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## Meeting agenda April 26, 2021

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1. Call to order
2. Appoint Secretary
3. Approval of minutes: 01/27/2021 and 03/22/2021
4. Brief statement about rules and procedures
5. VA 21-005: Property owner The Neal Group SC, LLC is requesting a +/-7' Variance from the 25' setback requirement from the right-of-way/property line to permit an existing foundation for a home at 202 Cove Ct, Seneca 29672 (Tax ID# 193-08-01-021)
6. SE21-03: Phoenix Development Group Partners – Daniel Marinko has requested a Special Exception for a full-service Independent Living, Assisted Living, and Memory Care facility at an unaddressed parcel at the NE corner of Sheep Farm and Bountyland Roads. (Tax ID# P/O 207-00-01-017)
7. Adjourn

## Oconee County Board of Zoning Appeals

### When & Where

6PM

Monday April 26, 2021

Council Chambers

415 South Pine Street

Walhalla, S.C.

### Alternative participation

**YouTube:** "YourOconee"

**Zoom:** 888-475-4499 or 877-853-5257 and entering meeting ID # 828 4377 0168

**Radio:** F.M. 92.3 (within 500' of Council Chambers)

### Staff contact

846-638-4218

[planninginfo@oconeesc.com](mailto:planninginfo@oconeesc.com)

### LIMITED IN-PERSON

#### ATTENDANCE

#### PERMITTED

Due to the Novel Coronavirus pandemic and the ongoing state of emergency, in-person attendance at this Commission meeting by members of the general public will be limited. Attendance will be limited to twenty percent of the stated maximum occupancy, which equates to thirty-four (34) persons (including Council members, other elected officials, and staff). Attendees will be required to sit in designated seats, appropriately spaced. In-person attendance will be allowed on a "first-come" basis.



Minutes  
Wednesday, January 27, 2021 at 6PM

**Members in Attendance**

Jim Codner  
John Eagar  
Bill Gilster  
Gwen Fowler  
Marty McKee

**Staff**

Adam Chapman, Secretary  
Vivian Kompier

**Media**

None

**ITEM 1- Call to Order**

Mr. Adam Chapman called the meeting to order at 6PM

**ITEM 2- Election of officers**

Mr. Chapman held the election for Chairman of the Board of Zoning Appeals.

Chairman – Mr. Bob Gilster nominated Mr. Jim Codner. There were no other nominees. The vote for Mr. Codner as Chairman was 5-0 in-favor.

Vice- Chairman- Mr. Codner held the election for Vice-Chairman of the Board of Zoning Appeals. Mr. Codner nominated Mr. John Eagar. There were no other nominees. The vote for Mr. Eagar as Vice- Chairman was 5-0.

Secretary Mr. Codner held the election for Secretary. Mr. Eagar nominated Mr. Chapman. There were no other nominees. The vote for Mr. Chapman was 5-0.

**ITEM 3- Approval of the 2021 calendar of meetings for the Board of Zoning Appeals**

1. Motion to approve the calendar of meetings as supplied by staff – Mr. Eagar
2. Second the motion- Mr. Gilster
3. Vote – 5-0 in-favor

**ITEM 4- Brief statement about rules and procedures**

- A. Applicant will provide a presentation about the needs for the variance for 5-minutes with the chairman having the unilateral ability to grant more time as needed.
- B. Staff will address any additional issues
- C. Citizen comment- 5-minutes each
- D. Applicant rebuttal and questions from Board members
- E. Voting

**ITEM 5- Approval of minutes - September 28<sup>th</sup>, 2020 meeting**

- Motion to approve – Mr. Eagar  
Second the motion – Mr. Marty McKee  
Vote – 5-0 in favor

**ITEM 6- Variance request for application #VA-20-06A related to number of free-standing signs located at 132 Grubbs Road, Fair Play, SC 29643 TMS# 341-00-04-001. An increase from the permitted one (1) sign per parcel to two (2) signs per parcel**

**1. Applicant presentation** – Mr. Bob Cash from CESO representing Speedway LLC gave an overview and the rationale for requesting more than one sign per property. Mr. Cash noted that having two signs, due to topography, safety and lay of the land was needed for the Speedway business model to work.

**2. Staff comment** – Mr. Chapman noted that approval of a second sign would be approving a sign of the currently permitted height and area in the code of ordinances.

**3. Citizen comment** – Mr. Kenneth Jackson asked several questions related to current ownership, residential usage and the need for a variance as a non-residential usage. Mr. Codner asked staff for clarification on ownership and usage. Mr. Chapman noted that Mr. Cash is doing due-diligence as is the industry norm to due prior to purchase. Mr. Chapman noted that the property is taxed residential but the underlying zoning is Control-Free within the I-85 / Carolina Gateway overlay.

**4. Applicant rebuttal** – None

**5. Board member questions** - None

**Board considerations:**

1. There *are* extraordinary and exceptional conditions pertaining to the particular piece of property;
  - a) Motion (in the Affirmative): Mr. Eagar
  - b) Second: Mr. Gilster
  - c) Vote: 5-0 in favor
  
2. These conditions *do not* generally apply to other property in the vicinity;

- a) Motion (in the Affirmative): Mr. Eagar
  - b) Second: Mr. McKee
  - c) Discussion
  - d) Vote: 5-0 in favor
3. Because of these conditions, the application of this chapter to the particular piece of property *would* effectively prohibit or unreasonably restrict the utilization of the property; and
- a) Motion (in the Affirmative): Mr. Eagar
  - b) Second: Mr. Gilster
  - c) Vote: 5-0 in-favor.
4. The authorization of a variance *will not* be of substantial detriment to adjacent uses or to the public good, and the character of the district will not be harmed by the granting of the variance.
- a) Motion (in the Affirmative): Mr. Eagar
  - b) Second: Mr. Gilster
  - c) Vote: 5-0 in favor

Based on the evidence presented to the Board, do I hear a motion that the proposed Variance be approved.

- a) Motion/second: Mr. Eagar/Ms. Fowler
- b) Vote: 5-0 in favor

**ITEM 7 -** Variance request for application #VA-20-06B related to signage height located at 132 Grubbs Road, Fair Play, SC 29643 TMS# 341-00-04-001. **190' vertical-increase variance from the 10' height limit for a "high-rise" type sign.**

1. **Applicant presentation** – Mr. Bob Cash from CESO representing Speedway LLC gave an overview and the rationale for increasing the sign height to 200'. Mr. Cash stated that the requested height is essential for potential customers to know where the business is located. He referenced a sign study which showed that a 200' sign is visible ½ mile out, giving a driver the minimum distance to make a decision and safely exit the interstate. Mr. Cash added that the requested sign is typical of signs throughout the country and is nothing out of the ordinary.
2. **Board questions** – Mr. Codner questioned the absence of the Love's sign from the study and asked if Mr. Cash if he knew the height of the Love's sign. Mr. Cash did not know the height but stated that if you compare the elevation of the Love's sign to where they want their sign, they are very similar from the viewpoint of the highway. David Dafron, the official applicant and planning project manager for Speedway, presented pictures from the sign study that provided a visual for the requested height. Mr. Gilster raised concerns about the fall zone if the sign was compromised. Mr. Cash referred to sign site plan showing where the sign would be located in relation to the highway, the building and neighboring properties. He stated there would be no danger of sign hitting anything if it fell. Mr. Dafron added that they use a contracted foundation/geotech specialist to ensure they have the safest product in their foundations. Mr. Eagar asked what the sign design specifications were with regards to wind. Mr. Cash confirmed the sign was designed to State code as well as State and Federal highway standards. Mr. Dafron stated he could confirm and was

confident that their architects and designers make every effort to comply with all requirements and build to all specifications. Mr. McKee asked if the grade at the proposed location of the sign was the same as the site for the building to rule out an elevation advantage for the sign location. Mr. Cash stated the ask of a 200' sign is based on a balloon test to determine optimum visibility at a specific site. He added they would not move the sign from that proposed site to take advantage of a higher elevation.

**3. Citizen comment – None**

**4. Staff comment –** Mr. Chapman clarified that this request was for the height of one of The two signs that were just approved. This request is not for the height of an additional sign. Mr. Chapman confirmed that there are no sign ordinances that requires a safe fall zone.

**5. Applicant rebuttal – None**

**Board considerations:**

1. There *are* extraordinary and exceptional conditions pertaining to the particular piece of property;
  - a) Motion (in the Affirmative): Mr. Eagar
  - b) Second: Mr. McKee
  - c) Vote: 5- in favor
2. These conditions *do not* generally apply to other property in the vicinity;
  - a) Motion (in the Affirmative): Mr. Eagar
  - b) Second: Mr. Gilster
  - c) Vote: 5-0 in favor
3. Because of these conditions, the application of this chapter to the particular piece of property *would* effectively prohibit or unreasonably restrict the utilization of the property; and
  - a) Motion (in the Affirmative): Mr. Eagar
  - b) Second: Mr. McKee
  - c) Vote: 5-0 in favor
4. The authorization of a variance *will not* be of substantial detriment to adjacent uses or to the public good, and the character of the district will not be harmed by the granting of the variance.
  - a) Motion (in the Affirmative): Mr. Eagar
  - b) Second: Mr. Gilster
  - c) Vote: 5-0 in favor

Based on the evidence presented to the Board, do I hear a motion that the proposed Variance be approved.

- a) Motion/second: Mr. Eagar/Mr. McKee
- b) Vote: 5-0 in favor

**ITEM 8-** Variance request for application #VA-20-06C related to signage sign-face area located at 132 Grubbs Road, Fair Play, SC 29643 TMS# 341-00-04-001. **552 square-foot increase variance from the 75 square-foot limit for the sign faces on the “high-rise” type sign.**

1. **Applicant presentation** – Mr. Bob Cash from CESO representing Speedway LLC gave an overview and the rationale for increasing the sign face on the high-rise sign by 552 square-feet. Mr. Cash explained that expanding the sign face goes hand-in-hand with increasing the height—the sign face and lettering must be increased so motorist can read the sign.
2. **Staff comment** – None
3. **Citizen comment** – None
4. **Applicant rebuttal** – None
5. **Board member questions** - None

**Board considerations:**

1. There *are* extraordinary and exceptional conditions pertaining to the particular piece of property;
  - a) Motion (in the Affirmative): Mr. Eagar
  - b) Second: Ms. Fowler
  - c) Vote: 5-0 in favor
2. These conditions *do not* generally apply to other property in the vicinity;
  - a) Motion (in the Affirmative): Mr. Eagar
  - b) Second: Ms. Fowler
  - c) Vote: 5-0 in favor
3. Because of these conditions, the application of this chapter to the particular piece of property *would* effectively prohibit or unreasonably restrict the utilization of the property; and
  - a) Motion (in the Affirmative): Mr. Eagar
  - b) Second: Mr. Gilster
  - c) Vote: 5-0 in favor
4. The authorization of a variance *will not* be of substantial detriment to adjacent uses or to the public good, and the character of the district will not be harmed by the granting of the variance.
  - a) Motion (in the Affirmative): Mr. Eagar
  - b) Second: Mr. Gilster
  - c) Discussion
  - d) Vote: 5-0 in favor

Based on the evidence presented to the Board, do I hear a motion that the proposed Variance be approved (or denied if even one criterion is not met).

- a) Motion/second: Mr. Eagar/Mr. McKee
- b) Discussion:

c) Vote: 5-0 in favor

**ITEM 9-** Variance request for application #VA-20-06D related to signage height located at 132 Grubbs Road, Fair Play, SC 29643 TMS# 341-00-04-001.  
**10' vertical-increase variance from the 10' height limit for a "goal-post" type sign.**

1. **Applicant presentation** – Mr. Bob Cash from CESO representing Speedway LLC gave an overview and the rationale for increasing the goal post sign. Mr. Cash stated this sign would be the sign at the entrance. Increasing the height to 20' would allow motorist to see the store location and pricing once off the exit ramp. Mr. Cash added that this is a standard Speedway sign and is very similar to the Love's sign across the street.
2. **Staff comment** – None
3. **Citizen comment** – None
4. **Applicant rebuttal** – None
5. **Board member questions** – None
  1. There *are* extraordinary and exceptional conditions pertaining to the particular piece of property;
    - a) Motion (in the Affirmative): Mr. Eagar
    - b) Second: Mr. Gilster
    - c) Vote: 5-0 in favor
  2. These conditions *do not* generally apply to other property in the vicinity;
    - a) Motion (in the Affirmative): Mr. Eagar
    - b) Second: Mr. McKee
    - c) Vote: 5-0 on favor
  3. Because of these conditions, the application of this chapter to the particular piece of property *would* effectively prohibit or unreasonably restrict the utilization of the property; and
    - a) Motion (in the Affirmative): Mr. Eagar
    - b) Second: Mr. Gilster
    - c) Vote: 5-0 in favor
  4. The authorization of a variance *will not* be of substantial detriment to adjacent uses or to the public good, and the character of the district will not be harmed by the granting of the variance.
    - a) Motion (in the Affirmative): Mr. Eagar
    - b) Second: Mr. Gilster
    - c) Vote: 5-0 in favor

Based on the evidence presented to the Board, do I hear a motion that the proposed Variance be approved (or denied if even one criterion is not met).

a) Motion/second: Mr. Eagar/Ms. Fowler

b) Vote: 5-0 in favor

**ITEM 10-** Adjourn – a) Motion/second: Mr. Eagar/Mr. Gilster

b) Vote: 5-0 in favor





**Minutes**

6:00 PM – March 22, 2021

**Members in Attendance**

Jim Codner  
John Eagar  
Bill Gilster  
Bill Decker  
Tim Mays

**Staff**

Adam Chapman, Secretary  
Vivian Kompier

**Media**

None

**ITEM 1- Call to Order**

Mr. Codner called the meeting to order at 6pm.

**ITEM 2- Approval of minutes of January 27, 2021 meeting –** Minutes not available at the time of the meeting.

**ITEM 3- Brief statement about rules and procedures**

Mr. Codner outlined the proceedings of the meeting going forward.

- A. Applicant will provide a presentation about the needs for the variance for 5-minutes with the chairman having the unilateral ability to grant more time as needed.
- B. Staff will address any additional issues
- C. Citizen comment- 5-minutes each
- D. Applicant rebuttal and questions from Board members
- E. Voting

**ITEM 4- SA21-001 Appeal of Staff decision regarding a staff decision in relation to the Vegetative Buffer requirements of the Lake Overlay District of the Oconee County Code of Ordinances at 113 Deer Laurel Way, Salem -TMS# 047-01-01-019.**

**Applicant's opening statement and provision of evidence:**

David J. Van De Water Jr., Arbor Engineering Inc., emailed an updated site plan to Mr. Chapman. The applicant believes that the beach and point were created prior to the adoption of the Zoning Ordinance by natural causes and therefore should not be considered impediments to the buffer. The owners of the property simply added sand and pine straw or landscaping. Therefore, the applicant believes it should not fall under the scope of the 15% allowable view lane. The

applicant also stated that, should the appeal be denied, it would set the precedent for overly restrictive governance of the Lake Overlay District.

**Staff comments**

Mr. Chapman presented his interpretation based on a 15% view lane that is in existence and that adding additional encroachments, taking away from the vegetative buffer, would be against the County Code of Ordinances.

**Applicant rebuttal**

[None.]

**Public comment-time:**

Mr. Codner then opened up the public comment portion of the meeting and no one signed up to speak.

**Board considerations**

Mr. Codner referenced the County Code of Ordinances, in regards to the allowed 15% view lane and the vegetative buffer.

**Mr. Codner asked for a vote on whether or not the Zoning Administrator correctly fulfilled their duty in enforcing the code of ordinance?**

Mr. Eagar made a motion in the affirmative, seconded by Mr. Gilster. Vote 5 – 0. The motion passed.

**ITEM 5- SE21-001 Special exception hearing regarding a proposed non-residential use within the Lake Overlay District. Proposed use is a 12-site camping facility. TMS#- 038-00-01-005 unaddressed parcel with closest addressed parcel being 112 Francis Falls Drive, Salem.**

**Staff Comments**

Any non-residential use within the Lake Overlay District must be approved by the Board of Zoning Appeals.

**Applicant's opening statement and provision of evidence:**

Bruce Mann, spoke on behalf of himself and Phil Maloney, who purchased the property in 2004. The owners had two 4-hour meetings initially and spoke with local officials and professionals in the Parks, Recreation & Tourism industry to establish a concept on how to allow people to enjoy the lake.

Tyler and Halee Senecal, the Domes at Jocassee, are interested in bringing luxury camping or glamping to the area to allow the public to enjoy the beauty that the lake has to offer. Discussion regarding the domes and the overall vision for the camping facility continued.

**Public comment-time:**

Mr. Codner then opened up the public comment portion of the meeting and asked people to be concise with their comments as there are many people signed up to speak.

Name	For	Against	Why?
Chris Lynch		*	Traffic, lake, water quality, fire/life safety
Joe Beckaerd		*	Neighboring property values, safety, fire, noise Oconee Bells
Frank Holleman		*	Sustainability, Oconee Bells, against comprehensive plan. (letter sent as well)
Bill Busch		*	Agrees with Mr. Holleman, not in harmony with the community, traffic
Ken Sloan	*		Help with lodging, benefit to the community, state understands tourism needs
Janelle Marsh		*	Traffic, overdevelopment
Nikki Cox		*	Natural beauty, traffic/safety, Oconee Bells
Debbie Sewell		*	Oconee Bells, Black Timber Rattler, water quality, traffic
Sherry Cobb		*	Concerned about children, fences, 24-hour security, dogs
John Robinson		*	State Park does not allow walk-ins, traffic, Oconee Bells, permanent structures, not campsites
Alexander Shadwick	*		It's a benefit to the community, this will preserve the property
Marjorie Felton		*	Water, natural beauty, land is worth protecting
Larry Hinkle		*	Traffic, natural beauty
Bill White		*	Noise, people trespassing, not a good fit
Sydney Phillip		*	Oconee Bells, overdevelopment
Mike Sewell		*	Traffic, property values, natural beauty
Andy Lockridge			Lack of infrastructure, impact on existing infrastructure

### Board considerations

**(1) In accordance with the comprehensive plan and is consistent with the spirit, purposes, and the intent and specific requirements of this chapter, to include the definition and intent of the district in which the special exception is being requested;**

Mr. Eagar made a motion, seconded by Mr. Gilster. Discussion regarding the criterion continued.

Mr. Codner asked for a vote who believe that this criterion is being met

In-favor	Opposed
0	5 – All opposed

Mr. Codner noted that this criterion failed.

**(2) In the best interests of the county, the convenience of the community and the public welfare.**

Mr. Codner asked for a vote who believe that this criterion is being met

In-favor	Opposed
0	5 – All opposed

Mr. Codner noted that this criterion failed.

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

Mr. Codner asked for a vote who believe that this criterion is being met.

In-favor	Opposed
0	5 – All opposed

Mr. Codner noted that this criterion failed.

**(4) Suitable in terms of effects on highway traffic, parking and safety with adequate access arrangements to protect streets from undue congestion and hazards.**

Mr. Codner asked for a vote who believe that this criterion is being met.

In-favor	Opposed
4	1 – Mr. Eagar

Mr. Codner noted that this criterion failed.

**(5) Mr. Codner then asked - Based on the evidence presented to the Board, do I hear a motion that the proposed special exception be denied:**

Mr. Eagar made a motion, seconded by Mr. Gilster to deny the special exception.

In-favor	Opposed
5	0

The motion to deny the special exception passed.

**ITEM 6- VA21-001 Variance hearing regarding a proposed 130 and 132-foot variance from the required 195' fall zone of a proposed 195' monopole communications tower at TMS# 060-00-02-033 unaddressed parcel with the closest addressed parcel being 851 Highway 107, Mountain Rest.**

**Applicant's opening statement and provision of evidence:**

Jonathan Yates, Hellman, Yates & Tisdale Attorneys and Counselors at Law, stated monopole would be connected to the tower approved in September 2020. It will be part of the network for first responders and provide service.

**Public comment-time:**

Mr. Codner then opened up the public comment portion of the meeting.

Name	For	Against	Why?
Will Lumbard	*		Best use of property
Earnie Lumbard		*	Scenic Byway
Charlie Price	*		Daughter killed, no ATT cell tower

## Board considerations

- (1) **There are extraordinary and exceptional conditions pertaining to the particular piece of property;**

Mr. Eagar made a motion, seconded by Mr. Gilster. Discussion regarding the criterion continued.

Mr. Codner asked for a vote who believe that this criterion is being met.

In-favor	Opposed
5	0

Mr. Codner noted that this criterion passed.

- (2) **These conditions do not generally apply to other property in the vicinity;**

Mr. Codner asked for a vote who believe that this criterion is being met.

In-favor	Opposed
5	0

Mr. Codner noted that this criterion passed.

- (3) **Because of these conditions, the application of this chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and,**

Mr. Codner asked for a vote who believe that this criterion is being met.

In-favor	Opposed
5	0

Mr. Codner noted that this criterion passed.

- (4) **The authorization of a variance will not be of substantial detriment to adjacent uses or to the public good, and the character of the district will not be harmed by the granting of the variance.**

Mr. Codner asked for a vote who believe that this criterion is being met.

In-favor	Opposed
5	0

Mr. Codner noted that this criterion passed.

- (5) **Mr. Codner then asked - Based on the evidence presented to the Board, do I hear a motion that the proposed variance be approved:**

Mr. Eagar made a motion, seconded by Mr. Gilster to approve the variance.

In-favor	Opposed
5	0

The motion passed.

- ITEM 7- SE21-002 Special exception hearing for a proposed 195' monopole communications tower at TMS#060-00-02-033 unaddressed parcel with closest addressed parcel being 851 Highway 107, Mountain Rest.**

## Board considerations

- (1) In accordance with the comprehensive plan and is consistent with the spirit, purposes, and the intent and specific requirements of this chapter, to include the definition and intent of the district in which the special exception is being requested;

Mr. Eagar made a motion, seconded by Mr. Gilster. Discussion regarding the criterion continued.

Mr. Codner asked for a vote who believe that this criterion is being met.

In-favor	Opposed
5	0

Mr. Codner noted that this criterion passed.

- (2) In the best interests of the county, the convenience of the community and the public welfare.

Mr. Codner asked for a vote who believe that this criterion is being met.

In-favor	Opposed
5	0

Mr. Codner noted that this criterion passed.

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

Mr. Codner asked for a vote who believe that this criterion is being met.

In-favor	Opposed
5	0

Mr. Codner noted that this criterion passed.

- (4) Suitable in terms of effects on highway traffic, parking and safety with adequate access arrangements to protect streets from undue congestion and hazards.

Mr. Codner asked for a vote who believe that this criterion is being met.

In-favor	Opposed
5	0

Mr. Codner noted that this criterion passed.

- (5) Mr. Codner then asked - Based on the evidence presented to the Board, do I hear a motion that the proposed special exception be approved:

Mr. Eagar made a motion, seconded by Mr. Gilster to approve the special exception.

In-favor	Opposed
5	0

The motion passed.

**ITEM 8- VA21-002 Variance hearing regarding a proposed 23' variance from the required 25' setback from a right of way located at 272 Herring Rd, Fairplay TMS# 341-00-05-004 for the installation of twelve (12) Electric Vehicle charging stalls capable of supporting Tesla Vehicles with ancillary support equipment.**

Due to a conflict of interest, Tim Mays recused himself from the discussion.

**Applicant's opening statement and provision of evidence:**

Matthew Selkirk, Dewberry Engineers, stated the existing parcel does not conform to setback standards. The project will convert fifteen existing parking stalls to twelve Tesla compatible parking stalls. The spaces are currently utilized for U-Haul rentals. The project includes the installation of twelve charging posts for Tesla vehicles. There currently is not a charging station between Atlanta, GA and Greenville, SC. The request is to continue to use the non-conforming setback as is.

**Board considerations**

**(1) There are extraordinary and exceptional conditions pertaining to the particular piece of property;**

Mr. Eagar made a motion, seconded by Mr. Gilster. Discussion regarding the criterion continued.

Mr. Codner asked for a vote who believe that this criterion is being met.

<b>In-favor</b>	<b>Opposed</b>
4	0

Mr. Codner noted that this criterion passed.

**(2) These conditions do not generally apply to other property in the vicinity;**

Mr. Codner asked for a vote who believe that this criterion is being met.

<b>In-favor</b>	<b>Opposed</b>
4	0

Mr. Codner noted that this criterion passed.

**(3) Because of these conditions, the application of this chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and,**

Mr. Codner asked for a vote who believe that this criterion is being met.

<b>In-favor</b>	<b>Opposed</b>
4	0

Mr. Codner noted that this criterion passed.

**(4) The authorization of a variance will not be of substantial detriment to adjacent uses or to the public good, and the character of the district will not be harmed by the granting of the variance.**

Mr. Codner asked for a vote who believe that this criterion is being met.

In-favor	Opposed
4	0

Mr. Codner noted that this criterion passed.

**(5) Mr. Codner then asked - Based on the evidence presented to the Board, do I hear a motion that the proposed variance be approved:**

Mr. Eagar made a motion, seconded by Mr. Gilster to approve the variance.

In-favor	Opposed
4	0

The motion to approve the proposed variance passed.

**ITEM 9- VA21-004A Variance request related to number of free-standing signs located at 132 Grubbs Road, Fair Play, SC 29643 TMS# 341-00-04-001. A third sign increase from the one sign permitted and one sign approved at a hearing on 1/27/2021.**

**Applicant's opening statement and provision of evidence:**

Robert Cash, CESO, stated the project is for the addition of two goal post signs on the same property for visibility down Whitfield Road and Hwy 123.

**Public comment-time:**

Mr. Codner then opened up the public comment portion of the meeting.

Name	For	Against	Why?
Andre Roterbacher		*	One sign should be enough

**Board considerations**

**(1) There are extraordinary and exceptional conditions pertaining to the particular piece of property;**

Mr. Eagar made a motion in the affirmative, seconded by Mr. Gilster. Discussion regarding the criterion continued.

Mr. Codner asked for a vote who believe that this criterion is being met.

In-favor	Opposed
2 Mr. Eagar & Mr. Mays	3 Mr. Codner, Mr. Gilster, & Mr. Decker

Mr. Codner noted that this criterion failed.

**(2) These conditions do not generally apply to other property in the vicinity;**

Mr. Codner asked for a vote who believe that this criterion is being met. Mr. Eagar made a motion in the affirmative, seconded by Mr. Gilster.

In-favor	Opposed
5	0

Mr. Codner noted that this criterion passed.



- (3) Because of these conditions, the application of this chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and,**

Mr. Codner asked for a vote who believe that this criterion is being met. Mr. Eagar made a motion in the affirmative, seconded by Mr. Gilster.

In-favor	Opposed
0	5

Mr. Codner noted that this criterion failed.

- (4) The authorization of a variance will not be of substantial detriment to adjacent uses or to the public good, and the character of the district will not be harmed by the granting of the variance.**

Mr. Codner asked for a vote who believe that this criterion is being met. Mr. Eagar made a motion in the affirmative, seconded by Mr. Gilster.

In-favor	Opposed
1 Mr. Eagar	4

Mr. Codner noted that this criterion failed.

- (5) Mr. Codner then asked - Based on the evidence presented to the Board, do I hear a motion that the proposed variance be denied:**

Mr. Eagar made a motion in the affirmative, seconded by Mr. Gilster to approve the variance.

In-favor	Opposed
5	0

The motion failed.

**VA21-004B Variance request related to signage sign-face area located at 132 Grubbs Road, Fair Play, SC 29643 TMS# 341-00-04-001. 189 square-foot increase variance from the approved 75 square-foot limit for the sign faces on the “high-rise” type sign.**

**Applicant’s opening statement and provision of evidence:**

Robert Cash, CESO, stated the project is for the addition of two goal post signs on the same property for visibility down Woodfield Road and Hwy 123.

**Public comment-time:**

Mr. Codner then opened up the public comment portion of the meeting.

Name	For	Against	Why?
Andre Royterbacher		*	One sign should be enough

**Board considerations**

- (1) There are extraordinary and exceptional conditions pertaining to the particular piece of property;**

Mr. Eagar made a motion in the affirmative, seconded by Mr. Mays. Discussion regarding the criterion continued.

Mr. Codner asked for a vote who believe that this criterion is being met.

In-favor	Opposed
5	0

Mr. Codner noted that this criterion passed.

**(2) These conditions do not generally apply to other property in the vicinity;**

Mr. Codner asked for a vote who believe that this criterion is being met. Mr. Eagar made a motion in the affirmative, seconded by Mr. Mays.

In-favor	Opposed
5	0

Mr. Codner noted that this criterion passed.

**(3) Because of these conditions, the application of this chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and,**

Mr. Codner asked for a vote who believe that this criterion is being met. Mr. Eagar made a motion in the affirmative, seconded by Mr. Mays.

In-favor	Opposed
5	0

Mr. Codner noted that this criterion passed.

**(4) The authorization of a variance will not be of substantial detriment to adjacent uses or to the public good, and the character of the district will not be harmed by the granting of the variance.**

Mr. Codner asked for a vote who believe that this criterion is being met. Mr. Eagar made a motion in the affirmative, seconded by Mr. Mays.

In-favor	Opposed
5	0

Mr. Codner noted that this criterion passed.

**(5) Mr. Codner then asked - Based on the evidence presented to the Board, do I hear a motion that the proposed variance be approved:**

Mr. Eagar made a motion in the affirmative, seconded by Mr. Gilster to approve the variance.

In-favor	Opposed
5	0

The motion passed.

**ITEM 10- Adjourn –** The meeting was adjourned by a unanimous vote at 10:26pm.



OCONEE COUNTY  
PLANNING COMMISSION  
RECUSAL FORM

Member Name: Tim Mays  
Please print

Member Signature: [Handwritten Signature]

Meeting Date: 3/22/21

Item for Discussion / Vote:  
TESLA VARIANCE #8

Reason for Recusal:  I was not present for the original meeting/discussion.  
 I have a personal/familiar interest in the issue.  
 Other:

My employer (Blue Ridge Electric) is  
partnering for this project with Tesla

[Handwritten Signature]  
Adam Chapman  
Secretary

10/20/21  
10/20/21  
10/20/21

10/20/21

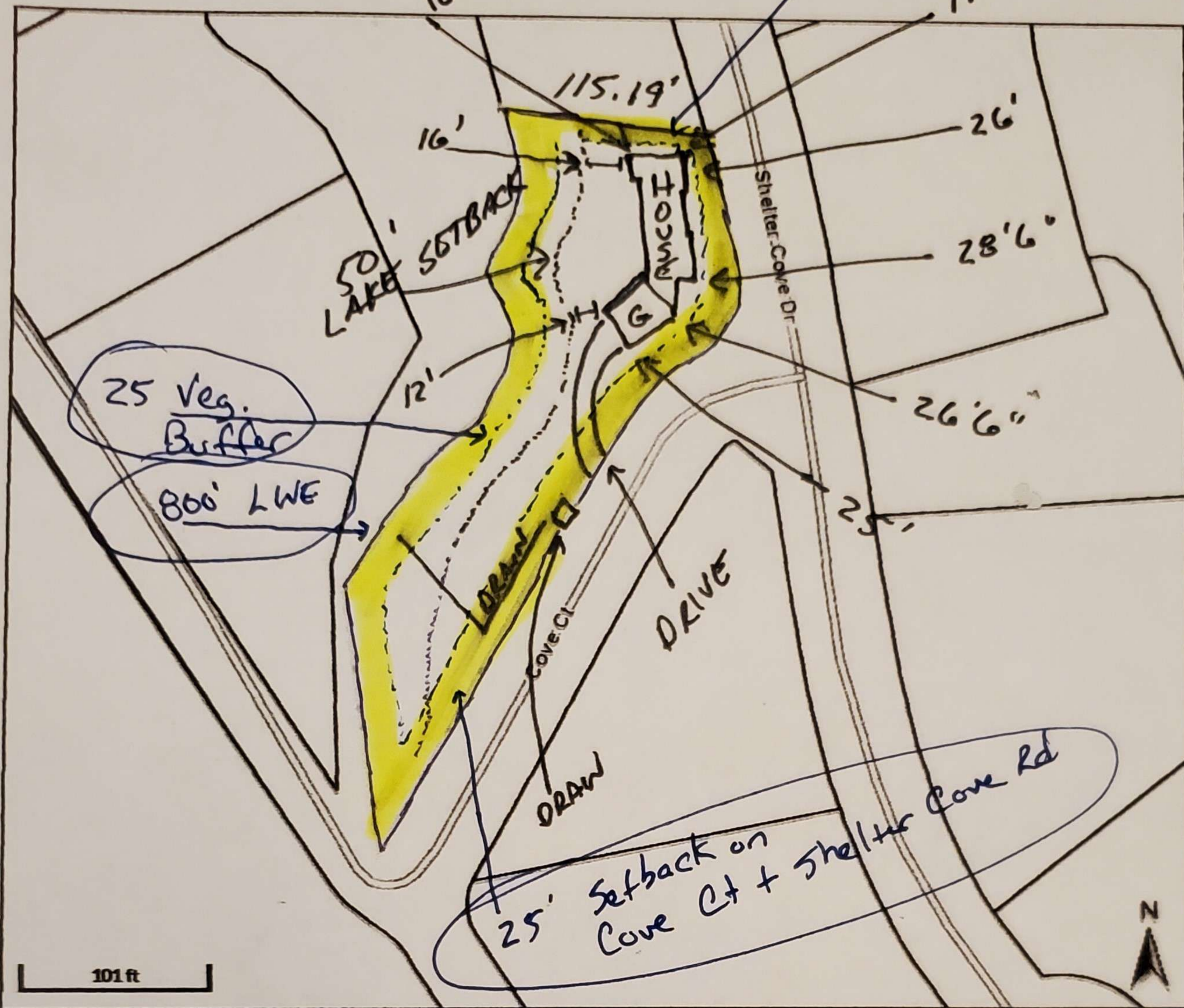
Project for the (Blue State) is

10/20/21

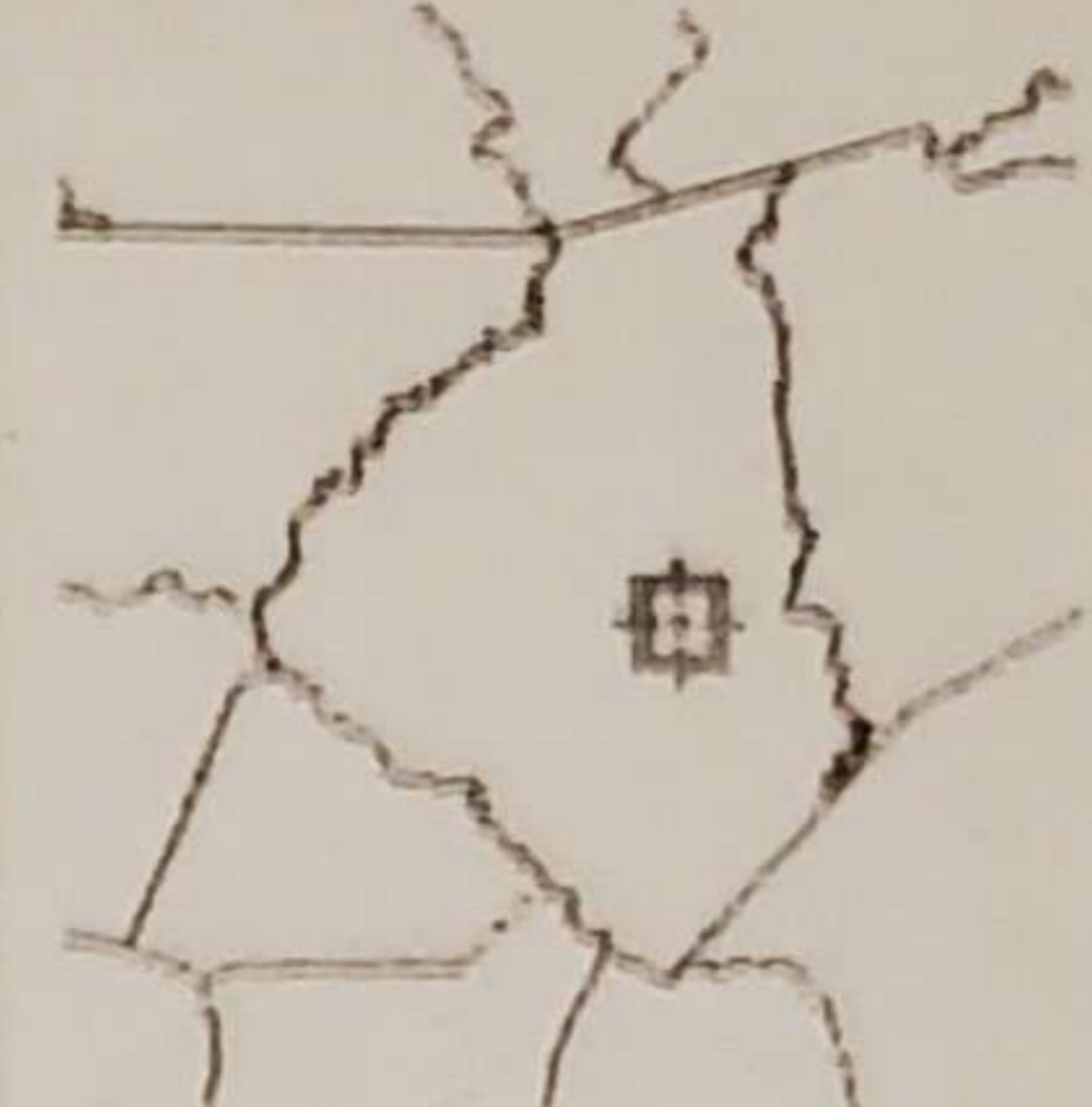
VA 21-005: Property owner The Neal Group SC, LLC is requesting a +/-7' Variance from the 25' setback requirement from the right-of-way/property line to permit an existing foundation for a home at 202 Cove Ct, Seneca 29672 (Tax ID# 193-08-01-021)



10' Setback on Side



Overview



Legend

- Parcels
- Landhook
- Roads

Parcel ID	193-08-01-021	Alternate ID	22483	Owner Address	LAZUR EDWARD G ETAL 609 SANTA MARIA DR SAINT PETERSBURG, FL 33715	Last 2 Sales			
Sec/Twp/Rng	n/a	Class	Residential Vacant			Date	Price	Reason	Qual
Property Address		Acres	0.75			5/24/2005	\$129200	n/a	U
District	007					n/a	0	n/a	n/a
Brief	MapPlatB A759 MapPlatP 7-8								
Tax Description	LOT 21 SHELTER COVE								
	(Note: Not to be used on legal documents)								

Date created: 3/4/2021  
Last Data Uploaded: 3/3/2021 9:37:24 PM

Developed by Schneider GEOSPATIAL

SETBACK NORTH SIDE - 10'  
SHELTER COVE + COVE CT - 25'  
LAKE - 50'

O = Added Items

NEAL GROUP OWNER  
PETE BISANTI BUILDER

**EXEMPTION FROM REVIEW PROCESS**

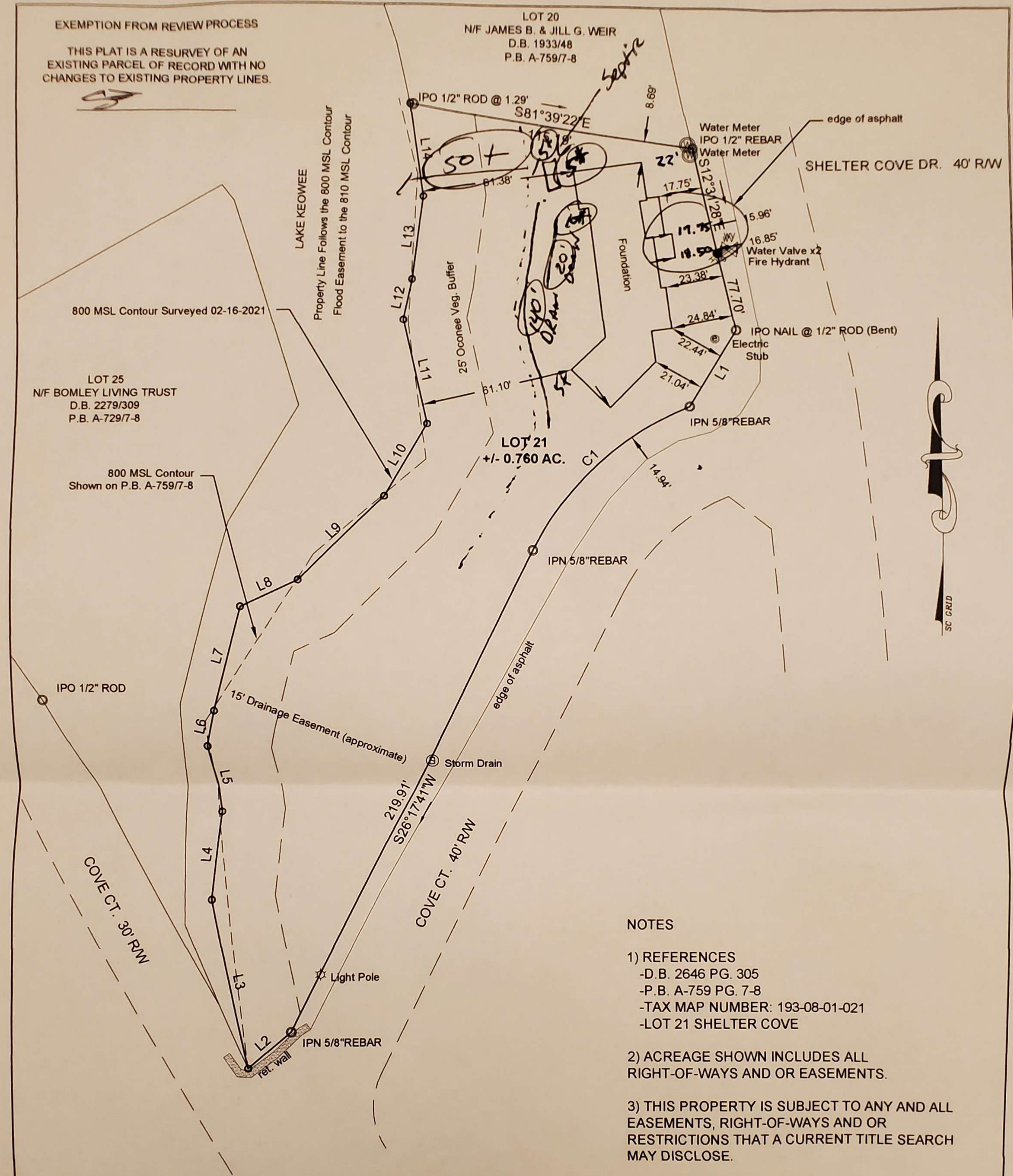
THIS PLAT IS A RESURVEY OF AN EXISTING PARCEL OF RECORD WITH NO CHANGES TO EXISTING PROPERTY LINES.



LOT 20  
N/F JAMES B. & JILL G. WEIR  
D.B. 1933/48  
P.B. A-759/7-8

LOT 25  
N/F BOMLEY LIVING TRUST  
D.B. 2279/309  
P.B. A-729/7-8

LOT 21  
+/- 0.760 AC.



**NOTES**

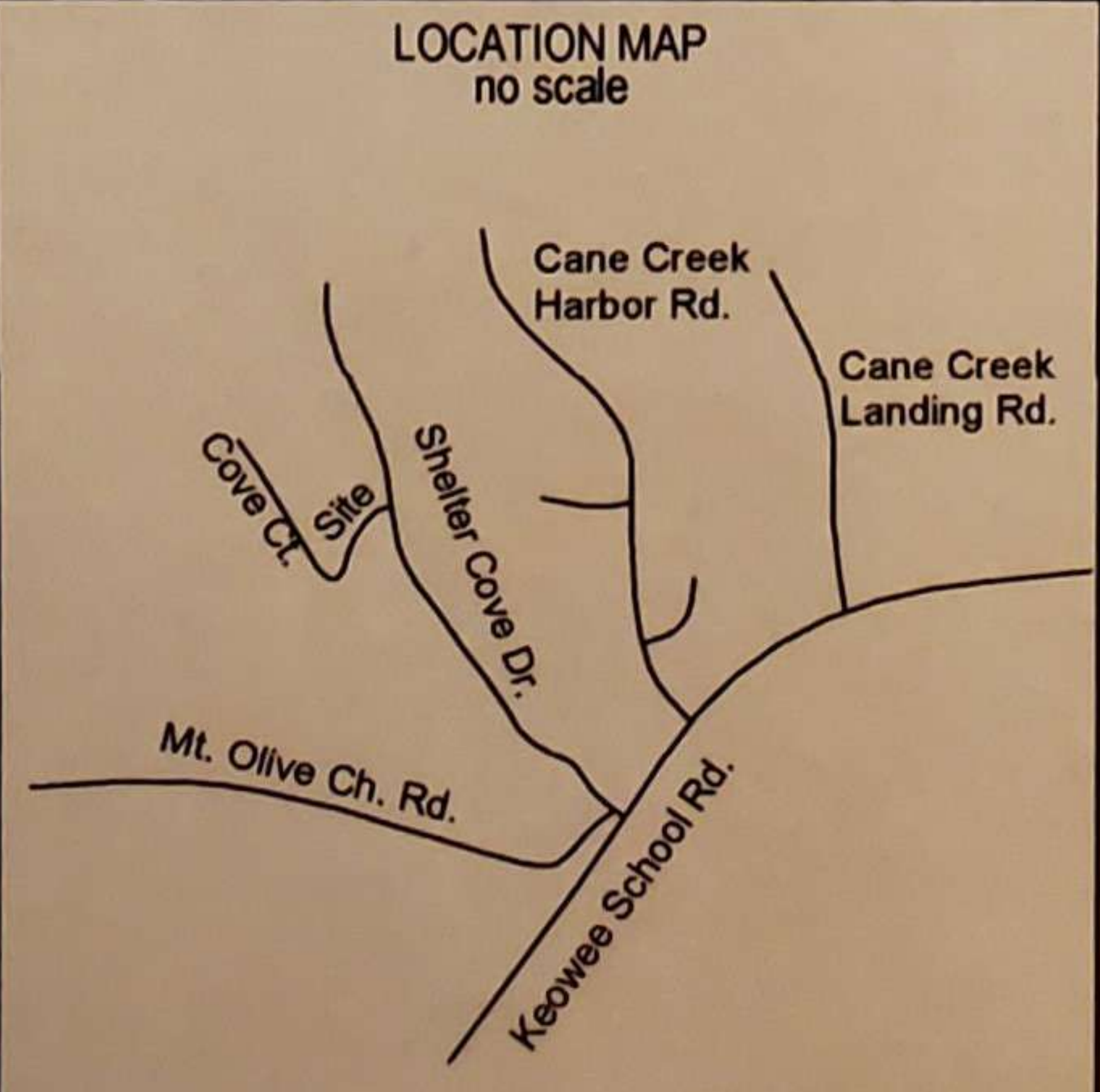
- 1) REFERENCES  
-D.B. 2646 PG. 305  
-P.B. A-759 PG. 7-8  
-TAX MAP NUMBER: 193-08-01-021  
-LOT 21 SHELTER COVE
- 2) ACREAGE SHOWN INCLUDES ALL RIGHT-OF-WAYS AND OR EASEMENTS.
- 3) THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHT-OF-WAYS AND OR RESTRICTIONS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
- 4) REVISED TO SHOW FOUNDATION.



I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN, ALSO THERE ARE NO ENCROACHMENTS, PROJECTIONS, OR SETBACKS AFFECTING THE PROPERTY OTHER THAN THOSE SHOWN.

*Stephen R. Edwards*

STEPHEN R. EDWARDS PLS NO. 19881



FOUNDATION SURVEY FOR

**NEAL GROUP SC, LLC**

WAGENER TOWNSHIP, OCONEE COUNTY, SOUTH CAROLINA

**STEPHEN R. EDWARDS & ASSOCIATES, INC.**  
1432 W. MAIN ST. - WEST UNION, S.C. - 29696  
(864) 718-1120

DATE: 02-16-2021      JOB NUMBER: 20-430

SCALE: 1"=40'

## Shelter Cove Property Owners' Association, Inc.

P. O. Box 8475  
Seneca, SC 29678-8475

March 20, 2021

Mr. Chad Neal  
The Neal Group SC LLC  
P.O. Box 565  
Seneca, SC 29679

Dear Chad,

The Architectural Review Board has unanimously approved the following three variances per your request. Specifically:

- 1) For the right side of the house (as viewed from Shelter Cove Drive), a 3ft-6in side setback reduction is approved, leaving an 11ft-6in right side setback. This approval is final.
- \* 2) For the front porch and steps, a 6ft front setback reduction is conditionally approved, leaving a 19ft front setback along SCD. However, this item requires further approval from the Oconee County Board of Zoning Appeals.
- \* 3) For the left front corner of the garage (as viewed from Cove Ct), a 10ft front setback reduction is conditionally approved, leaving a 15ft front setback along CC. However, this item requires further approval from the Oconee County Board of Zoning Appeals.

Should the Oconee County Board of Zoning Appeals, for whatever reason, disapprove either or both items 2) and/or 3) above, the ARB conditional variance approval for the item(s) will be null and void.

If you have any questions, please advise. Thank you.

Respectfully,

David Wittnebert  
President, and  
ARB Chairperson

Phone 864-882-4400  
Fax 864-882-4477

Cell 864-280-4988  
[dwittnebert@att.net](mailto:dwittnebert@att.net)

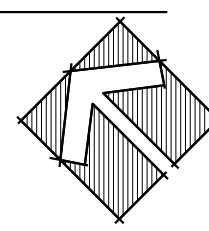
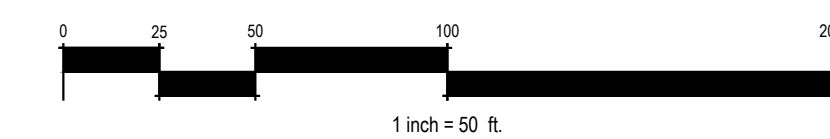


SE21-03: Phoenix Development Group Partners – Daniel Marinko has requested a Special Exception for a full-service Independent Living, Assisted Living, and Memory Care facility at an unaddressed parcel at the NE corner of Sheep Farm and Bountyland Roads. (Tax ID# P/O 207-00-01-017)



# THE RETREAT - SENECA

CONCEPTUAL SITE PLAN





THE RETREAT AT SENECA  
Clubhouse Schematic Design

Exterior View #1

15 Bethany Street  
New Brunswick, NJ 08901  
732.249.6242  
digrouparchitecture.com

**DI**GroupArchitecture  
ARCHITECTURE FOR CHANGE



THE RETREAT AT SENECA  
Clubhouse Schematic Design

Exterior View #2

15 Bethany Street  
New Brunswick, NJ 08901  
732.249.6242  
digrouparchitecture.com

**DI**GroupArchitecture  
ARCHITECTURE FOR CHANGE



THE RETREAT AT SENECA  
Clubhouse Schematic Design

Exterior View #3

15 Bethany Street  
New Brunswick, NJ 08901  
732.249.6242  
digrouparchitecture.com

**DI**GroupArchitecture  
ARCHITECTURE FOR CHANGE



THE RETREAT AT SENECA  
Clubhouse Schematic Design

Exterior View #4

15 Bethany Street  
New Brunswick, NJ 08901  
732.249.6242  
digrouparchitecture.com

**DI**GroupArchitecture  
ARCHITECTURE FOR CHANGE

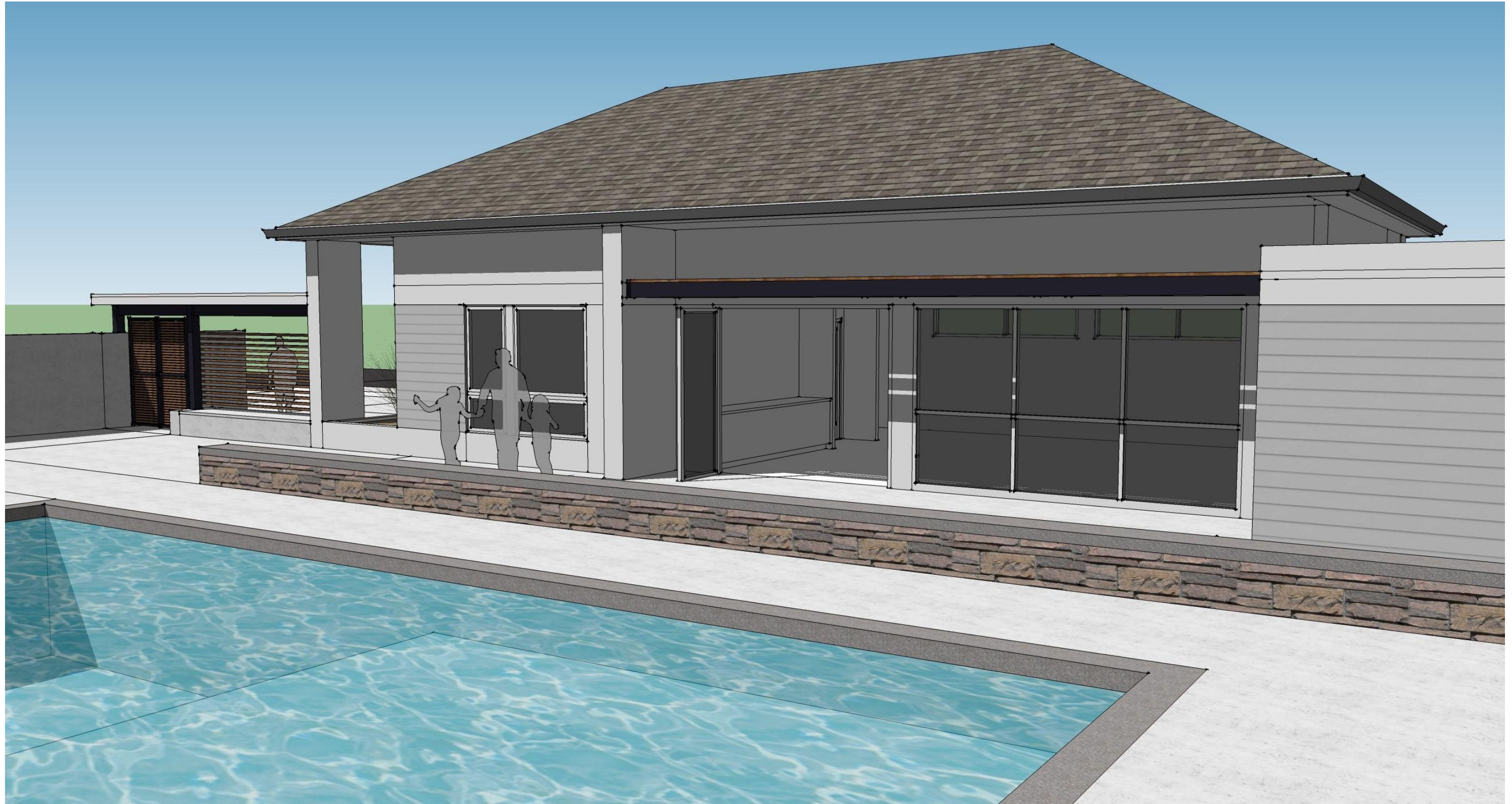


THE RETREAT AT SENECA  
Clubhouse Schematic Design

Exterior View #5

15 Bethany Street  
New Brunswick, NJ 08901  
732.249.6242  
digrouparchitecture.com

**DI**GroupArchitecture  
ARCHITECTURE FOR CHANGE



THE RETREAT AT SENECA  
Clubhouse Schematic Design

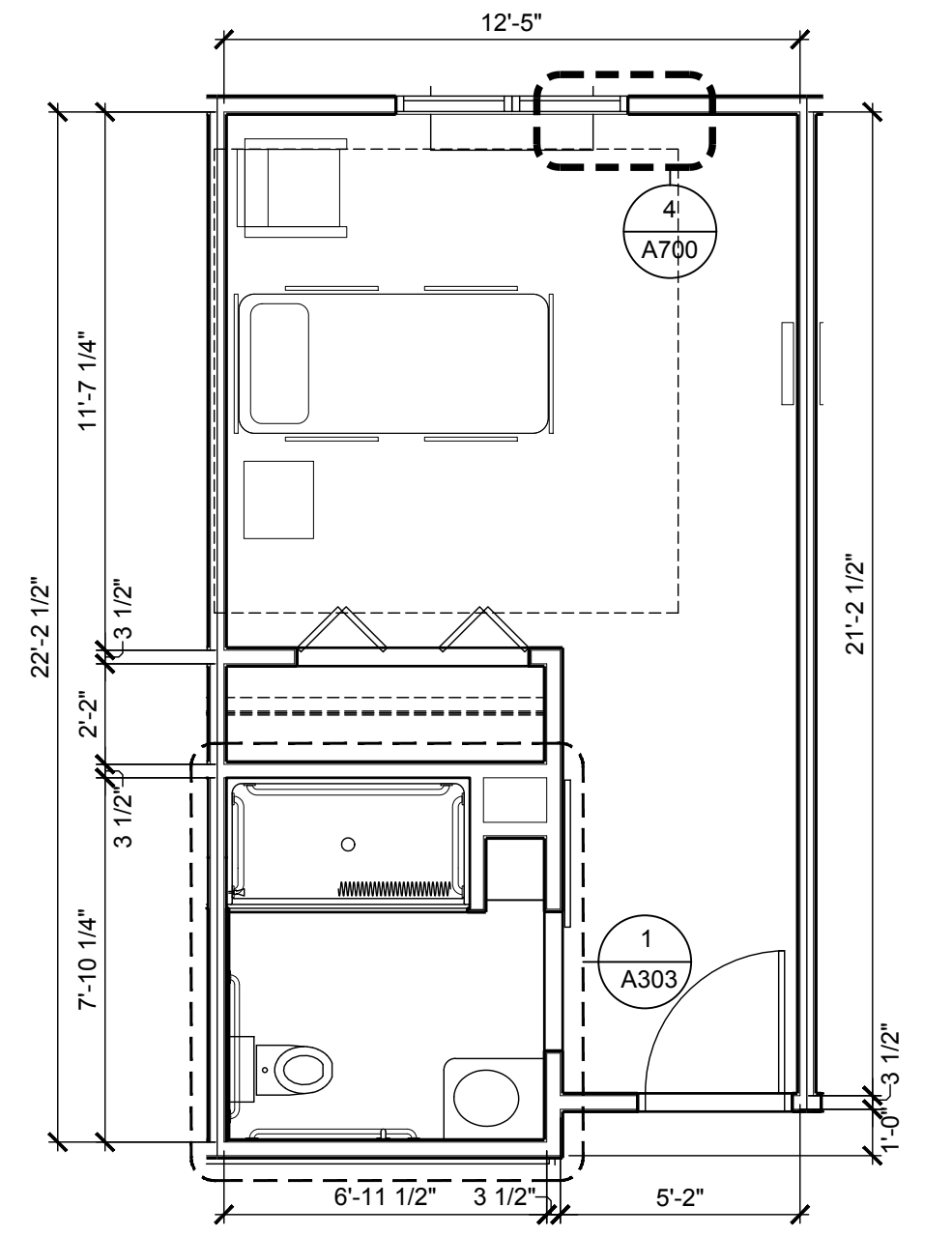
Exterior View #6

15 Bethany Street  
New Brunswick, NJ 08901  
732.249.6242  
digrouparchitecture.com

**DI**GroupArchitecture  
ARCHITECTURE FOR CHANGE

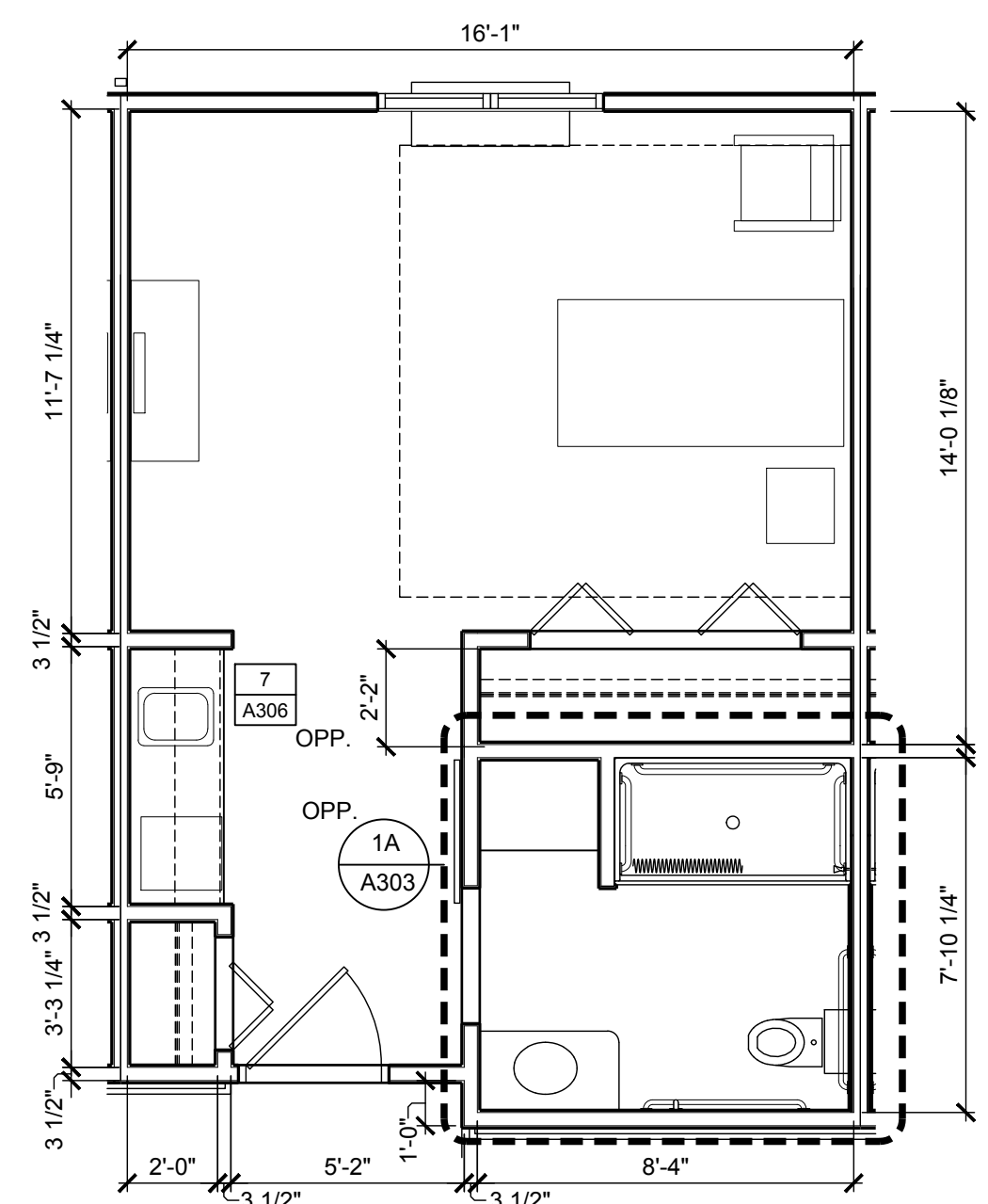


Drawing name: P:\2021\201\_001\_PSL\_Seneca\BRAW\MS\Conducts\A300s Interior Detailed Plans & Elevations\3D0-Aug Plotted By: SHOFFMAN Feb 12, 2021 - 11:45am



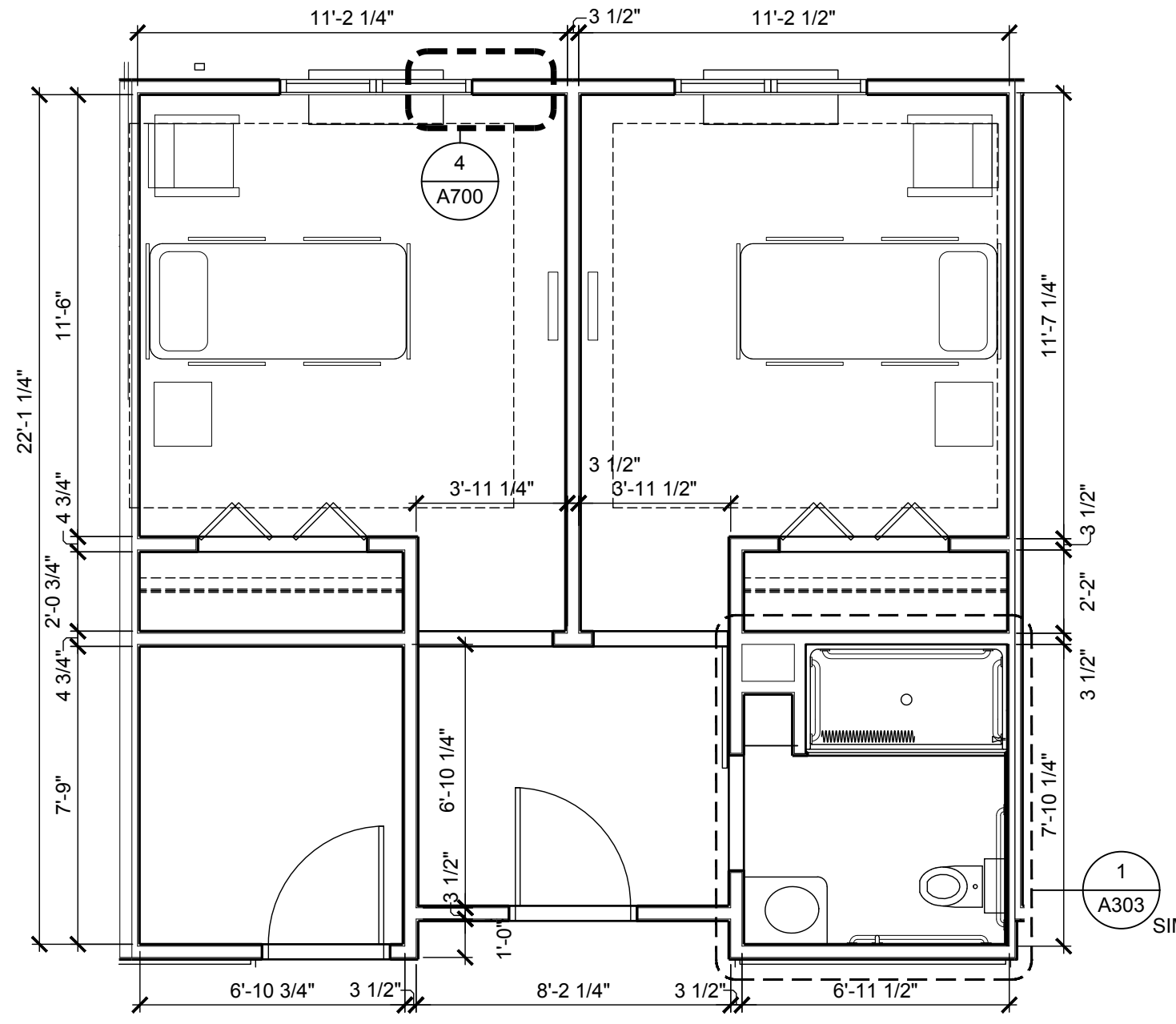
**1 Large Scale Plan Studio Unit - Type A**  
SCALE: 1/4" = 1'-0" [311 S.F.]

Memory Care Studio



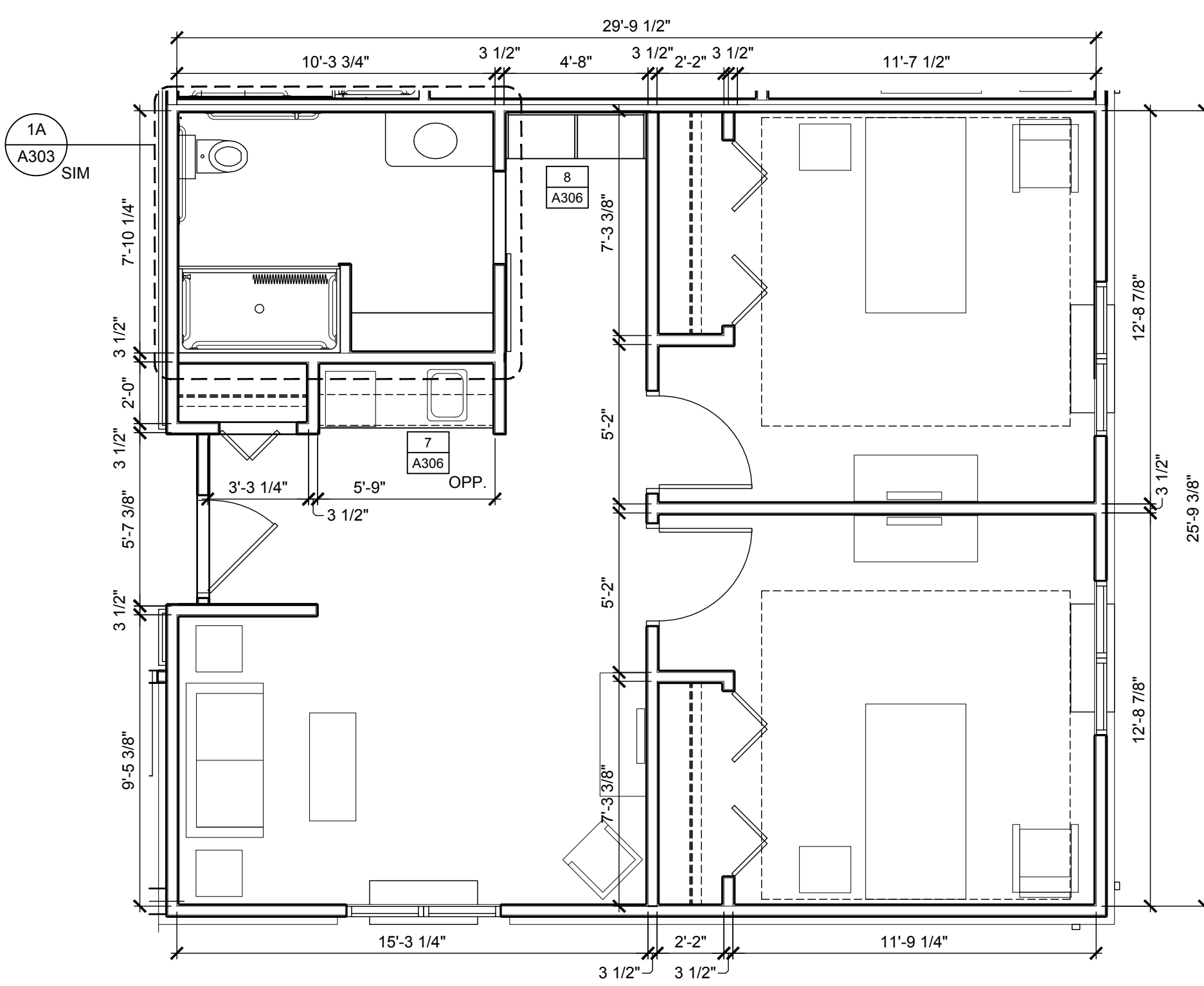
**2 Large Scale Plan Studio Unit - Type A1**  
SCALE: 1/4" = 1'-0" [345 S.F.]

Assisted Living Studio



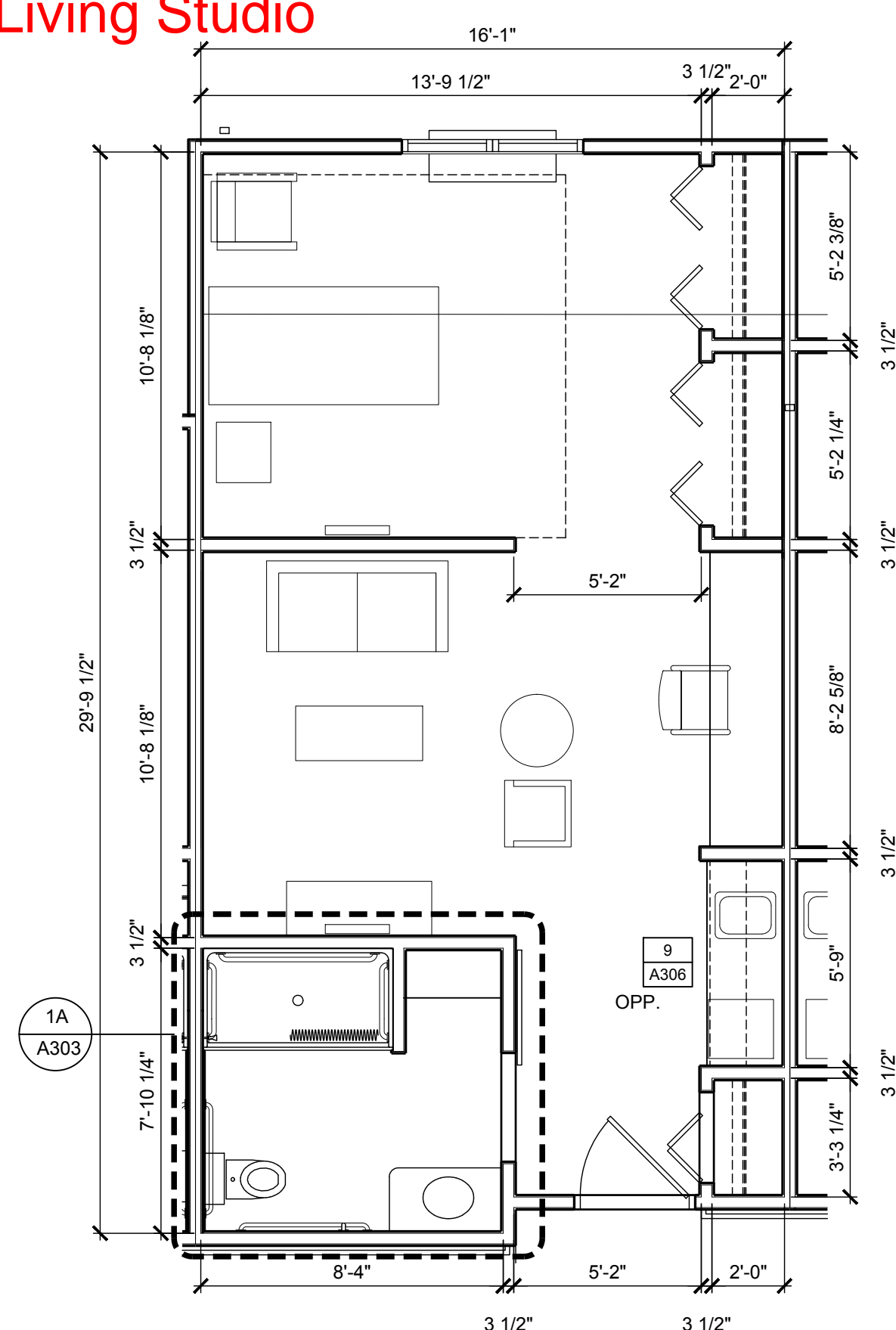
**3 Large Scale Plan Semi-Private Unit - Type B**  
SCALE: 1/4" = 1'-0" [431 S.F.]

Memory Care Two-Bedroom



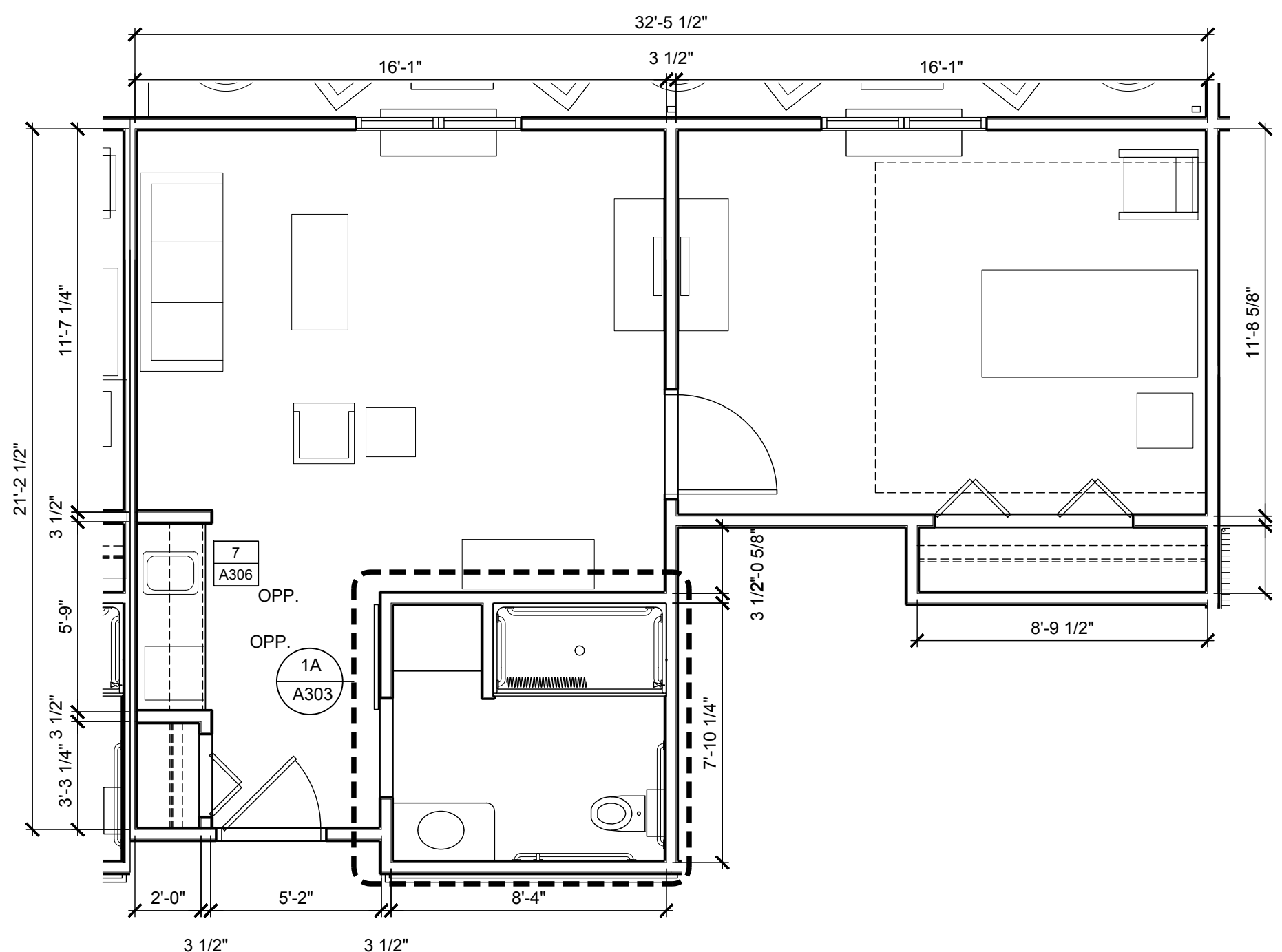
**4 Large Scale Plan Two Bedroom - Type C**  
SCALE: 1/4" = 1'-0" [788 S.F.]

Assisted Living Two-Bedroom



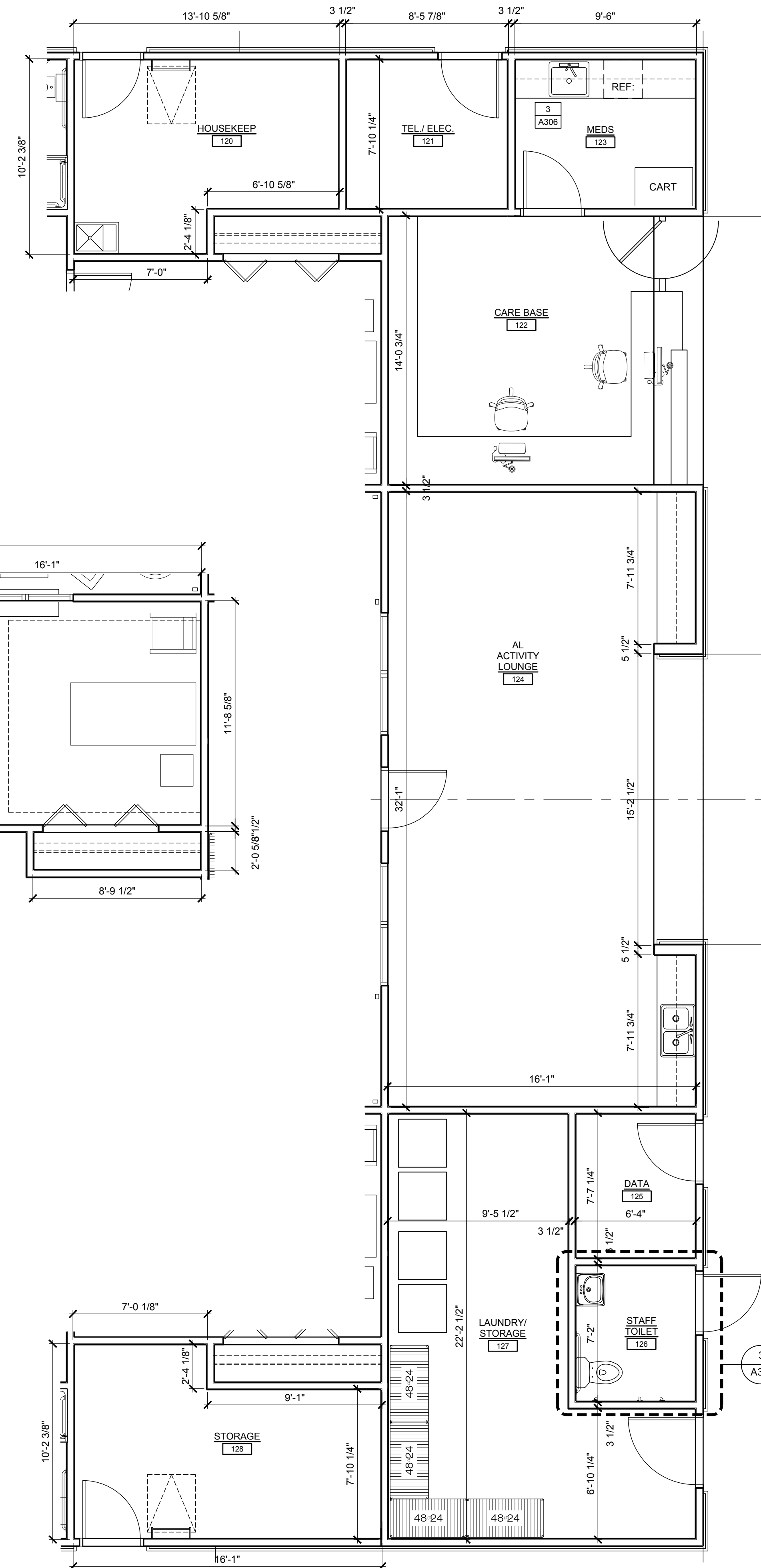
**5 Large Scale Plan One Bedroom - Type C1**  
SCALE: 1/4" = 1'-0" [466 S.F.]

Assisted Living One-Bedroom



**6 Large Scale Plan One Bedroom - Type C2**  
SCALE: 1/4" = 1'-0" [566 S.F.]

Assisted Living One-Bedroom Deluxe



**7 Large Scale Plan**  
SCALE: 1/4" = 1'-0"

ISSUE / REVISIONS HISTORY		
No.	Date	Description

02/01/2021 SCHEMATIC PRICING

**DiGroupArchitecture**

NEW JERSEY  
NEW YORK  
PENNSYLVANIA

15 Battery Street  
New Brunswick, NJ 08901  
732.296.6242

142 West 30th Street, 3rd Floor  
New York, NY 10018  
646.266.4410

60 West Street  
Baltimore, PA 21201  
410.857.4600

Project:  
**THE RETREAT AT SENECA  
70 BED ASSISTED LIVING FACILITY  
NE SHEEP FARM - BOUTYLAND RD  
SENECA, SC 29672**

Owner:  
**PSL SENECA PROPCO, LLC  
ROSWELL, GA 30095**

Drawing Title:  
**LARGE SCALE PLANS**

Project No.  
**21.001**

Scale:  
**AS NOTED**

Richard D. Alderson, AIA  
NJ RA A1 15023 NY RA 027416 NC RA 12785

Vincent A. Myers, AIA  
NJ RA A1 11415 SC RA 9244

Jeffrey D. Venezia, AIA  
NJ RA A1 05271 NY RA 023719-1

Richard D. Alderson, AIA  
VA RA 040107683

DATE

**A300**