ahead and open this meeting up
 8 into public hearing. Are there anyone speaking
 9 against? Are there anything speaking against? Hearing
 10 no one speaking against, I will close the public
 11 hearing but will reserve the right for any questions
 12 from the board to staff or to the owner. What is the
 13 pleasure of the board?

14 DEBBIE CHAPMAN: I have a
 15 question for the staff.

16 MIKE MILLER: Okay.

17 DEBBIE CHAPMAN: Is this is
 18 River Point Subdivision, by chance? Or do you know?

19 HENRY YOUMANS: No, it's
 20 not.

21 DEBBIE CHAPMAN: It's not?
 22 Okay. Because I know one side is, but I wasn't sure
 23 about the lake side and I wasn't sure about restrictive
 24 covenants. Good? Okay.

25 MIKE MILLER: Any other
 26 questions?

27 BRAD SWILLEN: So this is
 28 not in violation of any restrictive covenants for the
 29 neighborhood? I don't know where we would fall with
 30 our authority there, but ...

31 ALICIA HUNTER: Actually,
 32 Mr. Swillen, on the application they have certified
 33 that and provided a copy for our records.

34 MIKE MILLER: What is the
 35 pleasure of the board?

36 JOHN FARR: Move to
 37 approve.

38 MIKE MILLER: I've got a
 39 motion from Mr. Farr to approve. Tony Cirelli seconds.
 40 All in favor raise your right hand. All opposed.
 41 Thank y'all.

42 Staff report.

43 HENRY YOUMANS: This is the
 44 second special exception request. Property address is
 45 3009 Highway 29 North, Belton, South Carolina. The
 46 applicant's name is Jose Mestizo. He is one of the
 47 joint owners of the property. Council District 7.
 48 Property description is .2 -- 2.08 acres currently
 49 zoned as C-2. Use is Highway Commercial District.

50 Applicant's request is a special exception to

1 allow the construction and use of a church in C-2.

2 Finding of facts: Anderson County Code of
3 Ordinances under Chapter 70, Section 5.17.2,
4 establishments that are permitted in C-2 for use by
5 special exception, and one of them being a church.

6 This is the tax map aerial map of the property in
7 question. This is the zoning map showing the C-2
8 zoning for the property in question. This is a site
9 plan diagram of the construction of the church and its
10 proposed distances from the street and property lines.

11 Staff recommendation is for approval. The use
12 meets all the requirements in Section 5.17.2 Uses
13 Permitted by Special Exception. The new construction
14 will meet all the requirements of C-2 zoning. The
15 church must meet the required set-backs of fifty feet
16 from front to side and rear property lines.

17 The existing structure that is on the property
18 will be demolished and the church will be replacing
19 that building in its original footprint. The use is
20 not detrimental to the public health or general
21 welfare. The use will not violate neighborhood
22 characteristics nor adversely affect the surrounding
23 properties. If approved, the application must meet
24 tax, fire and Building and Codes requirements
25 pertaining to the commercial structure and obtain all
26 the necessary permits from Building and Codes and
27 compliances from Development Standards. And as we in
28 Anderson County are about inclusion, we do not see a
29 problem with this structure. Thank you. That's your
30 report.

31 MIKE MILLER: Thank you.
32 I will go ahead and open this meeting for this
33 particular item, the public hearing. Anyone speaking
34 against? If you are speaking against, please come
35 forward to the mic, state your name and where you
36 roughly live.

37 MIRIAM NORRIS: My name is
38 Miriam Norris; my husband John. We live right behind
39 it. Our right-of-way is the driveway that goes right
40 by that property. And that's our only way in and out.
41 And we're just concerned about what type of church it's
42 going to be, how many parishioners there are going to
43 be. And part of that property goes right in front of
44 our front yard up against our fence. So we're
45 concerned about that. Also concerned if they're not
46 going to put another driveway in, the traffic on 29,
47 there's been several wrecks in that area from Stringer
48 Road and on up to past where the tire shop is at. So
49 we're concerned about that, too.

50 I've had several occasions where cars would come

1 up too quick on me coming over from Stringer Road down
2 and I'd have to go on past my driveway before I could
3 turn in. So I'm concerned about that.

4 MIKE MILLER: Henry, can you do
5 me on favor? Can you pull up the tax map so we can see
6 where her property is located? That one.

7 MIRIAM NORRIS: There you
8 go. That back one on the back, I have to go through
9 the driveway by that house to get to my double wide,
10 right behind it. And the way the plats is drawn up ...

11 MIKE MILLER: It's got to
12 be that one.

13 MIRIAM NORRIS: We're behind
14 them, behind Premiere Restoration, behind Childs
15 (unintelligible) Place. Our property looks like a tie.

16 MIKE MILLER: So your
17 driveway, if we're passing Stringer on the left ---

18 MIRIAM NORRIS: The same
19 driveway that goes to that house goes to our house. We
20 have a right-of-way to get to our house.

21 MIKE MILLER: Okay. So
22 you've got a common easement right-of-way between the
23 two of you?

24 MIRIAM NORRIS: Right. So
25 that concerns me, too. And we've been down in there
26 and we've had privacy for six, seven years now.

27 JOHN NORRIS: May I say a
28 word?

29 MIKE MILLER: You may have
30 to pull your mask down so we can hear you.

31 JOHN NORRIS: All right.
32 My sister's son married the people's daughter that
33 owned that property. And that's how we wound up with
34 it. And we bought it from my sister. We've been there
35 five years.

36 MIRIAM NORRIS: Longer than
37 that.

38 JOHN NORRIS: Longer than
39 that. Okay. So they've got the right-of-way with the
40 drive -- driveway with the property and everything down
41 through there.

42 MIKE MILLER: Okay.

43 MIRIAM NORRIS: We're just
44 worried about the traffic coming in and out if that's
45 going to be the only driveway. And them blocking it
46 because we want to be able to get in and out.

47 JOHN NORRIS: And they've
48 done a lot of damage around churches, people stopping
49 and raising cane around some of the churches around. I
50 ain't going to say it'll be there, but it's just

1 something to think about when we're living there by
2 ourselves.

3 MIRIAM NORRIS: And you
4 know, churches can grow. And you can get from fifty to
5 a hundred to a hundred and fifty, two hundred
6 parishioners. And we've enjoyed our privacy the past
7 six years. And we don't know if that's going to
8 continue. I don't want to stop God's work, but I also
9 want to protect, you know, my privacy, too.

10 MIKE MILLER: Okay.

11 MIRIAM NORRIS: And I'm also
12 concerned about Highway 29, everybody getting in and
13 out on it because it's been dangerous for us at times
14 getting in and out. Even the real estate lady put up a
15 big sign at the end of the driveway and I had to call
16 her and tell her to put it down. She said, well, she
17 could see from around her car to get out. I said,
18 yeah, but I can't see from around my car to get out.
19 You're putting my life at risk by putting that sign
20 there.

21 MIKE MILLER: Okay.

22 MIRIAM NORRIS: So that's
23 our concern.

24 MIKE MILLER: Okay. Thank
25 you.

26 MIRIAM NORRIS: Thank you.

27 MIKE MILLER: Are there
28 anyone else speaking against? Y'all please come
29 forward, walk over to the mic, state your name and
30 where you're located.

31 DANO PHIPPEN: My name is
32 Dano Phippen, P-h-i-p-p-e-n. I am due north of that
33 property. I've never met the Norrises, but pleasure to
34 meet you. They're so quiet and nice, I commend them.
35 But I am the house right next door to them on the
36 adjacent property.

37 MIKE MILLER: So if you're
38 coming out 29 headed towards the Jockey Lot, you're the
39 property right beside them, right up above them?

40 DANO PHIPPEN: Correct.
41 That red line is my divider on my property.

42 MIKE MILLER: Where the
43 swimming pool is at?

44 DANO PHIPPEN: Yeah, that's
45 mine. Yeah. And then I have my other neighbors, too,
46 with me, too. And so I thank you for letting me
47 express my concerns and I am not a wordsmith, so I have
48 a few notes.

49 MIKE MILLER: I'm not
50 either, so ...

1 DANO PHIPPEN: First of all
2 let me say that I have no objection to a church, a
3 synagogue, a masque, whatever, you know, religious
4 faction would go there or whatever it is there. And I
5 don't want to impede upon anybody's religious freedom
6 rights. With that being said, I am so concerned for
7 the proposed development.

8 Ten years ago before moving -- before my wife and
9 I moved to this location, we looked at hundreds of
10 properties from Honea Path to Sandy Springs to the edge
11 of Greenville and the surrounding areas, from Seneca
12 and all those exits and beyond. We chose this property
13 mainly because of the location and the isolation and
14 nice countryside setting. And not on top of our
15 neighbors. There's approximately thirty feet of
16 foliage between my property line and the proposed
17 church. This is the first time I've seen that
18 designation. I was told it was going to be in that
19 footprint of that existing house. I thought it would
20 run lengthwise, but now it's turned sideways. So
21 they're going to have to destroy, take down, a lot of
22 timber and foliage and almost go right up that side of
23 that property line. And I guarantee you there's not a
24 fifty foot abatement on either side of that building.
25 I measured it. I'm not a surveyor, but it's
26 approximately a hundred and twenty feet. Even if they
27 put it lengthwise, it would be short by ten feet.

28 So in this house, we have a nice view and privacy
29 and solitude from our surrounding neighbors. We were
30 not aware when we purchased our house ten years ago --
31 this is one of my concerns -- of our house sloping down
32 and it's prone to flooding on heavy rains. I've spent
33 hundreds of thousands of dollars building berms and
34 drainage around my house. And I don't see how a church
35 where they're going to have a paved parking lot -- I
36 hope not -- or a rock or they take out all that foliage
37 and privacy that we have, and I'm looking at the side
38 of a building that I don't want to look at, from my
39 bedroom windows or my back yard, how that's going to
40 help my flooding. It will just make it disastrous for
41 me.

42 So the fifty foot abatement cannot be met if you
43 have (inaudible) in that church. And I think I'm
44 within ten feet if you turn that church around.

45 If you can go back to that slide, sir. I didn't
46 know that the Norrises were there, but she was correct.
47 There's been a hundred and sixty-seven accidents last
48 year on Highway 29 from Snow to the Exxon past the
49 Jockey Lot. That stretch of road is 2.3 miles. There
50 were a hundred and sixty-seven injury accidents on that

1 stretch of road. I don't see how anybody could -- and
 2 there's a gentle sloping hill just north and south of
 3 that, too, where it's almost a blind hill. The average
 4 speed of a vehicle there is sixty-seven miles an hour,
 5 according to the Sheriff's Department and GPS. So that
 6 is not a real easy driveway, mine or the Norrises or
 7 Anthony Edmond's to get in and out of that house or any
 8 of the houses on Highway 29. I don't see how a mass
 9 amount of people in a Sunday or Wednesday evening
 10 service could even do it.

11 Another concern is noise. We've fostered rescue
 12 dogs and part of re-acclimation to a nice homestead is
 13 a quiet place to roam around without distractions or
 14 fears from noises. If there's going to be a Sunday
 15 School there, if there are going to be squealing kids
 16 playing outside, if there are going to be bingo games
 17 or there are going to be outdoor church activities, or
 18 if there are going to be weddings with bands, or if
 19 there's going to be fireworks like two other churches
 20 on 29 -- and speaking of which, there are seven
 21 Christian churches within four miles of that location.
 22 I'm not sure we need another church. The county
 23 doesn't prosper. There are no state or property taxes,
 24 no federal taxes for this property. I just think it's
 25 going to be a lot of aggravation for a lot of people
 26 around there.

27 Like I said, if they were doing that property, as
 28 Miriam Norris said, there's only one road in and out of
 29 there. They've got to make another one for an exit. I
 30 don't see how it can be done.

31 At this moment in time, I see no benefit from one
 32 more structured development destroying our trees and
 33 our countryside living. If approved, the state and
 34 county will not get any property taxes, income taxes,
 35 etcetera, from this development. I ask that you -- has
 36 anyone on this board or council been out and seen the
 37 property? No one?

38 DEBBIE CHAPMAN: I have.
 39 DANO PHIPPEN: You have?

40 Are you Cindy?

41 DEBBIE CHAPMAN: Debbie
 42 Chapman.

43 DANO PHIPPEN: Oh, yeah.
 44 Have you seen the property?

45 DEBBIE CHAPMAN: Yeah. I
 46 didn't get out. I just went by there.

47 DANO PHIPPEN: If you drive
 48 up that drive, the Norris's driveway and that property
 49 driveway, it's a nice countryside area. And I like the
 50 countryside and we don't need anymore developments

1 around there. And that drive is hard to get in and out
2 of. And that sign that she mentioned that she had to
3 move that was restricting her vision down 29, it was
4 hit the week before by a car.

5 BRAD SWILLEN: Sir, how
6 many rescue dogs do you have now?

7 DANO PHIPPEN: One right
8 now. Two is the maximum we've ever had.

9 MIKE MILLER: And you
10 realize that the area across in front of you, the area
11 your house is in and all, is C-2, which is commercial?

12 DANO PHIPPEN: Yeah. And I
13 know the guy that owns it.

14 MIKE MILLER: Yeah. And
15 anything right there, even the big pastures across in
16 front of you can be developed as commercial?

17 DANO PHIPPEN: Right.
18 That's why I encouraged the owner of that development,
19 he did farmland for his church and he's growing
20 muscadines, grapes and cabbages there, and giving the
21 kids something to do. So I was -- because I thought
22 there was going to be another apartment complex or
23 tract homes. So when this guy was looking at the
24 property, I talked to him and encouraged him.

25 MIKE MILLER: And I'm not
26 trying to be disrespectful. I should have told you two
27 minutes. Normally we have a two-minute time limit.

28 DANO PHIPPEN: Oh, I'm
29 sorry, I did not know that.

30 MIKE MILLER: Two to three
31 minutes. That way we're not sitting here all night
32 long with ---

33 DANO PHIPPEN: No problem.
34 I'm done. But I ask you and Cindy -- is my district
35 representative -- Ms. Chapman is the only before you
36 making the decisions, please take ten minutes -- it
37 took me nine and a half minutes to get to this
38 courthouse except we parked in the wrong place. Drive
39 by there, go up that driveway. There's not room for a
40 church.

41 MIKE MILLER: I've already
42 been by there. I didn't go up the driveway because
43 normally I look at every one before we have these
44 meetings.

45 DANO PHIPPEN: I appreciate
46 that. Thank you very much for your time.

47 MIKE MILLER: Sir, you
48 wanted to say one other thing?

49 JOHN NORRIS: If you went
50 up the driveway you might have seen our little pets.

1 We've got little deer that graze there every year.
2 Them deers are raised in them woods right there in
3 front of our house every year.

4 MIKE MILLER: All right.

5 We've got one more speaking against. State your name
6 and tell me where you're located and where you live.

7 ANTHONY EDMONDS: Yeah, my
8 name is Anthony Edmonds. I own the property next door
9 to the tire shop, 3023, that's my house on the other
10 side of the tire shop. Mr. Dano is on the opposite
11 side. My condolences to the Norrises. I never even
12 knowed that y'all was there. They were so quiet and
13 peaceful.

14 MIKE MILLER: I'm going to
15 stop you first. We're going to put a three-minute time
16 limit ---

17 ANTHONY EDMONDS: Okay.

18 MIKE MILLER: --- on it.

19 Because like I said, we've got a lot of other stuff
20 that's got to go on. I'm not being disrespectful.

21 ANTHONY EDMONDS: Okay. I
22 heard you what you told him. I respect that. I
23 respect that. No condolences against a church. I am a
24 man of God. Joined the church at nine years old. But
25 I live on the property on the opposite side. So no
26 condolences against the church. I'm concerned just
27 about her well-being as mine as getting in and out of
28 the property.

29 I've been driving trucks for next month will be
30 twenty-two years. I own my own truck. I own the
31 property there, next month will be fourteen years I've
32 been in the property. So when I bring my truck home,
33 it's harder for me with the traffic bad enough on 29 to
34 get my semi in the yard. It's a forty-two thousand
35 pound piece of equipment. I can't actually put it in
36 the driveway and turn it around. It'll tear my yard
37 all to pieces. So I have to pull up on the side of the
38 road. And after twenty-two years driving experience,
39 one trip, and I'm back in the driveway. I back it up.
40 That's where I live at.

41 So I'm mainly concerned about all the traffic that
42 will come from the church and about the Norrises and
43 even as far as Dano for the zoning. I have nothing
44 about the church. But we're concerned about neighbors
45 and what goes on in our property around it and what's
46 going to be abided by it. I mean is it going to be
47 approved, how it's going to be approved, and how we
48 should feel about it as property owners. Wasn't no
49 different than I went over and spoke to people at the
50 tire shop. It went from a tire shop to a wood cutting

1 place, sawing wood. So I leave sometimes at two
 2 thirty, three a.m. in the morning. And I had to stop
 3 -- and Dano said something to them about it -- because
 4 they're cutting wood at ten o'clock at night. I've
 5 only got four or five hours before I get up. So that's
 6 a concern. So from the privacy of our property and
 7 what we own, hope they will take time and consideration
 8 before this is amended. Thank you.

9 MIKE MILLER: Thank you.

10 HENRY YOUMANS: Mr. Chair,
 11 the owner of the property is here.

12 MIKE MILLER: That's where
 13 I'm going. Mr. ---

14 JAMES DAVIS: I'm the
 15 owner.

16 MIKE MILLER: Would you
 17 mind please coming to the mic and addressing some of
 18 that. I'm going to try to stay two, three, four
 19 minutes. We're going to see. Because I've let several
 20 others, so I want to hear your side of the story.

21 JAMES DAVIS: Yes, sir.

22 My name is James Davis. The property in question
 23 belonged to my mother and father. They bought it
 24 sometime in the forties. They both passed away. I
 25 grew up in the house that's on the property.

26 The concerns they've talked about, the traffic,
 27 you know, I don't live there anymore. I used to live
 28 right next door, I think Paul Jones had that house
 29 built. But anyway, I have been ordered by the Probate
 30 Court Judge, Judge Saxon, to sell the property and the
 31 money would be split among my mother and father's
 32 children. So that's why the property is up for sale.
 33 I'm ordered by the Court to sell it so we can dispense
 34 the funds to all the children.

35 I don't think the traffic there would be a
 36 problem. I understand people not wanting more
 37 businesses or churches or whatever around their
 38 property. But there's two acres of that property. And
 39 as far as that driveway goes, it is an easement. The
 40 -- used to be a road. That highway went from Highway
 41 29 to Stringer Road when I was growing up there. And
 42 my father told me that that always had to be a road,
 43 that it could not be closed off.

44 The people that live behind the house, you know,
 45 that's their easement. They have a right to that to
 46 get in and out. I don't know who the people are that's
 47 wanting to buy it or what kind of church they want to
 48 build or anything like that. But the property is for
 49 sale and it's zoned C-2. Our old house is still there.
 50 It needs a lot of work, but the house is still there.

1 MIKE MILLER: All right.
2 Is the people here with the church?
3 HENRY YOUMANS: The
4 applicants aren't here but they did have notice to be
5 here at the meeting.
6 MIKE MILLER: So either
7 that we make, whether it's a church or whatever, we're
8 going to address this again eventually because it is a
9 commercial piece of property that is for sale. It is
10 zoned C-2. So whether it goes to the church, then the
11 next one could be a dog -- somebody selling dogs. Or
12 it could be a landscape company. It could be something
13 else that's coming there because the property is for
14 sale and it is commercial. Can you tell me anything
15 about this, Alicia?
16 ALICIA HUNTER: So, Mr.
17 Chairman, if it's zoned C-2, which we could get a
18 Walmart, you can get a Walgreens, you can get a -- any
19 type of automotive facility. So there's quite a number
20 of uses that C-2 could be used for. So a church is the
21 lowest impact in a C-2 zoning district, especially a
22 church this size, a small church.
23 MIKE MILLER: That's where
24 I was going at because I'm fixing to close the public
25 hearing. And that's what I wanted everybody to
26 understand ---
27 ALICIA HUNTER: Yes, sir.
28 And also, Mr. Chairman, they don't have to come before
29 the board. They just permit it out.
30 MIKE MILLER: Permit it
31 out --
32 ALICIA HUNTER: Yes.
33 MIKE MILLER: All right.
34 I am now closing the public hearing. Any questions
35 from the board to the owner or staff or anyone?
36 JOHN FARR: Mine is not
37 a question. I just have a comment. I appreciate the
38 fact that you folks that live out there bought it when
39 it was wide open and you didn't have any noise and you
40 didn't have anything to look at. I agree that it's a
41 nice thing to have. I bought four acres out in the
42 country myself. I couldn't see a neighbor. Now I have
43 neighbors everywhere. The county build a -- the county
44 and state built a five-lane road up by my property.
45 And I sit there all night listening to motorcycles and
46 big trucks run up and down the thing. I used to run
47 out there and not hear anything but my birds and watch
48 the deer. And I feed my deer. And I have anywhere
49 from five to fifteen out there every night. All the
50 road has done is kill part of them.

1 Finding of facts: Anderson County Code of
2 Ordinances under Chapter 38, 38-255, permitted signs,
3 specially wall signs, where a freestanding business
4 sign exists on site, one permanent business
5 identification sign not containing more than one square
6 foot of total signage area per lineal foot or principal
7 building frontage may be displayed on the building.

8 These are images that were submitted by the
9 applicant on AM Ellison Road. And this is -- to your
10 left you can see the storage location. This also was
11 submitted with the original sign application. These
12 are the proposed sign ideas, along with another image
13 showing the sign itself. This is a view of your aerial
14 tax map. This is -- before each BZA, staff members do
15 go out and ride through to see the locations of this.
16 And this was shown and permitted accordingly. And this
17 is what was installed. This is other surrounding
18 businesses and their signage.

19 However, upon staff going out, this sign is
20 located from AM Ellison Road, this sign is un-
21 permitted. It was taken on July 11th. But it's not on
22 the rear as what was proposed with the variance. This
23 was a completely un-permitted sign.

24 Staff recommendation is for approval with
25 conditions. A second wall sign will provide
26 identification of the business from AM Ellison Road.
27 However, a second wall sign has already been placed on
28 the building without proper permitting. This discovery
29 was made after packets were mailed out and original
30 staff report and a recommendation were created. The
31 presence of a second wall sign on the rear of the
32 property will not be a detriment to the area. If the
33 variance is granted, the sign representative has stated
34 that the freestanding will be removed for the second
35 wall sign. If approved by the board, all proper
36 permits will need to be submitted to Development
37 Standards. This is your staff report.

38 MIKE MILLER: Thank you,
39 staff. I will go ahead and open up this meeting to
40 public hearing. Are there anyone speaking against?
41 Are there anyone speaking against. I'm going to go
42 ahead and close the public hearing and reserve the
43 right to any questions from staff, from the board and
44 the board to staff. Go ahead, Tony.

45 TONY CIRELLI: On that one
46 aerial you showed a rooftop sign of the -- go back
47 again.

48 JOHN FARR: I think he's
49 talking about the one that's un-permitted.

50 MIKE MILLER: That's the

1 one that's right across from Bosch.
2 TONY CIRELLI: Rooftop
3 signs are not permitted.
4 MIKE MILLER: Are you
5 talking about the one that's off of Frankische?
6 TONY CIRELLI: Right. That
7 one right there. Was that there? Is that an existing
8 sign?
9 BRADEN BANNISTER: That's
10 existing. That is correct.
11 MIKE MILLER: But it's not
12 off -- that's not where ---
13 BRADEN BANNISTER: That's a
14 different property.
15 MIKE MILLER: That's the
16 neighboring property. Yeah, that's neighboring
17 property.
18 JOHN FARR: Do I
19 understand correctly that that sign that was not
20 permitted will be removed?
21 ALICIA HUNTER: The
22 freestanding sign is what -- is that correct, BRADEN?
23 BRADEN BANNISTER: The
24 freestanding sign -- I've spoken with the sign
25 applicant, and he told me that he would be willing to
26 forego having the freestanding to have the second wall
27 sign on the rear of his property.
28 MIKE MILLER: So it will
29 be earmarked that there would never be a freestanding
30 sign there, is what we're ---
31 BRADEN BANNISTER: That was the
32 agreement on the phone; correct.
33 JOHN FARR: Okay.
34 MIKE MILLER: All right.
35 What is the pleasure of the board?
36 TONY CIRELLI: Motion to
37 approve.
38 MIKE MILLER: Okay. I've
39 got a motion from Mr. Cirelli.
40 DEBBIE CHAPMAN: Second.
41 MIKE MILLER: I got a
42 second from Ms. Chapman. All in favor raise your right
43 hand. All opposed like sign.
44 Staff report.
45 BRADEN BANNISTER: This
46 application is for a variance to allow additional
47 square footage and additional wall signs. The
48 application is Theresa Bair of Site Enhancement
49 Services. The current property owner is Community
50 First Bank. The property location is 1130 Anderson

1 Road, Council District 6. Current zoning is unzoned
2 and land use is vacant.

3 Applicant's request to exceed beyond allowable
4 sign area by two hundred square feet and to exceed the
5 number of allowed wall signs from one to three wall
6 signs.

7 Finding of Facts: Anderson County Code of
8 Ordinances under Chapter 38, 38-255, permitted signs,
9 specifically wall signs 38.2.A allowable area, if there
10 is a freestanding business identification sign on the
11 developed property, parcel or site, one permanent
12 business identification sign containing not more than
13 one square foot of total signage area per lineal foot
14 of principal building frontage may be placed, erected
15 or displayed on said building. Under 38.2.C, number of
16 signs, only one projecting sign as defined in Section
17 38-37 is allowed per building frontage.

18 These next couple of slides are -- we're including
19 the original sign packet by the applicant. This is a
20 view of your site plan for the property.

21 TONY CIRELLI: This is not
22 (inaudible).

23 BRADEN BANNISTER: Correct.
24 This shows your site location and traffic pattern. And
25 these coming up are the actual signs and elevations
26 that will be proposed with them. These are surrounding
27 businesses that were submitted in the original
28 application. This is a view of the tax map. And this
29 is -- like I said before, we as staff go out and do a
30 little research and see about the property. This is
31 across the street; it's a shopping center. At this
32 shopping you will find a shared freestanding sign. And
33 within this shopping center the businesses do have a
34 sign or panel on the sign and then panel on the
35 business itself. Couple more images. This is Ace
36 Hardware, which I believe is next door. They have one
37 wall sign and one freestanding sign.

38 Staff recommendation is for denial. By providing
39 a sign on the west facade and freestanding sign, all
40 motorists will be able to easily identify the property,
41 therefore a sign on each elevation is not needed. The
42 request is not compatible with the spirit and intent of
43 the ordinance. Neighboring properties have one wall
44 sign and a freestanding sign. And the signs will be
45 inconsistent with surrounding properties. One
46 referenced business nearby was constructed prior to the
47 execution of our ordinances. Adequate signs on the
48 main building and one freestanding sign will provide
49 adequate business identification. This is your staff
50 report.

1 ahead of time to properly gauge what travel patterns
2 they need to take. I believe it's a four-lane road, so
3 just making sure which lanes they need to be in, having
4 time to change those lanes and then safely turning into
5 the property, as well.

6 As we already mentioned, as well, we have seen
7 that other businesses within the vicinity do also have
8 signs that do exceed the square footage in number of
9 wall signs allowed. Businesses such as Papa John's,
10 Walgreens, Waves Express Car Wash, all of these
11 businesses have multiple wall signs, in addition to
12 their freestanding sign.

13 This Mavis site will have a freestanding sign;
14 however we think it's important to note that
15 freestanding signs are really there to help people know
16 that the business is in the vicinity. Not exactly
17 where that business is located. So that freestanding
18 sign is going to let people know, okay, I am going to
19 be approaching Mavis. It's somewhere on this road.
20 What those wall signs truly solidify to consumers and
21 potential motorists, that they will be entering the
22 correct location and their intended location.

23 Now, I understand that these three wall signs are
24 significantly over code. They would be non-conforming.
25 And we are not here to damage the intent on this
26 corridor or anything like that.

27 So I do want to propose maybe a secondary option
28 here. So arguably the most important sign for this
29 business is going to be the wall sign going on the west
30 facade. Again, that main entrance point. As a
31 commercial business, you should always have a sign over
32 your entrance. That's a general rule of thumb. It
33 lets people know where they're going into as they're
34 walking into your door.

35 So this sign, I believe it might have been the
36 first page. Yes, that one. So that's the west facade.
37 And this sign here is actually scaled at a hundred and
38 thirty-four square feet, so it is four square feet over
39 what code would allow. However, we are proposing it to
40 be the hundred and thirty-four square feet rather than
41 a hundred thirty. Simply because it is scaled to
42 accurately representing the facade it's being attached
43 to. So when we look at that scaling, the things that
44 go into that is looking at the traffic patterns, how
45 many lanes are on the road, the speed limit, as well as
46 the area of that facade. So if we went down on square
47 footage, we think that the message would truly get lost
48 on that busy facade sign -- I'm sorry, the busy facade.
49 If it's too small it almost gets a postage stamp
50 feeling on a nice large wall. The letters can get

1 muddled. It can be difficult to read. So again, we do
 2 believe that hundred and thirty-four square feet would
 3 be the smallest in order to get the message across and
 4 get proper business identification.

5 I do just also want to quickly mention the weight
 6 area is measured for wall signs. So code breaks it
 7 down as the smallest geometric shape that can fit
 8 around the entire letters or emblems that go into the
 9 sign or the entire copy. So looking at this Mavis
 10 Tires & Brakes Sign here, we can see Mavis Tires &
 11 Brakes is much larger than the second line there that
 12 says at Discount Prices. So there is a lot of dead
 13 space underneath that first line of text. If we kind
 14 of rework how we look at an area and simply look at
 15 just the sign, so looking at just the lettering, the
 16 text, just the message that it's conveying, then that
 17 area would actually be brought down to a hundred and
 18 fifteen square feet, which would be under code, which
 19 would be allowed.

20 So, again, just looking at that dead space that is
 21 wasted if you do just the simple rectangle around the
 22 entire sign.

23 So, in summary, again, Mavis's primary course of
 24 action here would be to pursue those three wall signs
 25 at the size they are proposed. And our secondary
 26 option would be solely to have this one facade sign on
 27 the west facade in addition to the freestanding sign.
 28 However, this one staying at the hundred and thirty-
 29 four square feet defined by today's code.

30 It's important to note that granting either option
 31 of this requested variance will not produce any adverse
 32 impact on the public at all. As mentioned this is an
 33 unzoned commercial corridor. It's not our intent to
 34 bring any sort of gaudy signs to the area or
 35 unintentional signs to the area. As a business going
 36 into an unzoned and heavily commercial corridor, we
 37 just want to bring signage that will promote prosperity
 38 and encourage the commercial spirit.

39 MIKE MILLER: Thank you.

40 THERESA BAIR: Thank you.

41 MIKE MILLER: I will now

42 go ahead and close the public hearing. Are there
 43 anything from the staff to the board or the board to
 44 the staff? Have y'all got anything?

45 BRAD SWILLEN: I'm going to
 46 make one comment ---

47 MIKE MILLER: Okay.

48 That's fine.

49 BRAD SWILLEN: --- relative
 50 to that particular area which is my area that I

1 represent. The zoning is what it is and it's certainly
2 -- the building is going to be there; that's not a
3 problem. There's a tremendous amount of pressure in
4 that area as it relates to development and to -- let's
5 just say the planning aspect of things up there hasn't
6 been ideal, both residential and commercial. So,
7 having said that, I cannot in good conscience vote for
8 any variance from the sign. I apologize, but I can't
9 make that any worse than, you know, than it's already
10 going to be.

11 So I will make a motion to deny the variance.

12 DEBBIE CHAPMAN: I'll second
13 it.

14 MIKE MILLER: I've got a
15 motion and a second for denial. Are there any other
16 discussion? No other discussion. We're going to put
17 it to a vote. All in favor of the denial, raise your
18 right hand. All opposed like sign.

19 Staff report.

20 BRADEN BANNISTER: The
21 application is for a variance to allow a second wall
22 sign. Your applicant is Signs Unlimited. Current
23 owner, NLJ Ventures, LLC. Your property location is
24 3808 Clemson Boulevard in Anderson, Council District 1.
25 Current zoning is C-2. Applicant is requesting a
26 variance allowing additional directional lettering on
27 the rear facade.

28 Finding of Facts: Anderson County Code of
29 Ordinances under Chapter 38, Section 38-255, Section 2,
30 only one projecting sign as defined in Section 38-37 is
31 allowed per building frontage.

32 This is the site map that was included in the
33 original packet. And this is your proposed lettering
34 on the roof facade. Again, another view of your site
35 plan. Along with the other signs that will be
36 permitted for the location. Like others, staff does go
37 out and do research in the field. This is the rear
38 view of the location shown here. Along with another
39 view of the rear and the front of the property. This
40 is a view of your tax map. And your zoning map showing
41 C-2.

42 Staff recommendation is for denial. Applicant
43 states placement of the structure affects the
44 presentation of instructional lettering for citizens
45 traveling Clemson Boulevard. However, it will only be
46 visible when approaching from one direction. The
47 request is not compatible with the spirit and intent of
48 the ordinance. Other properties were referenced on the
49 variance application. However, the properties that
50 were referenced are not in our jurisdiction and fall

1 under the jurisdiction of the city and are permitted
2 accordingly. This is your staff report.

3 MIKE MILLER: Thank you,
4 staff. We had one board member that had to leave, so I
5 excused him. I will now open this meeting up to public
6 hearing. And I am going to put a time line. I should
7 have done this at the beginning. But no longer than
8 three minutes. So are there anyone speaking against?
9 Let me make sure first and then I'll bring you forward.
10 Anyone else speaking against? We've got one that
11 speaking for. Please come forward, come to the mic,
12 state your name and who you are representing.

13 EVETTE GUERRA: Good
14 evening. I'm Evette Guerra. I'm representing Signs
15 Unlimited. I'm an agent for them and one of their
16 contracting install companies.

17 I just wanted to point out that the request for
18 the variance was mostly because the actual lettering --
19 I don't know if you could show this page? It's
20 actually -- instead of it being an identification sign,
21 and because of -- I'll have you see another slide here
22 in a second -- this actually is a stay in your car,
23 which is a sign mostly for safety and for information
24 because of the way that it -- that the building lays on
25 the lot and I didn't see this one. Maybe it was just
26 too dark. Did you have this one here? Okay. So the
27 directional, it's a one-way directional so you have an
28 entrance coming in from the bottom of the page.
29 There's one entrance. Well, the stay in your car
30 information instructional sign actually is on the rear
31 of the building because that's where the cars will
32 enter. The actual identification of the signs for the
33 business are on the opposite side. So this is more of
34 an informative safety -- more of a safety sign as far
35 as we're concerned as far as stay in your car so that
36 the customers know -- although we all would like to say
37 everybody reads all the signs, a lot of times they
38 don't. And so the stay in your car is very vibrant and
39 helps customers stay in the car as they come up on the
40 backside of the building because it's the only one-way
41 entrance and there's no other way you're going to be
42 able to see that. And if there's other signs that are
43 smaller, they may not be able to be seen. So that was
44 basically the reason that the owner wanted to have
45 something that was prominent. And that is common at
46 most of the take five oil changes, they have the big
47 stay in your car so that customers know, please stay in
48 your car. And since this is a one-way, we need to
49 request to exceed that signage allowance.

50 MIKE MILLER: Thank you.

1 EVETTE GUERRA: Thank you.
2 MIKE MILLER: I've got a
3 question for staff. What are y'all saying denial on?
4 BRADEN BANNISTER: We're saying
5 denial based on that this will be on the rear of the
6 building, so if you were coming from the city to the
7 county, you would see it from that direction. But if
8 you were coming from exit 19, you would never see the
9 directional or informational sign that's proposed.
10 MIKE MILLER: So the plan
11 that's up there now on the board, you're got an exit
12 only directional. Is this in this package of denial?
13 Or is this -- I'm just trying to understand what y'all
14 are saying. Yes, are they getting signs or, no,
15 they're not getting signs.
16 BRADEN BANNISTER: They're
17 getting signs. The only one that is in question is the
18 directional sign as it's proposed.
19 MIKE MILLER: All right.
20 So everything else is good? What you're denying is
21 what's on the rear of the building?
22 BRADEN BANNISTER: Correct.
23 MIKE MILLER: All right.
24 I'm going to go ahead and close the public hearing.
25 Have y'all got anything as a board?
26 JOHN FARR: I go by that
27 place everyday. How do you get in the place?
28 MIKE MILLER: That one
29 entrance right there where it's coming around where
30 that old ---
31 JOHN FARR: So you're
32 coming off the main road, off of Clemson Boulevard and
33 coming around that way?
34 EVETTE GUERRA: It's the
35 very -- I don't know if that's Clemson Boulevard or
36 not. Yes, it is. Clemson Boulevard at the bottom of
37 the page. Those are the only entrances. And the flow
38 of traffic is one-way.
39 JOHN FARR: I wondered
40 when you were building it how the heck you were going
41 to get out of there.
42 EVETTE GUERRA: Yep. We'll
43 exit up at -- the exit is actually up at the top.
44 BRADEN BANNISTER: Board, if
45 you could make note, it is showing another entrance on
46 the other side if you're -- in the lefthand corner,
47 there's two enter and directional signs on each side.
48 So that will be two different entrances.
49 EVETTE GUERRA: Correct.
50 It's still a one-way flow of traffic to the back, you

1 know, ---

2 MIKE MILLER: I'm just
3 clarifying which sign was in denial. That's all I was
4 trying to do.

5 So what is the pleasure of the board?

6 TONY CIRELLI: That's why
7 it's so small. I went by it a couple of times.
8 (Inaudible.)

9 MIKE MILLER: Yeah, but
10 we've got a building that's up, so ...

11 TONY CIRELLI: It's easier
12 to ask permission than it is (inaudible.)

13 MIKE MILLER: So do I have
14 a motion or a denial?

15 TONY CIRELLI: I make a
16 motion to deny.

17 MIKE MILLER: So I've got
18 a motion to deny. Do I have a second?

19 DEBBIE CHAPMAN: I'll second.

20 MIKE MILLER: All right.
21 So I've got a motion to deny and a second. Are there
22 any other discussions? No other discussions? So we'll
23 go ahead and put it to vote. All in favor raise your
24 right hand.

25 DEBBIE CHAPMAN: For denial?
26 MIKE MILLER: On the
27 denial. I've got two. Mr. Farr, how do you vote?
28 JOHN FARR: Abstaining.
29 MIKE MILLER: He's
30 sustaining. I'm abstaining. I don't know if I can do
31 that. So I've got two for denial. And I've got two --
32 I'm lost, Alicia. You're going to have to help me.

33 ALICIA HUNTER: Is there a
34 reason you're abstaining or just ---

35 MIKE MILLER: Because my
36 personal opinion, there needs to be a sign on the back
37 that would probably say you need to stay in the
38 vehicle. That's where I'm looking at it. I don't know
39 about the size of the sign. You know, I mean you're
40 not really seeing it from Clemson Boulevard. But if
41 that's what's there, it's saying -- you know, it's not
42 anything there. It just says stay in your car. It's
43 telling you directions.

44 ALICIA HUNTER: Yeah, we can
45 considered that. Staff, we talking about that.

46 MIKE MILLER: That's the
47 reason why I cannot vote for the denial.

48 DEBBIE CHAPMAN: You're
49 talking about no matter if it's smaller?

50 MIKE MILLER: I mean, all

1 that to me is it's telling you what you're doing, and
2 that's the way I feel about it. And that's why
3 everybody up here has got their own opinion. And so
4 it's telling you, no, stay in your vehicle. And it's
5 giving you directions. It's not something for a
6 business, and that's why I cannot vote against your
7 denial.

8 (DISCUSSION AMONGST STAFF AND BOARD MEMBERS)

9 MIKE MILLER: Because it
10 hasn't got anything to do with an oil change. But that
11 particular sign says stay in your car. It is a
12 directional sign. And it's just like being out in the
13 road that tells you to go one way. That's the problem
14 I have with it.

15 ALICIA HUNTER: We kind of
16 treat that as informational. Informational sign
17 telling you what to do.

18 MIKE MILLER: Yeah. And
19 that's the way I see it.

20 ALICIA HUNTER: But I think
21 what -- we have an issue with this one because we did
22 discuss that as a safety thing that is a safety
23 precaution that when you do turn in there that you do
24 need to have that there. But I think it's the other
25 sign that -- the additional sign on the other side.
26 Braden?

27 MIKE MILLER: See, that's
28 why I clarified that a while ago, was what signs are we
29 voting on. And that's what I was told by staff, is the
30 rear one that says stay in your car.

31 BRADEN BANNISTER: This is the
32 sign we're voting on here.

33 MIKE MILLER: That is the
34 one that I've got a denial motion and approval.

35 BRADEN BANNISTER: That is
36 correct.

37 MIKE MILLER: So that's
38 the one that you're saying -- and we're not voting on
39 anything -- I cannot vote ---

40 ALICIA HUNTER: I thought we
41 had -- wait a minute.

42 MIKE MILLER: I mean,
43 we're locked right now. You've got two and two.

44 TONY CIRELLI: My
45 recommendation (inaudible) we go ahead and table this
46 until we get a quorum. Right now we're just
47 landlocked. I think if we had one or two other folks
48 here that should be here we could resolve this.

49 MIKE MILLER: Hang on
50 because the staff is discussing something. Because

1 it's directional. It's not telling what you're selling
2 or anything. It's just telling you what you're doing,
3 is to stay in your car.

4 JOHN FARR: I agree with
5 you. That's why we're locked.

6 MIKE MILLER: That's why
7 we're locked.

8 ALICIA HUNTER: Mr.
9 Chairman, Braden has one thing to add.

10 BRADEN BANNISTER: Also on
11 directional signs, per ordinance, our directional signs
12 are limited to nine square feet max. And this is
13 roughly twenty-seven square feet. So it's three times
14 ---

15 MIKE MILLER: I know that
16 part, but -- I understand what the size is. But that's
17 ---

18 ALICIA HUNTER: Mr.
19 Chairman, you need to vote, please.

20 JOHN FARR: They could
21 reduce the size of that; couldn't they?

22 MIKE MILLER: I don't know
23 how to vote because I can't vote -- I'll have to vote
24 no.

25 ALICIA HUNTER: Okay. Then
26 it's tied two to two. So the application doesn't move
27 forward. So we would have to bring it back to ---

28 MIKE MILLER: Tony is
29 going to bring a motion right now to table this until
30 the next ---

31 ALICIA HUNTER: Okay. So
32 table it pending what Mr. Cirelli ---

33 MIKE MILLER: Mr. Cirelli
34 is bringing a motion to table this until our next
35 meeting.

36 EVETTE GUERRA: Could I say
37 something or ask something real quick? Just for
38 information I can take back.

39 MIKE MILLER: Okay.

40 EVETTE GUERRA: If there's a
41 possibility and if it pleases everyone if it's reduced,
42 the stay in your car -- I don't know that nine is going
43 to work because I don't know that anybody could see
44 that. But if it could be reduced, does that help at
45 all?

46 MIKE MILLER: I mean, it's
47 over the square footage and I understand where they're
48 coming to at nine square feet.

49 EVETTE GUERRA: Right.
50 Because it's tiny little ---

1 MIKE MILLER: You're three
2 times -- nine times three is twenty-seven.
3 EVETTE GUERRA: Correct.
4 MIKE MILLER: I understand
5 that. But the smaller you get, you're not going to be
6 able to see it. But, you know, I'm looking at
7 directional, so I'm going to let him make the motion to
8 table it. Do I have a second to table?
9 JOHN FARR: Second.
10 MIKE MILLER: Mr. Farr.
11 Got a second. All in favor raise your right hand. All
12 opposed like sign.
13 Staff report. All right, Henry, fast and sweet.
14 HENRY YOUMANS: I will be a
15 good steward of your time. This is a variance. The
16 property address is 1805 Easley Highway in Piedmont.
17 The applicant is Rick Shuffield for the Love's Travel
18 Stop. The property location is at Easley Highway at I-
19 85, exit 32. Council District 4. Property description
20 is 12.98 acres. It's currently unzoned. Land use is
21 commercial and vacant.
22 The applicant's request is to -- an overall
23 increase of height and square footage for freestanding
24 signs and the increase of wall signs for multiple
25 tenants in the proposed fuel section. I'm going to
26 forego the reading of the ordinance, as you've had the
27 opportunity to look at that. But basically it is --
28 allows for -- compared to shopping centers, to have
29 additional signs for tenants.
30 This is the proposed freestanding sign showing the
31 multiple tenants as proposed. This is the street sign
32 that going be in front of the building. The other sign
33 will be near the interstate for identification
34 purposes. These are the building signs that will be
35 placed on various locations of the property. This is
36 one of the tenants with their signage. These are
37 directional signs which are not being considered. And
38 these are the scale signs for identification on the
39 property, as well.
40 This is a site plan of the proposed construction.
41 This is the layout of the property. These are
42 elevation drawings showing each elevation of the
43 construction. This is a tax map of the new parcel that
44 is shown off of I-85.
45 Staff recommendation is for approval. Development
46 Standards approved the land use permit on February 28,
47 2022. With this approval the applicant is granted the
48 permitted signs. The Love's Travel Stop located on
49 4238 Old Dobbins Bridge Road in Fairplay was permitted
50 with a similar sign variance. The applicant has

1 demonstrated the existence of a hardship as other
2 fueling stations in the area have all the requested
3 signs stated in the variance application. If approved
4 the applicant will be required to file the proper
5 paperwork to permit all the additional signs which have
6 not already been approved or exempt per the ordinance.
7 The board has granted other variances similar to this
8 request and will be consistent with its approval. This
9 is your staff report.

10 MIKE MILLER: Thank you,
11 Mr. Henry. I will go ahead and open this up to public
12 hearing. Are there anyone speaking against? If you're
13 speaking for it, I mean I'm going to put three minutes.
14 If you're speaking for and you want to come forward,
15 you're more than welcome to.

16 MALE: Whenever
17 it's convenient.

18 MIKE MILLER: It's up to
19 you. I mean we see what's there and I know it matches
20 the other one.

21 MALE: It does. As
22 Mr. Henry had indicated I actually went before the
23 Zoning board, I think it was eleven or twelve years ago
24 when we built that original location. For any of you
25 who have ever been to the location, you'll get kind of
26 a feel about what we're asking for on the overall
27 product, except it's actually expanded a little bit
28 since then as we've gotten into the tire, light
29 mechanical and other services for trucks to keep them
30 on the road. So there's an additional approximate
31 twelve thousand square foot building that is at the
32 back that references some of the additional signage
33 that's part of the application.

34 But I'm just here to answer any questions you
35 might have.

36 MIKE MILLER: Does the
37 board have any questions of him?

38 JOHN FARR: I make a
39 motion to approve.

40 MIKE MILLER: I need to
41 close the public hearing. So I'm going to close the
42 public hearing. I've got a motion to approve. Do I
43 have a second? Mr. Cirelli. All in favor raise your
44 right hand. All opposed like sign.

45 Hang on. Are there any other new business?
46 Staff, Mr. Henry, you got any other thing? Alicia?

47 HENRY YOUMANS: No, sir, we
48 are finished for this meeting.

49 MIKE MILLER: So if we're
50 done, do I have a motion to adjourn?

1 JOHN FARR: So done.
2 MIKE MILLER: So done.
3 I've got hands everywhere.
4
5 **MEETING ADJOURNED AT APPROXIMATELY 6:22 P.M.**

STATE OF SOUTH CAROLINA)
COUNTY OF ANDERSON)

ANDERSON COUNTY
LAND USE AND BOARD OF ZONING APPEALS
AUGUST 11, 2022

PRESENT:

HUBERT MCCLURE, CHAIRMAN
MIKE MILLER
JOHN FARR
TONY CIRELLI
BRAD SWILLEN
DEBBIE CHAPMAN

ALSO PRESENT:
ALESIA HUNTER
HENRY YOUMANS
BRITTANY MCABEE
TIM CARTEE
TYANNA HOLMES
GAYE SPRAGUE

1 HUBERT MCCLURE: We're going
2 to call -- I hate beating this gavel, but I'm going to
3 hit it one time. We're going to call this meeting to
4 order of the Land Use Board of Appeals.

5 I'm going to kind of go against the agenda right
6 here because I'm going to recognize Mr. Ashley first.
7 We have a member that just passed away; Mr. Allen
8 Ashley from the Honea Path area. Mr. Ashley was a
9 veteran. He was also an auctioneer; owned his own
10 business, entrepreneur. He was a member of this board
11 for at least ten years. And I would just like for
12 anybody that wants to say anything about Mr. Ashley --
13 a very good man and he's going to be missed.

14 MIKE MILLER: He will be
15 missed.

16 HUBERT MCCLURE: Anybody want
17 to say anything?

18 TONY CIRELLI: Mr. Ashley
19 was on the original Land Use Commission that was
20 adopted back in '85, '86.

21 DEBBIE CHAPMAN: He's been
22 here a long time. And he's done a lot of the
23 community, too; I mean a whole lot.

24 HUBERT MCCLURE: Yes, he has.

25 DEBBIE CHAPMAN: Very, very
26 nice man. Always active in everything.

27 HUBERT MCCLURE: Yep. I'd
28 like to, before we go into our invocation, just to
29 spend about five to ten seconds as a moment of silence
30 for Mr. Ashley.

31 **MOMENT OF SILENT IN REMEMBRANCE OF ALLEN ASHLEY**
32 **INVOCATION BY HUBERT MCCLURE**

33 HUBERT MCCLURE: We don't
34 have minutes from the last meeting, so we're going to
35 skip that.

36 And we're going to move straight to the public
37 hearing on the -- well, I thought I had it -- yeah,
38 Clemson Boulevard sign facade. Staff report

39 BRADEN BANNISTER: This request
40 was previously tabled from the July 14th BZA meeting.
41 This is located at 3808 Clemson Boulevard. The
42 applicant is Signs Unlimited. It is in Council
43 District 1 and current zoning is C-2.

44 The applicant request -- is requesting a variance
45 along with additional directional lettering on the rear
46 of the facade. Anderson County Code of Ordinances
47 under Chapter 38, Section 38-255(2), only one
48 projecting sign as defined in section 38-37 is allowed
49 per building frontage.

50 This is a view of your site map. And the proposed

1 directional lettering on the rear facade. Along with
2 another view of your site map, as well.

3 Before the meeting staff did go out and take
4 pictures of the current location. This will be as
5 you're approaching from the Long Horn's area going
6 towards 85. This is the rear of the building. And
7 another view, as well. This is your TMS map. Along
8 with your zoning map showing C-2. This is the Anderson
9 Road location of Take 5. You can see what is being
10 proposed at the top.

11 Staff recommendation is for denial. Applicant
12 states placement of the structure affects the
13 presentation of the instructional lettering to citizens
14 traveling Clemson Boulevard; however it will only be
15 visible to one approaching from one direction. The
16 request is not compatible with the spirit and intent of
17 the ordinance. Other properties were referenced on the
18 variance application. However, the properties
19 referenced are not in our jurisdiction and fall under
20 the jurisdiction of the city and are permitted
21 accordingly. This is your staff report.

22 HUBERT MCCLURE: Thank you,
23 staff. At this time I want to open up the public
24 hearing for anyone speaking against this signage.
25 Anyone speaking against this signage? Okay. We'll
26 close the public hearing and reserve questions or
27 discussion for staff. Or is there anyone here speaking
28 for the signage?

29 JOHN FARR: Yeah, I'd
30 like to speak one thing. I think we need to take into
31 account the purpose of the second sign.

32 HUBERT MCCLURE: Yeah.

33 JOHN FARR: Which is to
34 direct people to stay in their car. It's not quote,
35 unquote, advertising the building.

36 HUBERT MCCLURE: I think it's
37 a situation where the name of the business is also an
38 action. Okay. Then there's no questions for staff or
39 anybody speaking for. So what's the feeling of the
40 board?

41 TONY CIRELLI: It's kind of
42 on an angle, too. It's at an angle, that lot is, to
43 Brown Road?

44 HUBERT MCCLURE: Yeah.

45 TONY CIRELLI: Okay. I
46 recommend approval.

47 HUBERT MCCLURE: Okay. We've
48 got a second, Mr. Farr; Mr. Cirelli made the motion.
49 All in favor. And that's unanimous.

50 All right. Second thing -- and before we start

1 the second thing, I always go through this whenever we
2 have a lot of public for the public hearing. And I'm
3 going to go through this. I go through this
4 generically, no matter what the item is. We do not
5 listen to personalities. We do not listen to conflict.
6 We do not listen to hearsay. We won't tolerate that.
7 Okay?

8 Another thing, we would ask, since there's so many
9 people here, and I'm not trying to step on anybody
10 first amendment right, but we are going to ask who is
11 against to stand in just a few minutes, I'm going to
12 ask that. And who is in favor. I think that's
13 important for us, as a visual, I'd like to see that, as
14 well as we would ask one person for against or two
15 people for against to speak to save redundancy.
16 Because we do know that people are against. We know
17 there's people for.

18 So we're going to try to curb the redundancy
19 because if fifty people stand up and say the same thing
20 over and over and over, we're going to be here forever.
21 And I just don't think we need -- when we know there's
22 fifty people against and four people for, we know that.
23 So I'm trying to do this in a manageable effort. And I
24 pray that y'all will be patient. We will give the
25 people, whoever the people are, that are speaking for,
26 we will give them ample time for rebuttal and
27 questions. And I just wanted to make sure everybody
28 understands that before we move on. Okay?

29 Okay. Staff report.

30 HENRY YOUMANS: Mr. Chair,
31 this is a special exception request to use a single-
32 family residence as a short term rental in R-20 zoning.
33 The property address is 400 Lakewood Drive in Anderson.
34 The applicant's name is Maelen Ignacio. The tax map
35 number is there for your reference. The current zoning
36 is R-20 and the land use is residential.

37 The applicant's request is requesting a special
38 exception to allow the use of the residence as a short
39 term rental home.

40 Finding of facts: Anderson County Code of
41 Ordinances under Chapter 70, Section 17.7 -- 7.17,
42 establishments are permitted by use by special
43 exception, bed and breakfasts, home stays, host homes
44 and guest homes.

45 This is a plat view of the property showing the
46 location of the residence. These are pictures of the
47 physical structure, both internal and external
48 pictures. This is your tax map showing the property as
49 it was before it was developed. And this is your R-20
50 zoning showing the zoning for the Lakewood Subdivision

1 area.

2 Staff recommendation is for denial. The
3 established restrictions of the Lakewood Subdivision,
4 Section A, Item 1, state that the land use is for
5 residential purposes only. The spirit and intent of a
6 host home, bed and breakfast and guest homes, is
7 contrary to the prescribed use for this subdivision.
8 Under Section O, Item 1, if the applicant can provide
9 the staff with an updated copy of covenants and
10 restrictions allowing for a short term rental, we can
11 evaluate this application should she reapply.

12 This is your staff report.

13 HUBERT MCCLURE: Thank you,
14 Henry. Okay. At this time I would like to open up the
15 public hearing. And at this time I'd like to ask for
16 people speaking against, if they would stand or raise
17 their hand. Stand or raise your hand, please. Okay.
18 Have a seat. Thank you.

19 Anybody speaking -- I know there's somebody
20 speaking for, but I don't know who you are. Stand up
21 if you're here for. Okay. Now I know who Ms. -- is it
22 Ms. Ignacio? Okay.

23 MAELEN IGNACIO: Yes.

24 HUBERT MCCLURE: Okay.

25 All right. Now, what I would like to do, I would
26 like -- we're going to hear from you in just a minute,
27 Ms. Ignacio, in just a second. I'd like for someone --
28 I know we've got some people here, one, two, three,
29 four, five, six, seven, eight, nine, ten, eleven,
30 twelve, thirteen people that live within two thousand
31 feet. Is there somebody that would like to speak,
32 maybe one or two or three. Yes, sir. Come to the
33 front. And I would like to remind you, please keep it
34 to the facts, please. And I'll get to you in just a
35 minute, ma'am.

36 State your name and your address, please.

37 JAY FROBOESE: Good evening.

38 My name is Jay Froboese, 334 Greenhill Drive. We're
39 seventeen hundred feet south of the home in question.

40 And I come only tonight -- you know, I am a
41 resident there. And I come tonight as a retired law
42 enforcement officer. My thirty years in law
43 enforcement, living in a small community like the one
44 we're in now, my job as a watch commander was to deal
45 with these specific issues of short term rentals, party
46 houses, different things like this. Not that this will
47 be a party house, but when people come on vacation into
48 a residential area and rent these homes, they are in a
49 different mind set than the residents. The residents
50 are just having another day in their community. They

1 moved here into these certain communities with this R-
2 20 zoning because they didn't expect to have the noise
3 and the commotion, the traffic issues that go with
4 these type of rentals.

5 And we in law enforcement, in the community where
6 I worked, were taxed very heavily with having to deal
7 with the rental folks that would come in. And again,
8 they're in a different mind set. They're on vacation.
9 So what they think is loud noise, what they think is
10 loud music, what they think is excessive number of
11 trips up and down the street, the single point of
12 entry, especially for this place, down at the end of
13 the road, one point of entry off Brown Road, it's no
14 big deal to them to run back and forth and to make the
15 noise and to have the party and to enjoy themselves.
16 They're on vacation, and we understand that.

17 It just doesn't work in a residential subdivision.
18 And it especially doesn't work when people buy a house
19 and move into these subdivisions expecting to have a
20 certain environment and then a short term rental is
21 thrown in.

22 So I really only speak from a professional
23 standpoint that no matter how good the intentions are
24 initially, how well the homeowners manage their rental,
25 over time, over several seasons, it always ends up
26 becoming a problem. It becomes a problem for law
27 enforcement. It taxes city services. And it really
28 becomes a problem for the immediate neighbors dealing
29 with the parking. There's always way more cars than a
30 little street like Lakewood can park, so you get cars
31 out on the street. You get cars blocking over people's
32 driveways. It just becomes a problem. And that's why
33 land use and cities put this type of zoning in to
34 prevent these type of issues.

35 So I think if we were to go backwards and allow
36 this, you know, what's to say that the next community
37 over doesn't start to apply for these type of things
38 and pretty soon you'll have short term rentals all over
39 and the people that bought there hoping to buy in a
40 quiet community, no longer have a quiet community.

41 So it's not a good precedent to set.

42 HUBERT MCCLURE: Mr.
43 Froboese.

44 JAY FROBOESE: Froboese,
45 yes.

46 HUBERT MCCLURE: Just a
47 question, just a general question. And I'm asking
48 maybe as a consensus, is the short term -- the effect
49 of short term is what the concern is versus long term?

50 JAY FROBOESE: Professionally,

1 yes. You get a long term rental in, it's a different
2 environment. They want to be part of the community.
3 They want to be part of the neighborhood. Most of the
4 time tend to take care of their place. I mean they're
5 there maintaining it. They usually are working.

6 Again, it goes back to the vacation type of
7 mentality. When we all go on vacation, we want to
8 enjoy ourselves. And we're going to be a little
9 louder. And we're going to do things maybe we don't do
10 at home. And that's the issue bringing this into a
11 quiet small community.

12 And also, I can't underestimate the issue of
13 traffic. When you have a single point of entry off
14 Brown coming that long straight line down Lakewood,
15 you're going to have so much more traffic in and out of
16 there as people are making runs to the store to get
17 things; back and forth, back and forth, and it affects
18 all of these homes all the way down Lakewood.

19 HUBERT MCCLURE: Okay. Thank
20 you, sir. Yes, ma'am. You said something -- you
21 raised your hand a while ago. Come on up to the
22 microphone, please.

23 JOAN AXTHELM: (Inaudible.)
24 We have some handouts, too, that we wanted to get
25 distributed if possible.

26 HUBERT MCCLURE: If you can
27 take the mask off so we can hear you, please.

28 JOAN AXTHELM: Oh. If I
29 take one off can you hear me with one on? You can't
30 hear me? How is that? Is that okay?

31 HUBERT MCCLURE: Go ahead.

32 JOAN AXTHELM: All right.
33 Thank you. My name is Joan Axthelm and I live at 403
34 Lakewood Drive.

35 We moved here five years ago from Florida without
36 knowing a soul. When we bought we knew we wanted a
37 single-family homes neighborhood where the neighbors
38 were real neighbors, ones that we could develop
39 relationships with and depend upon as we and they aged
40 in place.

41 Prior to our purchase I found the subdivision
42 restrictions. The very first section states: No lot
43 shall be used except for residential purposes. It
44 continues on to state, it is single-family dwelling,
45 which agrees with the county zoning of R-20.

46 Three weeks ago, we learned that the newly
47 purchased new build directly across the street from us
48 was bought with the intention of running a business out
49 of it, a short term rental business, even though the
50 zoning would not allow this. On the application for

1 this variance, the buyer marked that they could not
2 find any covenants and marked none. But not even five
3 years ago, I researched the same topic and I found
4 them.

5 Short term rentals fall under Section 5.3 of the
6 County Code where it states the regulations are
7 intended to discourage any use which would be
8 detrimental to the quiet residential nature of the
9 area. Short term rentals are a business that would be
10 detrimental to the quiet residential nature of
11 Lakewood. Short term rentals are sites of major
12 activity; vacationers living life to the fullest,
13 trying to fit in all that they can.

14 The house in question is a three bedroom house on
15 the lake and it has approval for a boat dock. I looked
16 at some current listings for three bedroom home in
17 Anderson. Even though the homes only had three
18 bedrooms, the listing says, sleeps twelve, sleeps
19 eleven, and so on. Twelve people living in the house
20 is the equivalent of a constant party to the neighbors.
21 I'm shaking. Or even eight people for that matter,
22 night after night and day after day. And it is day
23 after day, as seen in a current for sale listing for an
24 Anderson short term rental.

25 This listing says the current owner earns ninety
26 thousand dollars plus annually in Airbnb income and
27 that showings are available on a very limited basis due
28 to constant Airbnb reservations. Ninety thousand
29 dollars plus annually? Constant Airbnb reservations?
30 Again, this would be detrimental to the quiet
31 residential nature of Lakewood.

32 The important point is that we bought into a
33 single-family residential community. And we do not
34 feel that a new homeowner, who bought a home with the
35 intention of running a business out of it, while
36 knowing that such a purpose was not allowed, should be
37 permitted to change the zoning of that house and impact
38 the quiet residential nature of our neighborhood. We
39 live here. We bought here knowing the zoning and
40 restrictions and expected that to be respected. This
41 homeowner bought with the intention of not respecting
42 the R-20 single-family zoning and the residential
43 restrictions.

44 Based on this, I respectfully request that the
45 variance be denied.

46 HUBERT MCCLURE: Thank you,
47 ma'am.

48 JOAN AXTHELM: Thank you
49 for your time. I hope you got the handout. Sorry for
50 the nerves.

1 HUBERT MCCLURE: That's all
2 right. Thank you. Okay, one more. We've got the hand
3 raised back there. I think I'm getting a general
4 consensus. I'll ask y'all in just a minute if I'm
5 correct.

6 CAROL BAKER: I'm just
7 going to bring up something that's ---

8 HUBERT MCCLURE: I need your
9 name and address.

10 CAROL BAKER: Oh, sorry.
11 Carol Baker, 313 Lakewood Drive. And if you look at
12 where the property is located, the way that Lakewood
13 Drive goes, as people have mentioned before, it's sort
14 of a one-way in, one-way out, yes, as you see it ends
15 in a T. So there are three of us there that are in
16 that T. And we are definitely on Lake Hartwell, pretty
17 much full time. So where this house is located, if
18 you're not in full pool, you don't have lake access.
19 We have lake access almost all the time.

20 So if you want to look at our property taxes, then
21 you will see that those three properties are the most
22 valuable in the subdivision. Not to be -- I'm not
23 trying to be snobby or whatever. But what I'm saying
24 is, this house is directly across the street from all
25 of those.

26 And I'll add one other thing, is that the postal
27 service specifically made a request for us to all put
28 our post office boxes right in the very corner where
29 you have -- like where you see that red, right on the
30 corner there. Our post office boxes are there. And
31 I've already had problems with having mail stolen out
32 of my mailboxes, and whatever, from people driving by
33 there. I can't even imagine what it's going to be like
34 if people can just be there for a day or two and they
35 just can sort through your mail. So I'm just adding to
36 the mix the idea that it lowers the property value in
37 our community.

38 HUBERT MCCLURE: Okay. Thank
39 you. I've got a question. I want to pause for a
40 minute. Staff, can you tell me the county definition
41 of short term?

42 ALICIA HUNTER: Mr. Chairman,
43 as Mr. Youmans mentioned, this is -- our ordinance was
44 written back in 2003 and '4. So this is like more of a
45 bed and breakfast. It's called that now, Airbnb due to
46 the recent rise of Airbnbs. They haven't been in
47 existence that long. So our ordinance addresses the
48 guest homes, bed and breakfasts and host homes. So
49 that's what is -- it doesn't have the word Airbnb in
50 there because ---

1 HUBERT MCCLURE: So the
2 county does not have a definition of short term?
3 ALICIA HUNTER: That's
4 correct. But in the actual zoning ordinance, the
5 zoning ordinance does allow for what we call the bed
6 and breakfast and the spacing requirements; I believe
7 that's fifteen hundred feet. So it's called a bed and
8 breakfast host home.
9 HUBERT MCCLURE: Okay. I
10 think I see -- it's kind of a blanket word.
11 MIKE MILLER: Mr. Chair.
12 HUBERT MCCLURE: Hold on one
13 second, just one second.
14 Ms. Ignacio, could I ask you a question, please?
15 What is your definition of short term for your house?
16 What are you looking at?
17 MS. IGNACIO: Okay. Sure.
18 The general definition of a short term rental is to be
19 rented out for less than thirty days.
20 HUBERT MCCLURE: Okay. And
21 I'm going to ask you this, and then I'll address your
22 question. Okay? What is your screening process when
23 you're talking about bed and breakfast, is that done
24 personally by you?
25 MS. IGNACIO: Screening
26 process? Can you explain ---
27 HUBERT MCCLURE: You know,
28 for whoever you're going to rent to?
29 MS. IGNACIO: Okay. So we
30 ---
31 HUBERT MCCLURE: Or do they
32 have like a twelve thousand dollar deposit or what? I
33 mean I'm asking.
34 MS. IGNACIO: Yes. So when
35 you go on platforms like Airbnb, VRBO, they perform
36 background checks on the individuals according to their
37 website. They verify their information and basically
38 we require a deposit for all our renters. And we
39 evaluate the home afterwards to see if we need to
40 prepare for any damages. We also require that our
41 renters -- or ask them what brings them into town, what
42 are they looking to do in our property, as well.
43 MIKE MILLER: Mr. Chair.
44 HUBERT MCCLURE: You can have
45 a seat. I'm not done yet.
46 MIKE MILLER: I want to
47 ask her a question.
48 HUBERT MCCLURE: Okay. Go
49 right ahead.
50 MIKE MILLER: All right.

1 So less than thirty days. But mostly you're going to
2 get a weekend or two or three days; correct?

3 MS. IGNACIO: Correct.

4 MIKE MILLER: So if you're
5 renting, then most likely if ---

6 HUBERT MCCLURE: Is there a
7 minimum?

8 MIKE MILLER: What is you
9 minimum?

10 MS. IGNACIO: I don't have
11 a set minimum. I mean I would like to have our renters
12 stay at least for three nights. But -- that would be
13 my hope.

14 MIKE MILLER: But that's
15 what you're looking at if you rent say this weekend and
16 next weekend and next weekend, then you may have four
17 different renters in a month's time?

18 MS. IGNACIO: Correct.
19 But we're also using the home ourselves. So we are
20 planning on using the home and we're hoping that when
21 we're not using it, we'd be able to rent out a portion
22 at that time to other guests.

23 MIKE MILLER: So how are
24 you going to use the home and then turn around and rent
25 the home to someone? Are you going to move out and let
26 them move in? For the two or three days?

27 MS. IGNACIO: Well, we're
28 not taking all the furniture. We just don't put our
29 belongings in there.

30 HUBERT MCCLURE: They just
31 leave, like leave everything else. It's kind of like a
32 condo, you know.

33 TONY CIRELLI: Plus you
34 will be living there?

35 MS. IGNACIO: We will not
36 be living there permanently. But we will be using it
37 for a duration of time. Yes.

38 HUBERT MCCLURE: Okay. Thank
39 you. Anybody got another question for Ms. Ignacio?
40 We're not going to go -- we're not going to start
41 asking questions between each other. Okay? Do You
42 have a comment for the board? Who raised -- I don't
43 know who raised their hand. We're not going to start
44 asking questions of each other.

45 MIKE MILLER: All right.
46 Here's -- can I ask Alicia?

47 HUBERT MCCLURE: Go ahead.

48 MIKE MILLER: All right.
49 My question a while ago, the restrictions was done in
50 1966. You've got a twenty-five year, you have to renew

1 those. So that puts it at 1991. Then restrictions are
2 still good for another twenty-five years.

3 ALICIA HUNTER: They're
4 extended ten years beyond that, automatically extended
5 ten years, unless I believe it's the realtor ---

6 HUBERT MCCLURE: Unless they
7 change them.

8 ALICIA HUNTER: Unless it's
9 changed.

10 MIKE MILLER: They stand.
11 So in the restrictions of what we've got here, it says
12 no lot shall be used except for residential purposes.

13 ALICIA HUNTER: That's
14 correct.

15 HUBERT MCCLURE: Let me ask
16 the public one more question. And hopefully I can
17 maybe get a census of this. Those of you that believe
18 this is a long term versus short term problem, raise
19 your hand.

20 MIKE MILLER: Yep, that's
21 it.

22 HUBERT MCCLURE: Okay.

23 JOHN FARR: I have a
24 question for the lady that's -- whose house it's going
25 to be.

26 HUBERT MCCLURE: Ms. Ignacio.
27 JOHN FARR: Explain to
28 me why you think building a house across the road from
29 the lake with no lake access is going to attract short
30 term rental?

31 MS. IGNACIO: We do have
32 lake access. We were granted a dock permit.

33 HUBERT MCCLURE: They have a
34 dock.

35 ALICIA HUNTER: They have a
36 dock permit.

37 JOHN FARR: I'm sorry.
38 I didn't realize that.

39 HUBERT MCCLURE: Okay. At
40 this time I'm going to close the public hearing. And I
41 want to see if there's any questions for Ms. Ignacio at
42 this time or if there's any questions for staff at this
43 time? Okay. Before I make this motion -- usually the
44 chairman don't make a motion. But I'm going to make
45 this motion, because I'm going to be honest with you.
46 Ms. Ignacio, it's nothing against you or whatever
47 you're doing, but right now this is a very -- what's
48 the word I'm looking for?

49 MIKE MILLER: Sensitive.
50 HUBERT MCCLURE: It's very

1 sensitive. Because Anderson County Council and the
2 county is not -- are we on this, because I don't think
3 we are.

4 ALICIA HUNTER: Yes. These
5 are addressed in R-20s, R-8s, R-15 zoning districts.

6 HUBERT MCCLURE: Short term?
7 I asked what the county -- what the short term was?

8 ALICIA HUNTER: It's called
9 bed and breakfast, a host home. That's what the name
10 is. It just would be updating the actual name and
11 defining what short term rentals is about.

12 HUBERT MCCLURE: Probably a
13 bed and breakfast, but I ---

14 ALICIA HUNTER: This
15 particular case, the zoning does permit that. But in
16 this case her covenants are coming into play.

17 MIKE MILLER: The
18 restrictions?

19 ALICIA HUNTER: The
20 restrictions.

21 HUBERT MCCLURE: Restrictions
22 of the community.

23 ALICIA HUNTER: Yes. So if
24 there was no restrictions, then the zoning does permit
25 it.

26 HUBERT MCCLURE: I don't
27 think there's a problem with long term; is there?

28 ALICIA HUNTER: No, there's
29 no problem with long term.

30 HUBERT MCCLURE: See? Now,
31 what defines long term?

32 ALICIA HUNTER: Well, it's
33 like she says, most people do over thirty days; six
34 months, a year.

35 HUBERT MCCLURE: See, that's
36 the problem I've got with the county. See, we pass
37 this and then we set a precedence for all the other bed
38 and breakfasts that come in.

39 ALICIA HUNTER: Yeah, we're
40 approved some bed and breakfasts that met the
41 requirements.

42 HUBERT MCCLURE: But not
43 short term?

44 ALICIA HUNTER: Yeah, short
45 term, yeah. Yes, we have.

46 MIKE MILLER: But not in
47 restricted areas?

48 HUBERT MCCLURE: Not with
49 restrictions.

50 ALICIA HUNTER: But they did

1 not violate the covenants and restrictions.

2 HUBERT MCCLURE: Okay. Are

3 you -- we've already closed the public hearing. Go

4 ahead and address -- one more. Go ahead.

5 STEVEN KORNWEISS: I'm sorry,

6 I'm Steven Kornweiss. I'm the husband of Maelen

7 Ignacio. I thought we would have -- I thought we were

8 going to have some additional time to address ---

9 HUBERT MCCLURE: Go right

10 ahead. I'm sorry.

11 STEVEN KORNWEISS: So I think

12 we have some information from prior meetings that with

13 prior bed and breakfasts or guest homes that have been

14 approved, may have also had very similar covenants and

15 restrictions.

16 HUBERT MCCLURE: You said

17 may? Did they have them or not?

18 STEVEN KORNWEISS: Well, we

19 believe they did, based on our research.

20 HUBERT MCCLURE: Well, I

21 can't go on belief.

22 STEVEN KORNWELL: Okay.

23 MAELEN IGNACIO: I have the

24 documents here.

25 HUBERT MCCLURE: Okay. If

26 you have the documents give it to her and let's see it.

27 MAELEN IGNACIO: I think the

28 houses in question ---

29 HUBERT MCCLURE: This is a

30 catch-22.

31 MAELEN IGNACIO: I think the

32 documents in question include -- and Mr. Youmans,

33 please correct me if I'm wrong. The board had approved

34 for what they call a bed and breakfast home stay host

35 home and guest house for the following addresses in the

36 past year: 4400 Lexington Way, 4402 Lexington Way, and

37 219 Seagull Lane. So those are the covenants for those

38 properties that were previously approved. And all of

39 them had similar wording and language that says no land

40 to be used except for residential purposes.

41 HUBERT MCCLURE: We approved

42 these?

43 MAELEN IGNACIO: According to

44 the -- I couldn't really tell ---

45 HUBERT MCCLURE: No. I'm

46 asking her.

47 ALICIA HUNTER: Right off

48 the top of my head, I don't -- those addresses -- and

49 the board has, I do know that they have approved some.

50 But we would have to go back, Mr. Chairman, and

1 research that to see.

2 HUBERT MCCLURE: Okay.

3 MAELEN IGNACIO: But we do

4 question -- there's nothing in the ordinance that

5 addresses short term rentals.

6 HUBERT MCCLURE: I know.

7 That's exactly ---

8 MAELEN IGNACIO: That's

9 what's confusing to us, as well.

10 HUBERT MCCLURE: That's where

11 I've been going with this. Nobody can tell us what

12 short is.

13 MAELEN IGNACIO: Because

14 there's no definition.

15 HUBERT MCCLURE: And that's

16 what needs to be done.

17 MAELEN IGNACIO: Correct.

18 HUBERT MCCLURE: Okay. Thank

19 you.

20 MAELEN IGNACIO: Thank you.

21 HENRY YOUMANS: Mr. Chair,

22 just to make one point. For zoned area, which some of

23 the county does lie within zoned districts. That's

24 where the special exception comes in. In unzoned areas

25 of the county, that is not a requirement because of it

26 being unzoned.

27 HUBERT MCCLURE: I'll be

28 honest with you. If you're going to put a bed and

29 breakfast in a community, there needs to be a

30 definition. I mean I'm not trying to side on either --

31 I mean I know if I had a -- you know, I'd want to know

32 something.

33 FEMALE: (Inaudible.)

34 HUBERT MCCLURE: I don't want

35 to talk about it. I'm going to make a motion ---

36 FEMALE: (Inaudible.)

37 HUBERT MCCLURE: You heard

38 me.

39 HENRY YOUMANS: Point of

40 order, Mr. Chair.

41 HUBERT MCCLURE: Sir?

42 HENRY YOUMANS: Just to make

43 -- I want to clarify one thing to kind of rap it up

44 before you do your motion. This is a pending matter

45 before the state of South Carolina. The General

46 Assembly has not even addressed this. There are only

47 two cities in the state that have addressed this

48 effectively, and that's Charleston and Columbia. So it

49 is a pending matter before the state. Eventually we as

50 a state will have to address this overall. But right

1 now we're in that process of trying to come up with
2 policies for it.

3 HUBERT MCCLURE: I'm going to
4 make a motion we table this right now. I think that's
5 the safest thing to do. Because we've got to see some
6 kind of definition here. I mean, we've got a whole
7 community up here that are worried about short term.
8 We've got somebody that's built a house and made an
9 investment. I'm not going to get caught in a catch-22
10 right here on may, some and believe.

11 ALICIA HUNTER: Mr. ---
12 HUBERT MCCLURE: I'm not
13 going to do it. So I'm going to make a motion that we
14 table it till the next meeting.

15 MIKE MILLER: I'll second.
16 HUBERT MCCLURE: And we need
17 to find a little bit more information. We need to get
18 some kind of direction a little bit more for us. Okay?

19 ALICIA HUNTER: Yes, sir.
20 HUBERT MCCLURE: Got a motion
21 and a second. What were you going to say for
22 discussion?

23 ALICIA HUNTER: I was going
24 to tell you that we have information on the two that we
25 did. One did get approved. And the one on Lexington
26 was denied because of the covenants. But we did get
27 one approved.

28 HUBERT MCCLURE: Well, we're
29 still got the question of -- and this is discussion.
30 We've still got the question of the covenants.

31 JOHN FARR: I'd like to
32 see them.

33 HUBERT MCCLURE: You know,
34 it's called a sixth sense. I just don't think we need
35 to vote on this tonight because I don't think we have
36 enough information. And I'm going -- did you second
37 it?

38 MIKE MILLER: I second.
39 HUBERT MCCLURE: All in favor
40 show by uplifted hand. And everybody. Okay. We're
41 going to table this till the next meeting. And we're
42 not doing it for -- we're doing it for both of you.
43 We're doing it for both of you. Because we don't have
44 enough information to go on right now. Okay?
45 Old business or new business? Any?
46 All right. Do we have a motion to adjourn?

47 MIKE MILLER: I make that
48 motion.

49 HUBERT MCCLURE: Second? And
50 all in favor. All right. Y'all have a good night.

1 And hopefully we'll have enough information next time
2 to do something.

3

4 **MEETING ADJOURNED AT APPROXIMATELY 5:42 P.M.**

Staff Report

Application for a **Variance** – To allow a reduction of side setback from 10 feet to 3 feet
Anderson County Land Use Board of Zoning Appeals Meeting - District 7
Historic Courthouse
Thursday, September 8, 2022
5:15 PM

Applicant: Billy & Tori Tompkins

Owner of Property: Same

Property Location: 8 Saluda Rd, Williamston, SC 29697

Council District: Seven (7)

Tax Map Number (TMS #): 245-02-03-002

Property Description: Lot 29 River Dr Ext

Current Zoning: Unzoned

Land Use: Residential- Occupied Single Family Residence

Applicant Request: Applicant is requesting a **Variance** to allow a reduction of front setback from 10 feet to 3 feet to complete construction of detached garage.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 38-120, Section 5 (a). Accessory buildings, tennis courts, swimming pools, and other structures may be located within the required setback area; provided said uses shall be located no closer than three feet to the property line.

Staff Recommendation:

- 1) Under Item 2, for the Restrictive Covenants for River View Subdivision, Should terrain prove the above setback to be difficult to use the declarant may at its sole discretion, waive or amend the setback lines (Subdivision-15ft).
- 2) The applicant meets the restrictive setback on all other property lines.
- 3) The parcel has a power line buried through the center of the property hindering the building of the garage on any other location on the parcel.
- 4) As such, the proposed building will not cause detriment to other properties and the justification for the hardship exists due to the topographical/terrain issues.
- 5) If approved, the applicant will be required to obtain a residential compliance from Development Standards and a residential building permit from Building & Codes.



\$ PAID
22-1800

Variance Application

There is a Variance Application Fee of \$200.00

07/14/2022

Date of Application Completion

Application Status (Approved or Denied)

Applicant's Information

Name: Billy & Tori Tompkins

Mailing Address: 8 Saluda Road Williamston, SC 29697

Telephone and Fax: (864) 933-6310 E-Mail: tori.tompkins1@gmail.com

Owner's Information

(If Different from Applicant)

Name: Same As Above

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.

Billy J. Tompkins

Owner's Signature

06/28/2022

Date

Tori Tompkins

Project Information

Property Location: 8 Saluda Road Williamston, SC 29697

Parcel Number(s)/TMS: 2450203002

County Council District: 7 School District: 1

Total Acreage: 0.7 Current Zoning: Unzoned

Requested Variance: Setback Variance to 3 feet

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

Purpose of Variance: To place a carport 3 ft from the property line on the side of the property (current setback is 15 ft per the subdivision covenants)

Have you researched your Private Covenants/Deed restrictions at the Anderson County Register of Deeds?
Yes: No: Date visited ROD or Date searched online. 06/28/2022

Private Covenants or Deed Restrictions on the Property: Yes 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.

Billy J. Trapp
Applicant's Signature
Tori Tompkins

06/28/2022
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:

Our property is narrow and we have no other options for a carport on our property. The proposed structure would be built directly above the existing allowed concrete driveway.

Conditions do not generally apply to other properties in vicinity, as shown by: None

Application of the ordinance to the particular piece of property would effectively prohibit or unreasonable restrict the utilization of the property as follows: None. The nearest structure is located approximately 162 feet from the property line.

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 proposed structure would be a custom built carport to match the front exterior of our home. This addition would only increase the value of our property.

The following documents are submitted in support of this application: (Please attach copies of all additional information to this application.) 1) Letter of support from Mr. & Mrs. Lothridge 2) Subdivision Covenants 3) Pictures of our property 4) Picture of projected car port 5) Plot 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.

Billy J. Trapp
Applicant's Signature
Tori Tompkins

06/28/2022
Date

For Office Use Only:
Application Received By: H. Yermans Date Completed Application Received: 7/20/2022
Application Fee Amount Paid: 200.00 Check Number: 7075 (200.00)
Scheduled Board Hearing Date: September Land Use/Board of Zoning Appeals' Decision: _____

8. No business shall be maintained, licensed or allowed to exist on any tract or lot. No tract shall be used for a commercial purpose. No signs or advertising displays other than neat and attractive signs advertising lots or homes for sale may be placed on any tract or lot.

9. No trash, rubbish, debris, junk materials, wrecked or inoperable vehicles, or similar unsightly items shall be allowed to remain on any tract or lot outside of an enclosed structure.

10. No lot or tract owner may destroy the natural environmental appeal of the land. Any clearing of the land must be done in such a manner so as not to leave property bare of plant growth and trees. Erosion must be prevented by each lot owner. No trees over eight (8) inches in diameter shall be cut without the written permission of Developer except for the purpose of clearing for a home site or driveway.

10 A. All material and waste created from lot clearing or grading of land shall be removed from the property or otherwise disposed of by burning or other acceptable means, so it is not noticeable on the property.

11. Horses, cattle and other livestock shall be for the sole recreational use of the land owner and shall not violate any other restriction herein.

12. A fifteen foot easement is reserved along all side property lines and thirty foot along all front lines and rear lines for the purpose of installation and maintaining utilities. The term front line shall mean any boundary line which adjoins any road right-of way and rear line shall mean any lot line that does not adjoin any road right-away.

13. No noxious or offensive activity shall be conducted on any lot subject to these restrictions or shall anything be done thereon which may be or become an annoyance, nuisance or menace to the subdivision.

14. The developer hereby reserves unto themselves, their heirs, successors and assigns, the right to modify or amend these restrictions in any or all particulars as they deem necessary to maintain the harmony and integrity of the subdivision.

15. The property within this subdivision is hereby declared to be a bird and wildlife sanctuary and hunting is hereby prohibited.

16. No owner shall permit or suffer to exist any condition which would cause damage to any subdivision street.

STATE OF SOUTH CAROLINA)
)
COUNTY OF ANDERSON) PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s) he saw the above named THEODORE C. MORRIS, by its duly authorized officer, T-T ASSOCIATES, INC. Sign, seal and as its Act and Deed, deliver the within written Restrictive Covenants, and that(s) he with the other witnesses subscribed above witnessed the execution thereof.

Joseph S. McKelton

SWORN to before this 7
day of January, 1997,

Victoria J. Chisum (L.S.)
Notary Public for South Carolina
My Commission Expires: 8/2/05

97000599
FILED, RECORDED, INDEXED
01/08/1997 02:21P
Bk:2525 Pg:25
Rec Fee:10.00 St Fee:0.00
Co Fee:0.00 Page:14
R M C DEPARTMENT ANDERSON CO
Montez Burton, Director
Register of Mesne Conveyance

July 13, 2022

To whom it may concern:

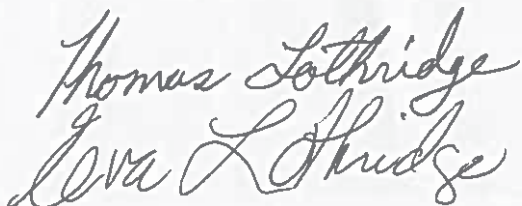
We are writing on behalf of our neighbors, Billy & Tori Tompkins. They have spoken to us about their desire to build a custom carport on their property.

Our home is located at 19 River Drive Ext. Our backyard is adjacent to the side of the Tompkins property.

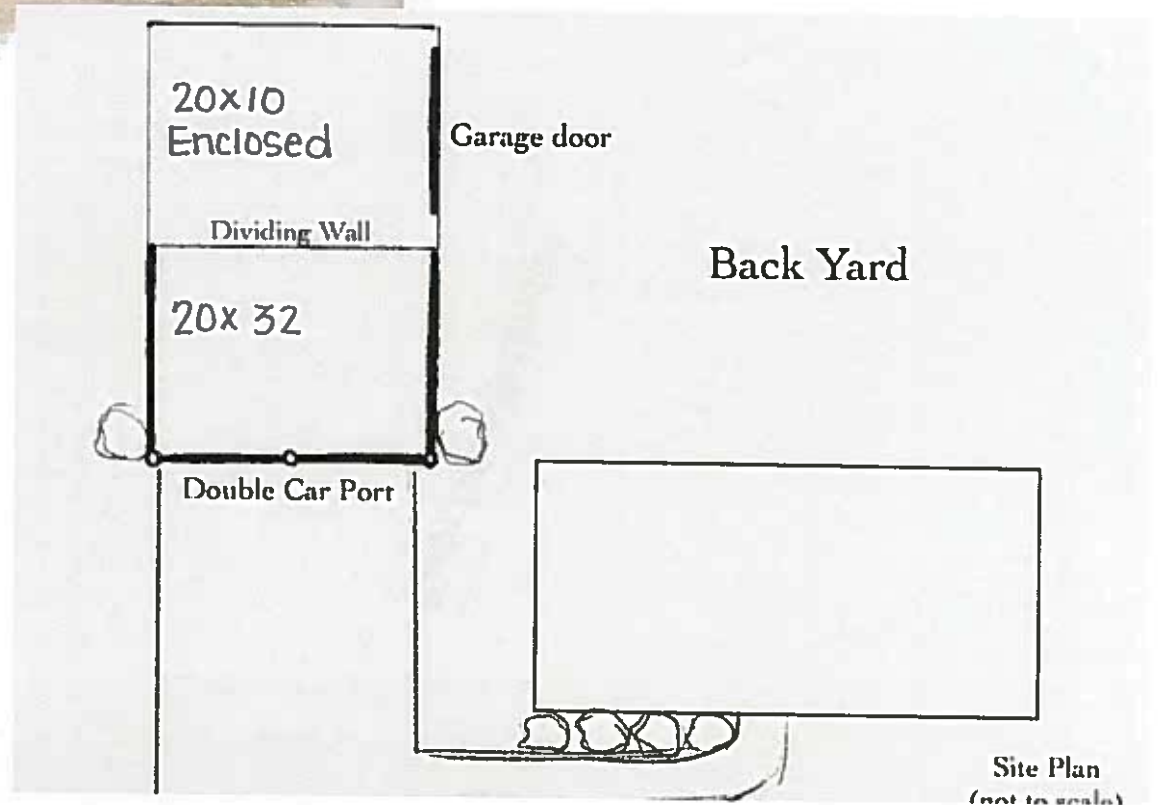
We are aware of their design plan and desire to build at the top of the existing concrete driveway which is located three feet from our property line. We are familiar with the protective covenants of Riverview Subdivision and understand that the setbacks are fifteen feet to any property line. However we are writing in support of the Tompkins with this project. We understand the need for extra space and agree that this request is appropriate. There are no homes that will be directly affected by this structure and neither will this structure cause any issues or inconveniences to us or our neighborhood.

In summary, we are in support of the Tompkins request for a variance from the covenant setbacks and have no problem with the proposed structure being built three feet away from the property line of our adjacent property.

Mr. & Mrs. Thomas Lothridge



Thomas Lothridge
Eva Lothridge



River Drive Extended

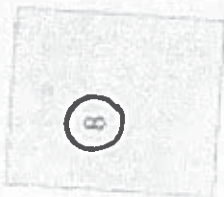
River Drive Extc.



↑
WOODED AREA

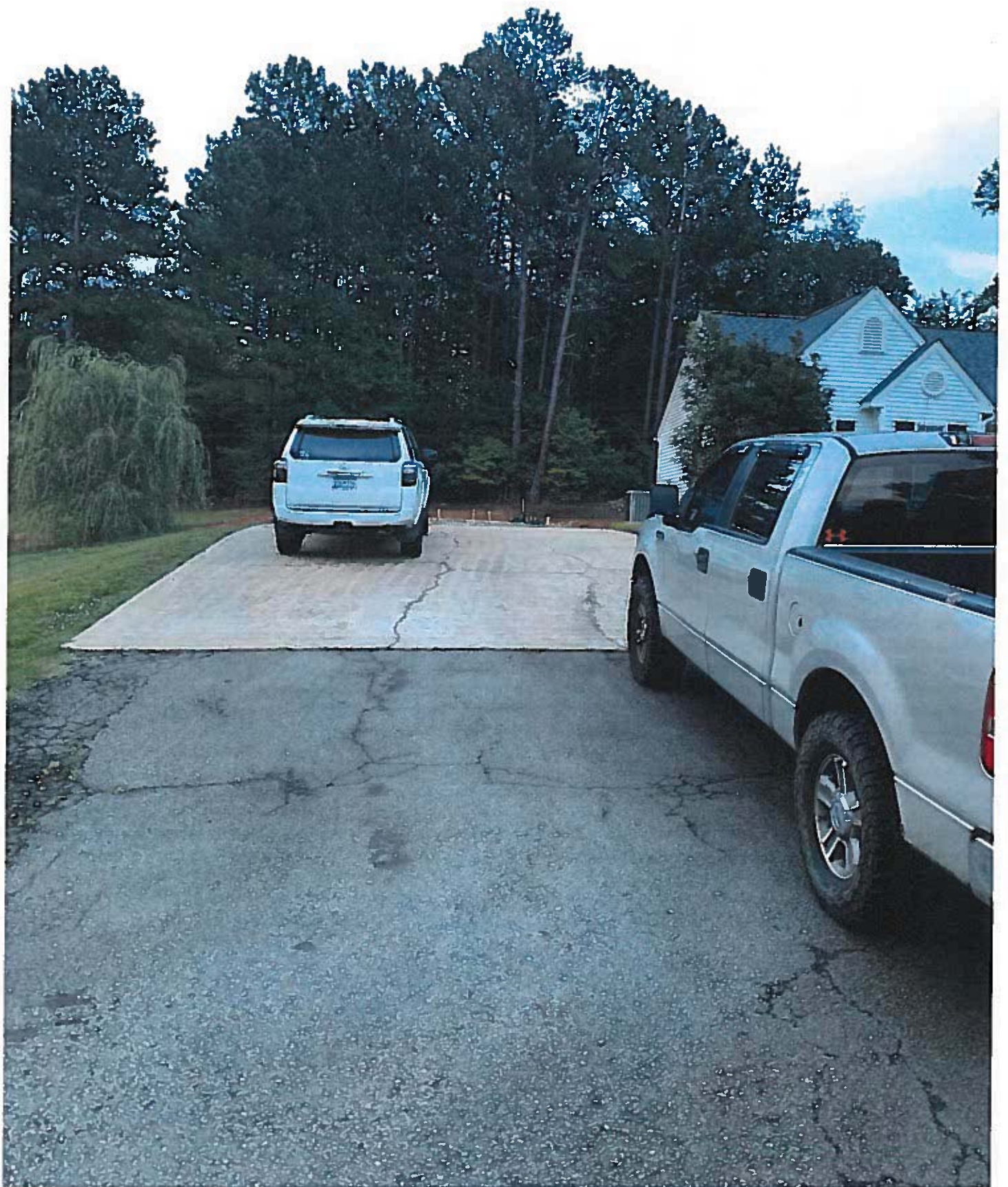
← Carport

DRIVEWAY



Dr

Saluda Rd







2450201020

2450204011

2450204002

2450203001

2450202011

2450101023

2450201018

2450204001

2450204003

2450203002

2450202010

Williamston

SHIRLEY DR

SANDBAR

2450201017

2450204010

2450204004

2450203003

2450202008

201016

2450204009

2450203004

RIVERDRIVE EXT

VALE DR

2450204008

2450204005

2450203005

2450202007

2450205007

2450204007

2450202004

2450202015

2450000001

202002

2450202003

202015

2450303052

Application for a Special Exception (**Tabled August 11, 2022**)
Anderson County Land Use Board of Zoning Appeals Meeting
County Council Chambers 2nd Floor-Historic Courthouse (DISTRICT #1)
Anderson, South Carolina
September 8, 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) **Under SECTION 6-29-1145.** Determining existence of restrictive covenant; effect.

(A) In an application for a permit, the local planning agency must inquire in the application or by written instructions to an applicant whether the tract or parcel of land is restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity. (B) If a local planning agency has actual notice of a restrictive covenant on a tract or parcel of land that is contrary to, conflicts with, or prohibits the permitted activity: (3) from any other source including, but not limited to, other property holders, **the local planning agency must not issue the permit unless the local planning agency receives confirmation from the applicant that the restrictive covenant has been released for the tract or parcel of land by action of the appropriate authority or property holders or by court order.**

- 2) 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.
- 3) 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**
MF DAVID L. AXTHELM &
JAN ELLEN AXTHELM
TAX MAP # 120600003
DEED BOOK 1300B DEED PAGE 187
PLAT BOOK 8 2005 PLAT PAGE 1
PLAT BOOK 8 2007 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.)**

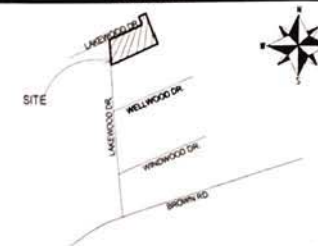
**LAKEWOOD DRIVE
(40' RIGHT-OF-WAY)**
N 10°45'13" W 94.60'

**LAKEWOOD
LOT 21**
MF MARIA J. BRACK
TAX MAP # 120600003
DEED BOOK 180 DEED PAGE 956
PLAT BOOK 66 PLAT PAGE 229

I.O. ELEVATION = 663.18'

**LAKE
HARTWELL**

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 PLAT, THIS SURVEY DOES NOT SUPPORT OR REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS OTHER THAN THOSE SPECIFICALLY STATED HEREON; THE LINE OF MARKING OF THIS SURVEY; BUILDING SETBACK LINES; ERECTION, CONSTRUCTION, RESTRICTIONS, ZONING OR 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.

CONCERN A RECORD FILE DOES NOT WARRANT THE EXISTENCE OR NON-EXISTENCE OF SUBSTANTIAL, RELEVANT OR HAZARDOUS UTILITIES ON THE SURVEY SITE.

SURVEY IS VALID ONLY IF PRINTED WITH ORIGINAL SEAL AND SIGNATURE OF THE PROFESSIONAL LAND SURVEYOR.

REFERENCES

NO.	DATE	BY	DESCRIPTION
01	12/09/2020	MR	MICHAEL J. WALDMITH - GR
02			
03			
04			
05			

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

SCALE
30 0 30 60

DATE	TR	BY	DATE
05-11-2022	TR	IR	05-11-2022
1"=30'	TR	IR	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
WHICH CHANGES TO EXISTING LOT LINES.
(REGISTERED PROFESSIONAL LAND SURVEYOR OR ENGINEER)
PRINTED NAME: IGNACIO A. ROMO
LIC. CERT. OR BAR # 12250

IGNACIO A. ROMO, SCPLS 12260

400 Lakewood Drive, Anderson, SC 29621
New Construction Photos







4W/523

STATE OF SOUTH CAROLINA) RESIDENTIAL RESTRICTIONS
) OF
 COUNTY OF ANDERSON) LAKEWOOD SUBDIVISION

WHEREAS, T. Ree McCoy, Jr. is the owner of certain lands known as Lakewood Subdivision, situate in Anderson County, South Carolina, being fully shown on a plat by Alvin Freeman, L. S. No. 2991, dated September, 1966, of record in the Office of the Clerk of Court for Anderson County, South Carolina in Plat Book 60 at page 229, and the said T. Ree McCoy, Jr. being desirous of from time to time restricting the use and development thereof and in order to maintain uniformity.

NOW KNOW ALL MEN BY THESE PRESENTS that the following conditions and restrictions are hereby applicable to the lots contained in Lakewood Subdivision:

A. LAND USE AND BUILDING TYPE

1. No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than a one detached, single-family dwelling not to exceed two and one-half stories in height and a private garage for not more than three cars.

B. DWELLING COSTS, QUALITY AND SIZE

1. No dwelling shall be permitted on any lot at a cost for the building of less than fifteen thousand (\$15,000.00) Dollars based upon costs levels as of January 1, 1966, it being the intent and purpose of this covenant to assure that all dwelling so restricted be of workmanship and materials substantially the same or better than that which could have been produced on the aforesaid date at the minimum cost stated herein for the minimum permitted dwelling size.

2. The ground floor, heating living area of the main structure, exclusive of one-story open porches, garages, and storage shall not be less than 1,500 square feet for a one-story dwelling, nor less than 1,000 square feet for a dwelling of more than one story for the first floor.

C. SUBDIVISION IMPROVEMENTS

1. McCoy shall have the right to permit the installation or install facilities for the development of this subdivision on any properties owned by him or within the scope of rights retained from prior conveyances.

D. SUBDIVISION OF LOTS

1. No lot shall be subdivided, or its boundary lines changed without the written consent of McCoy.

E. EASEMENTS

1. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the plat, or if

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 ^{not} be kept 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.



1201001011

1200501000

1200501001

1200501002

1200501003

1200502001

1200502002

1200502003

1200508001

1200508002

1201001042

LAKEWOOD DR

LAKEWOOD DR

Hartwell Lake

