



# MEMORANDUM

## ANDERSON COUNTY DEVELOPMENT STANDARDS

**DATE:** April 4, 2024

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

**FROM:** Henry Youmans

**SUBJECT:** April 11, 2024

The Anderson County Land Use and Zoning Board of Appeals is scheduled to hold its next meeting on **Thursday, April 11, 2024 at 5:15 PM** at the Historic Courthouse 101 South Main Street, Anderson, SC 29624.

The meeting agenda and packet are attached for your review.

Please email [hbyoumans@andersoncountysc.org](mailto:hbyoumans@andersoncountysc.org) or call 864-260-4719 to inform staff whether or not you will be in attendance. This ensures a quorum prior to arrival. Thank you.

**Tommy Dunn**  
Chairman, District 5

**John Wright, Jr.**  
Council District 1

**Greg Elgin**  
Council District 3

**Cindy Wilson**  
Council District 7

**ANDERSON COUNTY**  
SOUTH CAROLINA

**Brett Sanders**  
V. Chairman, District 4

**Glenn Davis**  
Council District 2

**Jimmy Davis**  
Council District 6

**Renee D. Watts**  
Clerk to Council

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

# Anderson County Board of Zoning Appeals

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Hubert McClure, Chair, District #5  
John Farr, District #1  
Tony Crelli, District #4  
Debbie Chapman, District #7

Mike Miller, Vice-Chair, District #2  
Russell Barton, District #3  
Brad Swillen, District #6

## AGENDA

April 11, 2024

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. March 14, 2024 minutes
- 4.) Public Hearing:
  - a. Variance request to reduce the side setback from 50' to 45' located at 601 Clement Road/ TMS 252-00-6-031 (Council District 3).
  - b. Special Exception request to allow the sheltering of livestock located at 760 Griffin Road/TMS 199-00-02-011 (Council District 7).
- 5.) Old Business:
- 6.) New Business:
- 7.) Other Business:
- 8.) Adjournment.

STATE OF SOUTH CAROLINA )  
COUNTY OF ANDERSON )

ANDERSON COUNTY  
LAND USE AND BOARD OF ZONING APPEALS  
MARCH 14, 2024

PRESENT:  
HUBERT MCCLURE, CHAIRMAN  
MIKE MILLER  
JOHN FARR  
RUSSELL BARTON  
TONY CIRELLI  
DEBBIE CHAPMAN

ALSO PRESENT:  
ALESIA HUNTER  
TIM CARTEE  
HENRY YOUMANS  
BRADEN BANNISTER  
DANETTE HANKS

1 HUBERT MCCLURE: All right,  
2 let's call this meeting to order of the Land Use Board  
3 of Appeals. And we have a quorum. We only have one or  
4 two that aren't here. And pass that around please. As  
5 I said, it makes sure we're here.

6 First, we'll have the invocation. Let us pray.

7 **INVOCATION BY HENRY MCCLURE**

8 HUBERT MCCLURE: First one, do  
9 we have anything to mention about the notes or the note  
10 -- the minutes of the last meeting or the last two  
11 meetings? Anybody have any additions or deletions?

12 MIKE MILLER: Make a motion  
13 we approved.

14 HUBERT MCCLURE: Have a motion  
15 to approve. Second? Second by Mr. Cirelli. All those  
16 in favor uplifted hand.

17 And we move on to staff report. First staff  
18 report is Woodson Street. Staff.

19 BRADEN BANNISTER: Mr. Chair,  
20 this is a variance for 108 Woodson Street. Your  
21 applicant is Chris Berning. Owner of property is Paul  
22 Marshall. The property is located at 108 Woodson  
23 Street, Greenville, South Carolina, in Council District  
24 6. The tax map number is there for your viewing. And  
25 the current zoning is unzoned.

26 The applicant is requesting a variance to allow  
27 one additional wall sign. Under Chapter 24-245,  
28 permitted signs, specifically wall signs, number of  
29 signs, only one projecting sign as defined in Section  
30 24-24 is allowed per building frontage, except for  
31 shopping centers, which may have one projecting sign  
32 for each business use, plus one aggregate freestanding  
33 business identification sign for the shopping center as  
34 prescribed in section (1)b of this section.

35 This is the aerial of the property in question.  
36 Staff recommendation is for denial for the following  
37 reasons. The signs allowed by ordinance will provide  
38 adequate visibility for all motorists traveling Woodson  
39 Street as that is the only road frontage to access the  
40 property. Signage is not needed on the rear due to the  
41 property being incorporated into an existing commercial  
42 development, Woodson Exchange, in which there is no  
43 access to the property which is in question.

44 Surrounding properties that were referenced in the  
45 supporting letters provided at the time of submittal,  
46 one of which has a sign that has not been permitted,  
47 which is Edward Jones. The other was approved by  
48 variance with a condition, which was Silver Salon, that  
49 chose to have two wall signs instead of the on site  
50 freestanding sign.

1 Applications have been denied previously based on  
 2 similar variance. No physical hardships were presented  
 3 in order to approve requested variance and the request  
 4 is not compatible with the spirit and intent of the  
 5 ordinance.

6 This is your staff report.

7 HUBERT MCCLURE: Okay, thanks  
 8 staff.

9 At this time, I'll open up the public hearing. Is  
 10 anyone here speaking against the signage? Anybody here  
 11 speaking against? Is anyone speaking here for the  
 12 signage? Anyone here speaking for?

13 Okay, I guess there's nobody here speaking, so  
 14 I'll close the public hearing. We'll reserve questions  
 15 for staff. Since there's nobody here, does anybody  
 16 having any questions for staff?

17 What's the feeling of the board?

18 RUSSELL BARTON: I do have  
 19 one question. I have a question for staff.

20 HUBERT MCCLURE: Okay.

21 RUSSELL BARTON: Is there  
 22 going to be a freestanding sign and a wall sign already  
 23 at this location?

24 BRADEN BANNISTER: The  
 25 freestanding sign was approved with the overall  
 26 development for Woodson Exchange which is located on  
 27 Anderson Road.

28 HUBERT MCCLURE: Go ahead, Tony.

29 TONY CIRELLI: Is there

30 someone representing these folks?

31 BRADEN BANNISTER: No.

32 TONY CIRELLI: Unless there's  
 33 a really bad sight visibility problem, I can't be in  
 34 favor of it.

35 HUBERT MCCLURE: Staff, do you  
 36 see any sight visibility problems?

37 BRADEN BANNISTER: Like was stated  
 38 the only way to access it was off of Three Bridges  
 39 Road. You enter onto Woodson Street.

40 HUBERT MCCLURE: It looks like  
 41 to me it's pretty visible right there in the middle of  
 42 the triangle. I mean, I don't think -- I mean, that's  
 43 just -- I'm going to go with, I'm going to go with  
 44 staff on this one. Anybody else got any questions for  
 45 staff?

46 All right, what's the feeling of the board?

47 RUSSELL BARTON: I make a  
 48 motion we deny.

49 HUBERT MCCLURE: Got a motion  
 50 to deny. Second? Second by Mr. Cirelli or Mr. Farr.

1 All those in favor. All righty.

2 Next on the agenda is -- I'm looking. Hold on.  
3 1913 Highway 86, Piedmont. Staff.

4 BRADEN BANNISTER: Thank you,  
5 sir. This is a variance for 1913 Highway 86. The  
6 applicant is Kylie Fain, representative of Hilton  
7 Displays. Owner of property is Highway 86 SBUX LLC,  
8 Matt McCord. Council District 6. The tax map number  
9 is there for your reviewing. And it's currently  
10 unzoned. Applicant is requesting a variance to allow  
11 one additional wall sign.

12 Finding of facts: Under Chapter 24 of the  
13 Anderson County code, section 24-245, permitted signs,  
14 specifically wall signs and the number of signs, only  
15 one projecting sign as defined in Section 24-24 is  
16 allowed per building frontage, except for shopping  
17 centers, which may have one projecting sign for each  
18 business use, plus one aggregate freestanding business  
19 identification sign for the shopping center as  
20 prescribed in subsection (1)b of this section.

21 This shows a layout of the property in question.  
22 This is an aerial view of the location.

23 Staff recommendation is for denial for the  
24 following reasons. The signage allowed by ordinance  
25 will provide adequate visibility for all motorists  
26 traveling Highway 86 and Shiloh Road as that is the  
27 only road frontage to access the property. The  
28 freestanding signage will serve as way of wayfinding  
29 for travelers exiting from I-85. No physical hardships  
30 were presented in order to approve the requested  
31 variance. And the request is not compatible with the  
32 spirit and intent of the ordinance.

33 This is your staff report.

34 HUBERT MCCLURE: Let me ask  
35 staff a question before I open up -- how many signs do  
36 they have including freestanding signs?

37 BRADEN BANNISTER: They are  
38 permitted a wall sign on Shiloh Road and a wall sign on  
39 86.

40 HUBERT MCCLURE: Okay, and  
41 what about freestanding signs or is that the  
42 freestanding signs?

43 BRADEN BANNISTER: No, that's  
44 the wall signs. The freestanding sign is a 50 foot  
45 freestanding sign that can be seen from I-85.

46 HUBERT MCCLURE: Okay. So  
47 we've got three signages? Okay.

48 Anybody here -- okay, I'll open up the public  
49 hearing. Anybody here speaking against? Anybody here  
50 speaking for? Okay, so we'll close the public hearing.

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1 Any questions for staff at this time?  
2 JOHN FARR: Same thing as  
3 the other one. Is there any restriction to the view of  
4 the place?  
5 BRADEN BANNISTER: No, sir.  
6 Where they've developed now is pretty clear cut from  
7 both sides and you can see it visibly from the exit  
8 ramp.  
9 HUBERT MCCLURE: Any other  
10 questions?  
11 JOHN FARR: That's good  
12 enough for me.  
13 HUBERT MCCLURE: What's the  
14 feeling of the board?  
15 JOHN FARR: Move to deny.  
16 HUBERT MCCLURE: Mr. Farr makes  
17 that move. Do we have a second?  
18 DEBBIE CHAPMAN: Second.  
19 HUBERT MCCLURE: Second. All  
20 those in favor show by the uplifted hand. And that  
21 does not pass. Okay.  
22 Now, before we get started on this last one, I'm  
23 fully aware that there are people here speaking  
24 against. I've got two things to say before we speak,  
25 before we go into this.  
26 One, is we're not going to listen to  
27 personalities. We're not going to listen to that.  
28 We're only going to listen to your belief and what you  
29 believe in. And let's try to be professional and  
30 courteous. Okay. I don't know who's here for; I don't  
31 know who's here against. But I'm not going to tolerate  
32 people saying this this and this person said this and  
33 all that. We're not going to do that.  
34 Another thing is, this is something that we have  
35 dealt with, and we have asked the county to deal with  
36 it. And we've asked -- we've even asked the county to  
37 ask the state to deal with it. And the state was  
38 supposed to deal with it, but they didn't. So we're  
39 still dealing with it. So I don't know the ins and  
40 outs of it and I'm going to listen to the staff report  
41 and I'm going to listen to everybody that wants to  
42 speak. And I do know it's kind of a thing that is --  
43 I'm not going to say it's a hindrance, but it's  
44 something that we have to deal with case by case based  
45 on the property and if there is any restrictions on the  
46 property, because we can't have dictatorial things. We  
47 can't have people telling what people can do with their  
48 property, especially if there's no restrictions or  
49 guidelines.  
50 So with that -- with that being said, I would like

1 to plead for everybody to be professional and be  
 2 courteous. Okay. Please. All right. Staff report.  
 3 This is Hunters Trail.

4 HENRY YOUMANS: Mr. Chair,  
 5 this is a special exception to allow a host home in R-  
 6 20 zoning. The applicant name is Jeffrey Vaughn. He  
 7 is the property owner. The property address is 933  
 8 Hunters Trail in Anderson. It's Council District 5.  
 9 The tax map number is there for your reference. It is  
 10 designated as lot 4 in Hunters Trail, .58 acres. It is  
 11 zoned R-20. And its use is residential.

12 The applicant is requesting a special exception to  
 13 allow the use of the residence as a short term rental  
 14 home. Under Chapter 70, 7:17, establishments are  
 15 permitted by special exception, bed and breakfast, host  
 16 homes, host stays, guest homes.

17 This is the sign that was posted on the property  
 18 noting of the special exception request. This is a tax  
 19 map view of the property. This is the R-20 zoning  
 20 designation for the property.

21 Staff recommendation is for approval. The use  
 22 meets all the requirements of section 5:7.2, uses by  
 23 special exception. The residence meets all the  
 24 requirements of R-20 zoning. There are no restrictions  
 25 or covenants recorded or filed of record with the  
 26 Register of Deeds. The 1500 square foot distance  
 27 requirement between bed and breakfasts has been met.  
 28 There's no use -- the use is not detrimental to public  
 29 health or general welfare, does not violate the  
 30 neighborhood characteristics nor adversely affect the  
 31 surrounding properties. The applicant must meet tax,  
 32 fire, building code requirements pertaining to the  
 33 residential structure and obtain all necessary permits  
 34 from Building and Codes and compliances from  
 35 Development Standards. If approved, the board has  
 36 granted approval for special exemptions in keeping with  
 37 the spirit of the requests previously granted in zoned  
 38 areas.

39 This is your staff report.

40 HUBERT MCCLURE: Thanks,  
 41 staff.

42 So basically, we're talking about -- staff, I just  
 43 want to make sure before we get started with this,  
 44 we're talking about half an acre, six tenths of an  
 45 acre. And have they built a house on it or ---

46 HENRY YOUMANS: Yes.

47 HUBERT MCCLURE: They've  
 48 already built it. And they are just saying they want  
 49 to open it up for bed and breakfast. Correct? Short  
 50 term?

1                   HENRY YOUMANS:                   That's  
2 correct.  
3                   HUBERT MCCLURE:                   Okay. Is  
4 there any restrictions on this property?  
5                   HENRY YOUMANS:                   The title  
6 search that was provided from the attorney that closed  
7 on the property showed that there are no active  
8 restrictions or covenants on the property.  
9                   HUBERT MCCLURE:                   There's no  
10 covenants or restrictions on the property?  
11                   HENRY YOUMANS:                   And prior to  
12 this, this was unzoned. And it was recently zoned R-  
13 20.  
14                   HUBERT MCCLURE:                   And tell  
15 everybody what R-20 is.  
16                   HENRY YOUMANS:                   R-20 is  
17 residential property, minimum 20,000 square feet. And  
18 with R-20 there are certain conditions that have to be  
19 met. And if it's within a subdivision or HOA, they  
20 have the other restrictions as well.  
21                   HUBERT MCCLURE:                   And that's why  
22 they have to ask for the special exception?  
23                   HENRY YOUMANS:                   Because it is  
24 now R-20, that is correct.  
25                   HUBERT MCCLURE:                   Okay, just  
26 wanted to clarify all of those things before we get  
27 started. Because I'm going to be honest with you,  
28 unless it's not restricted or have covenants, I'm just  
29 saying.  
30                   All right, first of all, we have, I don't know, it  
31 looks like they said no, no, and then scratch through  
32 it. So we're just going to ask if -- where y'all live  
33 when you state your name. And where's the -- over here  
34 we have the microphone right there. So please state  
35 your name, where you live, and for us, tell us how far  
36 you live from the property because we don't know the  
37 area like y'all do.  
38                   First of all, we have Mr. Brown. If you would  
39 address the microphone, tell us your name and address  
40 and how far you live from the property.  
41                   SKIP BROWN:                   My name is  
42 Skip Brown. I live at 1410 Hunters Trail, which is  
43 approximately, I would say, about a quarter of a mile  
44 from the house in question here.  
45                   HUBERT MCCLURE:                   Okay.  
46                   SKIP BROWN:                   Okay. Thank  
47 you very much for allowing us to come hear this. We  
48 have a beach house, and in our area, we have a small  
49 subdivision and we have a permanent residence, and we  
50 also have a rental residence, which is short term

1 rental residence. We have no problem with the  
2 permanent residence. They have a routine they usually  
3 go through, they're quiet, and there's no disturbances  
4 on it. However, short term residence or vacation  
5 people, they believe when they rent a place, they rent  
6 the whole area. We have people that come in there and  
7 turn their kids loose to play on the property next to  
8 them, use the playgrounds -- or excuse me -- the play  
9 toys at other residents' homes. They also they come in  
10 and they tend the first couple of nights that they are  
11 there, they enjoy having their vacation place. They  
12 bring out their food, they bring out their radios, they  
13 bring out all the stuff that they have, they entertain  
14 themselves into the late hours of the evening or night  
15 and they make a general disturbance around. This is  
16 what we have experienced down at the beach.

17 We do not -- we feel like we are not wanting to  
18 have rentals in there. We have a quiet neighborhood.  
19 And we just do not want to have these people coming in  
20 partying and then leaving. And then the next week we  
21 ended up with the same group coming -- not the same  
22 group, but the same thing happening over the next week  
23 where -- sorry, I'm getting kind of winded here. But  
24 it starts all over again with the people partying and  
25 all this.

26 So we have, we have a problem that we are going to  
27 face -- we feel like we're going to face here at  
28 Hunters Trail. We also are concerned that once we have  
29 a bed and breakfast or, you know, Airbnb or whatever it  
30 is, that once the door has been opened, then it will be  
31 allowed into our subdivision which is right down from  
32 -- down the road from it or anyone else because once a  
33 precedent has been set, then, you know ---

34 HUBERT MCCLURE: Right quick,  
35 question for you. Does your subdivision have  
36 covenants?

37 SKIP BROWN: Yes, it does.

38 HUBERT MCCLURE: Then you  
39 don't have anything to worry about.

40 SKIP BROWN: Okay, thank  
41 you. And I guess that's about it.

42 HUBERT MCCLURE: Okay. Thank  
43 you. Thank you for your -- for being professional too,  
44 thank you, and courteous.

45 Okay, next is I want to say Dewey Parr. Mr. Parr,  
46 please state your name, address and how far you live  
47 roundabout.

48 DEWEY PARR: My name is  
49 Dewey Parr. I live at 1301 Hunters Trail and we're  
50 about 2500 feet from the proposed exception.

1 I've been at 1301 Hunters Trail for 36 years, half  
2 my life. And during that time, it's been a nice quiet,  
3 peaceful neighborhood. Recently, we've had new  
4 construction near us and that's where this exception is  
5 being requested. The new resident has been moved in  
6 for several months now. And I'm a little concerned  
7 that he hasn't bothered to change his license plates on  
8 his vehicle from Florida plates to South Carolina. So  
9 I don't know how long he intends to stay at that  
10 residence if he hasn't bothered to change his plates.  
11 I'm also concerned that there's young children next  
12 door to him. Preschool children are his next door  
13 neighbors and to the house beyond them, other preschool  
14 children. And allowing strangers into the  
15 neighborhood, strangers that have not been vetted,  
16 might put their safety at risk. And that concerns me.

17 The nature of short term rentals with --  
18 particularly for football games, any other athletic  
19 events, concerts here in town, fishing tournaments,  
20 that would seem to invite excessive alcohol  
21 consumption, rowdy behavior, and again, disturbing the  
22 tranquility of our neighborhood. That concerns me.

23 And I know I'm being a bit of an alarmist here.  
24 But it also concerns me that that home is about 100  
25 yards from the gate to the municipal water treatment  
26 plant. And in these troubled times, if extremists were  
27 to rent that place, it puts them right on the doorstep  
28 of that water treatment plant. That bothers me. I  
29 realized that that's not likely to happen. But there's  
30 a lot of things, unfortunate things, that have not been  
31 likely to happen that have occurred. And so it  
32 concerns me for a short term rental. If it was a year  
33 long lease or something I would not have a problem with  
34 that. But when people are only coming in for a few  
35 days at a time, their behavior concerns me, the threat  
36 to the safety and tranquility of the neighborhood  
37 concerns me, too. Thank you.

38 HUBERT MCCLURE: Thank you,  
39 Mr. Parr. Ms. Parr. I said Ms. The boss.

40 BETTY PARR: My name is  
41 Betty Parr, and I've also lived at 1301 Hunters Trail  
42 for 36 years and have enjoyed it very much.

43 There are several things -- I saw the layout of  
44 the plot of land, about a half an acre, but it does not  
45 designate and show that the house is rather close to a  
46 busy road traveled by the water treatment trucks.  
47 And idea of people renting short term at whim, packing  
48 in maybe several cars as I might do if I had big family  
49 here and wanted to do that, it's not good.

50 Long term residents, I believe, are very important

1 to the stability of Anderson County. Long term  
 2 residents support our taxes and churches and are  
 3 critical to the survival of many civil and charitable  
 4 causes, which benefit Anderson County. Zoning  
 5 ordinances are designed to protect long term  
 6 residential property rights. If they are exempted, we  
 7 have -- we will have embarked on an irreversible path  
 8 leading to the disintegration of communal rights.  
 9 Profit for the few is not sufficient justification for  
 10 depriving the overwhelming majority of long term  
 11 residents of their right to private enjoyment of their  
 12 property and of safety getting to their property on the  
 13 short stretch of Hunters Trail, which these seven  
 14 houses that we're just put up are on. Thank you.

15 HUBERT MCCLURE: Thank you.

16 Next -- I can't read it, but it says Brenda R. Oehmig.  
 17 Yes, ma'am.

18 BRENDA OEHMIG: Hello. I'm  
 19 Brenda Oehmig, and I live at 1400 Hunters Trail. My  
 20 husband Carl was one of the original ---

21 HUBERT MCCLURE: How far is  
 22 that from the property that we're talking about,  
 23 roundabout.

24 BRENDA OEHMIG: I'm about two  
 25 houses down from Skip Brown.

26 HUBERT MCCLURE: So would you  
 27 say ---

28 BRENDA OEHMIG: See our  
 29 development has one road in and out. It's just a big  
 30 circle.

31 HUBERT MCCLURE: Yeah. How  
 32 far do you live from the property?

33 **INAUDIBLE COMMENT FROM AUDIENCE**

34 HUBERT MCCLURE: Three  
 35 quarters of a mile?

36 BRENDA OEHMIG: No. No. No.

37 **INAUDIBLE COMMENT FROM AUDIENCE**

38 HUBERT MCCLURE: Quarter of a  
 39 mile?

40 BRENDA OEHMIG: Yeah. But  
 41 what I'm concerned about is Hunters Trail doesn't  
 42 actually start until our development with the signage  
 43 and everything. We're down by the gate of the water  
 44 treatment company. And one of the things we had to put  
 45 up with when we first started the development, we had a  
 46 section of property that was being held -- we were  
 47 going to have a 12 slip boat docks for the off-lake  
 48 people that moved in our neighborhood. And they just  
 49 -- the city decided that terrorists could come and park  
 50 their boats at our dock and then poison the water

1 system for the city of Anderson. So we were denied --  
2 our permit was taken away for the neighborhood. And so  
3 -- but you know, there was a lot going on at that time.  
4 So we've never had a municipal dock there for our  
5 neighborhood.

6 And so now it's -- we have a very strict covenant  
7 for our neighborhood, no rentals. And so they've come  
8 in and added these seven houses which are all very  
9 close to the road. And almost every one of the houses  
10 have cars parked out on the street, because the  
11 driveways are so short, they can't get them all in  
12 there.

13 And so we're just disturbed about the amount of  
14 traffic it will be, as they -- people mentioned before  
15 about the small children on either side, and knowing  
16 how much noise and everything that can go on.

17 Also with the water treatment company, that's a  
18 very busy road during the day with trucks and cars  
19 going in and out of the water treatment company. But  
20 we just feel like -- I've been there for 38 years. As  
21 I said, we were the first ones that with seven -- six  
22 other men that started the development and we've just  
23 always been very careful with our restrictions and  
24 things. And we just hate to have a rental property  
25 right there at our gate. Thank you.

26 HUBERT MCCLURE: Thank you,  
27 Ms. -- say it one more time.

28 BRENDA OEHMIG: Oehmig.

29 HUBERT MCCLURE: Okay. All  
30 right, next is Mr. Hansley.

31 JOHN HANSLEY: Mr. Chairman,  
32 board members, my name is John Hansley. I live at 1314  
33 Hunters Trail, 29625. And I'm probably maybe a quarter  
34 mile away, in the neighborhood.

35 A lot of the same concerns. As you know, most  
36 people who look for short term rentals, they try to get  
37 close to the venues they want to be at. A lot of  
38 people go to the urban core so they can enjoy the  
39 downtowns, the restaurants, the venues, the music in  
40 the parks stuff. Other people go to the mountains so  
41 they can enjoy the vistas, the golf, the hiking.

42 When Christopher Holmes developed this property,  
43 they marketed it as being close to Lake Hartwell so you  
44 can enjoy all the festivities, the recreational  
45 benefits of being at the lake. They also mentioned  
46 about a boat ramp being close by. That's the Honea  
47 Path boat ramp, it's about a mile away from us. And as  
48 everybody else has mentioned, this is a one way street  
49 coming into the neighborhood. It's an arterial road  
50 that goes into the water department.



1 just got concerns about who's coming in, as was already  
2 mentioned. The road itself, too, is really, really  
3 small. And so to be able to actually walk through --  
4 or sorry -- to be able to drive through on the road  
5 would be really difficult. And it already, it already  
6 is if we're bringing say four or five cars, there's  
7 just not space in the home that they're requesting the  
8 exemption for to park multiple vehicles.

9 The other thing that struck me was just when we  
10 purchased the property about three years ago, we  
11 purchased it for a nice quiet neighborhood. And this  
12 would change the tone of the neighborhood. As I see my  
13 neighbors here, we walk, we're always out and about and  
14 it's a very, very quiet neighborhood. A lot of people  
15 have a hard time finding where we live because of that.  
16 And this would bring more attention to this. It's  
17 putting it on public listings as being available for  
18 rental and it's bringing more attention to the  
19 neighborhood that we -- I've grown to love in the last  
20 three years.

21 So the concern of proximity, the concern -- the  
22 property was purchased under a different zoning. And  
23 so to purchase the property and then request this is  
24 something that's changing fundamentally what I feel  
25 like may be the culture that we have within our  
26 neighborhood. There's also not clarity on whether or  
27 not this fits within our neighborhood association or  
28 not, because it has been put out on this frontage road.  
29 So there's questions about whether or not it's part of  
30 that, as well.

31 But I appreciate y'all hearing the time. I'm very  
32 much in favor of denial. I've talked with the other  
33 neighbors on Natures Trail, which is the middle part of  
34 that circle, and four or five of our other neighbors  
35 have expressed dissent, as well. I also serve as the  
36 vice president of our neighborhood association, so I'm  
37 here in that capacity, as well.

38 So thank you.

39 HUBERT MCCLURE: Thank you.  
40 Ms. Turner. I believe it says Turner, says Amy Turner.  
41 I think it says ---

42 AMY TURNER: It does. Thank  
43 you. Amy Turner. I live at 1418 Hunters Trail, which  
44 is three quarters of a half a mile in proximity to the  
45 property address.

46 I will go ahead and start by saying that I'm the  
47 minority of the folks here. I am in favor of the  
48 approval simply because we can laundry list a lot of  
49 hypotheticals that could happen from a boat ramp that  
50 we were denied years ago, that a terrorist potential

1 threat, I mean, a terrorist could launch a boat from  
2 the Honea Path boat ramp and anchor it in the lake and  
3 still have the same potential damage. So I don't want  
4 to list hypotheticals.

5 But I do want to list, in this day and age, a lot  
6 of the concerns that I'm hearing from my neighbor, like  
7 we don't know who's coming in. These rentals are all  
8 managed through an application where we know who the  
9 people are going in. There's also a means through the  
10 application where you could complain.

11 HUBERT MCCLURE: Are you the  
12 owner? Are you the ---

13 AMY TURNER: I am the  
14 owner of 1418 Hunters Trail? Is that what you're  
15 asking?

16 HUBERT MCCLURE: I'm sorry,  
17 usually I do the against first. Are you here for the  
18 applicant?

19 AMY TURNER: I am, I'm  
20 sorry. You just called my name so I was just coming  
21 ---

22 HUBERT MCCLURE: Okay, I'm  
23 sorry. Go ahead.

24 AMY TURNER: Do I need to  
25 sit back down?

26 HUBERT MCCLURE: No, no, no,  
27 no, you go ahead. I'll just take it in stride. Go  
28 ahead.

29 AMY TURNER: All right.  
30 So, so where was I? So, for one I want to talk about  
31 from a point of revenue perspective. First of all, I  
32 don't believe he'll be able to file homestead exemption  
33 if he has multiple property. So it'll bring additional  
34 revenue to it. I'm also in favor of it because I knew  
35 we couldn't necessarily -- couldn't necessarily deny it  
36 because I see the change coming. It does improve  
37 tourism in the area, and then the property enhancement.  
38 So people coming to rent this property are having to  
39 view the property online and make a decision whether or  
40 not to utilize the property and it needs to be kept in  
41 pristine condition to go along with the covenants and  
42 codes that you guys have made sure that they require  
43 for the approval. So to me the property will not be --  
44 if it's harmed, it'll have to be improved before they  
45 make -- you know, continue to use the rental aspect of  
46 it.

47 So I just wanted to also mention the fact that I  
48 haven't heard my neighbor's concerns until today. So I  
49 do, I do value their opinion. But the improvement made  
50 with this zoning also increases the price of the house.

1 So while we enjoy a quiet neighborhood, the fact that  
2 we can't market our home as a short term rental also  
3 shrinks our buyers' market as well for us. So this  
4 town and city does have a great -- a lot of great  
5 things to offer. There's just not a lot of hotels in  
6 the area for people to come to bass fishing  
7 tournaments, for example, college fishing tournaments,  
8 the Clemson games that are mentioned. There needs to  
9 be more opportunity to bring in tourism and place to --  
10 have safe places for people to stay.

11 HUBERT MCCLURE: Okay. So you  
12 were part of buying the property?

13 AMY TURNER: No, I was  
14 not. I'm just a neighbor.

15 HUBERT MCCLURE: Okay, you  
16 just live in the neighborhood?

17 AMY TURNER: Yes. And  
18 this house is not in our neighborhood. So I realize  
19 this is a public forum, but our covenants -- and I  
20 don't short term rental my home, but our covenants  
21 should not extend to what people are doing outside of  
22 our property.

23 HUBERT MCCLURE: Thank you.  
24 Thank you. Staff, I don't know if you know this or not  
25 but what -- when was the property purchased?  
26 Roundabout. This is a staff question. I'm not asking  
27 y'all. I appreciate it, but I'm asking staff.  
28 Roundabout?

29 HENRY YOUMANS: Title search  
30 was dated 4 November. So probably somewhere in that  
31 proximity of November/December.

32 HUBERT MCCLURE: Now, the  
33 condition, I want to ask staff. Tell us about -- and  
34 I'm not -- I'm almost through with the -- I'm just  
35 asking this because I've been thinking this the whole  
36 time. What was the condition of the house before they  
37 bought it? Was it -- are they -- done anything to it  
38 or what?

39 HENRY YOUMANS: It was vacant  
40 land.

41 HUBERT MCCLURE: It was vacant  
42 land?

43 HENRY YOUMANS: Right.  
44 HUBERT MCCLURE: And they built  
45 on it.

46 HENRY YOUMANS: Yes.  
47 HUBERT MCCLURE: Okay. All  
48 right. Thank you.

49 Next, I want to say Leigh Ann Crouse. I'm trying  
50 to read cursive best can. I'm a teacher. I should be

1 better off reading it, but some of them I can't read.

2 LEIGH ANN CROUSE: Hi, my name is  
3 Leigh Ann Crouse. I live at 1318 Hunters Trail. And  
4 we're about a quarter of a mile from the property. My  
5 husband and I retired here three years ago, after we  
6 were looking for property for quite a while and found  
7 Hunters Trail, which is a really nice, quiet, peaceful  
8 neighborhood. As has been mentioned, we're kind of  
9 secluded. We're a hard neighborhood to find. People  
10 don't even know we're back there.

11 And as has been mentioned, with, you know,  
12 advertising the property as being an Airbnb or short  
13 term rental is going to bring in a lot more traffic  
14 than we have right now. And it will definitely affect  
15 the peaceful, quiet nature of our residential  
16 neighborhood. The new properties that are being built  
17 on this street that are right beside here, as has been  
18 mentioned, they have no covenants. So I'm afraid that  
19 allowing this special exception for this piece of  
20 property will open the door for allowing a special  
21 exception for all those pieces of property that are  
22 currently on that street, and then the new construction  
23 that's coming in right behind it that is the same  
24 builder and the same type of homes.

25 So we are hoping that you will deny this special  
26 exception request and keep in place the R-20 zoning,  
27 because that is our only protection against any kind of  
28 the -- it's -- the code says that the point of R-20 is  
29 to discourage any encroachments by commercial,  
30 industrial or other capable -- I'm sorry, I don't have  
31 my glasses -- or other uses that will adversely affect  
32 the residential nature of the district. And I believe  
33 that allowing this special exception will definitely  
34 adversely affect the quiet peaceful nature of our  
35 neighborhood. Thank you.

36 HUBERT MCCLURE: Thank you.  
37 And Mr. Brett Crouse.

38 **INAUDIBLE COMMENT FROM AUDIENCE**

39 HUBERT MCCLURE: Okay, but I  
40 assume y'all live at the same place? Okay. Just  
41 wanted to write that down.

42 Okay. Anyone speaking here for besides Ms.  
43 Turner, anyone speaking for the special exception?  
44 Okay, at that time -- this time, I will close the  
45 public hearing.

46 **INAUDIBLE COMMENT FROM AUDIENCE**

47 HUBERT MCCLURE: I've already  
48 closed it.

49 HENRY YOUMANS: Mr. Chair?

50 HUBERT MCCLURE: What's your

1 question, sir?

2 JOHN HOGBERG: I have a  
3 very good friend that has a bed and breakfast -- not a  
4 bed and breakfast but a place that fishermen ---

5 HUBERT MCCLURE: State your  
6 name and your -- how far you live away from the  
7 property.

8 JOHN HOGBERG: I'm sorry.  
9 John Hogberg, 1415 Hunters Trail. And I'm  
10 approximately three quarters of a mile.

11 **INAUDIBLE COMMENT FROM AUDIENCE**

12 JOHN HOGBERG: Don't worry  
13 about it. We'll be okay. I have a very good friend  
14 that has -- rents out and he mainly rents out to  
15 fishermen. And I don't know if this is going to be  
16 passed or disapproved. I hope it'll be disapproved.  
17 But I'd like something put in the minutes that we  
18 request that if it is approved, that there is a  
19 substantial parking lot for the boats, because I can  
20 tell you right now that when the boats come in, there's  
21 going to be three or four of them. There's not going  
22 to be one guy renting that place, there's going to be  
23 several. And they're going to have three or four  
24 boats, and they're long boats, fishing boats.

25 They can't park in the driveway because the motor  
26 would be hanging out in the street. And they can't  
27 really parked in front of the house any place. If they  
28 park on the road, somebody's going to run into back of  
29 one of them boats and hurt somebody.

30 And -- got to think for a minute. I'm a little  
31 older than Biden. I'm not quite as slow as him, but  
32 I'm getting better. I forgot what I was going to say.  
33 Oh, the boats, they need to have a substantial place to  
34 park the boats. And I'd say it has to be in the back  
35 of the house, or the sides of the house and has to have  
36 -- probably have -- my friend has cement pads that they  
37 park on. And they always park in the same place.  
38 They're not in the road or anything.

39 But if this does happen to pass, I request that  
40 something be put in the minutes that the writer of the  
41 covenants or whatever, include something about parking  
42 the boats, so they're not on the road. We had a lot of  
43 problems during construction with things on the road  
44 and -- or slightly off the road.

45 And thanks for listening to me.

46 HUBERT MCCLURE: Thank you.

47 HENRY YOUMANS: Mr. Chair?

48 Just two points I want to make and then I'll turn it  
49 back to you. If this is approved the way the ordinance  
50 states, there can be no other Airbnb operation within

1 that area. The requirement is 1500 feet. So if there  
2 are houses adjacent to this property, if it's approved,  
3 no one else will be allowed to open up that type  
4 operation in the area.

5 Also, if he cannot meet all the requirements that  
6 we stated in our report, tax, fire safety, all the  
7 other information that has to be approved through  
8 Building and Codes and our department, then it's still  
9 -- it's not going to be a go. But your approval is an  
10 additional approval for them to meet the special  
11 exception requirement.

12 HUBERT MCCLURE: Well, let me  
13 make sure of this before, because I know we've done so  
14 many of these. We've -- we have wrestled with this for  
15 how many years, Alesia? Three, four years?

16 JOHN FARR: Long time.

17 ALESIA HUNTER: Yes, sir.

18 HUBERT MCCLURE: This is not  
19 our first rodeo on this.

20 ALESIA HUNTER: Yeah, I  
21 think, Mr. Chairman, if I may say, it's not -- we've  
22 got some calls about this as a change in the zoning.  
23 It's not changing the actual zoning.

24 HUBERT MCCLURE: It's still  
25 residential. That's something for a court to decide.  
26 We can't do that.

27 ALESIA HUNTER: Right. It's  
28 still ---

29 HUBERT MCCLURE: That's  
30 something for County Council to take up too, which  
31 we've asked them to do several times.

32 ALESIA HUNTER: They will be  
33 looking at unzoned areas. The R-20 already addresses  
34 this and it only gives the specific requirements that  
35 Mr. Youmans has mentioned. So it's not a zoning  
36 change. It is allow by special exception.

37 HUBERT MCCLURE: What I'm  
38 saying is there's gray areas all around it. And I  
39 don't -- and I'm not going to get into that.

40 ALESIA HUNTER: Yes, sir.

41 HUBERT MCCLURE: But at this  
42 time, I'm going to close the public hearing because I  
43 have some questions.

44 First of all, staff, I'm looking at the property.  
45 Is it the triangle piece? Because you've got several  
46 pieces on here and I'm confused about which one it is.

47 RUSSELL BARTON: Can you put  
48 it back up for us, please?

49 HUBERT MCCLURE: Yeah,  
50 because you've got -- I've got several pieces on my

1 package here and I just want you to show me the piece  
2 because I have a question about it -- both sides and  
3 the back. That piece right there. Who owns the two on  
4 the side and the one in the back? I'm asking staff.  
5 MALE: The water  
6 company owns the property across the road.  
7 HUBERT MCCLURE: I'm not asking  
8 that, sir. I'm asking staff. Okay, please. Staff,  
9 who -- do you know? Is it a residence or what?  
10 HENRY YOUMANS: All these  
11 properties are our residences that are either  
12 constructed or to be constructed.  
13 HUBERT MCCLURE: That's what I  
14 thought, because that whole street is lined right there  
15 with houses.  
16 HENRY YOUMANS: That's  
17 correct.  
18 HUBERT MCCLURE: Anybody here  
19 from those three -- three from behind, in front or left  
20 to right? Anybody here from there? Anybody here from  
21 right down the road? Like two houses down from this  
22 property?  
23 Okay. That is just -- all I asked, all I asked  
24 was is there anybody that lived beside the property  
25 here? Nobody lives besides property here.  
26 Okay. The other thing I wanted to bring up was  
27 the thing -- other thing I want to bring up is we  
28 can't, we can't do anything with the residential. We  
29 can't do the definition between residential, if it's a  
30 bread (verbatim) and breakfast or whether it's a  
31 residential. The two things that we've always had a  
32 problem with, with this -- this whole thing is the  
33 definition of short term. The short term rental, we've  
34 had that problem. And we've had a problem with  
35 restrictions and covenants.  
36 Now the restrictions and covenants, they take care  
37 of. But the ones that we have problems with are the  
38 ones that don't have restrictions and -- restrictions  
39 and covenants, because people around don't want people  
40 to be able to do what they're doing.  
41 So, my question, and I want to ask this again from  
42 from staff. There is no, there is no covenants or  
43 restriction on this property.  
44 HENRY YOUMANS: That is  
45 correct.  
46 HUBERT MCCLURE: Okay.  
47 DEBBIE CHAPMAN: Other than the  
48 zoning, right?  
49 HENRY YOUMANS: Other than the  
50 R-20 zoning.

1 HUBERT MCCLURE: And that's  
2 residential.

3 ALESIA HUNTER: Yes.

4 HUBERT MCCLURE: Okay. All  
5 right. And I've addressed the distance. And I've  
6 addressed the covenants and restrictions. These are  
7 the questions that I've got. And leaves one more thing  
8 that I'm going to discuss, but I'm going to give, I'm  
9 going to give the floor to the committee for any staff  
10 questions. Go ahead, committee.

11 RUSSELL BARTON: I have a  
12 question. Is the owner of the property here?

13 HUBERT MCCLURE: I've already  
14 asked that.

15 RUSSELL BARTON: He's here.

16 HUBERT MCCLURE: Oh, when did  
17 you -- okay. I asked for anybody supporting. Do you  
18 want to come up and say anything?

19 JEFFREY VAUGHN: I'm sorry.

20 HUBERT MCCLURE: That's all  
21 right. Come on up. I'll just temporarily open and I'm  
22 not going to -- after you speak, I'm going to close it  
23 again. Because I did call for you. I'm sorry.

24 JEFFREY VAUGHN: I apologize.

25 HUBERT MCCLURE: Just give us  
26 a brief rundown. And then let -- because I think most  
27 of the questions are going to be directed towards you  
28 and staff, because we all know how everybody feels  
29 pretty much.

30 JEFFREY VAUGHN: Yes, sir.

31 HUBERT MCCLURE: So if you  
32 would address some of the things and then we'll have  
33 old questions for these two only, and then we'll go  
34 from there.

35 JEFFREY VAUGHN: Right. So  
36 the first thing to know is we purchased a business up  
37 here. And the primary use of this house is for us to  
38 stay when we're up here working. So our intent or our  
39 expected total rental availability would be about six  
40 months of the year. So we expect to be up here 50% of  
41 the time, and then back working our business in Florida  
42 50% of the time.

43 So basically, at a 40% occupancy rate that leaves  
44 74 total days rented out the year. So we're talking  
45 about two and a half months, is what we're expecting.  
46 As far as the concerns of the would-be renters, we  
47 contracted or will contract Vacasa, who is a national  
48 property manager for these types of properties. And  
49 they do bank level ID verification on every guest who  
50 comes into that home. So for the concerns of who's

1 coming in, who's -- who's who, Vacasa would vet those  
2 folks prior to approving them to stay.

3 As my lone supporter here mentioned, for us to be  
4 successful for the time that we're renting we have to  
5 present a five star product. Anyone who stays at our,  
6 at our property, we need five star reviews from them to  
7 be able to rent the property. Without the five star  
8 reviews, nobody wants to rent the property and, you  
9 know, we're not being successful.

10 So with that said, the property will be pristine  
11 inside and out. We -- somebody asked about  
12 improvements. I think that was the chair. We have --  
13 as far as parking, I want to go -- to address parking.  
14 We widened the driveway to allow for more cars and we  
15 can put in the restrictions in our rental agreement,  
16 which is flexible through Vacasa, to not allow anyone  
17 to park on the side of the road. I don't like it  
18 either. So we can put that in as part of our house  
19 rules that the guests would not be allowed to park on  
20 the side of road. They'd have to be into the -- in the  
21 driveway. You know, the kids next door, yeah, I  
22 see them all the time. I've met some of them. And you  
23 know, the traffic is -- I see trucks, I see cars every  
24 day speeding down Hunters Trail and it makes me wonder  
25 what happens if a dog gets out or a child. So, you  
26 know, I think we'd want to correct that before looking  
27 at the 74 total days we expect to be rented.

28 I heard terrorists; again bank level ID. The  
29 traffic -- and Mr. Youmans mentioned this too, someone  
30 had concerns of, if you approve this request, it's  
31 going to open the door for other short term rentals.  
32 There's a 1500 foot restriction or radius, if it is.  
33 So this approval would not -- the houses on this  
34 street, that's it. I mean, 1500 feet this way and 1500  
35 feet that way covers the houses that are on this  
36 street. So that would be the only short term rental as  
37 per the restrictions.

38 And, you know, outside of that, you know, like I  
39 said -- or like my lone supporter here, it's additional  
40 revenue to the county. You know, I'm not suggesting  
41 we're going to make a bundle of money. But anything  
42 would be better than nothing, I presume. And as  
43 mentioned, I'm not homesteading this property. This is  
44 not my primary residence, therefore, my tax burden  
45 would be, would be higher.

46 So with that said, I'll end there. Yes, sir?

47 HUBERT MCCLURE: I have one  
48 question. Just roundabout with clearing the property,  
49 with the house, I'm not asking you to get detailed, how  
50 much investment do you have in that property?

1                   JEFFREY VAUGHN:                   So I'll tell  
2 you everything. So I think there was one  
3 miscommunication. I didn't build the house.  
4                   HUBERT MCCLURE:                   Okay.  
5                   JEFFREY VAUGHN:                   It was built.  
6 It's a new build, and we closed in December. Since  
7 then, I've pumped a lot of money into the house. So I  
8 bought it for -- it's a tax record -- I think 278.  
9 I've got 11,000 in cement contract work between  
10 widening the driveway and putting a back patio, a  
11 stamped, nice back patio outside of the house. I've  
12 got a contract with Superior Fence to install a fence.  
13 So the concern about kids playing -- the guest who come  
14 and play, it's going to -- there's going to be a six  
15 foot privacy fence, vinyl privacy fence. And I've got  
16 an order of sod coming from Carolina Fresh Farms.  
17                   So, again, you know, just speaking to, you know,  
18 the presentation of this home, you know, I don't want  
19 to sound arrogant, my intent is to be, you know, the  
20 most pristine house of the houses there. Right? So  
21 we've got seven houses, four -- five of which are all  
22 but the same, right? Same kind of look and feel as my  
23 property. And on that street, it's going to be my  
24 mission to, you know, present an absolute perfect  
25 presentation to those who come.  
26                   HUBERT MCCLURE:                   Any questions  
27 for staff or the owner at this time?  
28                   Okay, thank you, sir.  
29                   JEFFREY VAUGHN:                   Thank you.  
30                   HUBERT MCCLURE:                   Again, any  
31 questions for staff? Now, he mentioned something that  
32 sparked the last thing. You said, you know, we're  
33 going to -- you're going to do six months, you're going  
34 to be living and, you know, renting it out for two and  
35 a half months, probably, or whatever. The value of the  
36 property is, you know, you're trying to keep it  
37 pristine, because it's your investment. But we have to  
38 deal with this, because -- ad please don't take this  
39 the wrong way when I say this. We can't tell you what  
40 to do with your property. Okay. If it's a  
41 residential, and he's living there, he may be living  
42 there six months, he may be living there eight months.  
43 I don't think it's -- I think it's beyond the  
44 jurisdiction of this board to tell a man what he can do  
45 with his property.  
46                   So what's the feeling of the board?  
47                   JOHN FARR:                   I'd like to  
48 ask Brenda one question. Brenda, you mentioned --  
49 while you were talking, you mentioned -- yeah, you,  
50 Brenda. John Farr. You mentioned the fact that when

1 they did the ramp down there that there were some  
2 restrictions or rules or something that were passed, is  
3 that true? Did I misunderstand?

4 **INAUDIBLE COMMENTS FROM AUDIENCE**

5 JOHN FARR: But when you  
6 did that, there was no added restrictions or covenants  
7 or anything to the property?

8 **INAUDIBLE COMMENTS FROM AUDIENCE**

9 HUBERT MCCLURE: But not this  
10 particular property, Mr. Brissey. You have this piece  
11 of property covered under those restrictions?

12 **INAUDIBLE COMMENTS FROM AUDIENCE**

13 HUBERT MCCLURE: Okay, well,  
14 then that's irrelevant.

15 **INAUDIBLE COMMENTS FROM AUDIENCE**

16 JOHN FARR: I thought  
17 when Brenda mentioned that, that covenant applied to  
18 everything. But it does not?

19 ALESIA HUNTER: No, sir, it  
20 does not.

21 HUBERT MCCLURE: Okay. All  
22 right, what's the feeling of the board?

23 DEBBIE CHAPMAN: Wait just one  
24 second. The restrictions in R-20, though, they  
25 actually are the reason they're here for this special  
26 exception, right?

27 ALESIA HUNTER: It doesn't  
28 prohibit it. It just requires a hearing. So it is a  
29 permitted use. Yes.

30 DEBBIE CHAPMAN: Okay. Special  
31 section use. Okay. I got you.

32 HUBERT MCCLURE: Anything else?  
33 All right. What's the feeling of the board?

34 RUSSELL BARTON: I move we  
35 accept.

36 HUBERT MCCLURE: We have a  
37 motion to accept. All those in favor -- sorry --  
38 second? Anybody for a second? I'll second it. All in  
39 favor show by uplifted hand. All opposed? Got one  
40 opposed. Okay. Thank you.

41 All right. Next on the agenda -- I don't have my  
42 agenda in front of me. Does anybody have an agenda?

43 JOHN FARR: That was it.

44 HUBERT MCCLURE: Any old  
45 business, new business?

46 ALESIA HUNTER: No, sir.

47 HUBERT MCCLURE: Do you have  
48 anything else, Alesia?

49 ALESIA HUNTER: No, sir.

50 HUBERT MCCLURE: All right.

1 Do we have a motion to adjourn?

2 JOHN FARR:

So moved.

3 RUSSELL BARTON:

Second.

4 HUBERT MCCLURE:

All those in

5 favor? And that's it.

6

7

**MEETING ADJOURNED AT APPROXIMATELY 6:12 P.M.**

Application for a Variance  
Anderson County Land Use Board of Zoning Appeals Meeting  
County Council Chambers 2<sup>nd</sup> Floor-Historic Courthouse (DISTRICT #4)  
Anderson, South Carolina  
April 11, 2024  
5:15 PM

**Staff Report**

**Applicant:** Kiera Ellison

**Owner of Property:** Same as above

**Property Location:** 601 Clement Road, Belton, SC

**Council District:** Three (3)

**Tax Map Number (TMS #):** 252-00-06-031

**Property Description:** TR 3D CLEMENT RD 1.58 AC

**Current Zoning:** R-A

**Land Use:** Residential

**Applicant's Request:** Applicant is requesting a variance to reduce the side setback from 50 feet to 45 feet to allow for the placement of a mobile home.

**Findings of Fact:** *Anderson County Code of Ordinances*, Under **Chapter 24- Section 5:2.6.**

**Side yard.** The minimum width of a residential side yard shall be 50 feet, except that any side yard abutting on a street or highway shall not be less than 20 feet in width.

**Staff Recommendation:** Approval to reduce side setback to 50 feet to 45 feet.

- 1) The lot is a non-conforming parcel, and the proposed construction will not meet the setbacks.
- 2) The Applicant has demonstrated a hardship for said request due size of the lot.
- 3) There will be no adverse effects on adjacent properties if the variance is granted.
- 4) The applicant can meet all other required setbacks.
- 5) The Board has granted other variances similar to this request and would be consistent with its approval.
- 6) A Building Permit will be required from Building and Codes and a compliance letter from Development Standards with the revision of the side setback to 45 feet.



# Variance Application

**Processing Fee: \$300.00**

Please submit applications and processing fees simultaneously to avoid delay in processing. Applications can be submitted by email, or if supporting documents (reference page 3) is greater than 10 pages, applications should be mailed or brought in person. For payment cash (in-person only), check (in-person or by mail), and cards (call to pay over phone) are accepted.

Date Application Received

Application Status (Approved or Denied)

All variance applicants are required to go before the Anderson County Board of Zoning Appeals and must attend the live scheduled Board of Zoning appeals meeting when their request is to be heard. Applicants may be exempt from attending the scheduled meeting for the following reasons only: an unexpected illness or passing of oneself or a loved one or if an applicant is on active military duty or deployed.

### Applicant's Information

Name: Kiera Ellison  
Mailing Address: 205 Apollo Dr, Seneca SC 39672  
Telephone and Fax: 8649624-0999 E-Mail: salesoffice@mwhomesanderson.com

### Property Owner's Information

(Only complete if Applicant and Property Owner are NOT the same)

Name: Same  
Mailing Address: \_\_\_\_\_  
Telephone and Fax: \_\_\_\_\_ Email: salesoffice@mwhomesanderson.com  
Designated Agent Name (Representative of Property Owner): \_\_\_\_\_

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

Owner's or Designated Agent Signature \_\_\_\_\_ Date \_\_\_\_\_

### Project Information

Please Indicate Current Use of Property: Commercial  or Residential   
Property Location: 601 Clement Rd, Belton SC  
Parcel Number(s)/TMS: 252-00-06-031  
County Council District: 3 School District: 2  
Total Acreage: 1.58 Current Zoning: R-A  
Requested Variance: reduce side setback from 50 to 45 feet  
*Please check to indicate if setback variance  sign variance  or minimum lot size variance .*  
Purpose of Variance: Placement of Mobile home

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

Private Covenants or Deed Restrictions on the Property: Yes  No

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

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.

For a variance to potentially be considered for approval by the Board of Zoning appeals the applicant must establish a hardship.

Hardship: *A hardship relates to the physical characteristics of the property, not the personal circumstances of the owner or user, and the property is rendered unusable without the granting of a variance.*

The applicant hereby request a variance to the Board of Zoning Appeals for the following reasons:

What are the extraordinary and exceptional conditions pertaining to the particular piece of property:

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_

Reasons why property is prohibited or limited in its uses:

Topography Lot Size

Application of the variance will not be of detriment to adjacent properties 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 following documents are submitted in support of this application: (Please attach copies of all additional information to this application.)

\_\_\_\_\_

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

For Office Use Only:

Application Received By: \_\_\_\_\_ Date Completed Application Received: \_\_\_\_\_

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

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

# Variance Application Checklist

## Anderson County Code of Ordinances Chapter 48 Zoning- Article 9.- Board of Zoning Appeals

### Section 9:5.- Powers and Duties

**Section 9:5.1 Review.** The board shall hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of this chapter.

**Section 9:5.2 Variances.** The board of zoning appeals may authorize upon written appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where owing to special conditions, a literal enforcement of the provisions of this chapter would result in unnecessary hardship or peculiar and exceptional practical difficulties.

Before action is taken on a request for a variance, the board shall hold one or more public hearings at which any party may appear in person, by agent, or attorney. The planning commission staff will also refer the request to the appropriate zoning advisory group for review and report to the board of zoning appeals. The zoning advisory group will meet in public sessions and shall provide a written report and recommendation to the board of zoning appeals.

Notice shall be given at least 15 days in advance of a public hearing. The owner of the property for which the variance is requested of their agent shall be notified by mail. Notice of hearings shall be made in a newspaper of general circulation, posted on the property for which a variance is requested, and posted at the Anderson County Square.

In addition, the planning commission staff shall send letters notifying current owners of record of all properties adjacent to and/or within 1,000 feet in any direction of the subject property and provide proof of such mailing.

A variance from the terms of this Ordinance may be granted by the Board upon a finding that:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. These conditions do not generally apply to other property in the vicinity.
3. Because of these conditions, the application of the chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the granting of the variance will not harm the character of the district.

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

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

#### Application Submittal Requirements

- \*Completed and Signed Variance Application
- \$300 Processing Fee
- One (1) Accurate, Legible Plot Plan with Dimensions and Locations of Structures and Improvements of the Property
- Clear Statement of why the variance is being requested
- One (1) Copy of all Private Covenants and Deed Restrictions Related to the property, if applicable (Can be obtained from Anderson County Register of Deeds)
- Written statement from property owner granting permission to allow variance (only needed if applicant and property owner or not the same).

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

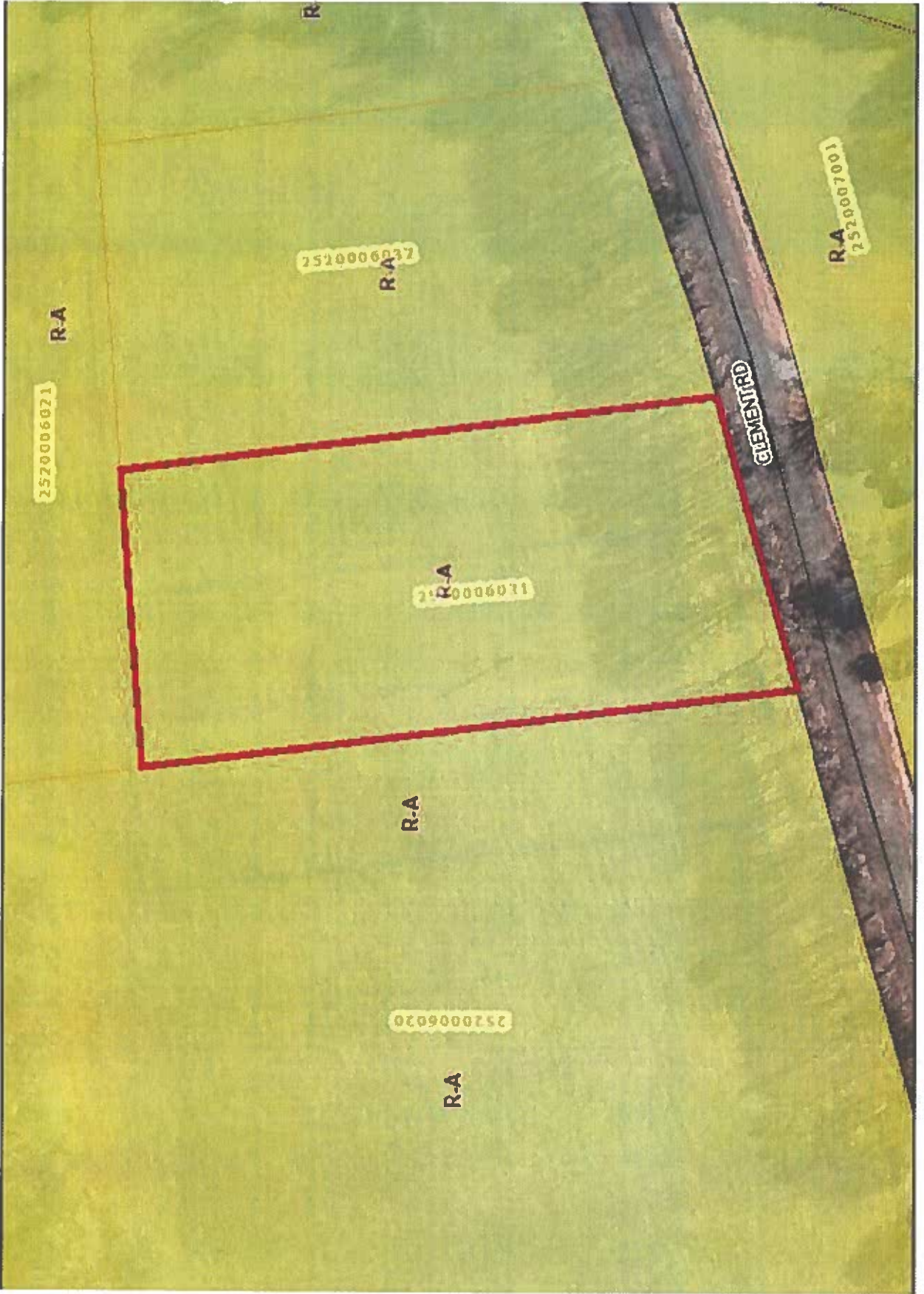
As the applicant, I hereby confirm that the required information and supporting materials for this application are authentic and have been submitted to the Anderson County Development Standards Office.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date







Application for a Special Exception  
Anderson County Land Use Board of Zoning Appeals Meeting  
County Council Chambers 2<sup>nd</sup> Floor-Historic Courthouse (DISTRICT #5)  
Anderson, South Carolina  
April 11, 2024  
5:15 PM

Staff Report

Application for a **Special Exception** – To allow horses in R-20 Zoning.

Applicant: Kiera Ellison

Owner of Property: Same as above

Property Location: 760 Griffin Rd, Belton SC

Council District: Seven (7)

Tax Map Number (TMS #): 199-00-02-011

Property Description: GRIFFIN RD 10.00 AC

Current Zoning: R-20

Land Use: Residential

Applicant Request: Applicant is requesting a Special Exception to allow the use of sheltering horses in R-20.

Findings of Fact: *Anderson County Code of Ordinances*, Under Chapter 48, Section 7:4.1, No livestock with the exception of ponies and horses may be kept in the R-15 and R-20 districts subject to the district regulations and the following conditions. All types of livestock may be kept in the R-A, Residential Agricultural District.

7:4.1. Site. In the R-15 and R-20 districts, the minimum lot area upon which ponies and horses may be kept is 1½ acres, with no more than one head of ponies or horses permitted for each two acres of lot area. There is no minimum acreage requirement for livestock in the R-A district.

Staff Recommendation: Staff recommends APPROVAL of the Special Exception request for the following reasons and with following conditions.

- 1) The use meets all of the requirements by special exception.
- 2) The residence meets all of the requirements for R-20 Zoning.
- 3) The use is not detrimental to public health or general welfare.
- 4) The use will not violate neighborhood character nor adversely affect surrounding properties.
- 5) The Board's granting of the approval for this Special Exception is in keeping with similar requests previously granted for zoned areas.



# Special Exception Application

(For Zoned Areas Only)

Processing Fee: \$300

2524-0599  
RECEIVED  
03/09/24

Please submit applications and processing fees simultaneously to avoid delay in processing

Applications can be submitted by email, or if supporting documents (reference page 3) is greater than 10 pages, applications should be mailed or brought in person.  
For payment cash (in-person only), check (in-person or by mail), and cards (call to pay over phone) are accepted.

Date Application Received

Application Status (Approved or Denied)

special exception applications are required to go before the Anderson County Board of Zoning Appeals. All applicants are strongly encouraged to attend the Board of Zoning Appeals public hearing in which their application is to be reviewed.

Deadlines for all special exception applications and supporting documents are due by the first business day of each month.

Applications and supporting documents that are submitted by the first of each month will go before the Board of Zoning Appeals the following month (example: deadline is July 1st, application and supporting documents are submitted by July 1st, request will go before the board in August). Those that do not submit applications and supporting documents before the first of each month, the request will automatically be delayed and will not go before the board until both application and supporting documents are received (example: due date July 1st, application submitted July 2nd, request will not appear before the board until September) (Date for request to appear before the board is continuously extended (by month) until both applications and supporting materials are received).

### Applicant's Information

Name: Kiera Ellison  
Mailing Address: 425 H I Taylor Rd Williamston SC  
Telephone and Fax: 864-276-5126 E-Mail: mcginnis.kiera@icloud.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 a special exception.

Owner's Signature

03/06/2024

Date

### Project Information

Property Location: 760 Griffin Rd Belton SC  
Parcel Number(s)/TMS: 1990002011  
County Council District: 7 School District: \_\_\_\_\_  
Total Acreage: 10 Current Zoning: R-20  
Requested Special Exception: To have horses on the land.  
Purpose of Special Exception: I currently own two horses and when I move, I would like to purchase more.  
I purchased this property for mine and my husbands future kids and family to enjoy and have horses to live and grow on.

Have you researched your Private Covenants/Deed restrictions at the Anderson County Register of Deeds?  
Yes:  No:  Date visited ROD or Date searched online: 10/01/2023

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.

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: n/a  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

For Office Use Only:

Application Received By: \_\_\_\_\_ Date Complete Application Received: \_\_\_\_\_

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

Scheduled Board Hearing Date: \_\_\_\_\_

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

# Special Exception Application Checklist

## Anderson County Code of Ordinances Chapter 48 Zoning- Article 7.- Provisions for uses permitted by special exception Section 7:1.- General Provisions

The board of zoning appeals may issue permits for those uses permitted by special exception which are in accordance with the provisions of this chapter and the specific conditions set forth below. The board shall determine that:

- A. The use meets all required conditions.
- B. The use is not detrimental to the public health or general welfare.
- C. The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar services.
- D. The use will not violate neighborhood character nor adversely affect surrounding land uses.

## Anderson County Code of Ordinances Chapter 48 Zoning- Article 9.- Board of Zoning Appeals Section 9:5.-Powers and Duties

Section 9:5.1 Review. The board shall hear and decide appeals where it is alleged there is error in any order, requirements, or determination made by the zoning administrator in the enforcement of this chapter

Section 9:5.3 Uses permitted by special exception. The board of zoning appeals may hear and decide upon uses permitted by special exception specifically authorized by the terms of this chapter. A use permitted by special exception shall not be authorized by the board unless and until:

- A. A written application is submitted.
- B. Notice shall be given at least 15 days in advance of a public hearing in a newspaper of general circulation.
- C. The request has been referred to the appropriate zoning advisory group for review and report to the board of zoning appeals. The planning commission staff will also refer the request to the appropriate zoning advisory group for review and report to the board of zoning appeals. The zoning advisory group will meet in public sessions and shall provide a written report and recommendation.
- D. A public hearing shall be held.
- E. The board shall make findings.
- F. The board shall make written findings certifying compliance with the regulations governing the special use.

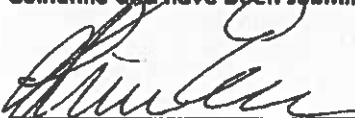
**The following checklist is to aid the applicant in providing the necessary materials for submittal.**

### Application Submittal Requirements

- Completed and Signed Special Exception Application
- \$300 Processing Fee
- Site Plan or diagram of property for the proposed special exception
- Clear Statement of why the special exception is being requested
  
- Valid contact information on application
- Covenants and Deed Restrictions (Can be obtained from Anderson County Register of Deeds)

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

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

  
\_\_\_\_\_  
Applicant's Signature

3/16/24  
Date





