

NOTICE OF APPEAL

Greg Googer (Agent of owner)	(owne	er) (agent of own	er)
ereby request an appeal to the	following actio	n (be specific):	
er the Oconee County zoning ordinance the pem strict) zoning is up to 5,000 sf	nitted retail use square fo	otage in the TRD (Tradition	nal Rural
178 - 00 - 02 -	(11)	THE STATE OF THE S	
eason for appeal: Allow a single retail use of 9	,100 sf on a portion (+/-)	9 ac) of tax map 178-00-02	2-017
eason for appeal; Allow a single retail use of 9	.100 sf on a portion (+/- 1	9 ac) of tax map 178-00-02	2-011
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Anow a single retail use of 9	.100 sf on a portion (+/-)	9 ac) of tax map 178-00-02	2-017
pplicant's Name Greg Googer		9 ac) of tax map 178-00-02	2011
pplicant's Name Greg Googer ddress PO Box 100, Woodruit SC 29		9 ac) of tax map 178-00-02	2011
pplicant's Name Greg Googer ddress PO Box 100, Woodruit SC 29 failing Address (if different)		9 ac) of tax map 178-00-02	2011
pplicant's Name Greg Googer	388		

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Public Comment Thursday, November 12, 2015

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19. Lisa McNoully	Speech Exception	
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Public Comment Thursday, November 12, 2015

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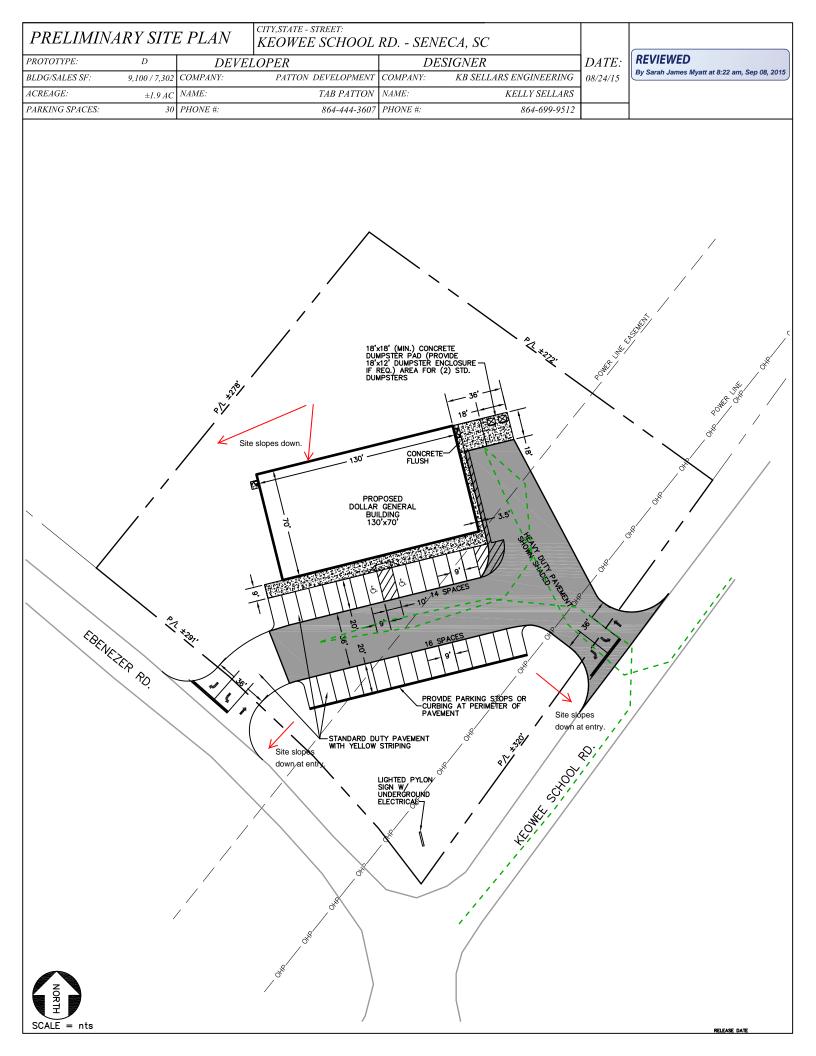
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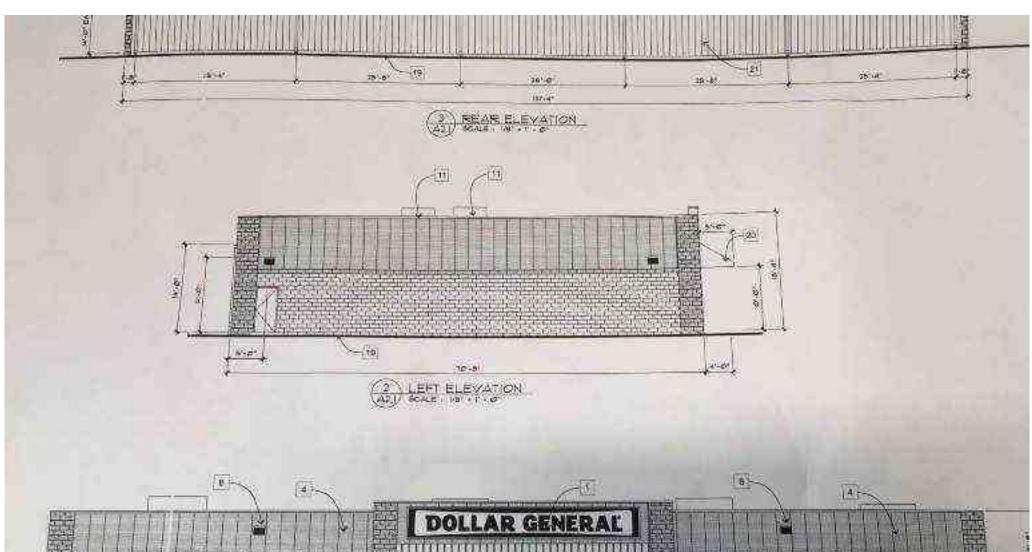
Public Comment Thursday, November 12, 2015

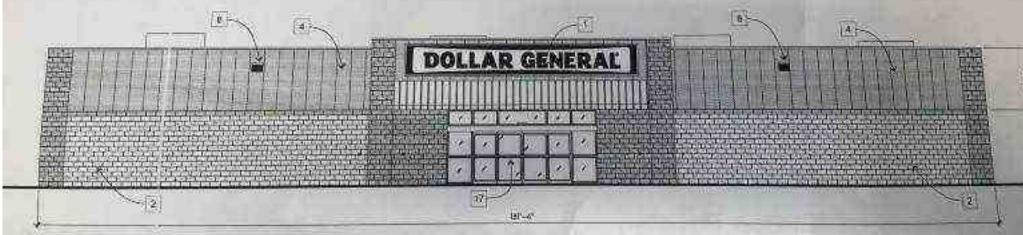
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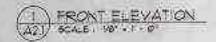
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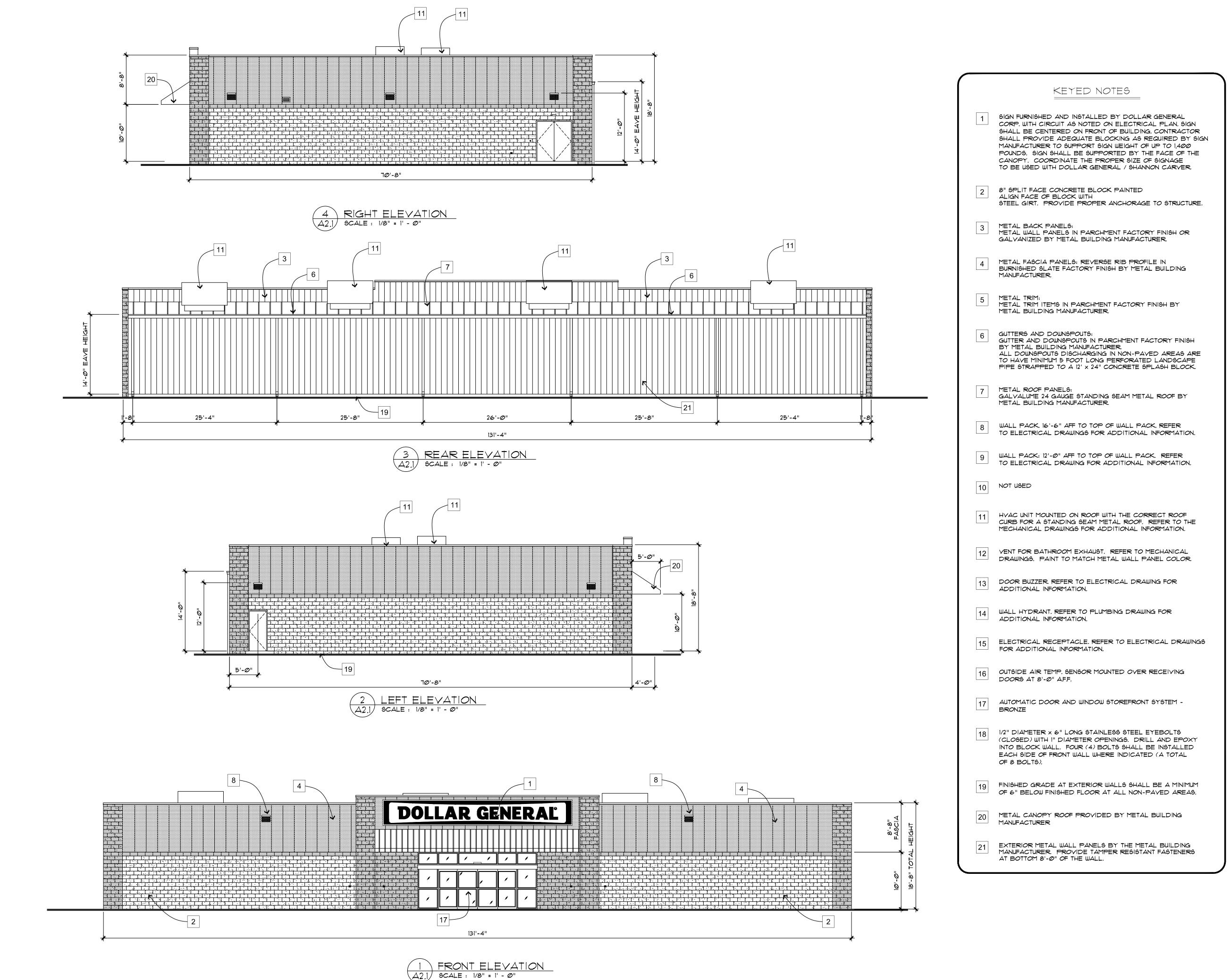
DAROL KUBACZ











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STRAPPED TO A 12' X 24" CONCRETE SPLASH BLOCK.

Craig A. Otto

DESIGN • PLANNING • ARCHITECTURE

334 Old Chapin Road Lexington, South Carolina 29072 Phone (803) 957-9004 Fax (803) 957-2050

No. Revisions Date

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Project Title

DOLLAR GENERAL SENECA, SOUTH CAROLINA

Drawing Title

EXTERIOR ELEVATIONS

Consultant

Seal

Date
NOVEMBER 10, 2015

Drawn By
OTTO

Drawing No.



To the Oconce County Board of zoning: I will be unable to attend the zoning meeting on October 29 so that I can voice my approval for the retail establishment at property + M5 # 178-00-02-011. But I do own 40 acres on the left and right of the site. This has been owned by my family for goyeers and I certainly feel that such an establishment would be an asset to the exture area. So I do hope that you will be positive in your decision on this -Think you -

Francis memahan Blakely

From: Carolyn J. MILLER < trmcjm@bellsouth.net>

Sent: Monday, October 26, 2015 3:24 PM

To: Matthew Anspach

Subject: Ebenezer & Keowee School Road

No! Not in my neighborhood! What has been a residential neighborhood is going to change into a commercial.

Now everyone will try to sell their homes.

Carolyn Miller lot 51

From: John Raymond Hess < Jhess@bellsouth.net>

Sent: Monday, October 26, 2015 3:09 PM

To: Matthew Anspach

Subject: Proposed Dollar General Store at Corner of Ebenezer and Keowee School Road

As a home owner in the Pinnacle Pointe subdivision, I would like to go on record as being **against** the re zoning to allow this type of development. Reasons:

- 1. Re zoning to allow this type of development will this intersection to potentially become a commercial intersection.... gas station, small strip store retail etc.
- 2. Intersection thus becomes a high traffic volume issue.
- 3. High traffic volume becomes "noise" pollution. Before re zoning, a noise study must be made and its impact on the nearby residential communities.
- 4. Loss of all control of what is allowed to be built on the re zoned land.

In regards, to the fact that this request for re zoning is to build a Dollar General Store:

- 1. I question the marketing study that supports demographics that show the need for such a store at this location.
- 2. The marketing study that supports that this store is economically sustainable at this location. I request that this business market study be made public.

John R (Jack) Hess 149 Pinnacle Pointe Drive Seneca SC 29672 Jhess@bellsouth.net October 21 2015 Oconee County Board of Zoning Appeals 415 South Pine St Walhalla, SC 29691

Dear Oconee County Board of Zoning Appeals Chairman and Members,

Regarding your recent Notice of Public Hearing correspondence (which was not dated by the way) we are strongly opposed to a DOLLAR GENERAL being erected at the corner or Ebenezer and Keowee School Road.

We also object to any notice of a public hearing announcement mailed only 12 days prior to a hearing. A 30 notice should be the standard lead time. Please explain to us why this short response period occurred.

Lastly, we object to, and seek an explanation for the misinformation contained in the public hearing letter referencing a "communications tower to be constructed on property TMS #178-00-02-011". The tower appeared to be noted as the primary purpose of the hearing, with only an off handed secondary reference made to the "proposed retail establishment".

We await your response.

Thank You

Thomas & Nancy Smolen

2016 Hampton Shores Drive

Seneca SC 29672

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October 22, 2015

Oconee County Board of Zoning Appeals
Oconee County Community Development
Planning & Zoning Division
415 S Pine St.
Walhalla, SC 29691

Re: Proposed Dollar General on Ebenezer Road

Dear Board of Zoning Appeals:

My wife and I own a house at 238 Long Bay Road in Oconec County. I am writing to advise you that we are opposed to any change in the zoning on Ebenezer Road which would allow a Dollar General store. Such a store would be totally out of character with this neighborhood which is primarily developed single family homes. I specifically request that you refuse any request to change zoning which would allow this type of commercial establishment.

With kindest regards, I am,

Sincerely,

- 1 /110

H_Mills Gallivan

Direct Diat: (864) 271-5341

Email mgalliyan a GWBlawfirm com

GALLIVAN ÆHITT & BOXO, P.A.

HMG ph

My name is Mike Smith from the Crestview subdivision. More than 25 upscale subdivisions lie within a mile of the intersection in question, and residents must use it daily as a "gateway" to their homes. A generic Dollar General store is inappropriate in this setting and should not be granted a Special Exception.

Aesthetics that incorporate "rustic elegance" should be the main topic for this Special Exception. Section 38-7.2 (3) addresses some of your guidance by stating ".... Designed, constructed, operated and maintained so as to be in harmony appropriate in appearance to the existing or intended character of the general vicinity." The store Yuppers' should not be used as a reference or benchmark for establishing the intended character of the general vicinity. Rather, the benchmark should be the numerous well-established and maintained neighborhoods that surround the intended construction site. Several aesthetically pleasing Dollar General exteriors can be found on the Internet by typing in "dollar general store fronts". Some considerations that might make the store's appearance more in keeping with the area include:

- Use the "rustic elegance" theme in the front façade
- Reduce the size of the "Dollar General" logo. There is no need for a large billboard in this location to pick the store from its surroundings.
- Cover cinderblock sides with brick, stone, or stucco veneer.

- Landscape using suitable trees and shrubs to help the store meld into its surroundings.
- Use downcast lighting to minimize glare and intrusion to the area.
- Hide trash containers and similar eyesores behind walls, berms, or fences.

Attached are several pictures that emphasize aesthetics and some that illustrate when this concept is not utilized. First, Yuppers' convenience store across the street should **not** be used to establish a benchmark for further development. The next three photos illustrate an intersection on Wells Highway where aesthetics were not considered effectively. The next shows the 'standard' Dollar General store and exterior storage in view from the street. The next shows a Dollar General store with a pleasing exterior that was found on the internet. There are several other Internet examples available. Lastly, there are two photos showing locally aesthetically pleasing business exteriors, signage and well maintained landscaping.

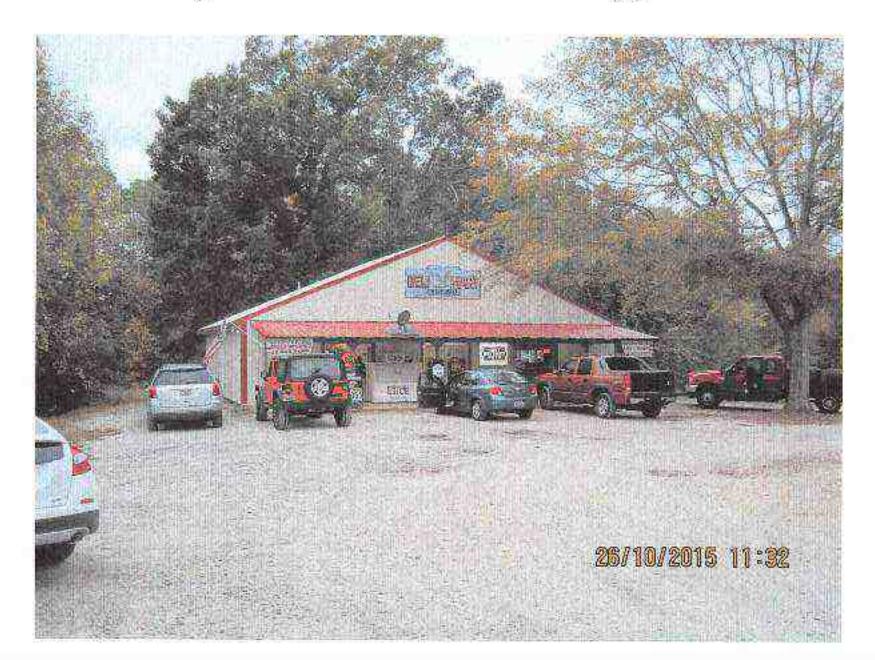
A typical Dollar General store may be acceptable in a commercial retail district, but is inappropriate for this particular surrounding residential area. It should not qualify for a <u>Special Exception</u>. Requiring significant aesthetic enhancements is consistent with Oconee County's "Rustic Elegance" theme, is entirely within the BZA's authority, and the only way an exception should be granted.

Thank you for your careful consideration of this matter.

Section 38-7.2 Special Exceptions

"(3) Suitable for the property in question and designed, constructed, operated, and maintained so as to be in harmony appropriate in appearance to the existing or intended character of the general vicinity"

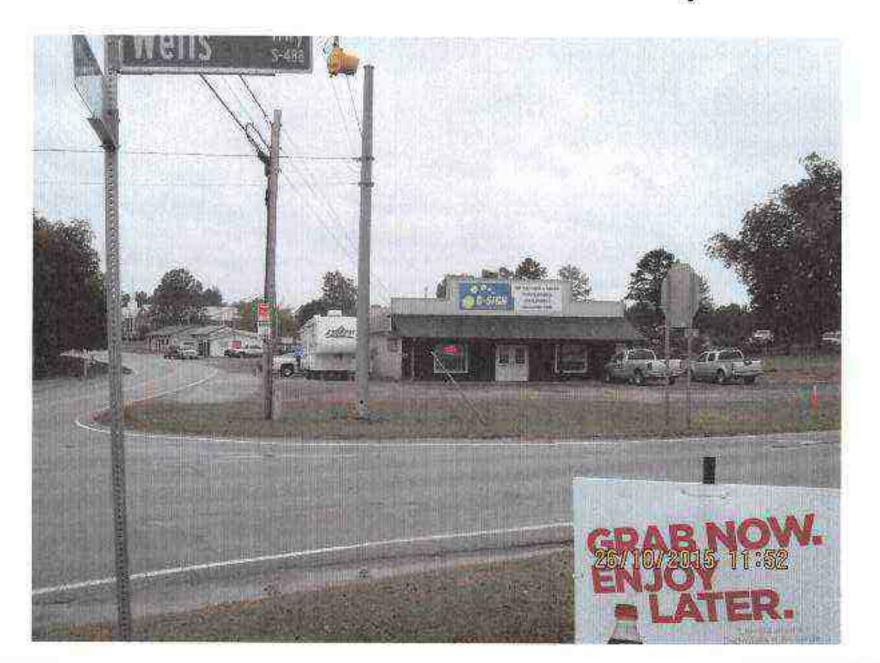
Adjacent to Building Site



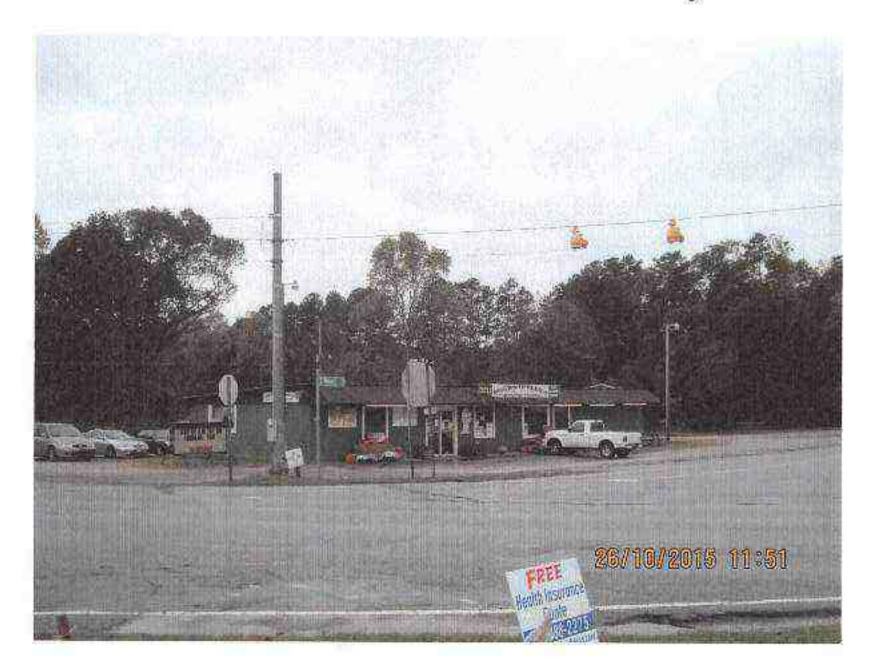
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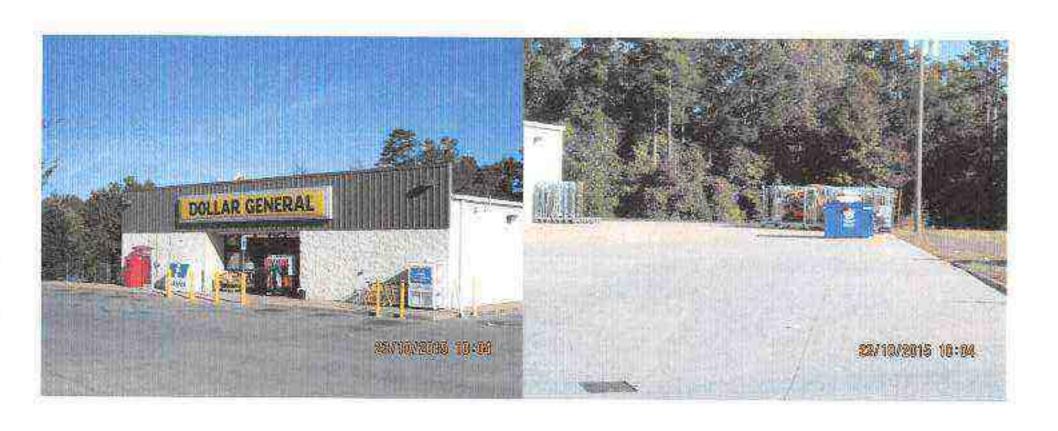
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Corner on Wells Hwy



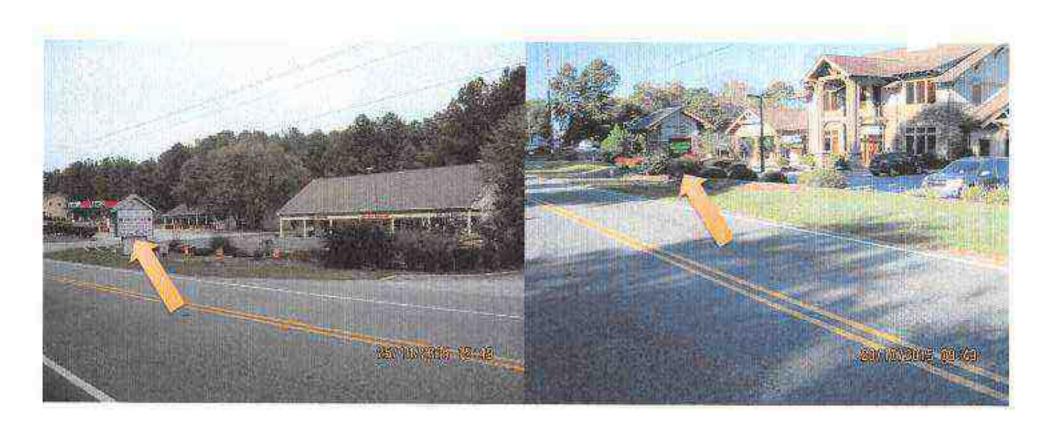
Typical Dollar General



Another Dollar General Store



Harmonious Commercial Areas



Good Landscaping and Signage



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FINEL LIW HEM LLC Pdd Chios 8to 71787

North Chargeston, South Caroline 29435 (843) 577 6460 Attorneys for Pteintill

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Acct#:63480 Ad#:15307 Phone#:864-364-5109 Date: 10/28/2015

Salesperson: DMARTIN

Classification: Legals

Ad Size: 1.0 x 2.20

Advertisement Information:

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Affidavit Fee	-	-	-	-	5.00

Payment Information:

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Type

10/28/2015

15307

BILLED ACCOUNT

Total Amount: 33.27 Amount Due: 33.27

Comments: Public Hearing on November 12, 2015

Attention: Please return the top portion of this invoice with your payment including account and ad number.

Ad Copy

The Oconee County Board of Zoning Appeals will conduct a public hearing on Thursday, November 12th, 2015 at 6:00 p.m. in the Council Chambers of the County Administrative Complex, 415 S. Pine Street, Walhalla, SC 29691. This date and time will replace the previously posted date for the hearing which was Thursday, October 29. The applicant, Greg Googer is requesting a Special Exception regarding a proposed retail establishment to be located at the northwest quadrant of the intersection at Ebenezer and Keowee School Roads, West Union, SC, 29696 (TMS# 178-00-02-011). If you would like additional information concerning this request please contact the Community Development Office at 864-638-4218.

2 of 2 10/28/2015 9:00 AM

PUBLISHER'S AFFIDAVIT

STATE OF SOUTH CAROLINA COUNTY OF OCONER

OCONEE COUNTY COMMUNITY DEVELOPM

IN RE: Public Hearing on November 12, 2015

BEFORE ME the undersigned, a Notary Public for the State and County above named. This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of THE JOURNAL, a newspaper published Tuesday through Saturday in Seneca. SC and distributed in Oconec County, Pickens. County and the Pendleton area of Anderson County and the notice (of which the annexed is a true copy) was inserted in said papers on 10/29/2015 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.

Hal Welch General Manager

Subscribed and sworn to before me this 10/29/2015

Jennifer A. White Notary Public

State of South Carolina

My Commission Expires July 1, 2024

DERRIFER A WHITE NOTARY PUBLIC Sease of South Carolina My Commission Expires July 1, 2024

From: thomcraft.tc@gmail.com

Sent: Tuesday, November 03, 2015 12:40 PM To: Matthew Anspach; Josh Stephens

Subject: Re:

I wanted to follow up on my email ... Please if you speak for my email please reference this also .. Several people have complained about the dollar store and I've explained how it would be nice to have it built nice and not the metal .. I'm totally against it if it's built cheap and not with Rock or all brick because from the feed back I've been getting the neighbors have been calling me and complaining ... If this passes and if it's not built to good high quaintly structure it will a eye sore to the community .. In everyone opinion and especially in that area ... Thanks Thom craft

Sent from my iPhone

> On Oct 28, 2015, at 9:13 PM, thomcraft.tc@gmail.com wrote:

>

- > To whom it may concern ...
- > I am a developer of the oaks on hwy 188 .. It's a very high end development on Keowee ... I compare the quality of the oaks to the cliffs.. Over all it's probably a 15 million dollar over all investment after all the houses get built ...I can't be at the meeting however I would like to express my concern .. The dollar general that y'all are trying to get passed I would like to see it designed in a nicely built fashion .. Rather than the metal siding building I would like to see a brick building or rock face structure not just the plain metal cheap structure ..I don't feel like this is to much to ask because it's such a nice area ..People have invested in million dollar homes on the beautiful lake Keowee and we need to keep it looking good if any retail space is allowed ..I'm for the dollar general but in my opinion I think it needs to be built in a beautiful fashion instead of plain metal siding .. They built one out of all brick in rock hill sc and if they did it there then they can do it here .. It means a lot to the people in the area that it's built in a fashion that looks appealing to the community .. Let's keep the community looking good and don't put up a plain Jane metal building .. Thank you for your time in this matter .. Thom craft

>

> Sent from my iPhone

From: Carolyn J. MILLER < trmcjm@bellsouth.net>

Sent: Friday, November 06, 2015 9:29 AM

To: Matthew Anspach Subject: Ebenezer @188

Dear Zoning Board,

The residents of Seneca and surrounding areas have lost domains due to NO ZONING LAWS! Pig farms next to anywhere. Factories in our local developments.

We are permitted to send our opinions and objections to these projects as a exercise in futility. Those of us who have opposing opinions might as well save the print. This has been a done deal. One supposed nearby resident suggested interest in the aesthetic appearance of Dollar General in that it should fit into the countryside, have nice landscaping, limited size and be "lite-up". He was also a "consulting engineer". ? These business ventures will and are done for the Dollar General owners and the investors! It is about the money!

The development of Bounty Land continues. The storage shed, Christian Day School, church, a REAL ESTATE HOUSE THAT IS AN OFFICE, the Sandwich Deli, a communications tower and so on.

TRAFFIC! Soon we'll have to widen 188 to a four-lane near Ebenezer. Then, I'll bet that a Gas Station will be constructed. Growth? The preservation of the natural surroundings of Lake Keowee? No. Residents will cease buying in a commercial area as this area will become.

I have been here 20 years. I believe in growth and the ability to earn money through investments. But, this project has decreased the value of my home. As a widow, I had planned to will my lake home to my only child and subsequently to his only child.

Now, its setting is traffic, noise, stop lights that make it difficult to exit onto 188, and the devaluing of my investment. With the severe recession we all suffered in 2008, I have seen a dramatic loss in my home value. But Dollar General and its investors will make their money off residential homeowner's backs.

AH! Oconee Zoning!

Sincerely,

Carolyn Miller Pinnacle Pte. Drive

From: Josh Stephens

Sent: Tuesday, November 03, 2015 9:24 PM

To: Matthew Anspach

Subject: Fwd: DOLLAR GENERAL......EBENEZER AT HWY 188

Sent from my iPad

Begin forwarded message:

From: "SLewis@h2l.com" <SLewis@h2l.com>
Date: November 3, 2015 at 8:51:38 PM EST
To: Josh Stephens <jstephens@oconeesc.com>

Subject: DOLLAR GENERAL......EBENEZER AT HWY 188

Josh,

I got your phone message, and appreciate you calling. Unfortunately, I have not been able to get back to you.

But did want to get a message to you that I hope will be passed on to the Board of Zoning Appeals before their meeting this Thursday.

As I know you and the Board appreciate, the development on and around Lake Keowee is predominantly keyed to the natural beauty and attraction of the lake. Most new development tends to be residential in nature and driven by the magnetism of the lake. It is important that other development, especially commercial development, which comes to this area of Oconee County be implemented in a manner which protects and preserves the natural beauty which has and continues to attract people to this particular region of the county.

I realize the zoning classification for the property of interest to Dollar General permits limited commercial development, and I do not object to that. I understand that Dollar General is seeking approval to construct a store of greater area than permitted by the zone classification. I do not object to that....IF PROVISIONS ARE TAKEN TO PRESERVE AND COMPLIMENT THE NATURAL BEAUTY OF THIS LAKE KEOWEE DEVELOPMENT AREA.

From what I have been told, the architectural standards that Dollar General will, or should be, required to adopt is that of Rustic Elegance. I am in favor of requiring that as a condition of development by Dollar General.

My request to the Board is that County imposed conditions related to approval of Dollar General's request include at least the following four elements:

- 1) Store design implementing the Rustic Elegance architectural theme on all wall elevations visible from any road and shoulder locations,...with approval by the County
- 2) Landscaping that will compliment the building architecture and will provide buffers along adjacent property lines....with approval by the County, and
- 3) Restrictions (to be determined, if not already in place) on height, size and appearance of signage....with approval to be provided by the County.

4) Restrictions (to be determined, if not already in place) on style, height and illumination levels of outside lighting to avoid light pollution beyond prescribed limits of the property lines...with approval by the County.

Thank you for considering this request.

I would be pleased to assist in the development of standards for any or all of the above if asked to do so.

FYI, my interest is as a full time resident in the Woods at Keowee, one of many lakefront residential communities on the Lake.

Regards,

Skip Lewis H2L Consulting Engineers 116 South Pleasantburg Dr. Greenville, SC 29607 (864) 233-8844

From: dkubacz . <uhuruascent@gmail.com>
Sent: Friday, November 06, 2015 7:24 AM

To: Matthew Anspach Cc: Josh Stephens

Subject: Zoning Appeal Protest (TMS) 178-00-02-011

I'm writing this note in protest of the proposed development of retail within a Traditional Rural District.

DAROL KUBACZ

Josh Stephens

From: fpisley@bellsouth.net

Sent: Sunday, November 08, 2015 3:35 PM

To: Josh Stephens

Subject: Dollar General Proposal

Josh,

I got your name from Jim Codner.

I would appreciate it if you would forward this letter to whomever you feel is the appropriate party.

Thank you for you assistance.

Fred Isley

November 7, 2015

Dear Sirs:

As residents of the Pinnacle Pointe subdivision, there are several points we would like to offer for your consideration regarding the proposed Dollar General Store at the intersection of Hwy 188 and Ebenezer Road.

Traffic: It is already difficult to exit Pinnacle Pointe and other subdivisions in this area at certain times of the day due to traffic on 188. Adding a retail commercial establishment at the intersection will exacerbate the problem. In addition, if one is built, the commercial development of all four corners will likely follow creating a dangerous intersection on a 2 lane highway.

Future Planning: Allowing commercial development along the 188 corridor is going to necessitate the widening of 188 to 4 lanes as well as having to construct two 4 lane bridges across the lake. With the current South Carolina road crisis, this would be a disruptive and costly project.

Impact on Immediate Area

Gateway Concept: Entries into areas are important from both convenience as well as overall impressions of an area. The junction of Keowee School and Ebenezer/Biggerstaff roads is the key entry point for the western shores of Lake Keowee. Initial steps in commercialization often set the tone for future development.

Developments: Using a radius of 2.5 miles from the intersection, an area of approximately 20 square miles contains at least 36 lakeside neighborhoods containing 300+ homes with undeveloped lots in similar numbers.

Estimated Property Valuations: Using a conservative valuation of \$600,000/ home and a future conservative valuation of \$200,000/lot can be attached to these properties for a total of \$180,000,000. Build out values on the undeveloped lots will add at least another \$120,000,000 to the valuation. Total over \$360 million.

Devaluation of the Property Tax Base: The ongoing financial health of these neighborhoods can be significantly influenced, either positively or negatively, by the appearance of the gateway. People simply are **not going** to build \$600,000+ homes if they are afraid that a discount store and neon signs could possibly be next door and if they cannot easily exit their neighborhood to go to work or to go shopping.

The Bountyland area near the intersection of Highways 28 and 188 is offered as a better location for Dollar General due to the existence of a traffic light, 4 lane road and other existing complementary businesses such as a drugstore, bank, restaurants and gas station. These combined with the Dollar General would offer a more complete shopping experience in one location without causing the traffic and devaluation problems outlined above.

If outright rejection of the project is not feasible the Board should consider the relocation to Bountyland as a second choice. The adoption of the Rustic Elegance architectural elevation referred to in a letter by Mr. Skip Lewis to Mr. Josh Stephens would be much preferred to the usual Dollar General standard design if no other options are viable.

We strongly urge you to reject this project, or at least modify the location or design of this project.

Sincerely, Mary and Fred Isley 122 Pinnacle Pointe Drive Seneca

From: Charlotte Akridge <charlotteann70@icloud.com>

Sent: Sunday, November 08, 2015 10:16 PM

To: Matthew Anspach

Subject: DG AT KEOWEE AND EBENEZER ROADS

Congestion, congestion, congestion will be loaded onto an intersection that is already highlighted as a dangerous intersection with flashing lights and sign over the middle of the road!!

Does the County care more for revenues than human life ?? To me it is a political move without thinking of the consequences.

My husband and I vote NO. NO. NO TO ADDING A DG AT THIS INTERSECTION.

Bill and Charlotte Akridge 108 Woods Drive West Union, SC 29696

Sent from my iPad

From: Josh Stephens

Sent: Friday, November 06, 2015 12:29 PM

To: Matthew Anspach

Subject: FW: DOLLAR GENERAL......EBENEZER AT HWY 188

From: Pete Ebersole [mailto:pebersole@archall.net]
Sent: Thursday, November 05, 2015 2:34 PM

To: Josh Stephens

Cc: <u>SLewis@h2l.com</u>; John Conway; Maria Ebersole

Subject: FW: DOLLAR GENERAL......EBENEZER AT HWY 188

Josh

My wife and I are both architects, have both a lot and a house in the area and echo the comments made by Skip below. We would only add the following comments:

-Special effort should be made to address the blank non-windowed elevations that typically show up on Dollar General buildings.

-Landscaping, solid walls and gates should be added to properly enclose the dumpster.

Thank You,
Pete Ebersole

ARCHITECTURAL ALLIANCE

954-764-8858 x13 w 954-801-3889 c

From: <u>SLewis@h2l.com</u> [mailto:<u>SLewis@h2l.com</u>] Sent: Tuesday, November 03, 2015 8:52 PM

To: jstephens@oconeesc.com

Subject: DOLLAR GENERAL......EBENEZER AT HWY 188

Josh,

I got your phone message, and appreciate you calling. Unfortunately, I have not been able to get back to you.

But did want to get a message to you that I hope will be passed on to the Board of Zoning Appeals before their meeting this Thursday.

As I know you and the Board appreciate, the development on and around Lake Keowee is predominantly keyed to the natural beauty and attraction of the lake. Most new development tends to be residential in nature and driven by the magnetism of the lake. It is important that other development, especially commercial development, which comes to this area of Oconee County be implemented in a manner which protects and preserves the natural beauty which has and continues to attract people to this particular region of the county.

I realize the zoning classification for the property of interest to Dollar General permits limited commercial development, and I do not object to that. I understand that Dollar General is seeking approval to construct a store of greater area than permitted by the zone classification. I do not object to that...IF PROVISIONS ARE TAKEN TO PRESERVE AND COMPLIMENT THE NATURAL BEAUTY OF THIS LAKE KEOWEE DEVELOPMENT AREA.

From what I have been told, the architectural standards that Dollar General will, or should be, required to adopt is that of Rustic Elegance. I am in favor of requiring that as a condition of development by Dollar General.

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