



MEMORANDUM

ANDERSON COUNTY DEVELOPMENT STANDARDS

DATE: July 19, 2024

TO: Land Use and Zoning Board of Appeals Members

FROM: Henry Youmans

SUBJECT: Land Use and Board of Zoning Appeals meeting - August 8, 2024

The Anderson County Land Use and Zoning Board of Appeals is scheduled to hold its next meeting on August 8, 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 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
Russell Barton, District #3
Brad Swillen, District #6

AGENDA

August 8, 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. June 13, 2024
 - b. July 11, 2024
- 4.) Public Hearings:
 - a. Special Exception to allow the use of property for short-term rental/vacation home. TMS 45-04-01-020. **(DISTRICT 4)**
- 5.) Old Business: None
- 6.) New Business: None
- 7.) Other Business: None
- 8.) Adjournment.

STATE OF SOUTH CAROLINA)
COUNTY OF ANDERSON)

ANDERSON COUNTY
LAND USE AND BOARD OF ZONING APPEALS
JUNE 13, 2024

PRESENT:
HUBERT MCCLURE, CHAIRMAN
JOHN FARR
RUSSELL BARTON
TONY CIRELLI
BRAD SWILLEN

ALSO PRESENT:
ALESIA HUNTER
TIM CARTEE
HENRY YOUMANS
JOAN HOLLIDAY
QUANESHIA HAMMOND
DANETTE HANKS

1 HUBERT MCCLURE: All right.
2 We will call this meeting to order. I have to do the
3 little gavel thing, don't I?
4 And let's go ahead and have the invocation. Let
5 us pray.

6 **INVOCATION BY HUBERT MCCLURE**

7 HUBERT MCCLURE: So the first
8 thing we've got on the agenda is setback, 105 Rocky
9 Shores. Staff report.

10 HENRY YOUMANS: Thank you,
11 Mr. Chair. This is a variance request to reduce the
12 side and rear setbacks from 30 feet to 25 feet for the
13 placement of a mobile home. The applicant is Donnie
14 Hammett as an agent for CMH, Inc. The owner is James
15 Petrucelli. Property is located at 105 Rocky Shores
16 Boat Ramp Road in Townville. It's Council District 3.
17 The tax map number is there for your reference. It is
18 described as tract A. It currently is unzoned and land
19 use is residential.

20 According to the county Ordinance under Section
21 24-433 Setbacks from Roadways, rear setbacks shall be
22 30 feet from the road right-of-way.

23 The recommendation from staff is to allow the
24 reduction on the side and rear setbacks to 25 feet.

25 The parcel is located between two road right-of-
26 ways, Rocky Shores Boat Ramp Road and Haynie Avenue,
27 that reduces the buildable area on the lot. The
28 current placement of the mobile home will not meet the
29 setbacks. The topography of the lot would not allow
30 for the placement of the mobile home back in its
31 previous footprint. There are no adverse effects on
32 the adjacent properties if this variance is granted.
33 The applicant will need to contact Building and Codes
34 to continue with building inspections. The old mobile
35 home must be removed from the lot and the new mobile
36 home has been approved for inspection and has been
37 issued a certificate of occupancy.

38 This is your staff report.

39 HUBERT MCCLURE: Thank you,
40 Henry. So at this time we will open up our public
41 hearing for anyone speaking against. Anyone speaking
42 against.

43 HENRY YOUMANS: Mr. Chairman.

44 HUBERT MCCLURE: I thought you
45 had finished.

46 HENRY YOUMANS: This is a tax
47 map layout of the property showing the placement of
48 both homes. This is an aerial view of that property.
49 This is a picture of the old mobile home and the
50 placement of the new one. This is the rear of the

1 property off Haynie Avenue. That is the current mobile
2 home that has been placed on the property. And I turn
3 it over to you, Mr. Chair.

4 HUBERT MCCLURE: I could have
5 sworn I thought you said that was the staff report.
6 I'm sorry. I didn't mean to cut you off.

7 HENRY YOUMANS: Not a
8 problem.

9 HUBERT MCCLURE: Now, let's
10 see if we can do this the right way. I want to open it
11 up for anybody speaking against this special exception.
12 Anybody speaking against. We have Donnie Hammett, this
13 one says Rocky Shores Boat Ramp. Are you speaking
14 against or for?

15 DONNIE HAMMETT: For.

16 HUBERT MCCLURE: Okay.

17 That's good. We'll reserve questions for you if
18 needed. So at this time I close the public hearing.
19 Nobody is speaking against, but Mr. Hammett is here
20 speaking for. And we'll reserve questions for staff.
21 What's the feeling of the board?

22 JOHN FARR: Approve.

23 HUBERT MCCLURE: Mr. Farr

24 makes a motion to approve. Do we have a second?

25 RUSSELL BARTON: I second.

26 HUBERT MCCLURE: Second. All
27 those in favor show by uplifted hands.

28 Okay. Next, setback from 10 to 12 (verbatim)
29 feet, Six and Twenty Road, District 4. Staff report.

30 HENRY YOUMANS: Mr. Chair,
31 this is an application for a variance. It's in Council
32 District 4. The applicant is Helen Keulemans. She is
33 also the owner of the property. The location is 2611
34 Six and Twenty Road in Pendleton. It's Council
35 District 4. Tax map number is there for your
36 reference. It is unzoned and residential.

37 The applicant is requesting a variance to reduce
38 the rear and side setback from 10 feet to two feet to
39 allow for the sale of a house, barn and .81 portion of
40 the parcel with having to removed from the existing
41 permanent metal fence.

42 Finding of facts. Under Chapter 24, Section
43 117(c), all buildings and structures, including the
44 expansion of existing buildings and structures, shall
45 meet or exceed the minimum standard setbacks for the
46 side and rear setbacks on accessory buildings in an
47 unzoned district is 10 feet from the side and 10 from
48 the rear.

49 Staff recommendation is for approval. Due to a
50 scrivener's error, the barn on the previous survey,

1 the barn cannot meet the required setbacks. The
2 applicant has demonstrated a hardship for the said
3 request due to the permanent placement of a water tap
4 and fencing. There will be no adverse effects on the
5 adjacent properties if the variance is granted. The
6 applicant can meet all other required setbacks. The
7 Board has granted similar setbacks and the request is
8 consistent with approval. A building permit will be
9 required from Building and Codes, and a compliance from
10 Development Standards, with the revision of the side
11 and rear setback to two feet. The applicant will need
12 to make certain with Building and Codes that the less
13 three foot setback will meet the code standards for
14 firewall protection.

15 This is the plat that shows the scrivener's error
16 with making the incorrect measurement of the accessory
17 building. This is the actual picture of the barn and
18 the fencing.

19 And that is your report.

20 HUBERT MCCLURE: Okay, Henry,
21 I'm a little bit confused.

22 HENRY YOUMANS: Okay.

23 HUBERT MCCLURE: You say that
24 -- okay, we're looking at -- I'm looking at the plat.
25 You're talking about the north, south, west, east line.
26 Which one is it, Henry?

27 HENRY YOUMANS: It is to the
28 north in that corner where you can see ---

29 HUBERT MCCLURE: I see the
30 little square there. Is that what you're talking
31 about?

32 HENRY YOUMANS: Yes, sir,
33 that's correct.

34 HUBERT MCCLURE: Staff, this
35 is a -- what kind of building is this going to be,
36 again?

37 HENRY YOUMANS: That's an
38 existing barn.

39 HUBERT MCCLURE: Barn, okay.

40 HENRY YOUMANS: The only
41 thing would be that fence is there and that fence is
42 concrete and cemented in the ground.

43 HUBERT MCCLURE: Okay. So at
44 this time I'll open up the public hearing for anyone
45 speaking against. I think it's Keulemans? Is that
46 correct?

47 HELEN KEULEMANS: I'm speaking
48 for.

49 HUBERT MCCLURE: I know
50 you're speaking for. Mr. Walters, are you speaking for

1 or against?
2 MR. WALTERS: I have
3 questions.
4 HUBERT MCCLURE: If you would
5 get up and talk in the microphone right there. If you
6 don't mind, Mr. Walters. I appreciate it.
7 MR. WALTERS: My question
8 is, is this just that one line? It's not the line
9 between our property and this lady's property?
10 HUBERT MCCLURE: Staff?
11 HENRY YOUMANS: It's just
12 that one line. The property has been subdivided and it
13 doesn't affect the other property line. It's the
14 property within her property and it's going to be ---
15 MR. WALTERS: It's the
16 property line of this lady?
17 HUBERT MCCLURE: Yeah.
18 MR. WALTERS: I have no
19 objection to her doing this. I just didn't want it on
20 my line.
21 HUBERT MCCLURE: Oh, no, it's
22 not going over there. No, we can't do that.
23 MR. WALTERS: I'm for it.
24 HUBERT MCCLURE: Thank you,
25 Mr. Walters.
26 All right. So with that, we'll reserve questions
27 for Ms. Keulemans and staff. Is there any questions?
28 What's the feeling of the board? Anybody got a motion?
29 TONY CIRELLI: I make a
30 motion to approve.
31 HUBERT MCCLURE: Motion to
32 approve. Do we have a second?
33 JOHN FARR: Second.
34 HUBERT MCCLURE: Second. All
35 those in favor. And that's it. Thank you.
36 HELEN KEULEMANS: When I spoke
37 with him, I told him I was going to do five feet. So
38 can I get approval for five feet instead of the two
39 feet?
40 HUBERT MCCLURE: Okay. Did
41 you know about this?
42 HELEN KEULEMANS: I spoke with
43 you about two weeks ago when I came in and gave you the
44 pictures. And you said if you would make it five feet,
45 it would be better.
46 HENRY YOUMANS: Okay.
47 HELEN KEULEMANS: So we made
48 it five feet instead of two feet.
49 HUBERT MCCLURE: Make an
50 amendment?

1 HENRY YOUMANS: Yes, sir.
2 HUBERT MCCLURE: Is there any
3 problem with that, making an amendment?
4 HENRY YOUMANS: No, sir.
5 HUBERT MCCLURE: Mr. Cirelli,
6 do you want to make an amendment to your motion?
7 TONY CIRELLI: Yes.
8 (Inaudible) approve this. However, I've seen a case or
9 two like this where (inaudible). Out on the lake,
10 especially, this happens (inaudible). (Inaudible)
11 approval that this stays a barn ---
12 HUBERT MCCLURE: At five
13 feet?
14 TONY CIRELLI: And not
15 renovated ---
16 HUBERT MCCLURE: Staff you
17 got that?
18 TONY CIRELLI: --- into
19 living quarters.
20 HUBERT MCCLURE: Staff, you
21 got that?
22 ALESIA HUNTER: Mr. Chair,
23 since we did advertise for the two feet ---
24 HUBERT MCCLURE: That's what
25 I was worried about.
26 ALESIA HUNTER: Yeah. But
27 she can always go more. We can just **keep** it at the
28 two, but she can always do more than two feet. And
29 that way she won't have to come back.
30 HUBERT MCCLURE: Okay. Then
31 we don't have to vote on it because that's a minimum?
32 ALESIA HUNTER: Right.
33 That's just a minimum. Yes.
34 HUBERT MCCLURE: All right.
35 We don't have to worry about it. Okay. But is there
36 any chance that -- and I'm not talking about her, I'm
37 talking about in the future -- that could be any type
38 of residence?
39 ALESIA HUNTER: No. It
40 couldn't.
41 HUBERT MCCLURE: Okay, Tony,
42 that's your -- did we vote on it? We voted on it, so
43 everything is good.
44 Okay. Thank you, ma'am.
45 HELEN KEULEMANS: Thank you.
46 HUBERT MCCLURE: Okay. Next,
47 let's go with 1210 Easley Highway. Staff report.
48 HENRY YOUMANS: Mr. Chair,
49 this is an application for a variance. The applicant
50 is Richie Corley. He's the contractor for Mr. Smith,

1 the owner of the property, Remington Smith. It's
2 located at 1210 Easley Highway. It's Council District
3 7. Tax map number is there for your reference. It's
4 recognized as lot 2, Easley Highway, .61 acres.
5 Currently unzoned. It is residential.

6 The applicant is requesting a variance to reduce
7 the side setback on Old Brickyard Road from 40 feet to
8 27 feet to construct a 26 by 30 two-story garage.

9 Findings of fact: Under Chapter 24, Sections
10 117(b-c), the purpose of setback regulations is to
11 ensure the provision of light and open space between
12 structures, to accommodate future road widenings at the
13 lowest possible cost, and to prevent crowding of
14 development. And Standards, all building and
15 structures, including the expansion of existing
16 buildings and structures, shall meet or exceed the
17 minimum setback requirements.

18 Staff recommendation is for approval for the
19 reduction to 27 feet. The parcel is a corner lot
20 between two roads, Easley Highway and Old Brickyard
21 Road, that limits the usage of the property. The
22 approval of the variance will not place the proposed
23 garage into the right-of-way. Ordinance 2021-010, the
24 setback change that took effect and limited the amount
25 of buildable space on this corner lot. There will be
26 no adverse effects on adjacent properties if this
27 variance is granted. The proposed building will be
28 several feet from the road right-of-way on Old
29 Brickyard Road. The applicant can meet all the other
30 required setbacks. The board has granted such similar
31 variance. And a building permit will be required from
32 Building and Codes, and a compliance letter from
33 Development Standards showing the revision off of Old
34 Brickyard Road to 27 feet.

35 This is your report.

36 This is an aerial of the design showing the
37 placement of the garage along Old Brickyard Road. This
38 is the tax map aerial view of the property. This is an
39 additional map showing that it is unzoned.

40 I turn it over to you, Mr. Chair.

41 HUBERT MCCLURE: Henry, is he
42 putting it on that side because he don't want to put it
43 on the side of the highway; right?

44 HENRY YOUMANS: That's
45 correct.

46 HUBERT MCCLURE: That's what
47 I thought. Okay.

48 All right. We'll open up the public hearing.
49 Anyone speaking against? I know we have a couple of
50 people speaking for. Anyone speaking against? I'm

1 assuming the Smiths are here with Mr. Corley speaking
2 for; correct? Okay. So we'll reserve questions for
3 them. And reserve questions for staff. What's the
4 feeling of the board?

5 JOHN FARR: Approve.
6 HUBERT MCCLURE: Mr. Farr makes
7 a motion to approve. Do we have a second? Second by
8 Mr. Cirelli. All in favor.

9 Okay. Next is Old Pearman Dairy Road, short term
10 rental home. Staff report.

11 HENRY YOUMANS: Mr. Chair,
12 this is an application for a special exception to allow
13 the use of a duplex as a short term rental in R-D
14 zoning. The applicant's name is -- if I don't get this
15 wrong -- is Alinna Leeve. She is also the owner of the
16 property. The location is 5824 Old Pearman Dairy Road.
17 It's Council District 5. The tax map number is there
18 for your reference. It is described as lot B on Old
19 Pearman Dairy Road, .63 acres. It is currently zoned
20 R-D, Residential Duplex. Land use is residential.

21 The applicant is requesting a special exception to
22 allow the use of a short term/rental home in R-D
23 zoning.

24 Finding of facts. Under Anderson County Code of
25 Ordinances, under Chapter 48, Section 5.4, residential
26 duplex districts establishments that are permitted by
27 special exception, bed and breakfast, homestays, host
28 homes and guest homes.

29 Staff recommendation is for approval, meeting all
30 the requirements for the special exception for R-D.
31 The applicant has proposed the construction of a
32 residential duplex to operate the AirBnb for short term
33 and seasonal rentals. No restrictions are recorded in
34 the deed and not filed with the Register of Deeds. The
35 use is not detrimental to the public health or general
36 welfare. If approved, the applicant must meet all tax,
37 fire and building code requirements pertaining to the
38 residential structure and obtain all necessary permits
39 from Building and Codes and compliances from
40 Development Standards. The Board has granted similar
41 special exceptions that do not warrant any covenants or
42 restrictions.

43 This is your staff report.

44 This is a picture of the picture of the area of
45 the survey showing the lot. That is the zoning map
46 showing the R-D zoning. That is an aerial of the --
47 tax map aerial of the lot. That is also the proposed
48 plat.

49 And that is your presentation.

50 HUBERT MCCLURE: Thank you.

1 Just for the record and for the codes and for everybody
2 to hear it, are there any restrictions on this
3 property, covenants or any subdivision covenants?

4 HENRY YOUMANS: No, sir.

5 HUBERT MCCLURE: Thank you.

6 Anyone speaking against this special exception? Okay.
7 We know the owner is here and we reserve questions for
8 that owner, as well as staff. What's the feeling of
9 the board?

10 RUSSELL BARTON: I have a
11 question. Is this a new build? Or is there ---

12 HUBERT MCCLURE: It hasn't
13 been built yet, has it?

14 HENRY YOUMANS: It's going
15 to be a new build.

16 HUBERT MCCLURE: Any other
17 questions? What's the feeling of the board?

18 TONY CIRELLI: (Inaudible.)

19 HENRY YOUMANS: No, sir, not
20 to our knowledge. Building and Codes will make sure
21 that -- and Stormwater will make sure all of that is
22 taken care of in the building of the property.

23 **INAUDIBLE DISCUSSIONS AMONGST BOARD MEMBERS**

24 HUBERT MCCLURE: Where we run
25 into problems is when it's near a neighborhood with
26 covenants and the neighborhood thinks they can expand
27 their covenants. That's where we run into problems.
28 When it's like this, we don't run into problems because
29 the person buys a piece of property; they can do what
30 they want to with it. That's basically what is boils
31 down to.

32 What's the feeling of the board?

33 TONY CIRELLI: Approve.

34 HUBERT MCCLURE: Move to
35 approve. Do we have a second? Mr. Farr seconds. All
36 in favor.

37 And we've got one last thing. And that is the
38 family of William Brown, Centerville, six acres,
39 Centerville Road. Staff.

40 HENRY YOUMANS: Mr. Chair,
41 this is an application for a special exception. The
42 applicant is the family of William H. Brown. The owner
43 of the property is William Harold Brown. The property
44 location is 1960 Centerville Road, in Anderson.
45 Council District 5. Tax map number is there for your
46 reference. The property is described as 6.05 acres on
47 Centerville Road. The current zoning is R-20. Land
48 use is residential.

49 The applicant is requesting a special exception to
50 place a private grave in the R-20 zoning on the

1 homestead.

2 Finding of facts. Under Anderson County Code of
3 Ordinances, under Chapter 48, Section 5.3.1, use is
4 permitted by special exception, Cemetery.

5 Staff recommendation is for approval of the burial
6 spot. The special exception allows for the specific
7 use in R-20. There are no adverse effects on the
8 adjacent properties if the variance is granted. All
9 standards and regulations must be met by South Carolina
10 Code of Laws, Title 43, Section 27-53-320. Due to time
11 constraints, administrative appeal was granted to allow
12 for the burial, and it's attached in this presentation.
13 All other conditions will apply to current funeral
14 standards and DHEC regulations.

15 This is the Administrative Approval, signed by the
16 Administrator to allow this on the property. This is a
17 tax map aerial of the property in question. It shows
18 an acreage of 6.05 acres. This is the R-20 zoning map.

19 This is your presentation, Mr. Chair.

20 HUBERT MCCLURE: Thank you,
21 staff. But I have a question because I think this is a
22 first for us; isn't it? In all the years I've been on
23 this board, I ---

24 ALESIA HUNTER: Yes, sir, it
25 is, in a zoned area.

26 HUBERT MCCLURE: Because I'm
27 ignorant to the fact, when you do something like this,
28 there's other hoops that have to be jumped through
29 besides this one; right?

30 ALESIA HUNTER: Yeah. They
31 do have to go through the regular DHEC requirements.
32 And then, of course, the funeral home is licensed ---

33 HUBERT MCCLURE: I was
34 wondering about that, because on McClure Road there's a
35 couple of old cemeteries out there. And I was just
36 wondering ---

37 ALESIA HUNTER: Yes. You
38 only see them if it's zoned. Yes, sir.

39 HUBERT MCCLURE: Okay. That
40 was just my own personal question. Anybody got a
41 question?

42 RUSSELL BARTON: Mr. Chairman,
43 I'd like to abstain from this vote. I've had a
44 business relationship with Mr. Brown.

45 HUBERT MCCLURE: Okay. We've
46 got four to vote. What's the feeling of the board? Do
47 we have any questions?

48 TONY CIRELLI: I'll make the
49 recommendation.

50 HUBERT MCCLURE: I'll make the

1 second. All those in favor. And with that one
2 abstention, four to one abstention.
3 All right. Any old business? Staff, do y'all
4 have anything?
5 HENRY YOUMANS: No, sir.
6 HUBERT MCCLURE: Okay. I make
7 the motion to adjourn? Second? All those in favor.
8 And good evening.
9
10 **MEETING ADJOURNED AT APPROXIMATELY 5:38 P.M.**

STATE OF SOUTH CAROLINA)
COUNTY OF ANDERSON)

ANDERSON COUNTY
LAND USE AND BOARD OF ZONING APPEALS
JULY 11, 2024

PRESENT:
HUBERT MCCLURE, CHAIRMAN
JOHN FARR
TONY CIRELLI
DEBBIE CHAPMAN

ALSO PRESENT:
TIM CARTEE
HENRY YOUMANS
JOAN HOLLIDAY
QUANESHIA HAMMOND
DANETTE HANKS

1 HUBERT MCCLURE: It's 5:15.
2 Let's call this meeting to order. This is the July
3 11th meeting of the Land Use Board. Let's go ahead and
4 have the invocation. Let us pray.
5 **INVOCATION BY HUBERT MCCLURE:**
6 HUBERT MCCLURE: Any deletions
7 or additions to the minutes?
8 JOHN FARR: Move to
9 approve.
10 HUBERT MCCLURE: Mr. Farr
11 motions to approve. Do we have a second? Mr. Cirelli
12 seconds. All those in favor. All right. I turned it
13 on. It's not like you can't hear me.
14 Let's go ahead and do staff report. I guess we
15 can do them together, since they're right there
16 together, Lebanon Road.
17 HENRY YOUMANS: Yes, sir.
18 HUBERT MCCLURE: Go ahead.
19 HENRY YOUMANS: Okay. The
20 first is for a special exception for Mt. Lebanon
21 Elementary School. The applicant is Rick Rogers on
22 behalf of Anderson County School District 4. Anderson
23 County School District 4 is the owner of the property.
24 It's located at 2850 Lebanon Road in Pendleton.
25 Council District 4. There are three tax map numbers
26 with three parcels that are included in this. It is
27 zoned -- currently zoned R-20. The land use is
28 classified by R-20, residential, but the elementary
29 school is located on the parcel. The applicant is
30 requesting a special exception to allow the
31 construction and expansion of an academic wing for the
32 school.
33 Finding of facts, under Chapter 48, Section 5:3.2,
34 the uses permitted in R-20 by special exception:
35 school-public and/or private.
36 Staff recommends approval for the special
37 exception to allow the construction and expansion of
38 the school for the following reasons. It meets all the
39 uses under 5:3.2. The existing school is located on
40 the parcel and a special exception is required for the
41 expansion based on the building and topography. There
42 will be no detrimental -- the use is not detrimental to
43 the public health or general welfare. And it will not
44 violate the neighborhood characteristics.
45 This is a zoning map showing it's R-20. And this
46 is the main parcel. This is the tax map rendering of
47 that parcel. This is the adjacent parcel next to the
48 school and in the right-of-way coming into the parcel.
49 And this is a diagram layout of the expansion for Mt.
50 Lebanon Elementary.

1 HUBERT MCCLURE: Mr. Cirelli
2 has made the second on that motion. All in favor. And
3 that takes care of that. I thought you were doing it
4 as one vote. I'm sorry. See, that's why you shouldn't
5 be here.

6 I make a motion we adjourn.

7 TONY CIRELLI: Second.

8 HUBERT MCCLURE: Second. All
9 in favor. All right. Y'all have a good day.

10

11

MEETING ADJOURNED AT APPROXIMATELY 5:21 P.M.

Application for a Special Exception
Anderson County Land Use Board of Zoning Appeals Meeting
County Council Chambers 2nd Floor-Historic Courthouse (DISTRICT #4)
Anderson, South Carolina
August 8, 2024
5:15 PM

Staff Report

Applicant: Robert Powell on behalf of 329 Garden Way, LLC

Owner of Property: 329 Garden Way, LLC

Property Location: 329 Garden Way Dr., Anderson, SC 29625

Council District: Four (4)

Tax Map Number (TMS #): 45-04-01-020

Property Description: Rocky Creek Acres/Garden Way Drive

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: Board Interpretation of the Special Exception request for the following reasons and with following conditions.

- 1) The residence meets all the requirements for R-20 Zoning.
- 2) Has operated as a host home since July 2018.
- 3) No Restrictions are recorded in the deed and Rocky Creek Acres does not have restrictive covenants.
- 4) The use is not detrimental to public health or general welfare.
- 5) If approved, Applicant must meet all tax, fire and building code requirements, pertaining to the residential structure and obtain all necessary permits from Building and Codes and compliances from Development Standards
- 6) 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

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.

6/18/24

Date Application Received

Application Status (Approved or Denied)

All 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 the 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: Robert Powell / 329 Garden Way LLC
Mailing Address: 100 Garden Trl, Greenville, SC 29605
Telephone and Fax: 864-688-9069 E-Mail: powellrealtyandtradingsc@gmail.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.

Robert Powell, Manager

Owner's Signature

6/18/2024

Date

Project Information

Property Location: 329 Garden Way Dr, Anderson SC, 29625
Parcel Number(s)/TMS: 45-04-01-020
County Council District: District 4 School District: District 4
Total Acreage: 0.265 Current Zoning: Single Family Residential
Requested Special Exception: Single Family Residential with Exemption 5:3.2
Purpose of Special Exception: Short-term family vacation rental property

Have you researched your Private Covenants/Deed restrictions at the Anderson County Register of Deeds?
Yes: No: Date visited ROD or Date searched online: Friday June 14th, 2024

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: _____

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

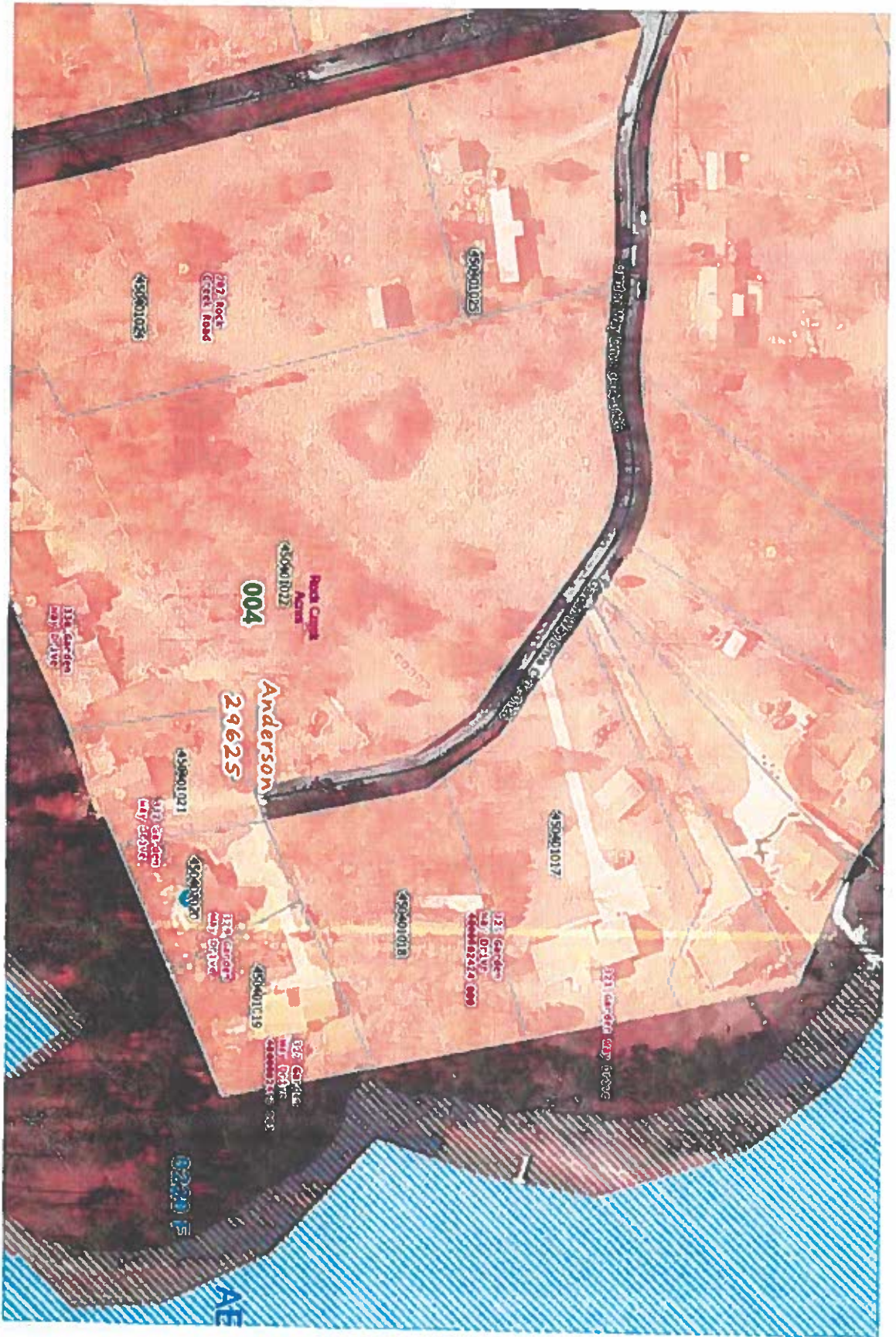
For Office Use Only:

Application Received By: HBO Date Complete Application Received: 6/18/24

Application Fee Amount Paid: \$ 300.00 Check Number: _____

Scheduled Board Hearing Date: 8/18/24

Land Use/Board of Zoning Appeals' Decision: _____



329 Garden Way Anderson County

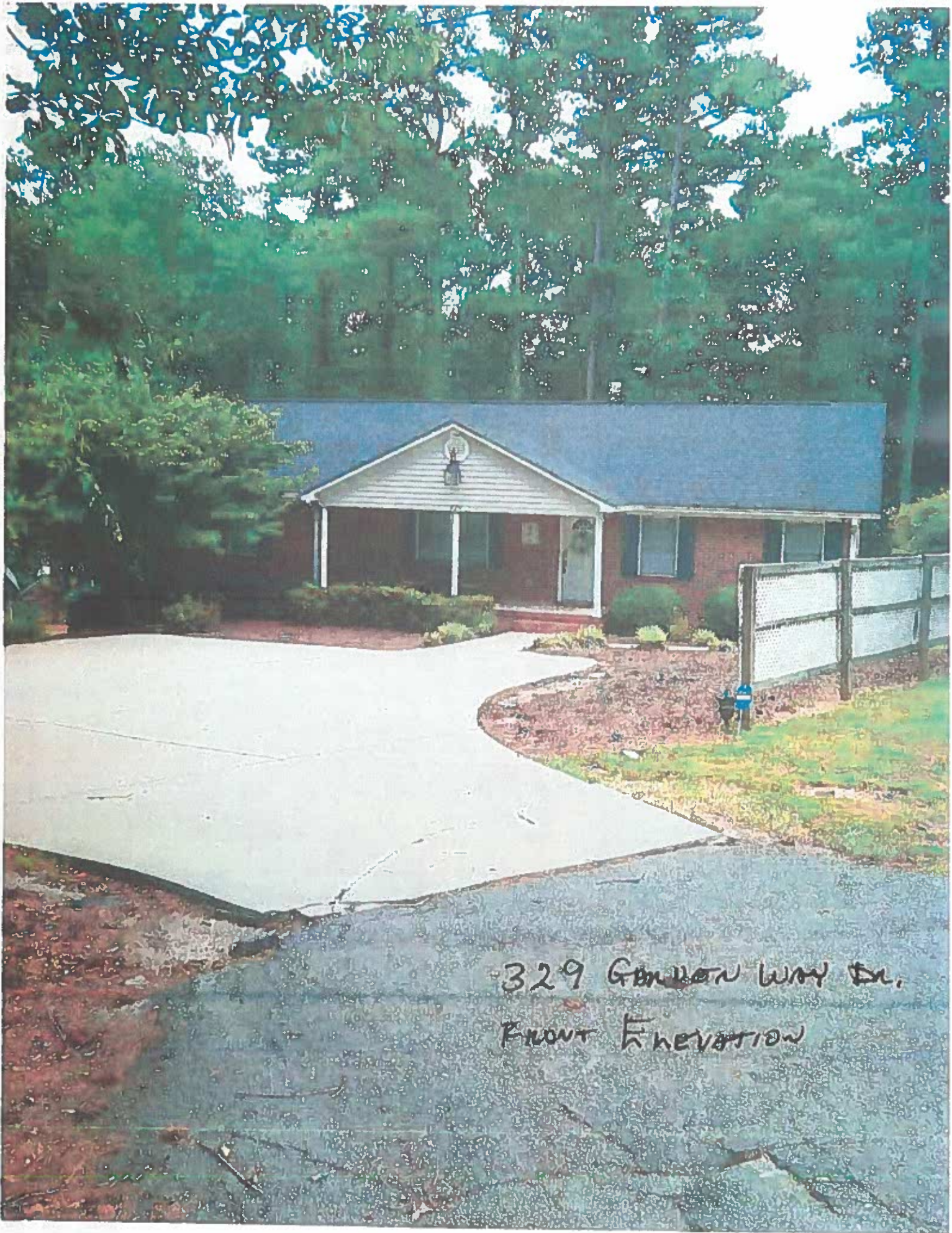


June 18, 2024 Disclaimer accepted.

TMS:	450401020
Owner:	329 GARDEN WAY LLC
Owner Address:	100 GARDEN TRAIL
City/State:	GREENVILLE SC
Deed Book:	13322
Tax District:	4
Sale Year:	2018
Deed Page:	115
Description:	GARDEN WAY DR
Sale Price:	\$220,000
Market Value:	\$252,940
Zip Code:	29605
Current Plat:	CP 110/367



1 in = 54 ft
 0 0.005 0.01 0.02 mi
 0 0.0075 0.015 0.03 km
 ESRI, HighEnd Mapping, and Anderson County GIS



329 GARDEN WAY DR.
FRONT ELEVATION

329 GARDEN WAY DR,
ANDERSON SC

Anderson County, South Carolina

County Home Page (<https://www.andersoncountysc.org/>) | Mobile (<https://pr>)

Geographic Information Systems

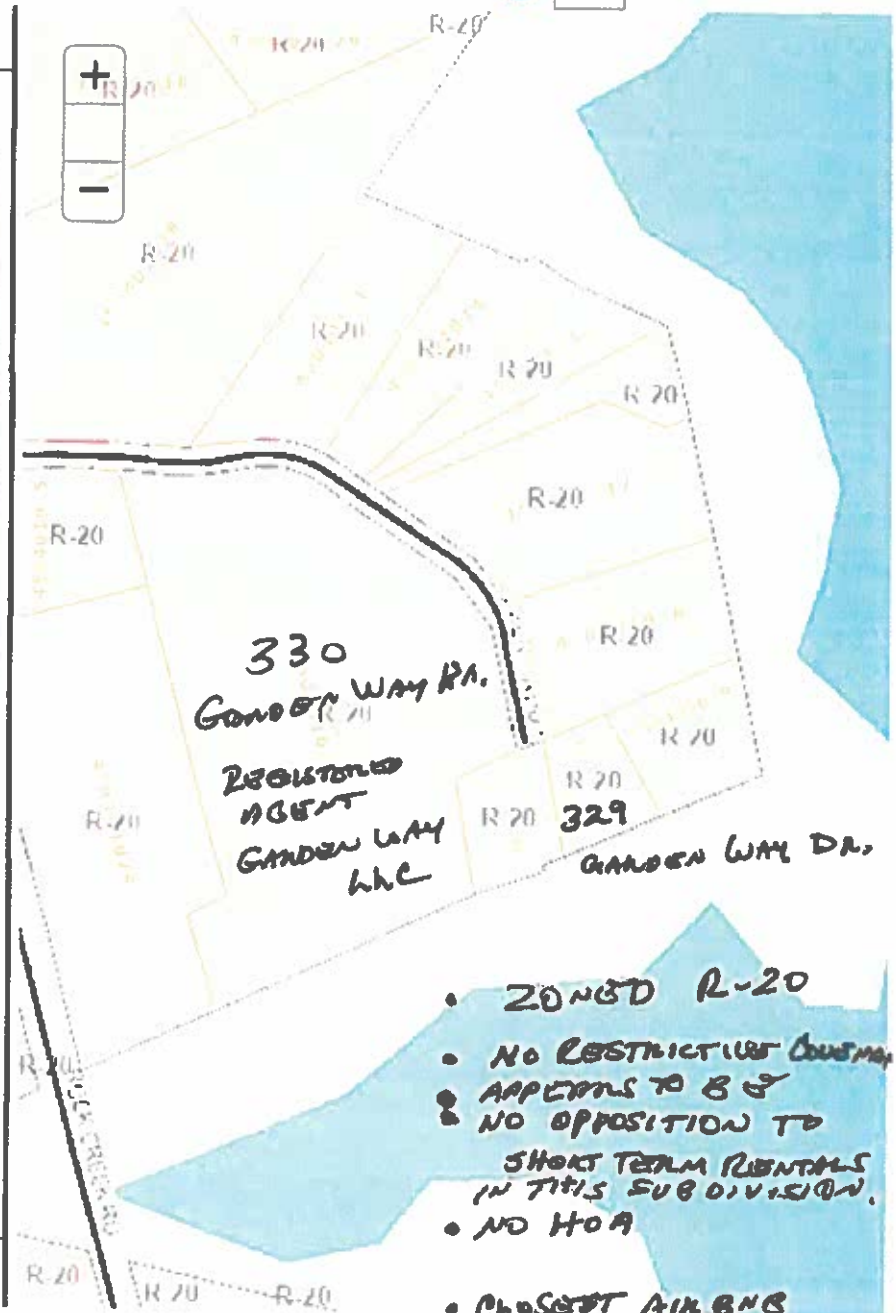


Search Results Layers

Table of Contents

- Parcel Sales
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- Parcels
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- Old Lot Lines
- Access Easement
- Parcel Hooks
- Polling Locations
- Fire Stations
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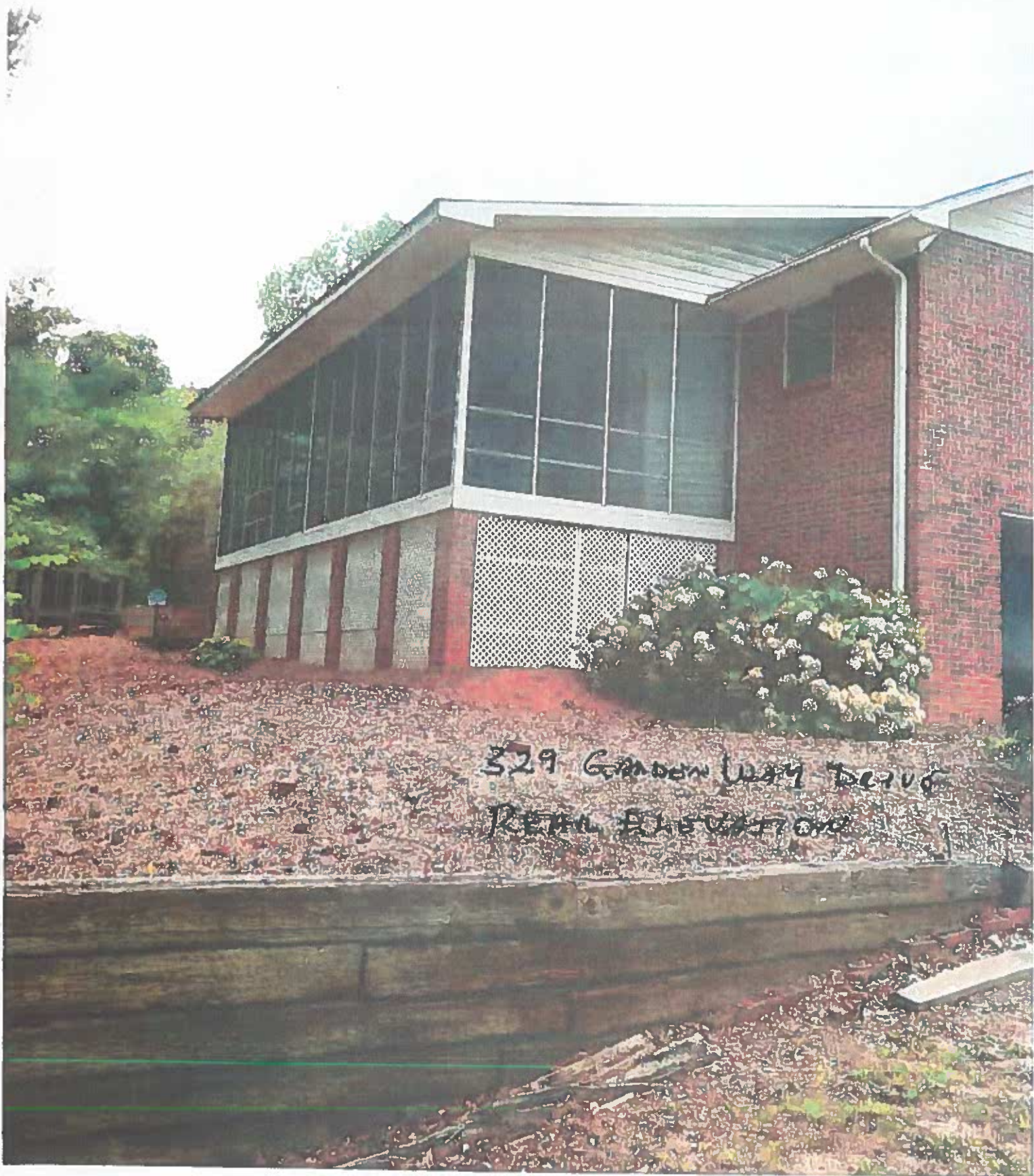
Legend



- ZONED R-20
- NO RESTRICTIVE COVENANTS
- APPEALS TO B & C
- NO OPPOSITION TO SHORT TERM RENTALS IN THIS SUBDIVISION.
- NO HOA

• CLOSEST AIRBNS
1,710 LINEAR FEET

• MAY BE STRL ACTIVITY AT 327 GARDEN WAY WHICH DOES NOT APPEAR ON ANY BOOKING PLATFORM
• 10 AIRBNS 11200 HTC



329 GARDEN WAY DRIVE
REAR ELEVATION