



Meeting agenda
Monday, January 24, 2022 6:00pm

1. Call to order
2. Election of officers – Chair, Vice-Chair, and Secretary
3. Approval of the 2022 calendar
4. Approval of minutes: 11/30/2021
5. Brief statement about rules and procedures
6. Variance request Continuation #VA 21-011: Ridgewater Engineering and Surveying – Joe Meaders is requesting an 18.1’ variance from the 50’ Right of Way for the entrance of the subdivision due to the end of the existing road not making full access into the property and only having a prescriptive ditch to ditch right-of-way. TMS # 150-00-01-459 an unaddressed parcel with the closest address of 599 Ellenburg Rd, Seneca, SC 29672.
7. Variance application #VA 21-012A: Variance allowing the side setback for lot lines dividing attached single family units to be reduced to zero feet thus allowing the construction of individually-platted, attached single family units.
Variance application VA21-012B: 27’ Variance from the 50’ road right of way to allow for the new townhomes to be consistent with the existing townhomes. Resideum, LLC – Greg Kurzner is requesting these variances. TMS# 257-00-02-008 an unaddressed parcel with the closest address of 304 Breakwater Lane, Seneca, SC 29678.

**Oconee County
Board of Zoning
Appeals**

Council Chambers
415 South Pine Street
Walhalla, S.C. 29691

www.oconeesc.com

YouTube: “YourOconee”

Staff contact

846-638-4218
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BOARD MEMBERS

Jim Codner, Chairman, District I

Marty McKee, District IV

Gwen Fowler, District II

Bill Gilster, Vice Chairman, District III

John Eager, At-Large

Tim Mays, District V

Bill Decker, At-Large



8. Variance application #VA21-013: Joe and Lynn Arve are requesting a 4.9' variance from the 25' required setback from the right-of-way to permit an existing foundation for a home. TMS# 149-04-01-050 with an address of 851 Little Bay Lane, Seneca, SC 29672.
9. Variance application #VA21-014: Dennis and Michelle Hill are requesting a 1.86' variance from the 25' required setback from the right-of-way to permit an existing porch for a home. TMS# 162-05-01-057 with an address of 419 Peninsula Rd, West Union, SC 29696.
10. Special Exception application SE21-005: Pandacon, LLC – Ben Collins is requesting a special exception for a rental cabin project in the Lake Overlay District. TMS# 209-00-01-051 with an address of 128 Tuscany Lane Seneca, SC 29672.
11. Adjourn

BOARD MEMBERS

Jim Codner, Chairman, District I

Marty McKee, District IV

Gwen Fowler, District II

Bill Gilster, Vice Chairman, District III

John Eager, At-Large

Tim Mays, District V

Bill Decker, At-Large

Oconee County Board of Zoning Appeals 2022 Meeting Schedule

4th Monday* at 6:00 p.m.

(***T**hursday, if Monday falls on a holiday)

1. February 28, 2022
2. March 28, 2022
3. April 25, 2022
4. May 23, 2022
5. June 27, 2022
6. July 25, 2022
7. August 22, 2022
8. September 26, 2022
9. October 24, 2022
10. November 28, 2022
11. No meeting in December
12. January 23, 2023

OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

Minutes

6:00 PM – November 30, 2021

Members in Attendance

Gwen Fowler
Marty McKee
Bill Gilster
Bill Decker

Tim Mays
Jim Codner
John Eager

Staff

James Coley
Vivian Kompier

Media

Lauren Pierce, The Journal

ITEM 1 – Call to Order – Mr. Codner called the meeting to order at 6:00 PM.

ITEM 2 – Approval of minutes of May 24, 2021 meeting – Mr. Eager made a motion to approve; seconded by Mr. McKee. Vote 4/0 to approve, with Mr. Mays, Mr. Gilster and Mr. Decker recusing themselves.

ITEM 3 – Brief statement about rules and procedures – Mr. Codner outlined the proceedings of the meeting going forward:

- Applicant will provide an 8-minute presentation to state their request. Mr. Codner asked presenters not to be overly verbose.
- For the opposition to the request, the Board asked that one or two people summarize the opposition—concerns, problems, etc.
- Citizen comments – Mr. Codner asked that speakers avoid identical comments in the interest of brevity. He added that the Board has received close to 100 emails that they have reviewed and they understand the issues. It is important that everyone have their say, but asked everyone to be brief if at all possible.
- Applicant rebuttal
- Board member questions, with input from Planning Staff when requested.
- Voting

ITEM 4 – Variance request application #VA21-010: Seamon Whiteside and Associates, Inc. – Paul Talbert is requesting a variance allowing the side setback

for lot lines dividing attached single family units to be reduced to 0', thus allowing construction of individually platted, attached single family units. TMS #271-00-01-940/943/942/941/939/938 unaddressed parcel with the closest address of 201 W. Cherry Rd., Seneca, SC 29678.

Applicant's opening statement and provision of evidence:

Paul Talbert stated he was representing the engineer of record for the subject development, Phase II of The Pier North. Mr. Talbert read the responses to questions on the variance application.

- 1. Describe the extraordinary and exceptional condition that pertains to the subject property that does not generally apply to other land structures in the vicinity:** *The owner wishes to develop the subject property as attached single family units that are individually platted for sale. The code currently does not accommodate individually platted attached single family units due to the 5' side setback requirement for single family residential lots in the control free district. (Sec. 38-10.2) The owner requests a variance allowing the side setback for lot lines dividing attached single family units to be reduced to 0', thus allowing the construction of individually platted, attached single family units. All other setbacks, including side setbacks on end units, will meet Oconee County code. This will allow the owner to offer attached single family units for sale, providing an increased variety of housing products at various price points in the district. The availability for sewer on site due to access to private water treatment offers an opportunity for a higher density not present in other areas of the district.*
- 2. Are the circumstances affecting the subject property the result of actions by the applicant/owner? Explain:** *No, the circumstances are due to an incompatibility between the existing single family zoning ordinance and the desire to provide attached single family dwellings on individually platted lots.*
- 3. Describe the ways in which application of the requirement(s) of the ordinance effectively prohibit or unreasonably restrict the utilization of the subject property:** *The requirement for a 5' side setback on all single family residences prevents the development of attached single family units for sale rather than rental.*
- 4. Will the proposed variance result in an activity that 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? Explain:** *Yes, the proposed variance will not harm, but enhance the character of the district. The subject property is adjacent to multifamily apartments. Allowing attached single family units will provide a more seamless transition in density and use from the adjacent multifamily units to the proposed single family detached units and other surrounding single family development. The use of attached single family units will also allow units to be clustered, thus providing greater opportunity for common open space, as seen in the site plan. The*

increased opportunity for home ownership rather than rental, will increase the investment of those living in the subdivision in the surrounding community.

Discussion with the Board followed.

Public Comment:

- Mr. Codner read/summarized emails submitted by the public into the record.
- Mr. Patrick Tierney, Citizen, stated that he could not discern where the proposed development was located from the back-up material provided.
- Mr. Chris Leonard, Citizen, asked if townhomes will be priced at a price for first-time home buyers. If so, stated that would be a good idea.
- Mr. Matomas, Citizen, expressed his opposition to the proposed variance. He lives in Point Harbor and is concerned about devaluation of the established homes in the area and increased boat traffic.

Applicant rebuttal:

- Mr. Talbert was given the opportunity to address the public comments. He clarified the exact location of the proposed variance using the projected map.
- Mr. Chip Orson, Four Star Group, who manages land acquisition for the developer addressed the question regarding price points for the townhomes. Mr. Orson added that within his years of experience he has not seen similar developments negatively affect the valuation of neighboring properties.
- Mr. Talbert stated that the opposition to boat traffic was not applicable to the variance request as the property is not on the water.
- Mr. Talbert addressed the issue of density that was raised in emails read into the record. He stated that if the variance would be denied, the density would not change. With regards to the traffic concerns, he advised they have commissioned and completed a traffic study. The project has received SCDOT approval and any improvements to traffic flow, to any of the surrounding streets will be addressed in the development as required by the traffic study and SCDOT.
- Ms. Tricia Chason, Entitlement Manager, Four Star Group, advised that turn lanes (right-hand and left-hand) will be constructed off of Cherry Road into the development, so it will be widened significantly. There will be two entrances into the development, one off Cherry Road and one off J P Stevens Road. There are no improvements required for the J P Stevens entrance. There is another access point that will be for emergency vehicles only; it will be gated to prevent additional traffic. Ms. Chason added that the traffic study also analyzed the surrounding intersections and found no improvements were needed. She advised that SCDOT has a funded project that is in development now to improve the intersection at J P Stevens Road and Cherry Road.

Staff comments:

- Ms. Kompier stated that the property in question is zoned Control Free, with no density limitations. She confirmed that density is not an issue tonight; it is strictly lot lines.

1. There **are** extraordinary and exceptional conditions pertaining to the particular piece of property:

- Motion – Mr. Eager made a motion, seconded by Mr. Mays. No discussion.
- Vote

In-favor	Opposed
7	0

Mr. Codner noted that the criterion passed.

2. These conditions **do not** generally apply to other property in the vicinity:

- Motion – Mr. Eager made a motion, seconded by Mr. McKee. No discussion.
- Vote

In-favor	Opposed
7	0

Mr. Codner noted that the 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

- Motion – Mr. Gilster made a motion, seconded by Mr. Decker. Discussion followed.
- Vote

In-favor	Opposed
7	0

Mr. Codner noted that the 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.

- Motion – Mr. Eager made a motion; seconded by Mr. Gilster. Discussion followed.
- Vote

In-favor	Opposed
7	0

Mr. Codner noted that the criterion passed.

5. Mr. Codner asked – Based on the evidence presented to the Board, do I hear a motion that the proposed variance be **Approved**.
 - a. Motion – Mr. Eager made a motion; seconded by Mr. Decker. No discussion.
 - b. Vote

In-favor	Opposed
7	0

Mr. Codner noted that variance request was approved.

Item 5 – Variance request application #VA21-011: Ridgewater Engineering and Surveying – Joe Meaders is requesting an 18.1’ variance from the 50’ right-of-way for the entrance of the subdivision due to the end of the existing road not making full access into the property and only having a prescriptive ditch-to-ditch right-of-way. TMS #150-00-01-459 an unaddressed parcel with the closest address of 599 Ellenburg Rd, Seneca, SC 29672.

Applicant’s opening statement and provision of evidence:

Reah Smith, Development Team, Lake Keowee Real Estate, spoke on behalf of the applicant for the variance. She providing evidence that the property has geographic and physical constraints that require the variance and that each of the four criterion can be met to approve the variance. Ms. Smith added that the Road Ordinance that is referenced was adopted after the property was purchased. Ms. Smith described the positive impact the variance will have on John’s Marine and the nearby County roads. Board members asked questions to clarify certain points.

Staff comments: Mr. Coley explained that the request is a road variance, not necessarily a zoning ordinance, and Planning staff have met with staff from the Roads & Bridges Department to discuss. Notable findings from the meetings include agreement that the current road right-of-way is prescriptive and ends at the pavement on either side of the road, the variance is for a section that is 100 ft. in length and 31.9 ft. at its narrowest point, and the applicant is shifting the proposed entrance south from the center of the road so that it is all on their property. Mr. Coley also noted that granting this variance would not allow construction to begin immediately. The applicant would still need Roads & Bridges’ approval for their plan to fit road shoulders, appropriate drainage, and all utilities in a narrow right-of-way. In addition, a traffic study would need to be completed as well as approvals for access and turn radiuses from Emergency Management.

Public comment time:

- Rick McDuff, Attorney, Spokesman for John’s Marine (Ratliff family), stated the opposition to the ordinance. Points of opposition included:

- The portion of the road in question is not owned by Oconee County. Ownership is split between the developer and Ratliff's, with the majority by the Ratliff's.
- The belief that the BZA has no authority to make this decision; must be decided between the two private parties.
- No evidence a prescriptive easement has been obtained by the County
- Applicant is attempting to change a contour of an easement that they are not a party to
- Negative impact on John's Marine and the Ratliff property and absence of legal remedies to address the impact

Discussion with the Board followed.

- Edward John "Jay" Ratliff, Jr., outlined the Ratliff family's opposition to the variance, the history of the business and the negative impact of the approval of the variance.

Discussion with the Board followed.

- Mike Johnson, citizen, expressed his support for the variance approval, citing the changes to the County ordinance that regulates roads and right-of-ways over the years, specifically regarding private roads.
- Maggie Johnson, citizen, spoke in support of the variance approval and property owner's right to use their property as allowed.
- Chad Knot, citizen, expressed his opposition to the variance approval noting issues with the legality of Board deciding this application, infringement of the Duke 804 line, traffic, and the impact on John's Marine.
- Chris Holder, citizen Greenville, SC, stated his opposition to the variance approval. Mr. Holder referred to the negative impact on John's Marine specific to the space needed to navigate boat trailers and traffic.
- John Martin, citizen, stated his opposition to the variance with concern that John's Marine will lose their business and/or Oconee County taxpayers will have to defend decision in appellate court.
- Bruce Hadley, citizen, expressed his concern that the Board has no jurisdiction over this application as the road is private land and there is no plan to allow for a similar business if John's Marine is forced out of business
- Barry Steele, citizen, expressed his opposition to the variance approval based on his concerns with erosion and limited room for tractor trailers used for deliveries.
- Doug Cooper, Harbor Oaks HOA President, expressed his opposition to the variance approval citing safety concerns with regards to increased traffic.
- Mr. Codner made a motion to take a 5-minute break, seconded by Mr. Eager. Mr. Codner called for a vote. The motion passed unanimously 7/0
- Mr. Codner made a motion that the Board reconvene, seconded by Mr. McKee. Mr. Codner called for a vote. The motion passed unanimously 7/0
- Mr. Codner read a sample of emails submitted by the public into the record.

Applicant rebuttal: Mr. Brandt, attorney for the applicant, presented a summary rebuttal to the argument against the requested variance. A question-answer session with the Board followed. Any Lee, Developer, addressed the opposition presented during public comment specifically the size of the cul-de-sac, piece of land between the two properties, encroachment into the 804, flood plain easement with regards to the 810, existence and “ownership” of the prescriptive easement, stabilization of the shoreline, and traffic. Discussion with Board followed. Ms. Smith made closing remarks.

Board discussion: Discussion by the Board included, but was not limited to, the Board’s jurisdiction in this case considering the conflicting legal opinions of the applicant and the opposition, John’s Marine, and traffic and pedestrian safety—specifically **section 26-8 (a) Variance from road standards** of the Oconee County Ordinances. Mr. Codner made a motion to table the variance request, with the supposition directing Planning Staff answer the question of who owns the property (road), and the two parties meet and try to resolve this issue—specifically the piece of land between the two properties—coming back to the Planning Department to schedule a new hearing; seconded by Mr. McKee. Mr. Codner called for a vote. The vote was approved unanimously 7/0.

Item 6 – Adjourn

Mr. Codner asked for a motion to adjourn

Motion – Mr. Mays made a motion; seconded by Mr. Eager

Vote – Unanimously approved.

Meeting was adjourned at 6:58 PM

John's Marine Service
599 Ellenburg Road
Seneca, SC 29672

January 19, 2022

Board of Zoning Appeals
Mr. Codner, Chairperson
415 South Pine Street
Walhalla, SC 29691

Re: Meeting Minutes - November 30, 2021 Board of Zoning Appeals related to application VA21-011 (Ridgewater Engineering and Surveying TMS#150-00-01-459 an unaddressed parcel with the closest address of 599 Ellenburg Rd, Seneca, SC 29672) -

Correction to the meeting minutes as drafted to include:

- this letter, dated January 10, 2022, which addresses the inaccurate and incomplete content in the draft minutes, and
- my letter to you, dated November 22, 2021, expressing my opposition to Variance VA21-011, which I handed to you, the Board members and various members of the public during the November 30, 2021 meeting, and
- the 75-80 emails that you indicated that the Board of Zoning Appeals received from the public regarding VA21-011.

Dear Mr. Codner,

The Ratliff family has reviewed the draft minutes and back up material from the November 30, 2021 Board of Zoning Appeals meeting and is requesting that the Board reject and/or revise the minutes due to the incomplete and inaccurate content. The minutes do not accurately document the concerns voiced during the meeting regarding John's Marine Service from both the public, as well as, the Ratliff family. These minutes are selective in what was included, and substantive information is missing.

Below are some of the examples of the incompleteness and inaccuracies in the minutes. This list is not exhaustive and only represents a portion of the concerns.

Applicant's [hereinafter referred to as Developer] opening statement and provision of evidence:

1) *Statement in Minutes:* "She [Reah Smith, Development Team, Lake Keowee Real Estate] providing evidence that the property has geographic and physical constraints that require the variance and that each of the four criterion can be met to approve the variance. "

Reasons for Rejection:

- The minutes are silent on Ms. Smith's evidence for the 4-criterion required for the Board to authorize a variance. Of particular note, the alleged evidence developer offered to support the statement that the variance will not be of substantial detriment to adjacent uses is completely missing from the minutes.

- 2) Statement in Minutes:** *“Ms. Smith added that the Road Ordinance that is referenced was adopted after the property was purchased.”*

Inaccurate/Deficient Representation to the Board:

It appears that the developer may have provided a deficient statement and clarification by the Board was not sought. Ms. Smith indicated that the Road Ordinance was adopted after the purchase of the property [12/2008]. However, her statement did not indicate that the 50' road requirement had been in place for subdivisions prior to that purchase date by the developer. See The Oconee County Council Meeting Minutes dated April 4, 2006 referencing the adopted and approved Ordinance 2006-12 “AN ORDINANCE AMENDING SECTION 6: SUBDIVISION & LAND USE DEVELOPMENT OF ORDINANCE 99-14, OCONEE COUNTY UNIFIED PERFORMANCE STANDARDS AND LAND USE DEVELOPMENT REGULATIONS AS ADOPTED BY ORDINANCES 2001-04, 2002-05 & 2004-14” wherein the ordinance states the 50' right-of-way road requirement.

Ms. Smith states: *“Before getting into the criteria [the four criterion] required to obtain a variance], I would like to clarify that the purchase of this parcel predates the existing Road Ordinance. At the time of the purchase no variance would have been needed to go straight into construction, however, given that we entered one of the most severe economic recessions in US history it would have been unwise to do so.”*

The Board did not ask her to clarify the date of purchase of the parcel and whether there was an existing Road Ordinance at the time of purchase which required a 50' right-of-way for a road. The Ordinance 2006-12 clearly states the 50' right-of-way for road development.

- 3) Statement in Minutes:** *“Ms. Smith described the positive impact the variance will have on John’s Marine and the nearby County roads.”*

Reason for Rejection:

While the minutes state the developer indicated that there would be an alleged positive impact on John’s Marine, the minutes are silent on the specific alleged positive impacts.

Staff comments:

- 4) Statement in Minutes:** *“Mr. Coley explained that the request is a road variance, not necessarily a zoning ordinance, and Planning staff have met with staff from the Roads & Bridges Department to discuss. Notable findings from the meetings include agreement that the current road right-of-way is prescriptive and ends at the pavement on either side of the road, the variance is for a section that is 100 ft in length and 31.9ft at its narrowest point, and the applicant is shifting the proposed entrance south from the center of the road so that it is all on their property.”*

Incomplete or incorrect statements by staff:

Staff also commented in the meeting: *“The 31’9 feet minimum does not restrict their [Road and Bridges Department’s] ability to maintain the road. They [Road and Bridges Department] have made no statement as to same. For road maintenance, for right now, they are maintaining with zero right-of-way on the side of road.”*

This statement was in response to a question by the Board as to why the County requires a 50' right-of-way and whether road can still be maintained with only the 31'9 feet minimum. The response by Staff is incorrect as Road and Bridges is NOT maintaining the portion of the road in front of 599 Ellenburg and has not in the past maintained same either.

On another note, there was no indication at the meeting whether the staff addressed with the Roads & Bridges Department whether the shifting of the road to the South would bring the road below the 804' MSL contour, which is the Duke Energy property and Lake Keowee FERC boundary. Nor did the Board seek clarification as to that issue.

Public Comment Time:

5) Statement in Minutes: Rick McDuff, Attorney, Spokesman for John's Marine (Ratliff family), stated the opposition to the ordinance. Points of opposition included:

- The portion of the road in question is not owned by Oconee County. Ownership is split between the developer and Ratliff's, with the majority by the Ratliff's.
- The belief that the BZA has no authority to make this decision; must be decided between the two private parties.
- No evidence a prescriptive easement has been obtained by the County
- Applicant is attempting to change a contour of an easement that they are not a party to
- Negative impact on John's Marine and Ratliff property and absence of legal remedies to address the impact

Reasons for Rejection:

The minutes are incomplete. The minutes are silent on the following:

- Mr. McDuff pointed out inaccurate information on the aerial map provided by the developer. Specifically, Mr. McDuff correctly identified that John's Marine is located at 599 Ellenburg and not the entirety of the area encompassed in yellow on the developer's aerial map and referenced by Ms. Smith, during her initial presentation on behalf of the developer, as being part of John's Marine.
- Mr. McDuff stated that if the proposed road were to be approved, then John's Marine would be cut-off from road access and effectively shutdown, with no way for customers to bring boats on trailers to the service shop. Nor, would there be a way for deliveries to be made to the service shop or for boats to be retrieved from the lake on a trailer and brought to the service shop.
- The minutes are also silent on the fact the developer offered, for the first time during the meeting, to connect the concrete slab to the proposed new road, however, no legal details regarding ownership of the connecting portion as well as rights for customer's use were mentioned. Without the legal interests of John's Marine documented in a recorded document, then the business would effectively be shutdown.
- Mr. McDuff stated that there was no demonstration by the developer on how this proposed variance is *not* going to have a negative impact on the business. The business has been at its present location for 39 years and pre-dates the purchase by the developer by a "long shot".

- Mr. McDuff indicated that under Duke's Shoreline Management Plan, John's Marine is identified as commercial use, everything else in the area is residential. There is no other location on the lake to move John's Marine if it were to shutdown due to this proposal. There is no permitting for a commercial marina with multiple docks on Lake Keowee.
- The minutes are silent on the deficiencies in the documents provided by the developer specifically regarding the 804 contour line. There appear to be discrepancies between the Exhibit 1 with the contour lines and the Pioneer Surveying with regard to the 804.
- Mr. McDuff stated that the pitch of the proposed new road that will create what is referred to as a "birdbath" where the water will pool, then drain toward the Ratliff property. The developer has already done fill work and has created a deviation in the contour of the roadway and the "bird bath" effect is evident. The water is pooling in front the shop and has the potential to create flooding in the shop.
- Mr. McDuff indicated that there might be a way to put a private driveway for the developer to obtain access to their property. The density of the development would need to be reduced.
- Mr. McDuff indicated that there would be significant safety issues due to the potential higher use of the narrow roadway, vehicles having to dodge the large tractor trailers which deliver motors/large items, delivery vehicles, etc. These safety issues would be especially significant if multiple, emergency vehicles need to get into the property.

6) *Statement in Minutes: Edward John "Jay" Ratliff Jr. outlined the Ratliff family's opposition to the variance, the history of the business and the negative impact of the approval of the variance.*

Reasons for Rejection:

The minutes are selective and incomplete. The minutes are silent on the following:

- Mr. Edward John "Jay" Ratliff explained that a letter was being given by Mr. James "Jimmy" Ratliff (his brother) to each member of the Board in attendance as well as Mr. Coley, Ms. Kompier and to those in the public audience who expressed an interest in receiving a copy.
- Mr. Edward John "Jay" Ratliff stated that John's Marine Service has been in business since 1972 in Seneca and servicing boats at its present location since 1982. John's Marine is a 3-generation family business, which was started by his father. It is currently being run by his brother, Jimmy. Jimmy is mentoring his son, Cameron, in the business.
- Jay described the crippling, substantial detrimental impact of the variance on John's Marine business. The service business requires maneuvering boats and large trailers. Jimmy uses the entire road to pull boats out of the water, to put boats into the water, to maneuver boats into the shop for repair, to park boats and to maneuver trailers. A large number of boats are frequently maneuvered in that area. Boats that arrive by water need to be put onto a trailer, pulled from the water and maneuvered into the shop for repair. The variance would permit the developer to change the current road from a private driveway to a private road or public road, allowing much more vehicle traffic, and allow the developer to change the current location of the road. Such would substantially impact, to the detriment of John's Marine, the ability to maneuver, park and service boats/trailers, in addition to

severely limiting maneuvering by delivery trucks who bring in large motors, and equipment for boat repair.

- The John's Marine business is using the full area on Ellenburg Road for the service business, from 565 Ellenburg Road (which has been the end of County maintenance) to the area past the shop toward Arrowhead Point. The Ratliff family has maintained this portion of the road for almost 40 years. The road being a dead-end, the only vehicles using that portion are vehicles/boats/trailers/trucks associated with John's Marine, or the Ratliff private home.

7) Statement in Minutes: *"Mike Johnson, citizen, expressed his support for the variance approval, citing the changes to the County ordinance that regulates roads and right-of-ways over the years, specifically regarding private roads."*

Reasons for Rejection:

The minutes are selective and incomplete. The minutes are silent on the following:

- Mr. Johnson also indicated that he is a member of the Oconee County Planning Commission.
- It appears that Mr. Johnson provided an inaccurate statement and clarification by the Board was not sought. Mr. Johnson represented that private road ordinance changed in 2013, bringing private roads up to match the public road 50' right-of-way standard. He pointed out that any inference that the "developer should have known" "at time of purchase" "just probably would not be true," given that Mr. Johnson alleges the private road 50' right-of-way ordinance did not come into effect until 2013. The Board did not ask Staff to verify this, nor did the Board challenge that statement. Contrary to his statement, the 50' right-of-way road requirement had been in place for subdivisions as far back as at least 2006, which is prior to the 2008 purchase by the developer. As stated previously, the Oconee County Council Meeting Minutes dated April 4, 2006 reference the adopted and approved Ordinance 2006-12, wherein the 50' right-of-way road requirement is stated for private roads.
- Mr. Johnson failed to mention his employment relationship with the developer.

8) Missing Statement from Minutes:

Mr. Roger Chapman arose and spoke after Mr. Chris Holder and before Mr. John Martin. Mr. Roger Chapman, citizen, expressed that his concerns were addressed by previous speakers and that he recommended that the Board oppose the variance.

Reasons for Rejection:

The minutes are selective and incomplete. Mr. Chapman's recommendation that the Board oppose the variance was not included in the Minutes.

9) Statement in Minutes: *"Mr. Codner read a sample of emails submitted by the public into the record."*

Reasons for Rejection:

The minutes are incomplete and selective.

- Mr. Codner stated that the Board received approximately 75-80 emails and that the bulk of the emails support John's Marine. Mr. Codner's statement about the quantity of emails received, as well as, their support for John's Marine is missing from the Minutes and should be included.
- In comparison to the Board of Zoning Appeals documentation attached as "Backup Material" for other variance requests, the "Backup Material" documentation of

VA21-011 appears to be selective. For example, variance #VA20-4 contains approximately 125 emails which citizens sent to the Board. All 125 emails were included in Board of Zoning Appeals "Backup Material" documentation. For VA21-011, Mr. Codner summarized a very small portion during the meeting and none of the 75-80 emails that the Board received were included in Board of Zoning Appeals "Backup Material" documentation. Each email received should be included in the minutes.

Applicant rebuttal:

10) Statement in Minutes: *"Mr. Brandt, attorney for the applicant, presented a summary rebuttal to the argument against the requested variance.*

Reason for Rejection:

The minutes are silent on Mr. Brandt's rebuttal arguments.

11) Statement in Minutes: *"Any Lee, Developer, addressed the opposition presented during public comment specifically the size of the cul-de-sac, piece of land between the two properties, encroachment into the 804, flood plain easement with regards to the 810, existence and "ownership" of the prescriptive easement, stabilization of the shoreline, and traffic."*

Reasons for Rejection:

- The minutes are silent on the developer's rebuttal arguments.
- Andy Lee stated that tractor-trailers from John's Marine can use the first cul-de-sac as a turn-around. This statement appears to be inaccurate as a 53' tractor-trailer requires a minimum 55' turning radius; the standard 40' cul-de-sac for a subdivision will not accommodate this requirement. Additionally, tractor-trailers providing construction materials, moving freight liners and heavy equipment trucks will add to the congestion as they will also back down ~ 1/2 mile from the Harbor Oaks entrance.
- No evidence was provided during the meeting that the developer obtained approval with regard to the 804 backfill activities.
- No evidence was provided during the meeting that a shoreline stabilization plan for the road has been approved by the County or Duke Energy.

Many of the discrepancies noted above can be validated by watching the video from the Board of Zoning Appeals meeting on November 30, 2021 and comparing to publicly-available records.

The Ratliff family have submitted FOIA requests for the following:

- The minutes of the meetings between the Planning staff and the Road & Bridges Department that document the notable findings which were mentioned by Mr. Coley during the Staff Comments portion of the Board of Zoning Appeals meeting on November 30, 2021.
- The Ellenburg Road Maintenance Records
- The written reports of the Road and Bridges Code of Ordinance Section 26.8(b) that were submitted prior to the Board of Zoning Appeals meeting on November 30, 2021.
- Any emails or communications pertaining to the variance request and Ellenburg Road.

We appreciate your consideration in this matter and look forward to your response prior to the upcoming January 24th meeting that the minutes will be revised to include the aforementioned

information. As noted above, the contents of this letter are not exhaustive, but only provide some detail as to some of the important information that is missing from the minutes.

On a personal note, I'm shocked that I was not invited to participate in any of the meetings that the County held to discuss the changes being sought to the section of Ellenburg Road that my family has been maintaining for more than 40 years and which has a direct impact on my business and involves my property.

Thank you,

Jimmy Ratliff

Jimmy Ratliff
John's Marine Service

cc: John E. Ratliff
Sherri D. Crisp
Amy L. Cawthon
Frances J. Ratliff
County Council members:
John Elliot, Chair
Matthew Durham
Paul A. Cain, Esq.
Julian Davis III
James Glenn Hart

Variance request Continuation #VA 21-011:
Ridgewater Engineering and Surveying – Joe Meaders is requesting an 18.1' variance from the 50' Right of Way for the entrance of the subdivision due to the end of the existing road not making full access into the property and only having a prescriptive ditch to ditch right-of-way. TMS # 150-00-01-459 an unaddressed parcel with the closest address of 599 Ellenburg Rd, Seneca, SC 29672.

ZONING REQUIREMENTS:

SITE ZONING: CFD
OVERLAY DISTRICT: KEOWEE/JOCASSEE OVERLAY

BUILDING SETBACKS:	FRONT	RIGHT	LEFT	REAR
	25'	5'	5'	10'
				UNLESS NOTED OTHERWISE
				25' VEGETATIVE BUFFER TAKES PRECEDENCE OVER THE 10' REAR SETBACK LINE WHERE APPLICABLE.

- 10' (5' EITHER SIDE) DRAINAGE AND UTILITY EASEMENT ON SIDE LOT LINES
 - PROPERTY LINE ALONG LAKE KEOWEE IS ALONG THE 800' MSL CONTOUR
 - DUKE ENERGY FLOOD EASEMENT TO THE 810' MSL CONTOUR
 - 25' NATURAL VEGETATIVE BUFFER RESERVED BY OCONEE CO. ALONG LAKE KEOWEE FULL POOL (800' MSL CONTOUR)

19 TOTAL LOTS
 MINIMUM LOT SIZE = 21,780 SQ. FT. (1/2 ACRE)
 MINIMUM LOT WIDTH = 80 FT.

ROAD NOTE:
 THE ROAD RIGHT-OF-WAY SHOWN ON THIS PLAN SHALL BE PUBLIC, TO BE OWNED AND MAINTAINED BY OCONEE COUNTY ROADS AND BRIDGES DEPARTMENT.

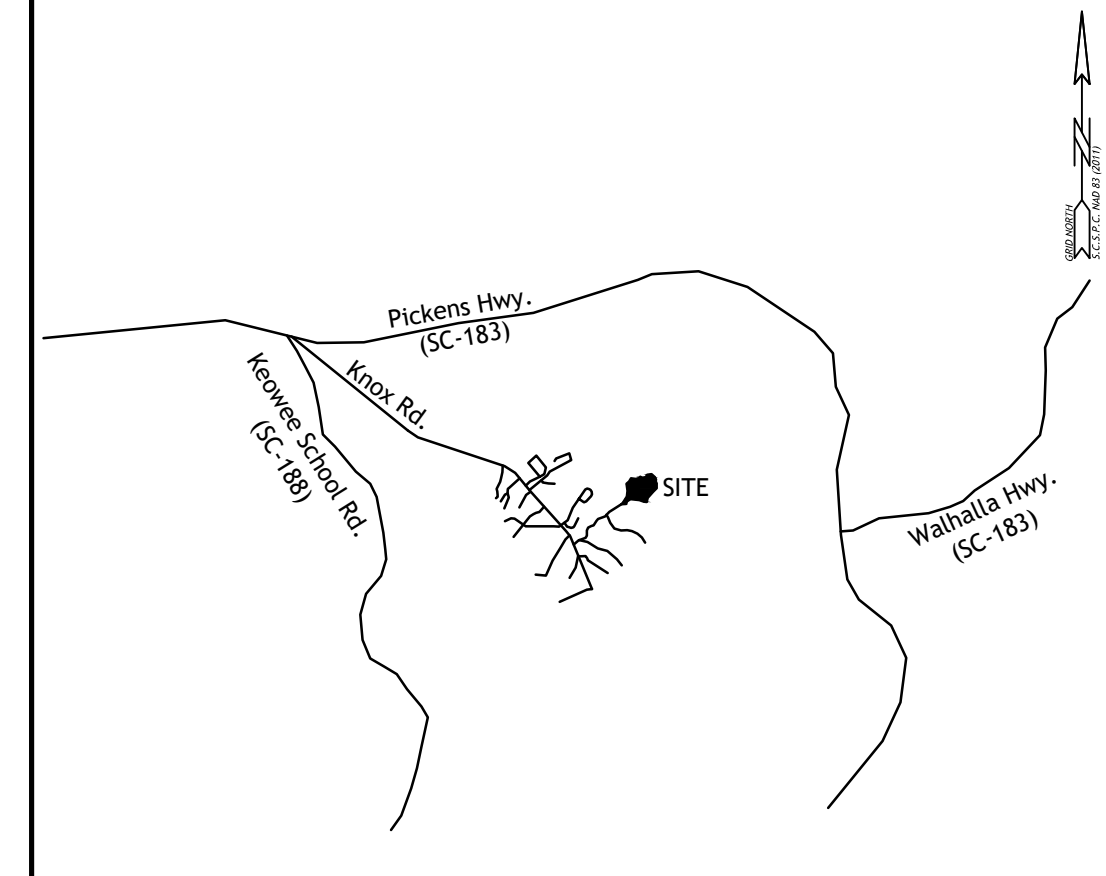
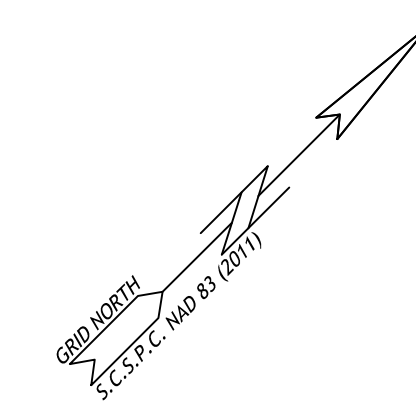
NOTE:
 NO COUNTY BUILDING PERMITS SHALL BE ISSUED FOR PROJECTS ON INDIVIDUAL LOTS PRIOR TO THE RECORDING OF A FINAL PLAT IN THE OFFICE OF THE REGISTER OF DEEDS.

25' VEGETATIVE BUFFER
 25' TAKEN FROM 800' CONTOUR LINE/PROPERTY LINE. THIS BUFFER TAKES PRECEDENCE OVER THE 10' REAR SETBACK LINE WHERE APPLICABLE.

EXISTING CONTOUR NOTE:
 TOPOGRAPHIC SURVEY PROVIDED BY WILLIAM HUTCHINS PLS. 906 FREEMAN RD. LIBERTY SC 29657

UTILITY NOTE:
 ALL LOTS TO UTILIZE PUBLIC WATER (WALHALLA WATER) AND INDIVIDUAL SEPTIC TANKS.

- EXISTING**
- IRON PIN, OLD, FOUND ●
 - NAIL OR NAIL & BOTTLE CAP (NEW UNLESS NOTED) ○
 - COMPUTED POINT △
 - OVER HEAD POWER — OHP —
 - OVER HEAD POWER & TELEPHONE — OHPT —
 - FIBER OPTIC CABLE — FOC —
 - UTILITY POLE ○
 - GUY WIRE △
 - PROPERTY LINE ———
 - ADJACENT PROPERTY LINE - - - - -
 - WETLANDS ———



LOCATION MAP

SKETCH PLAN

OWNER'S CERTIFICATION

As the owner of this land, as shown on this sketch plan, I certify that this drawing was made from an actual survey, and accurately portrays the existing land and its features and the proposed development and improvements thereon.

Date: _____
 [Owner] [Agent] [Name]: _____
 Signed: _____

DESIGN PROFESSIONAL CERTIFICATION

It is hereby certified that this sketch plat was prepared using a survey of the property prepared by William Hutchins, PLS, and dated 9-15-21; And further that the proposed subdivision meets all requirements of the Oconee County Development Standards Ordinance, as applicable to the property.

By Name: _____
 Signed: _____
 Registered Professional No. _____
 Address: _____
 Telephone No. _____
 Date: _____

CERTIFICATE OF PROJECT APPROVAL

All applicable requirements of the Oconee County Development Standards Ordinance relative to Project Approval having been fulfilled, approval of this sketch plan is hereby granted by the Manager or the Subdivision Administrator, subject to further compliance with all provision of said development regulations.

Manager or Subdivision Administrator: _____
 Date: _____

TMS # 150-00-01-459
 D.B. 1695, PAGE 87
 P.B. B291, PAGE 1

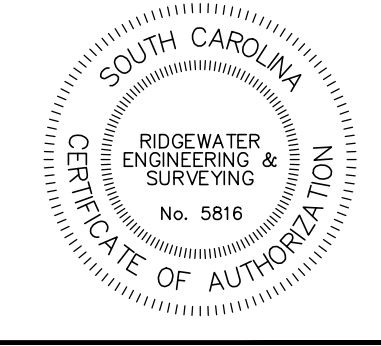
Arrowhead Point

Lake Keowee Development Group Inc. 896 N. Walnut St. Seneca, SC 29678
 Ridgewater Engineering & Surveying, LLC P.O. Box 806 Anderson SC 29622

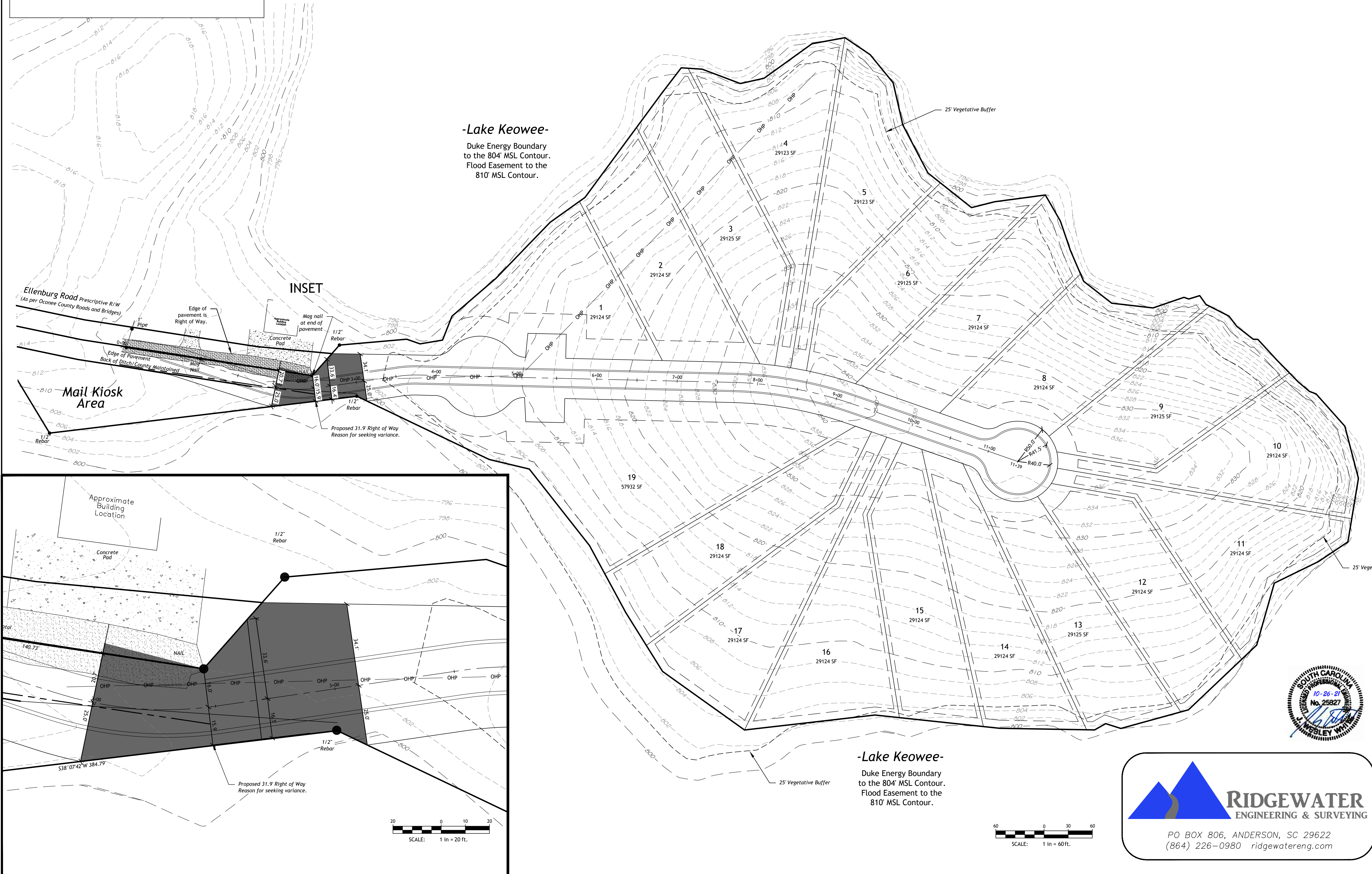
OWNER ENGINEER OR SURVEYOR

NO. OF ACRES: ±15.37 MILES OF NEW ROADS: ±1140 LF
 NO. OF LOTS: 19 DATE: 10-26-2021
 ZONE: CFD
 OVERLAY DISTRICT: KEOWEE/JOCASSEE OVERLAY

DRAWN BY: KOC
 CHECKED: JWJW
 JOB NUMBER: 21286
 REVISIONS: 0
 SKETCH-PLAN



THIS DRAWING AND THE DESIGN SHOWN THEREON ARE THE PROPERTY OF RIDGEWATER ENGINEERING & SURVEYING, LLC. THE REPRODUCTION, COPYING OR USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED AND ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.



ZONING REQUIREMENTS:

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OVERLAY DISTRICT: KEOWEE/JOCASSEE OVERLAY				
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				UNLESS NOTED OTHERWISE
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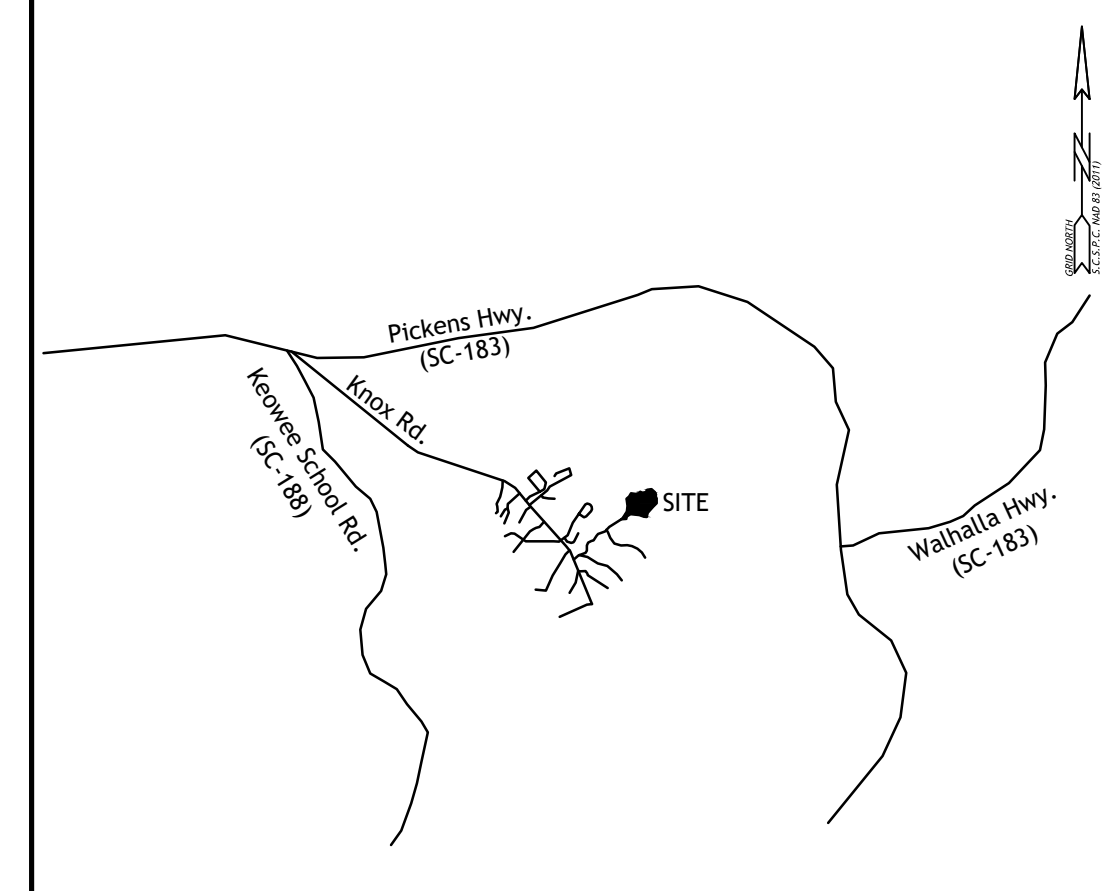
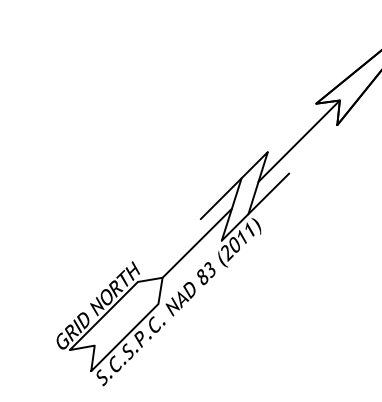
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- IRON PIN, OLD, FOUND
- NAIL OR NAIL & BOTTLE CAP (NEW UNLESS NOTED)
- COMPUTED POINT
- OVER HEAD POWER
- OVER HEAD POWER & TELEPHONE
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TMS # 150-00-01-459
 D.B. 1695, PAGE 87
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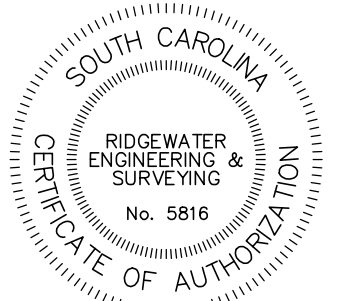
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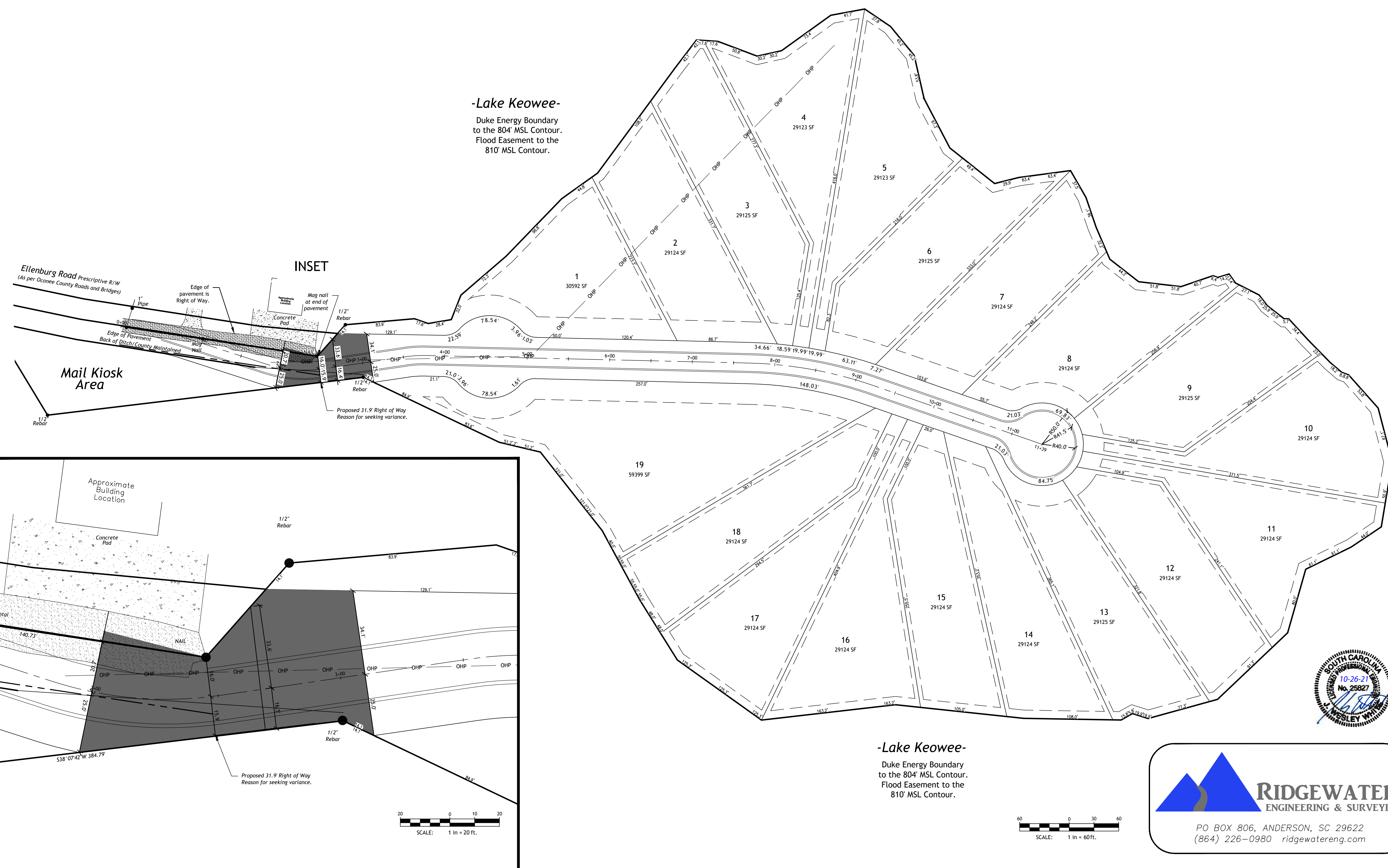
OWNER ENGINEER OR SURVEYOR

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DRAWN BY: KOC
 CHECKED: JWJW
 JOB NUMBER: 21286
 REVISIONS: 0
 SKETCH-PLAN

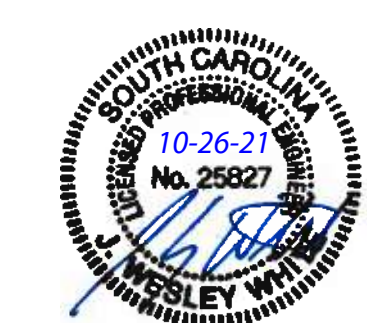
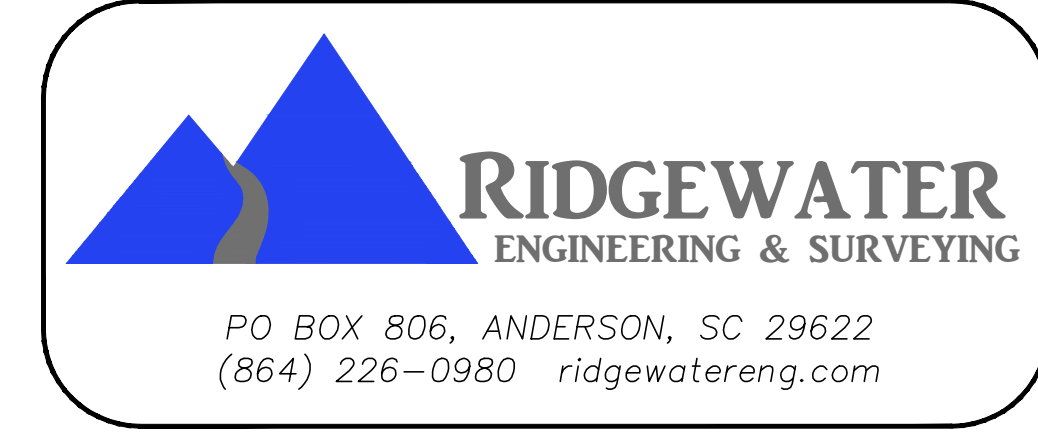
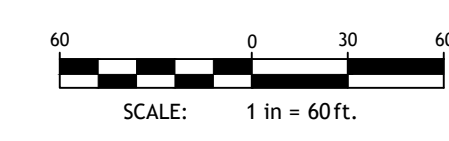
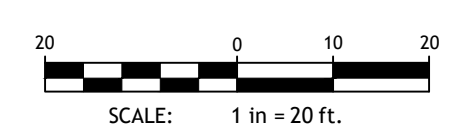


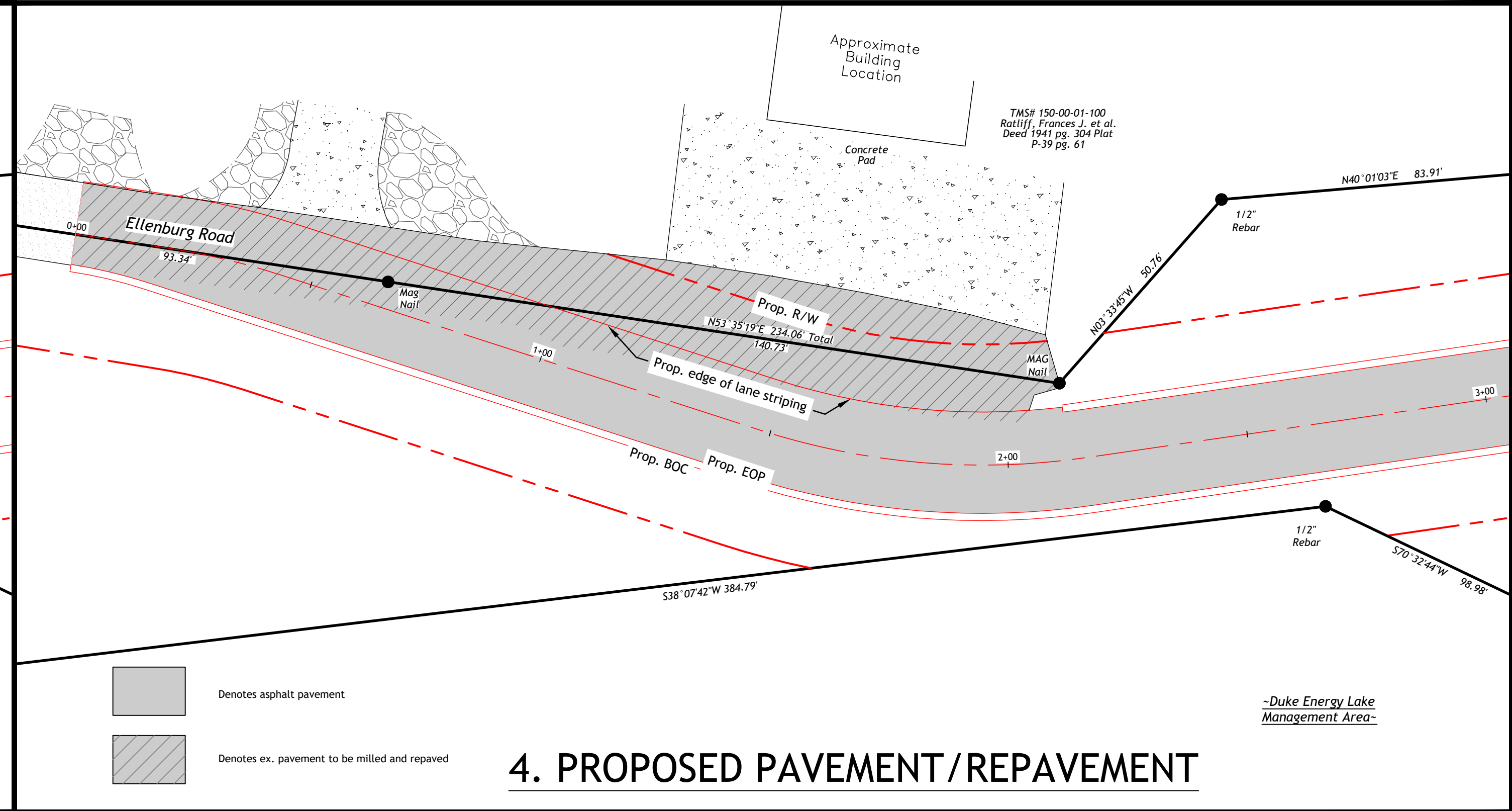
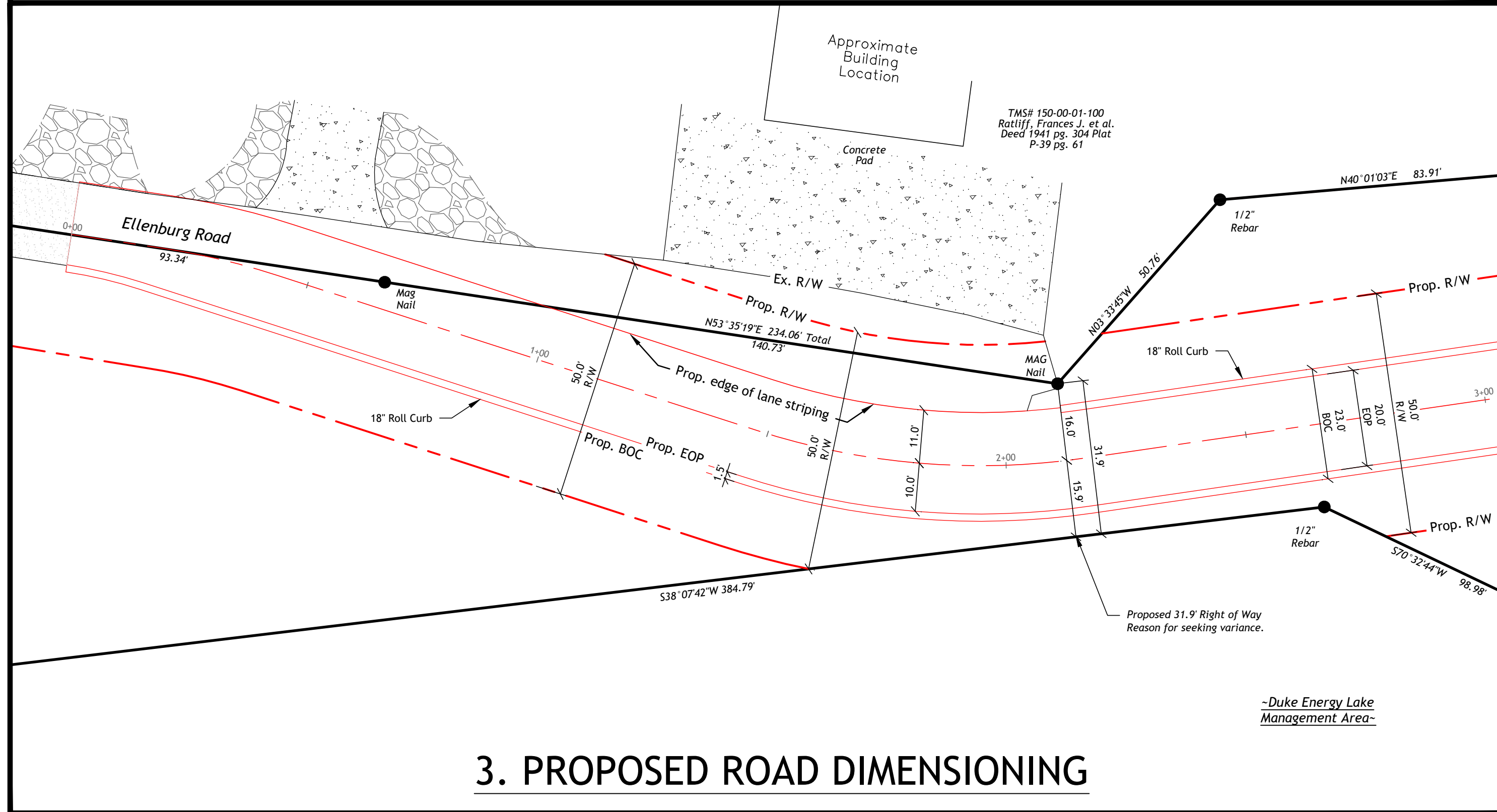
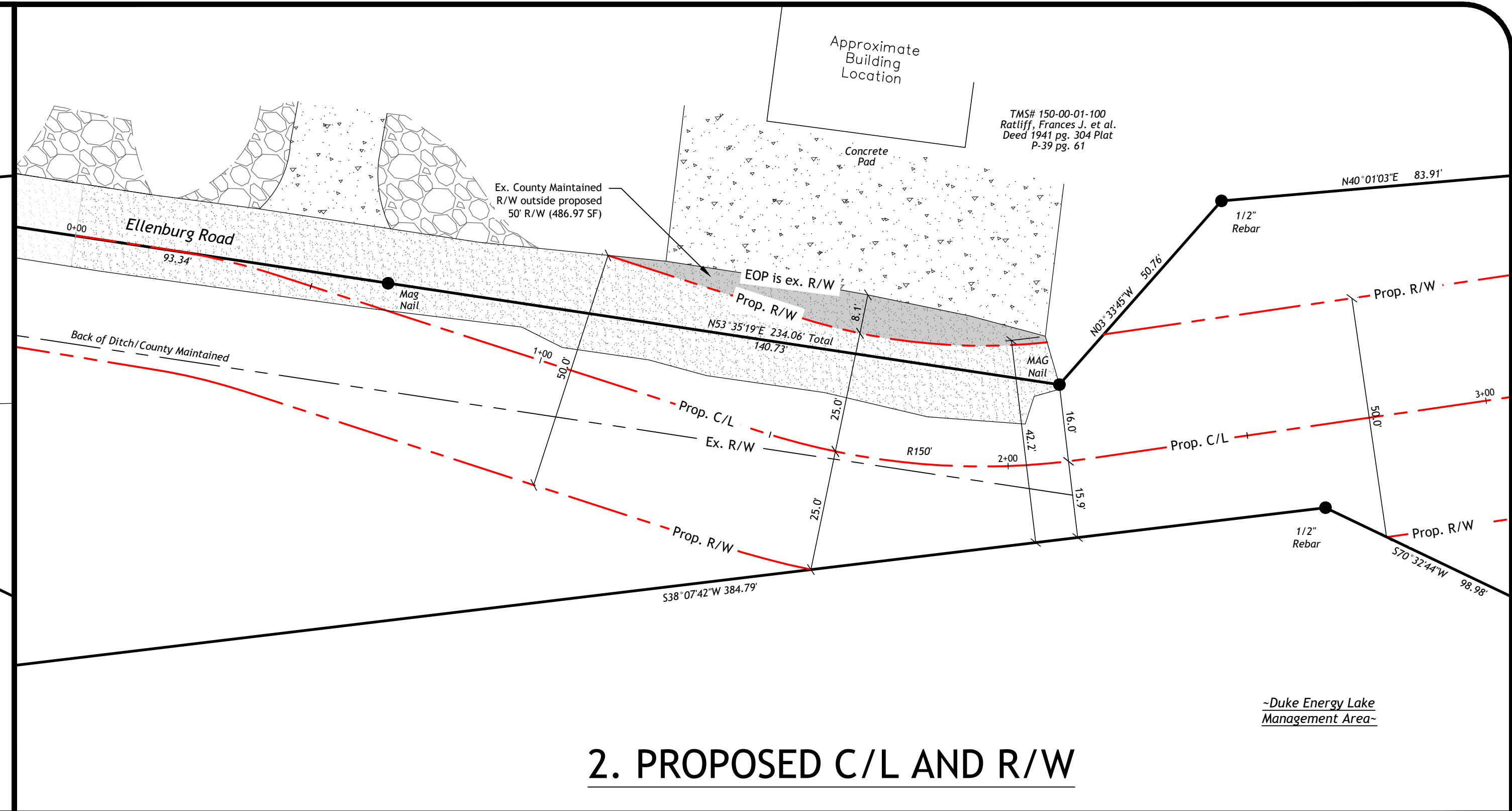
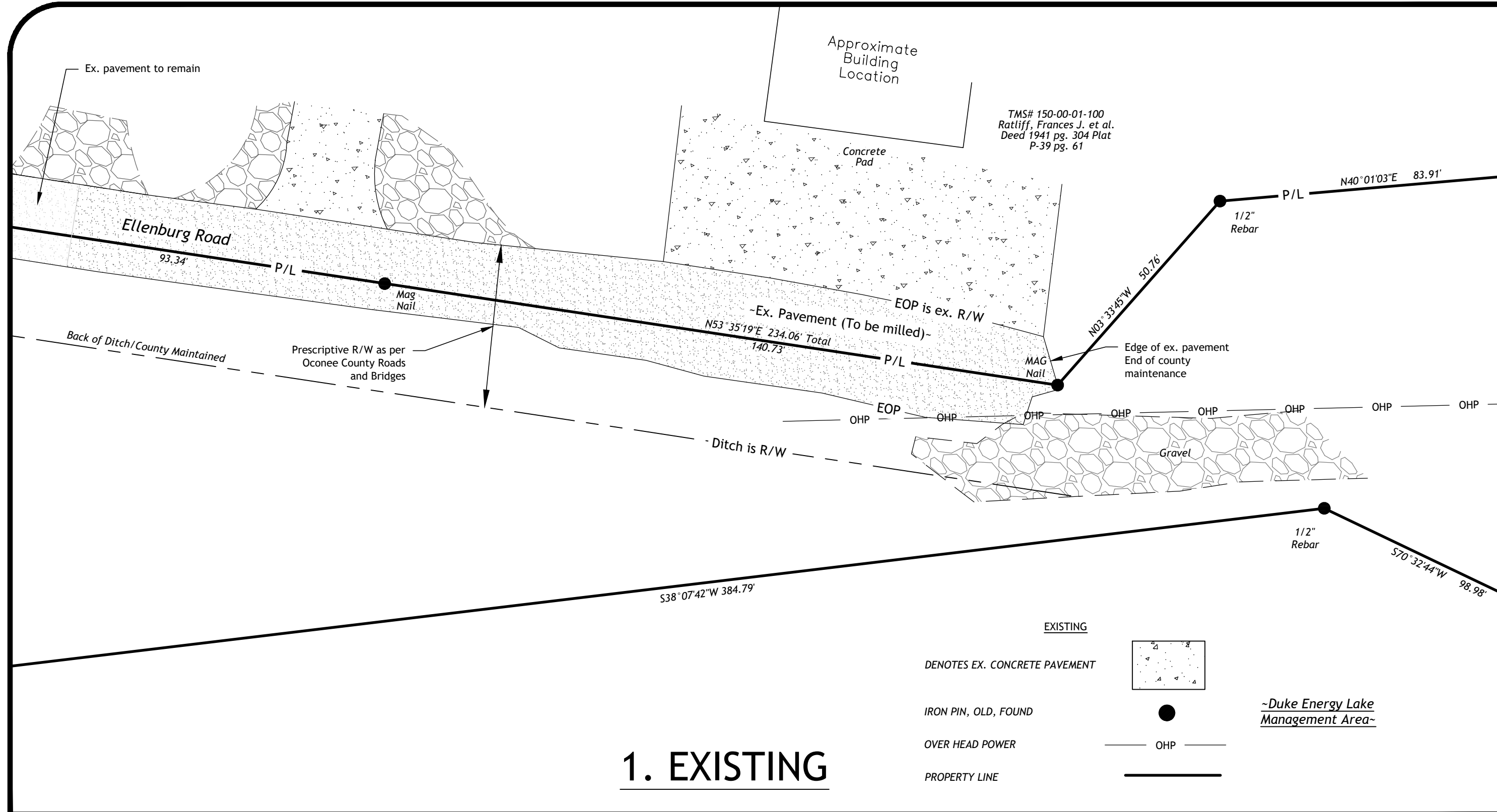
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-Lake Keowee-
 Duke Energy Boundary to the 804' MSL Contour. Flood Easement to the 810' MSL Contour.

-Lake Keowee-
 Duke Energy Boundary to the 804' MSL Contour. Flood Easement to the 810' MSL Contour.





EXISTING
 DENOTES EX. CONCRETE PAVEMENT
 IRON PIN, OLD, FOUND
 OVER HEAD POWER
 PROPERTY LINE

Concrete Pad
 IRON PIN, OLD, FOUND
 OVER HEAD POWER
 PROPERTY LINE
 -Duke Energy Lake Management Area-
 OHP

Denotes asphalt pavement
 Denotes ex. pavement to be milled and repaved

SITE LEGEND

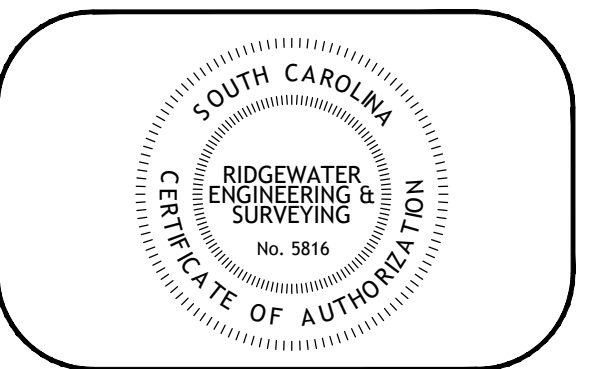
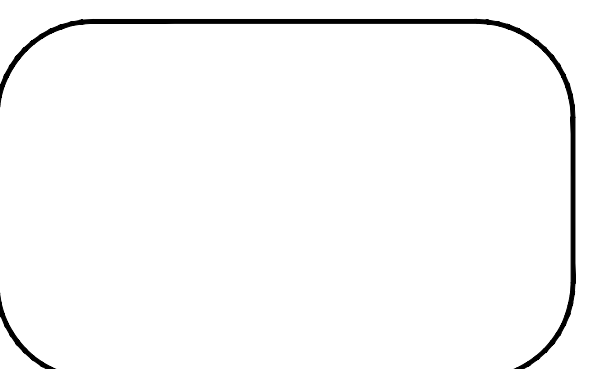
- C/L Centerline of Road
- EOP Edge of pavement
- BOC Back of curb
- R/W Right-of-way
- R Radius
- Prop. Proposed
- Ex. Existing

RIDGEWATER
ENGINEERING & SURVEYING

PO BOX 806
ANDERSON, SC 29622
(864) 226-0980
RIDGEWATERENG.COM

SCALE: 1 in = 20 ft.

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Arrowhead Point

Oconee County,
South Carolina

DRAWN BY: KOC
 CHECKED: JWW
 JOB NUMBER: 21286

REV #	DATE	COMMENT
0	11-24-21	ISSUE FOR REVIEW
...
...
...
...

SHEET

Variance Request

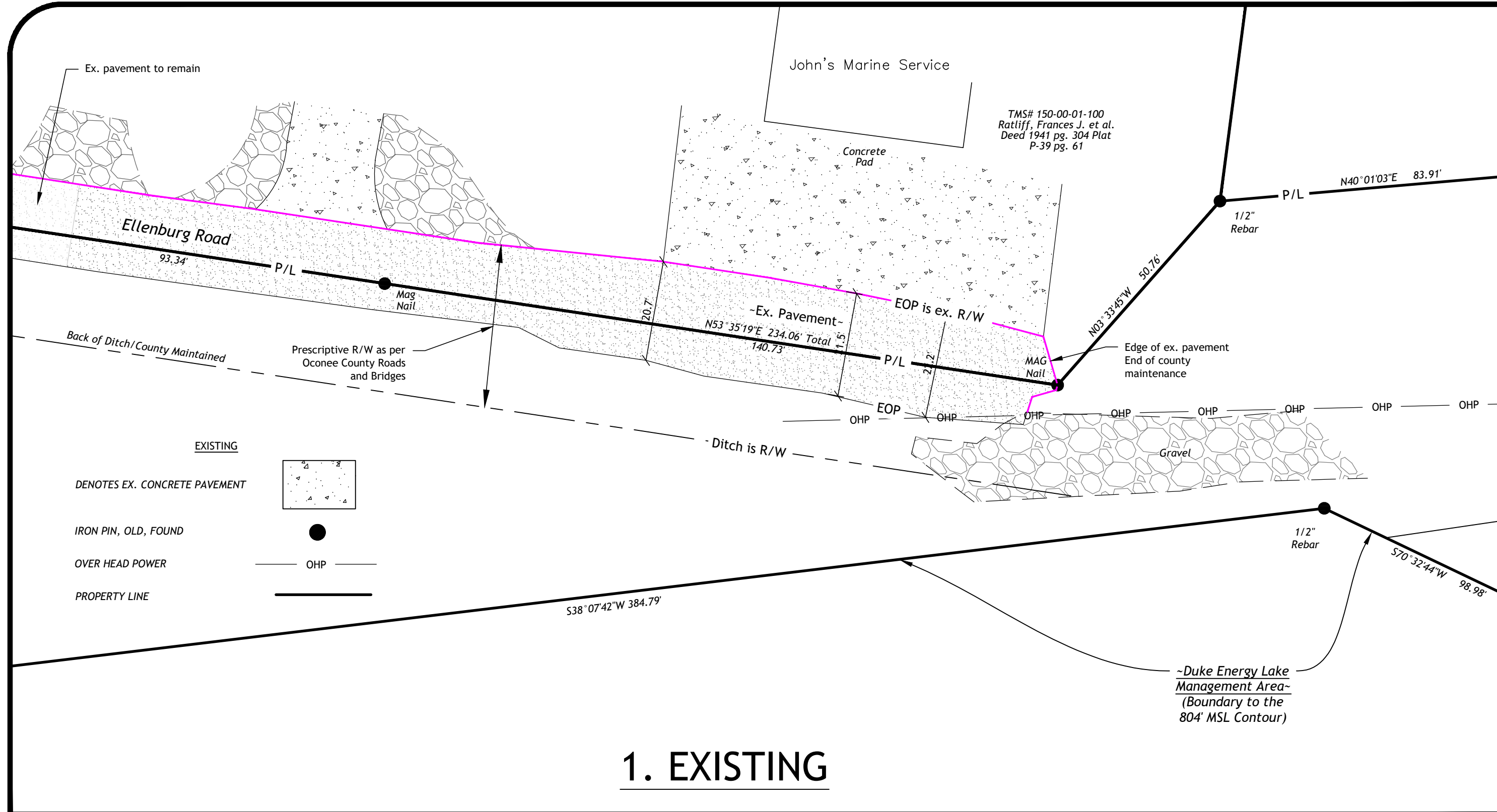
C - 2

CAUTION

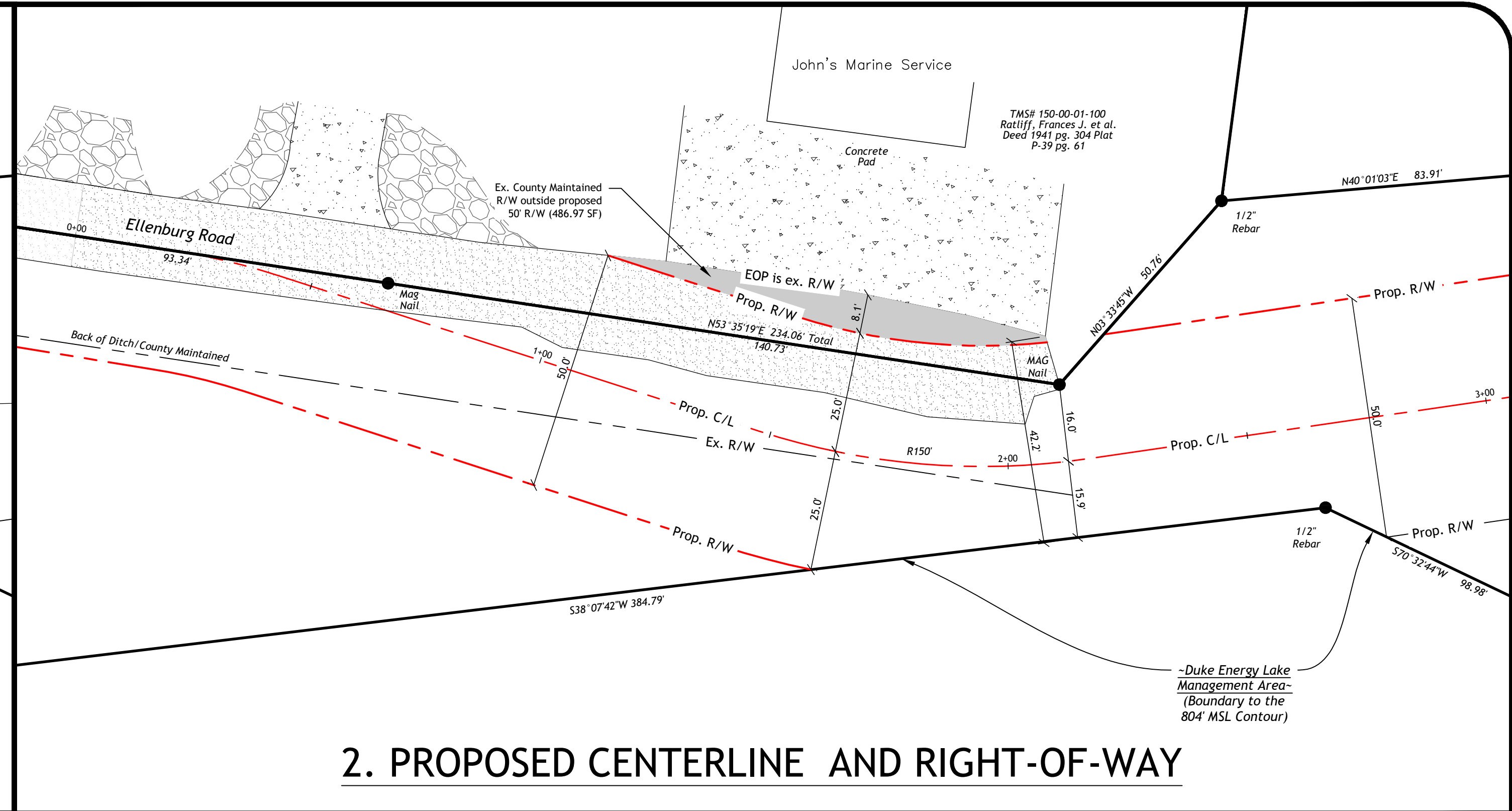
PALMETTO UTILITY LOCATION SERVICE

3 DAYS BEFORE DIGGING CALL TOLL FREE 811

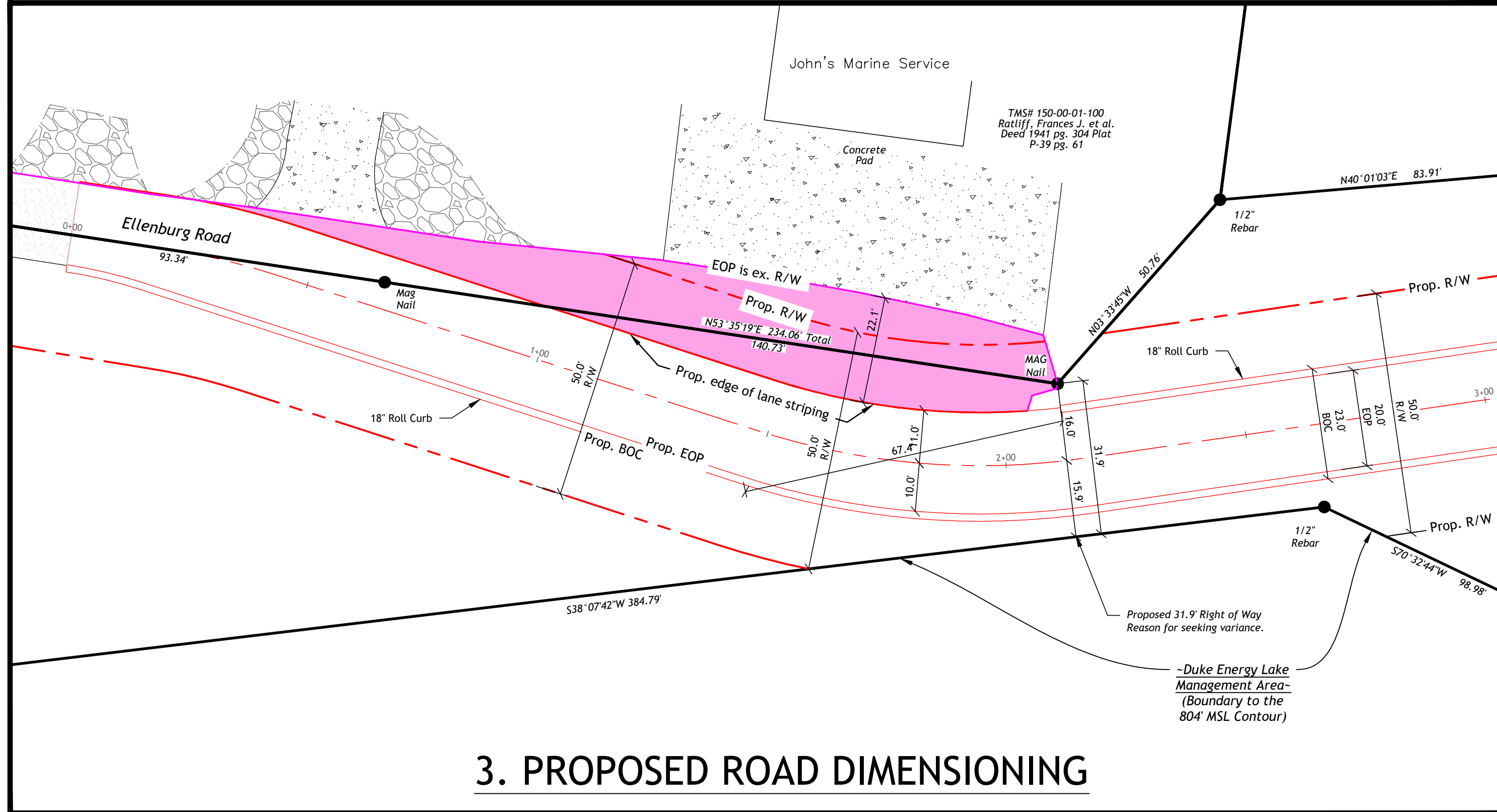
A ONE CALL SYSTEM FOR COMMUNITY AND JOB SAFETY.



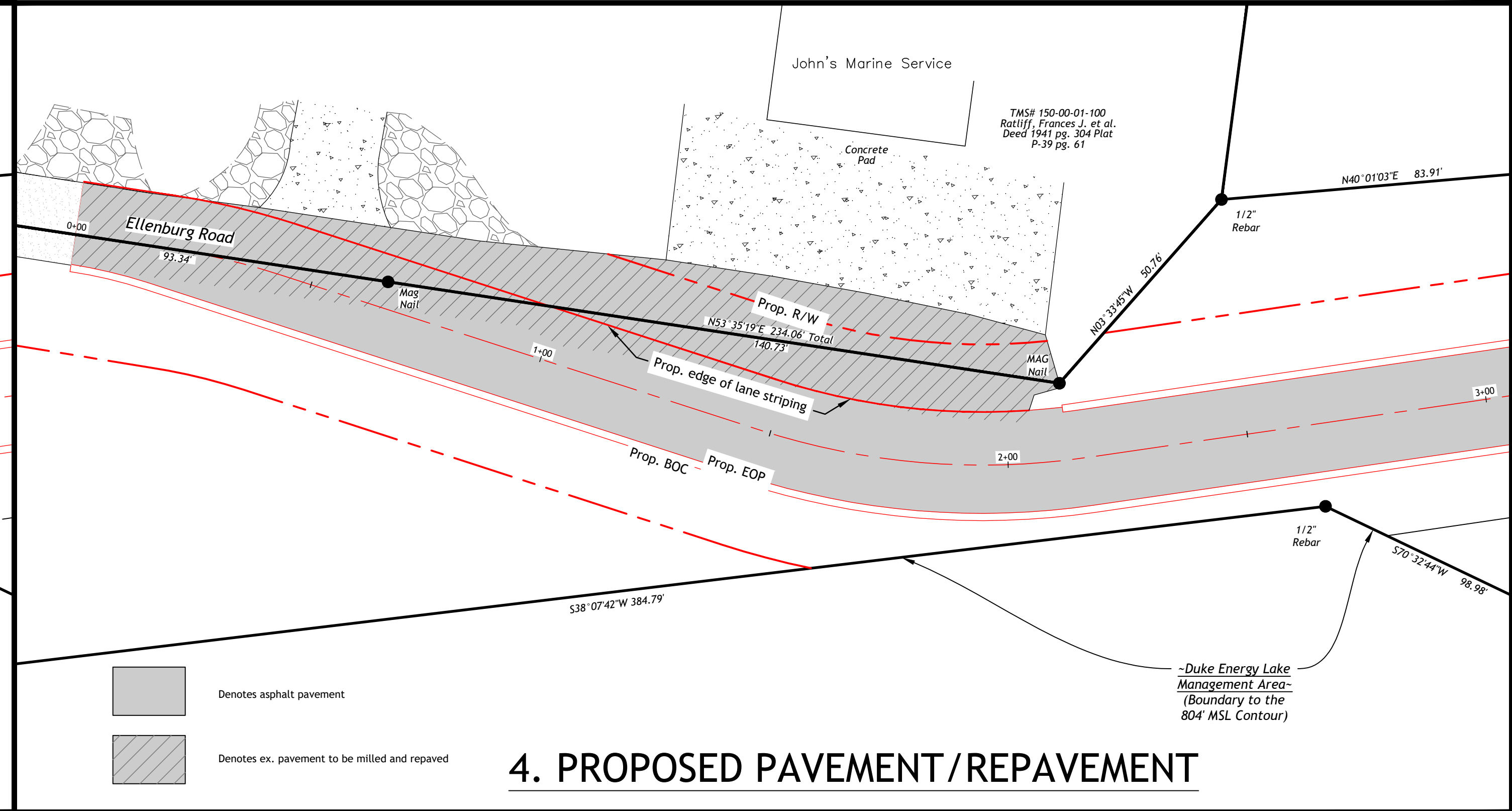
1. EXISTING



2. PROPOSED CENTERLINE AND RIGHT-OF-WAY



3. PROPOSED ROAD DIMENSIONING



4. PROPOSED PAVEMENT/REPAVEMENT

Denotes asphalt pavement
Denotes ex. pavement to be milled and repaved

SITE LEGEND

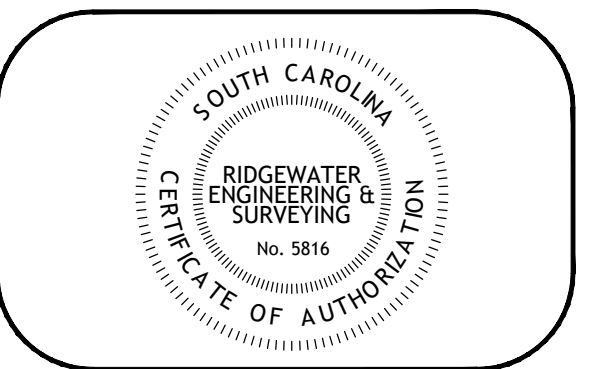
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- BOC Back of curb
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- R Radius
- Prop. Proposed
- Ex. Existing

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PO BOX 806
ANDERSON, SC 29622
(864) 226-0980
RIDGEWATERENG.COM

SCALE: 1 in = 20 ft.

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Arrowhead Point

Oconee County,
South Carolina

DRAWN BY: KOC
CHECKED: JWW
JOB NUMBER: 21286

REV #	DATE	COMMENT
0	11-24-21	ISSUE FOR REVIEW
1	11-29-21	PLANNING COMMISSION MTG.
...
...
...

SHEET

Variance
Request

C - 2

CAUTION

PALMETTO UTILITY LOCATION SERVICE

3 DAYS BEFORE DIGGING CALL
TOLL FREE 811

A ONE CALL SYSTEM FOR COMMUNITY AND JOB SAFETY.

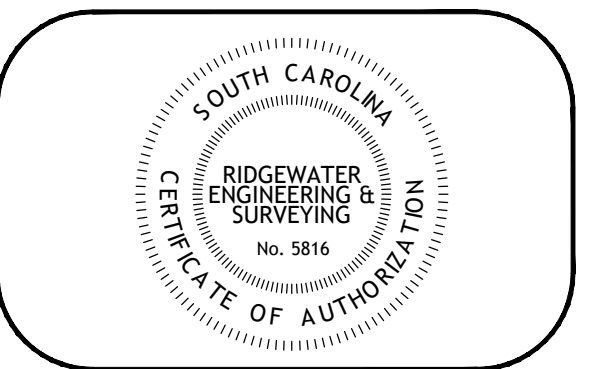


RIDGEWATER
ENGINEERING & SURVEYING

PO BOX 806
ANDERSON, SC 29622
(864) 226-0980
RIDGEWATERENG.COM

SCALE: 1 in = 60 ft.

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Arrowhead Point

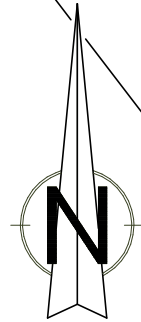
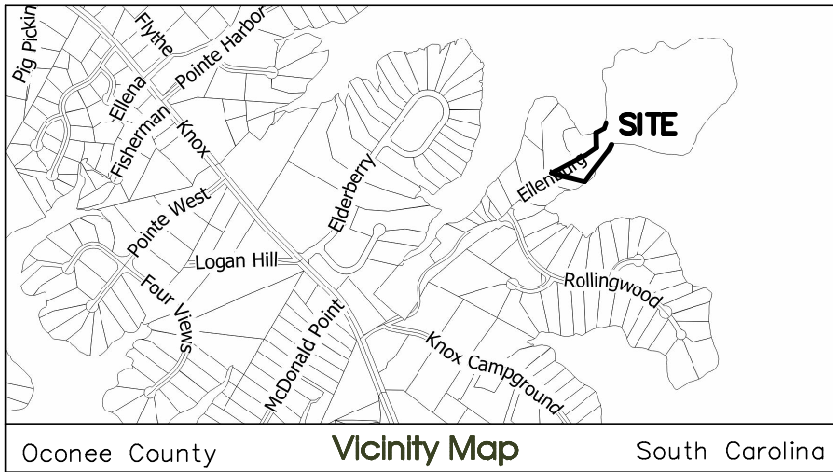
Oconee County,
South Carolina

DRAWN BY: KOC
CHECKED: JWW
JOB NUMBER: 21286

REV #	DATE	COMMENT
0	11-24-21	ISSUE FOR REVIEW
1	11-29-21	PLANNING COMMISSION MTG.
...
...
...

SHEET

Exhibit 2



Approximate Building Location

PIONEER SURVEYING, INC.

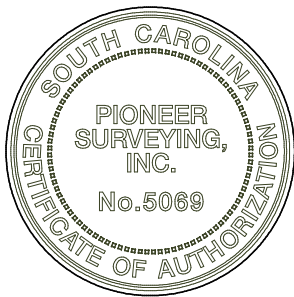
PioneerLandSurvey@gmail.com
PioneerLandServices.com
906 Freeman Road
Liberty S.C. 29657
(864) 231-6820

LINE	BEARING	DISTANCE
L1	N54°54'41"E	56.82'

Legend

(New)	(Found)	
○	●	1/2" Rod/Rebar
□	■	Mag Nail
△	△	Computed Point
	Ⓢ	Telephone Pedestal
	⊗	Utility Pole

TMS# 150-00-01-100
Ratliff, Frances J. et al
Deed 1941 pg. 304
Plat P-39 pg. 61



Ellenburg Road Prescriptive R/W

(As per Oconee County Roads and Bridges Back of Ditch/County Maintained)

NOTES:
 - TMS# 150-00-01-459
 - Reference Deed 1695 pg. 87
 - Reference Plat B-291 pg. 1
 - North Reference: SC GPS Grid 3900
 - Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject property: easements, other than possible easements that were visible at the time of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, and any other facts that an accurate and current title search may disclose.
 - This survey does not purport to create new access, right of ways, easements, roads, drives, and/or others of this nature, unless noted as *New. Depictions of aforesaid information are obtained from existing records as referenced heron.

"I hereby state that 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 A survey as specified therein; also there are no visible encroachments or projections other than shown."

Lake Keowee
 Duke Energy Boundary to the 804' MSL Contour.
 Flood Easement to the 810' MSL Contour.

Exhibit Survey and Certification of Ellenburg Road Variance Request

Date: August 26, 2021

William C. Hutchins P.L.S. No.29117

Map # 20354As_Built
 Field Crew SG, NS
 Drawn By SG



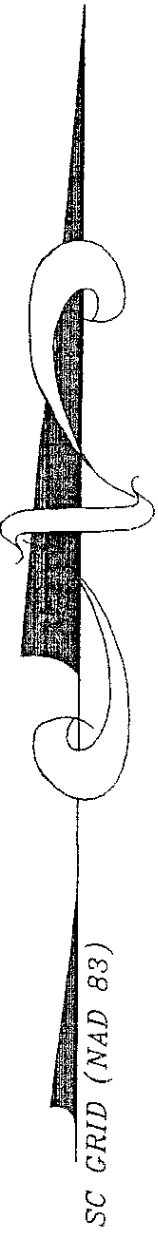
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FILED FOR RECORD
 OCOONEE COUNTY, S.C.
 REGISTER OF DEEDS
 2008 NOV 18 P 3:20

P/L IS DUKE ENERGY CORP.
 PROJECT BOUNDARY AND APPROX. 804 CONTOUR

AREA = 15.37 ACRES

LAKE KEOWEE



LINE	BEARING	DISTANCE
L229	N03°28'39"W	50.76'
L230	N40°01'03"E	83.91'
L231	N64°08'50"E	17.59'
L232	N35°31'21"E	28.43'
L233	N23°31'32"W	31.95'
L234	N04°17'42"E	72.27'
L235	N00°58'01"W	96.83'
L236	N09°28'56"E	53.35'
L237	N08°37'03"W	158.64'
L238	N07°36'04"W	42.10'
L239	N48°36'46"E	26.06'
L240	N65°38'47"E	50.78'
L241	N32°21'59"E	30.18'
L242	N09°16'59"E	73.42'
L243	N34°32'32"E	41.77'
L244	N79°02'46"E	37.80'
L245	S84°19'48"E	45.21'
L246	S57°51'54"E	53.77'
L247	S72°34'19"E	67.33'
L248	N83°31'36"E	69.24'
L249	N30°54'30"E	29.94'
L250	N37°24'13"E	63.43'
L251	S74°58'03"E	37.51'
L252	S63°52'18"E	38.10'
L253	S68°11'33"E	42.13'
L254	N83°04'13"E	44.28'
L255	N51°28'07"E	51.78'
L256	N26°08'04"E	40.69'
L257	N64°29'17"E	6.37'
L258	N27°34'16"E	14.21'
L259	S80°10'18"E	13.39'
L260	N71°51'24"E	32.20'
L261	S82°09'46"E	16.03'
L262	N83°00'13"E	25.88'
L263	N47°26'00"E	5.74'
L264	S87°34'13"E	34.36'
L265	S89°24'27"E	38.64'
L266	N85°26'57"E	18.21'
L267	N65°31'28"E	8.84'
L268	S86°43'33"E	53.81'
L269	S59°37'48"E	67.06'
L270	S35°34'52"E	80.12'
L271	S11°16'47"W	44.01'
L272	S18°56'14"W	61.09'
L273	S29°04'57"E	80.04'
L274	S01°28'31"W	117.00'
L275	S29°32'25"W	87.26'
L276	S82°35'41"W	19.86'
L277	S15°36'23"W	15.79'
L278	S45°58'15"W	118.00'
L279	S51°03'04"W	156.12'
L280	S38°28'21"W	163.24'
L281	S80°32'29"W	125.26'
L282	N76°59'12"W	86.18'
L283	N73°27'54"W	94.99'
L284	N83°12'09"W	121.05'
L285	S58°25'16"W	51.25'
L286	S70°33'45"W	83.59'
L287	S70°31'12"W	98.70'
L288	S38°10'22"W	385.06'
L289	N76°11'51"W	166.55'
L290	N56°47'07"E	128.52'

ROBERT L. MORGAN
 DB 1142 PG 191
 PB P39 PG 067
 TAX REF: 150 00 01 103

EDWARD J. RATLIFF
 DB 141 PG 102
 PB 39 PG 61
 TAX REF: 150 00 01 100

TERRY V. ELLENBURG
 DB 897 PG 210
 PB P61 PG 577
 TAX REF: 150 00 01 099

MICHAEL W. BOLT
 DB 1160 PG 87
 PB A823 PG 006
 TAX REF: 150 00 01 017

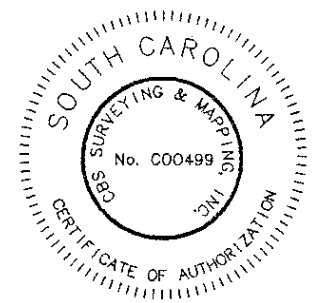
BRENDA K. STASNEY
 DB 1132 PG 228
 PB A798 PG 003
 TAX REF: 150 00 01 396

THOMAS G. PALKERT
 DB 1049 PG 056
 PB A683 PG 007
 TAX REF: 150 00 01 381

HARBOR OAKS SUBDIVISION
 PLAT B160 PGS 1 & 2

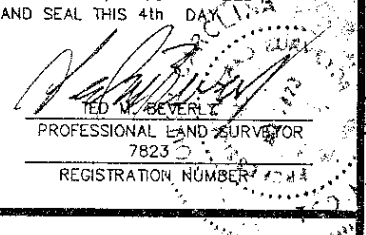
Recorded this 18 day of
 Nov 2008
 Vol. 8291 Pg. 1 and Certified
 Register of Deeds, Oconee County

NOTES:
 (S) DENOTES OBJECT SET
 (F) DENOTES OBJECT FOUND
 PROPERTY SUBJECT TO ANY VALID AND ENFORCEABLE EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND THOSE SHOWN, IF ANY, SHOULD BE INDEPENDENTLY VERIFIED. NO TITLE OPINION HAS BEEN PROVIDED TO THE SURVEYOR. NAMES AND DEED REFERENCES SHOWN ARE FOR DESCRIPTIVE PURPOSES ONLY, NOT TO BE USED FOR DETERMINING TITLE. WATER BOUNDARIES ARE SUBJECT TO CHANGE BY NATURAL CAUSES AND MAY AFFECT AREA AND LIMIT OF TITLE.
 (CMF) - CONCRETE MONUMENT(F)
 (IPS) - #4 REBAR(S)
 (MNS) - MAGNETIC NAIL(S)
 R/W - RIGHT OF WAY
 P/L - PROPERTY LINE
 C/L - CENTERLINE
 □ TOP OF BANK
 ○ UTILITY POLE



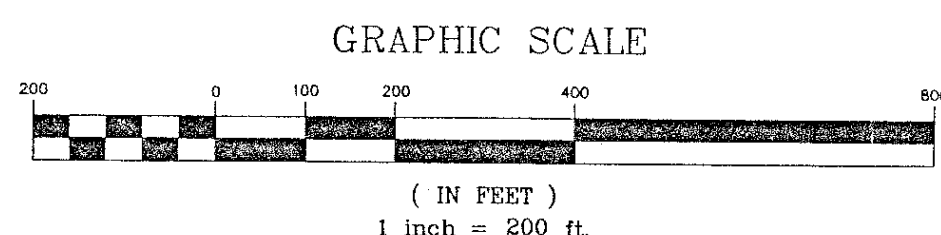
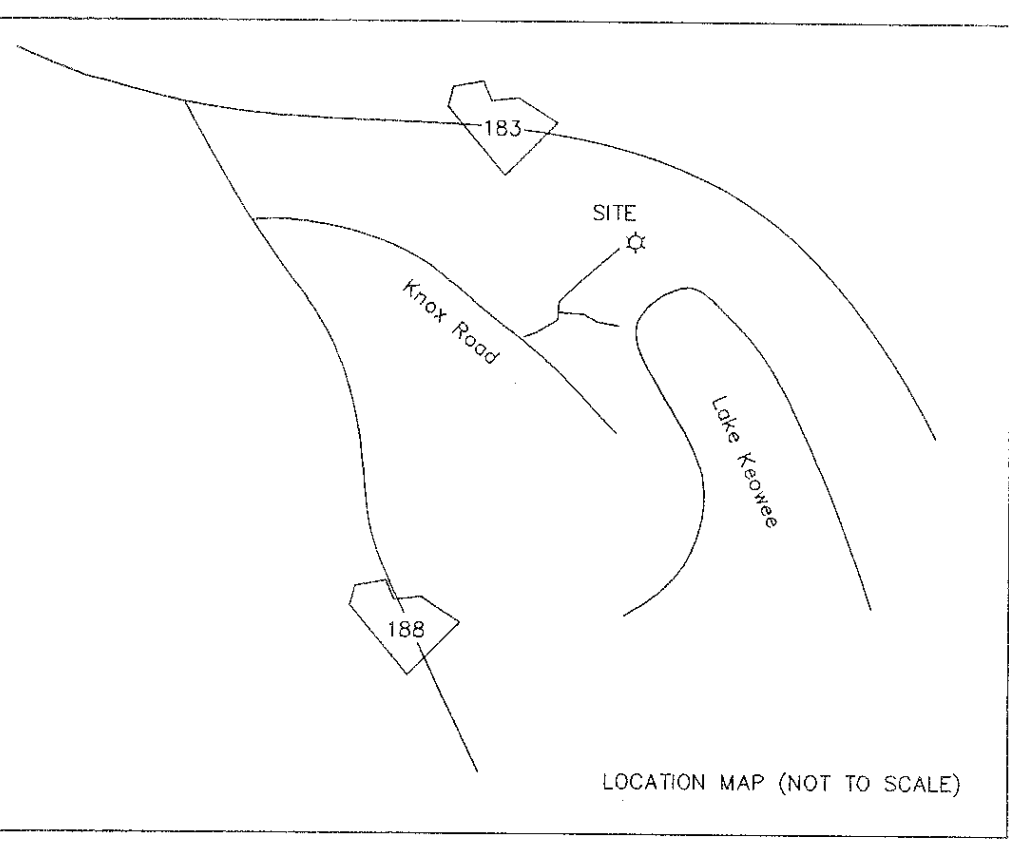
PLAT PREPARED FOR:
CRESCENT RESOURCES LLC
 7810 BALLANTYNE COMMONS PARKWAY
 SUITE 200
 CHARLOTTE, N.C. 28277

SOUTH CAROLINA
 I HEREBY STATE THAT 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, MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN. DEED DESCRIPTION RECORDED IN BOOK 1511 PAGE 228. I WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 18 DAY OF NOVEMBER, 2008.



NOTE: SEE PLAT BY THIS OFFICE IN PLAT SLIDE B143 PAGES 7 & 8.

Doc ID: 001558850001 Type: PLA
 Book B291 Page 1 - 1



BOUNDARY SURVEY FOR:
CRESCENT COMMUNITIES S.C., LLC

SURPLUS TRACT NO. 7114.02	INDEX: AS SHOWN
TOWNSHIP: KEOWEE WHITEWATER	TAX I.D.: 150 00 01 444
COUNTY: OCOONEE	STATE: SOUTH CAROLINA
DATE: JULY 21, 2003	JOB NO.: 1108100
DATE	DESCRIPTION
11/4/2008	SHOW REMAINING PROPERTY

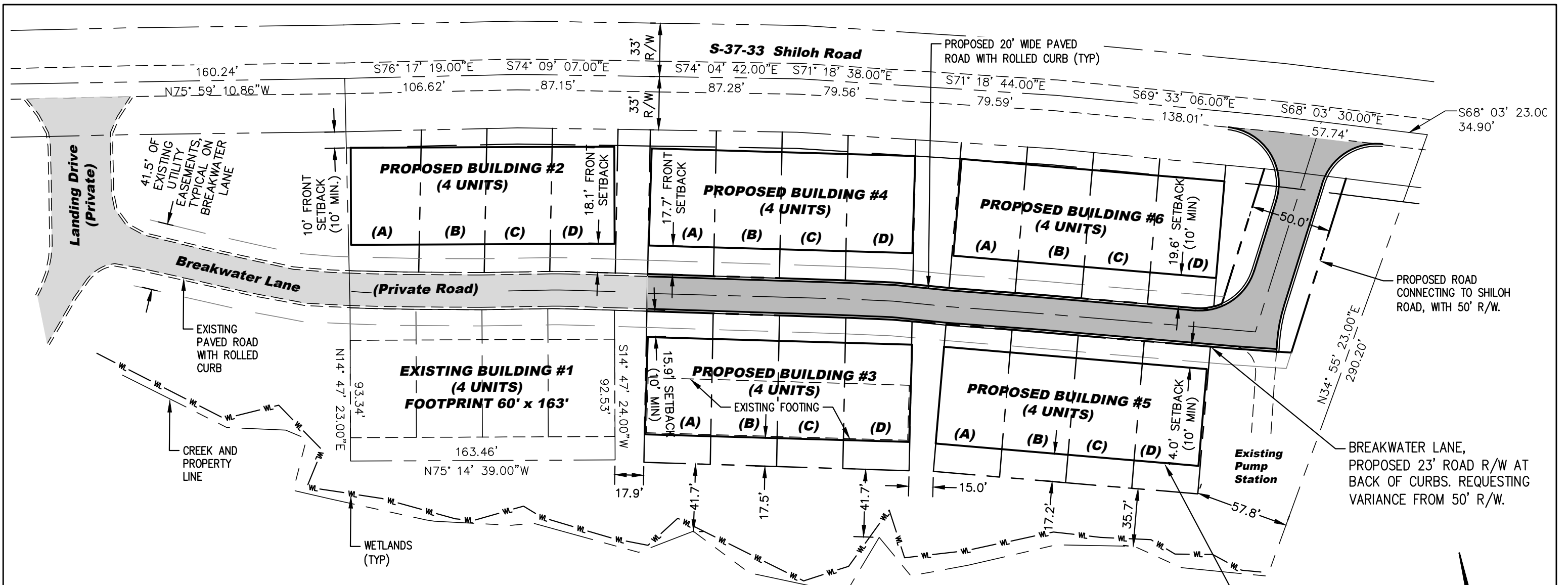
122 EAST ROBINSON STREET
 GAFFNEY, SC 29340 (864) 489-5068
 Ret: 1000 006419

10 1315

Variance application #VA 21-012A:
Variance allowing the side setback for lot lines dividing attached single family units to be reduced to zero feet thus allowing the construction of individually-platted, attached single family units.

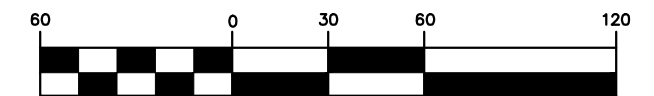
Variance application VA21-012B: 27'
Variance from the 50' road right of way to allow for the new townhomes to be consistent with the existing townhomes.

Resideum, LLC – Greg Kurzner is requesting these variances. TMS# 257-00-02-008 an unaddressed parcel with the closest address of 304 Breakwater Lane, Seneca, SC 29678.



	(Required)	Shown (Okay)	(Required)	Shown (Okay)	(Required)	Shown (Variance)
Unit Designation	Shiloh Front Setback	Shiloh Front Setback	Breakwater Front Setback	Breakwater Front Setback	Side Setback	Side Setback
2A	10	10	10	16.0	5	0
2B	10	10	10	17.0	5	0
2C	10	10	10	17.4	5	0
2D	10	10	10	18.1	5	0
3A	--	--	10	15.9	5	0
3B	--	--	10	15.8	5	0
3C	--	--	10	15.7	5	0
3D	--	--	10	15.5	5	0
4A	10	10	10	17.7	5	0
4B	10	10	10	17.8	5	0

	(Required)	Shown (Okay)	(Required)	Shown (Okay)	(Required)	Shown (Variance)
Unit Designation	Shiloh Front Setback	Shiloh Front Setback	Breakwater Front Setback	Breakwater Front Setback	Side Setback	Side Setback
4C	10	10	10	17.9	5	0
4D	10	10	10	19.2	5	0
5A	--	--	10	14.0	5	0
5B	--	--	10	14.0	5	0
5C	--	--	10	14.0	5	0
5D	--	--	10	14.0	5	0
6A	10	10	10	20.1	5	0
6B	10	10	10	19.7	5	0
6S	10	10	10	19.6	5	0
6D	10	10	10	19.6	5	0



GRAPHIC SCALE
1 inch = 60 ft.

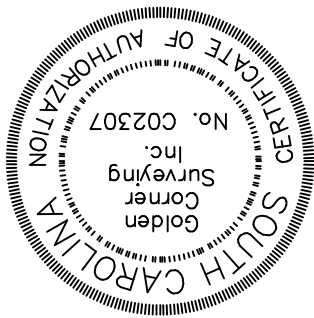


Site Plan
SCALE: 1"=60'

Landing at Clemson Marina
Project #1757.1 Date: 12/9/21

Variance application #VA21-013: Joe and Lynn Arve are requesting a 4.9' variance from the 25' required setback from the right-of-way to permit an existing foundation for a home. TMS# 149-04-01-050 with an address of 851 Little Bay Lane, Seneca, SC 29672.

"I hereby state that 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 A survey as specified therein; also there are no visible encroachments or projections other than shown."



Golden Corner Surveying Inc.
 213 North Pine St.
 Seneca SC 29678
 864-888-8702

Legend
 ● (Old) (New)
 ○ Iron Pin
 □ Nail
 △ Computed Pt.

revised 11-30-21 to show foundation location
 Oconee County South Carolina
 Date: Dec 7, 2020
 Scale 1" = 40'

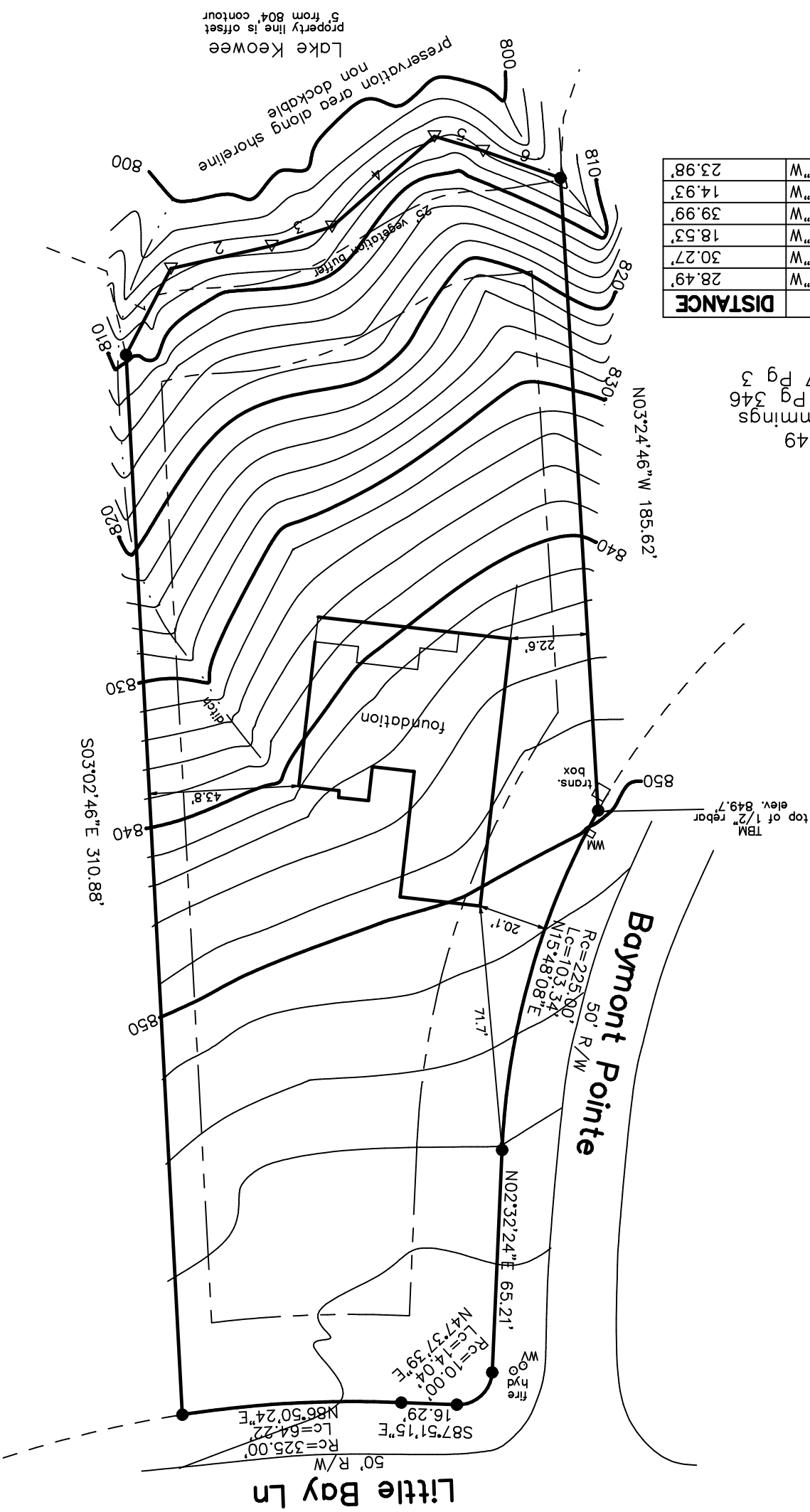
Angela Lynn Arve

Survey for

NOTES:
 1) TMS# 149-04-01-050
 2) Lot 50 Timber Bay 0.94 Ac.
 3) DB 2605 Pg 266
 4) PB B666 Pg 3
 5) Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject property: flood zones; easements; other than possible easements that were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, and any other facts that an accurate and current title search may disclose.

LINE	BEARING	DISTANCE
1	S27°29'30"W	28.49'
2	S77°12'45"W	30.27'
3	S72°22'36"W	18.53'
4	S48°36'33"W	39.99'
5	N73°23'07"W	14.93'
6	N70°41'19"W	23.98'

Lot 49
 Elisa Tummings
 DB 2224 Pg 346
 PB B567 Pg 3



Lot 51
 Michael Dempsey
 DB 2264 Pg 142
 PB B567 Pg 3



Variance application #VA21-014: Dennis and Michelle Hill are requesting a 1.86' variance from the 25' required setback from the right-of-way to permit an existing porch for a home. TMS# 162-05-01-057 with an address of 419 Peninsula Rd, West Union, SC 29696.

SITE SURVEY FOR

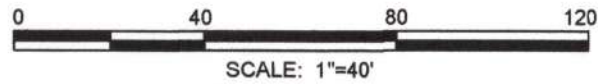
DENNIS E. & MICHELLE M. HILL

WAGENER TOWNSHIP, OCONEE COUNTY, SOUTH CAROLINA

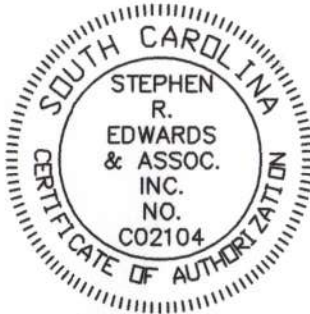
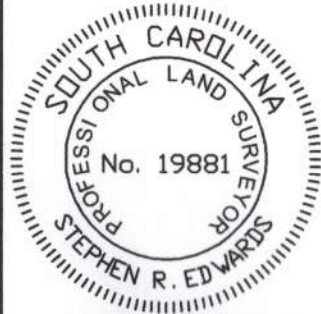
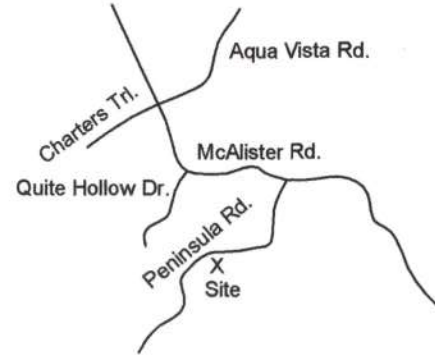
STEPHEN R. EDWARDS & ASSOCIATES, INC.
1432 W. MAIN ST. - WEST UNION, S.C. - 29696
(864) 718-1120

REVISED: 05-11-2020
DATE: 03-17-2020

JOB NUMBER: 20-094

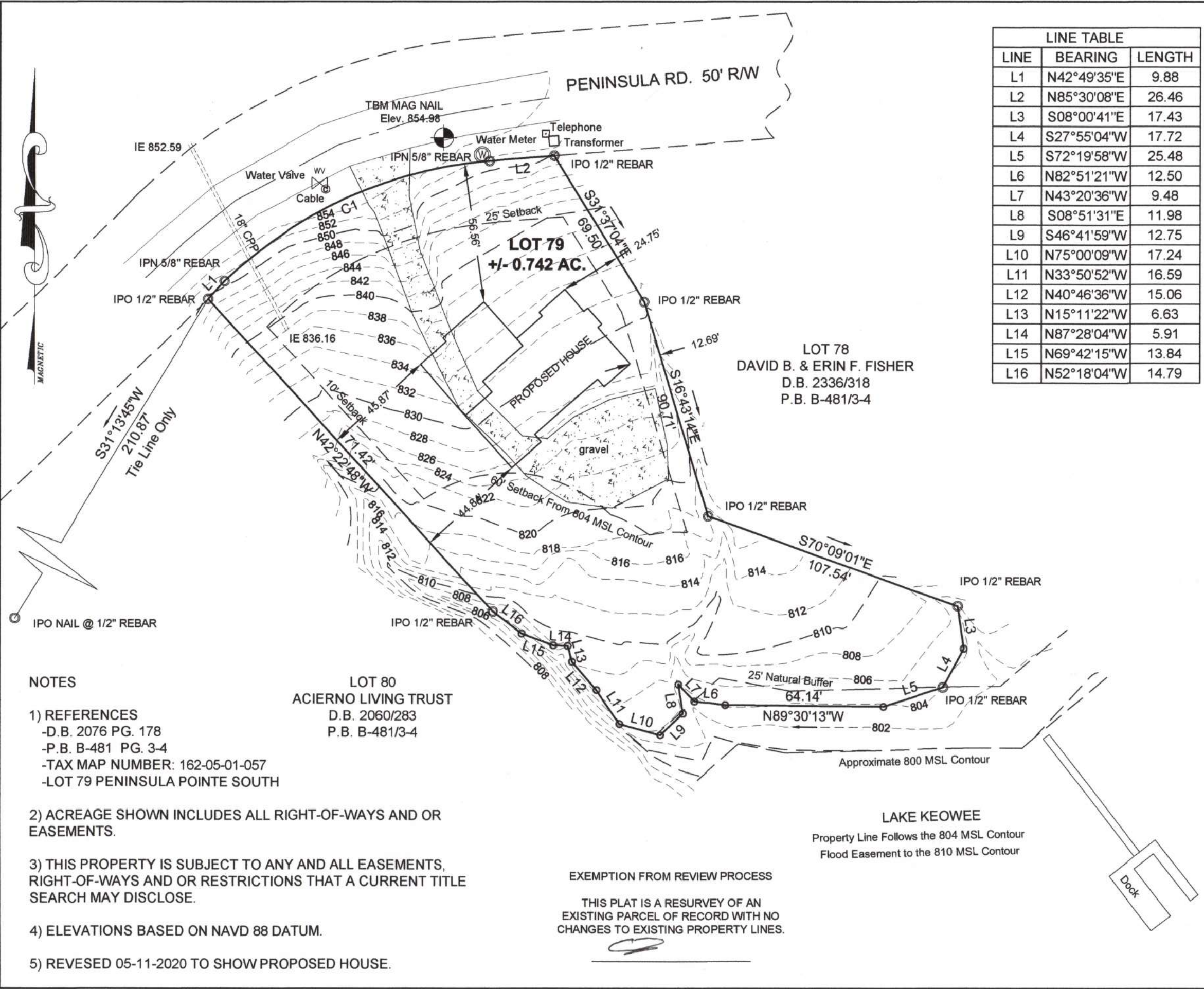


LOCATION MAP
no scale



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



LINE TABLE		
LINE	BEARING	LENGTH
L1	N42°49'35"E	9.88
L2	N85°30'08"E	26.46
L3	S08°00'41"E	17.43
L4	S27°55'04"W	17.72
L5	S72°19'58"W	25.48
L6	N82°51'21"W	12.50
L7	N43°20'36"W	9.48
L8	S08°51'31"E	11.98
L9	S46°41'59"W	12.75
L10	N75°00'09"W	17.24
L11	N33°50'52"W	16.59
L12	N40°46'36"W	15.06
L13	N15°11'22"W	6.63
L14	N87°28'04"W	5.91
L15	N69°42'15"W	13.84
L16	N52°18'04"W	14.79

NOTES

- REFERENCES
-D.B. 2076 PG. 178
-P.B. B-481 PG. 3-4
-TAX MAP NUMBER: 162-05-01-057
-LOT 79 PENINSULA POINTE SOUTH

LOT 80
ACIERNO LIVING TRUST
D.B. 2060/283
P.B. B-481/3-4

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.

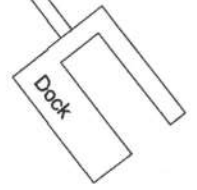
4) ELEVATIONS BASED ON NAVD 88 DATUM.

5) REVESED 05-11-2020 TO SHOW PROPOSED HOUSE.

EXEMPTION FROM REVIEW PROCESS

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

LAKE KEOWEE
Property Line Follows the 804 MSL Contour
Flood Easement to the 810 MSL Contour



FOUNDATION SURVEY FOR

DENNIS E. & MICHELLE M. HILL

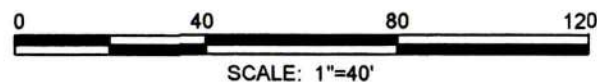
WAGENER TOWNSHIP, OCONEE COUNTY, SOUTH CAROLINA

STEPHEN R. EDWARDS & ASSOCIATES, INC.

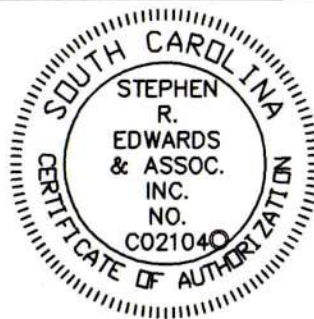
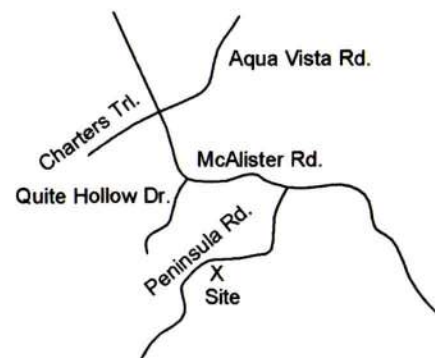
1432 W. MAIN ST. - WEST UNION, S.C. - 29696
(864) 718-1120

REVISED: 11-24-2021
DATE: 03-17-2020

JOB NUMBER: 20-094



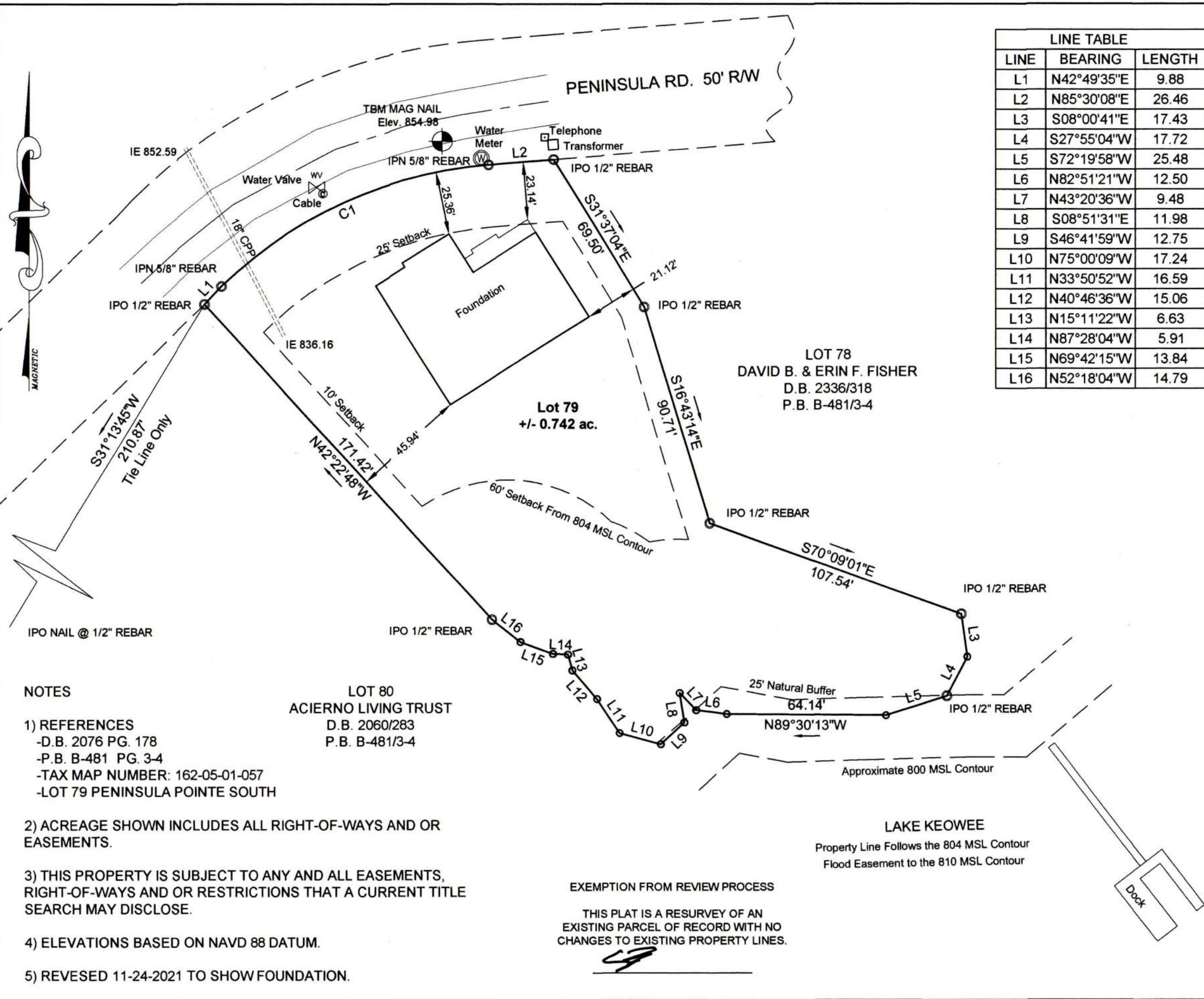
LOCATION MAP
no scale



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



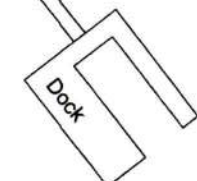
LINE TABLE		
LINE	BEARING	LENGTH
L1	N42°49'35"E	9.88
L2	N85°30'08"E	26.46
L3	S08°00'41"E	17.43
L4	S27°55'04"W	17.72
L5	S72°19'58"W	25.48
L6	N82°51'21"W	12.50
L7	N43°20'36"W	9.48
L8	S08°51'31"E	11.98
L9	S46°41'59"W	12.75
L10	N75°00'09"W	17.24
L11	N33°50'52"W	16.59
L12	N40°46'36"W	15.06
L13	N15°11'22"W	6.63
L14	N87°28'04"W	5.91
L15	N69°42'15"W	13.84
L16	N52°18'04"W	14.79

NOTES

- REFERENCES
 - D.B. 2076 PG. 178
 - P.B. B-481 PG. 3-4
 - TAX MAP NUMBER: 162-05-01-057
 - LOT 79 PENINSULA POINTE SOUTH
- ACREAGE SHOWN INCLUDES ALL RIGHT-OF-WAYS AND OR EASEMENTS.
- THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHT-OF-WAYS AND OR RESTRICTIONS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
- ELEVATIONS BASED ON NAVD 88 DATUM.
- REVISED 11-24-2021 TO SHOW FOUNDATION.

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

LAKE KEOWEE
Property Line Follows the 804 MSL Contour
Flood Easement to the 810 MSL Contour



Special Exception application SE21-005: Pandacon, LLC – Ben Collins is requesting a special exception for a rental cabin project in the Lake Overlay District. TMS# 209-00-01-051 with an address of 128 Tuscany Lane Seneca, SC 29672.

Proposed Lake Keowee Marina Cabin Management Description

- a. Lake Keowee Marina will partner with LBS Properties of Seneca, Inc to manage the proposed Lake Keowee cabins to be built at Lake Keowee Marina.
- b. Primary leasing method will focus on spring, summer, and fall seasons through vacation leasing most aligned with families visiting the marina, lake, or potentially anywhere in the upstate region.
- c. As property managers experienced in leasing residential and commercial real estate, the responsibility of the property manager is as follows:
 - Setting the lease rates
 - Ensuring lease agreements are ready and executed
 - Property maintenance
 - Conducting routine inspections
 - Administration
 - Communication with clients
- d. In addition, Lake Keowee Marina intends to offer clients packages that take advantage of the offerings currently available at the marina including boats for the day or week, kayaks, paddle boards, restaurant offerings including lunch and dinner packages, and special event packages at The Hidden Cove facility. New offerings may include bicycling and golf cart rentals, golf packages, scenic tours of the lake and surrounding areas, and special events hosted by the City of Seneca, Oconee County, and Clemson University.

Statement for Why this Offering is Needed

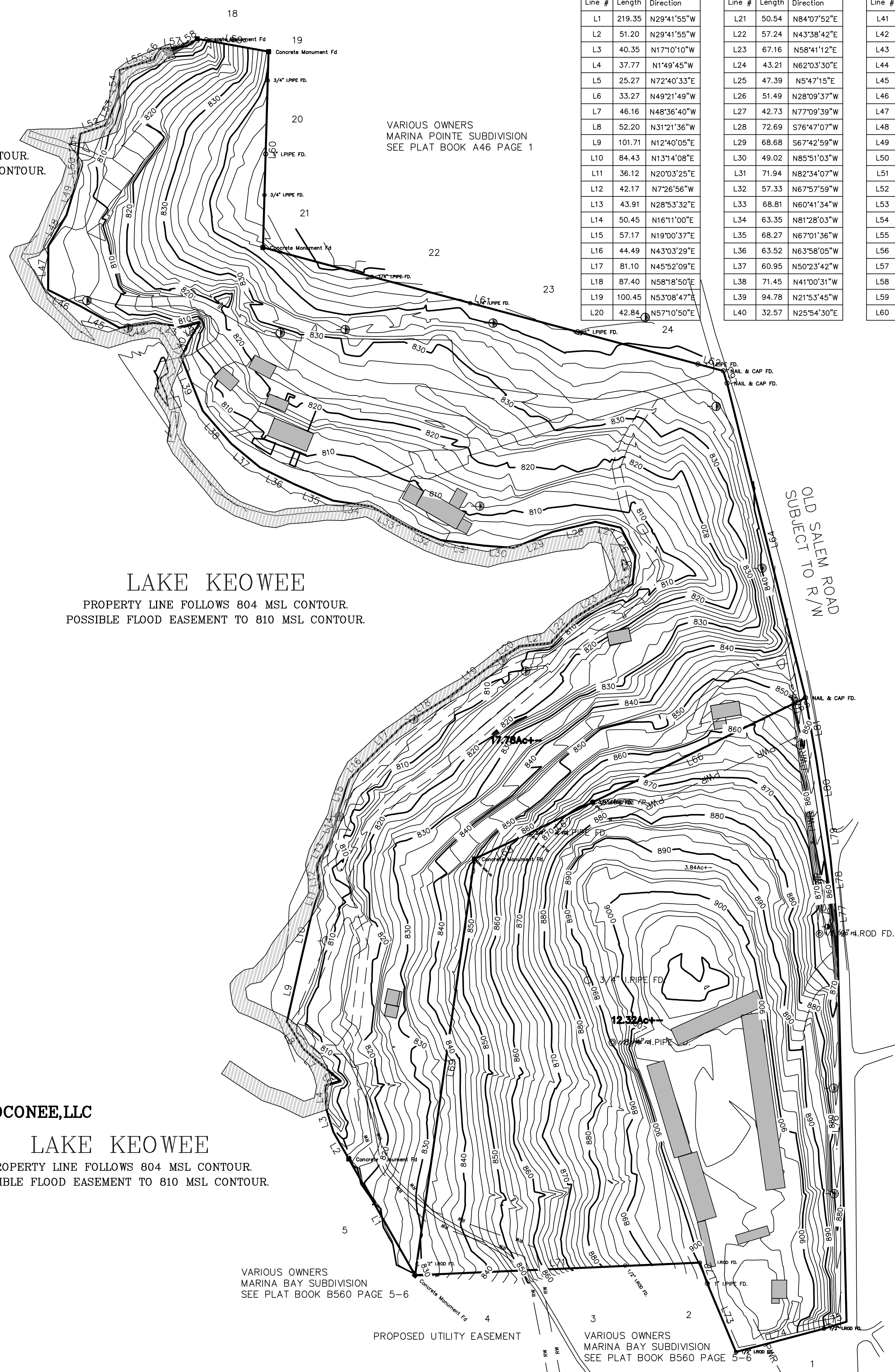
Lake Keowee Marina has been operating continuously on the lake since it was founded by Duke Energy. It has grown from a relatively small marina to the largest marina on Lake Keowee. The staff has seen the lake develop, grow, and bring new and different visitors to our region. To fulfill our mission of serving the public, the marina hosts 250,000 visitors per year and is the primary access point for the public to access and enjoy Lake Keowee. The marina has grown, and added or scaled, dozens of offerings to the public to keep pace with the demand. While there are hotel and owner rented accommodations in our local area, the proposed cabins are unique in that they are on Lake Keowee, at Keowee Marina, with lake views, close to town and amenities, large enough for a family, but moderate enough in size to be affordable. Our vision is for the cabins to be secluded and harmonious with the natural forest and topography of the land. For years, the staff at the marina has recommended visitors to go elsewhere to spend the night or spend the week, but with this offering, visitors won't have to leave the property. We primarily serve families, and the cabins are consistent with that approach. They will be a contemporary, rustic design intended to make for an immersive and unique experience to enjoy lake life on Lake Keowee for any family.

SPC SC GRID NORTH



LAKE KEOWEE

PROPERTY LINE FOLLOWS 804 MSL CONTOUR.
 POSSIBLE FLOOD EASEMENT TO 810 MSL CONTOUR.



Line #	Length	Direction
L1	219.35	N29°41'55"W
L2	51.20	N29°41'55"W
L3	40.35	N17°10'10"W
L4	37.77	N1°49'45"W
L5	25.27	N72°40'33"E
L6	33.27	N49°21'49"W
L7	46.16	N48°56'40"W
L8	52.20	N31°21'36"W
L9	101.71	N12°40'05"E
L10	84.43	N13°14'08"E
L11	36.12	N20°03'25"E
L12	42.17	N7°26'56"W
L13	43.91	N28°53'32"E
L14	50.45	N16°11'00"W
L15	57.17	N19°00'37"E
L16	44.49	N43°03'29"E
L17	81.10	N45°52'09"E
L18	87.40	N58°18'50"E
L19	100.45	N53°08'47"E
L20	42.84	N57°10'50"E

Line #	Length	Direction
L21	50.54	N84°07'52"E
L22	57.24	N43°38'42"E
L23	67.16	N58°41'12"E
L24	43.21	N62°03'30"E
L25	47.39	N5°47'15"E
L26	51.49	N28°09'37"W
L27	42.73	N77°09'39"W
L28	72.69	S76°47'07"W
L29	68.68	S67°42'59"W
L30	49.02	N85°51'03"W
L31	71.94	N82°34'07"W
L32	57.33	N67°57'59"W
L33	68.81	N60°41'34"W
L34	63.35	N81°28'03"W
L35	68.27	N67°01'36"W
L36	63.52	N63°58'05"W
L37	60.95	N50°23'42"W
L38	71.45	N41°00'31"W
L39	94.78	N21°53'45"W
L40	32.57	N25°54'30"E

Line #	Length	Direction
L41	31.92	N29°47'53"E
L42	25.67	S74°15'05"W
L43	51.50	N83°10'21"W
L44	56.30	S81°54'19"W
L45	74.16	N60°55'37"W
L46	58.45	N63°11'59"W
L47	72.19	N0°21'29"E
L48	58.62	N30°23'48"E
L49	66.26	N16°49'41"E
L50	33.99	N11°04'48"W
L51	35.93	N6°00'12"E
L52	43.69	N71°20'37"E
L53	51.28	N25°19'56"E
L54	44.67	N2°42'22"E
L55	57.79	N72°55'21"E
L56	19.87	N30°22'35"E
L57	44.45	N84°07'08"E
L58	21.24	N54°37'08"E
L59	119.05	S79°48'06"E
L60	321.42	S1°39'34"W

Line #	Length	Direction
L61	738.79	S74°59'51"E
L62	43.38	S75°02'31"E
L63	21.10	S16°43'51"E
L64	531.80	S14°00'04"E
L65	24.31	S63°39'34"W
L66	365.00	S63°51'05"W
L67	115.05	S64°04'49"W
L68	99.72	S64°47'37"W
L69	689.80	S80°7'44"W
L70	467.80	N87°28'28"E
L71	36.35	S19°39'50"E
L72	121.75	S22°40'41"E
L73	149.19	N75°08'54"E
L74	38.98	N73°06'59"E
L75	650.11	N1°21'34"W
L76	37.72	N5°40'23"W
L77	73.37	N5°39'00"W
L78	70.00	N7°39'00"W
L79	90.47	N8°30'00"W
L80	105.86	N9°53'00"W

TAX MAP PARCEL # 209-00-01-051
 DESCRIPTION: THIS IS THE PROPERTY DESCRIBED IN DEED BOOK
 1356 PAGE 282
 REFERENCE PLAT BOOK A358 PAGE 1. RECORDED IN THE
 COUNTY RECORDS OF OCONEE
 STATE OF SOUTH CAROLINA
 COUNTY OF OCONEE
 TOWNSHIP OF SENECA
 CITY OF
 AREA OF PARCEL -17.78 PLUS 12.32 ADDITIONAL SHOWN ACRES +-
 DATE: AUGUST 10, 2018
 REVISED ON:

PLAT PREPARED FOR:

LAKE KEOWEE MARINA OF OCONEE, LLC

LAKE KEOWEE
 PROPERTY LINE FOLLOWS 804 MSL CONTOUR.
 POSSIBLE FLOOD EASEMENT TO 810 MSL CONTOUR.

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 800 WHITWORTH CIRCLE
 P.O. BOX 822
 SENECA, SC 29679
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 MICHAEL L. HENDERSON, PS 6946
 SCALE: 1"=40'

Recorded this ____ day of _____ 20____
 Vol ____ page ____ and Certified
 Register of Deeds, OCONEE County.

SURVEYOR'S NOTE:
 ALL INFORMATION FOR THE MARINA PARCEL (17.78AC) TAKEN FROM SURVEY DONE BY THIS FIRM IN 1995. NO ADDITIONAL FIELD WORK DONE ON THIS PARCEL WITH THE EXCEPTION OF MARKING THE NORTHERN PROPERTY LINE ALONG THE MARINA POINT SUBDIVISION.
 THERE IS A 25' OCONEE COUNTY BUFFER EASEMENT STARTING AT THE 800MSL CONTOUR.
 UTILITIES NOT SHOWN THIS BUILDINGS, PARKING AREAS, AND IMPROVEMENTS ON THE 17.78 ACRE TRACT SUBJECT TO REVIEW AND ADDITIONAL FIELD WORK IF NEEDED.
 PROPERTY SUBJECT TO EXISTING UNDERGROUND UTILITIES, AND EASEMENTS. NO TITLE WORK FURNISHED AND SURVEY IS SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN ON THIS SURVEY.

SURVEY INCLUDES TAX MAP PARCELS
 520-58-01-120,125,520-60-01-002,209-00-01-002
 PLAT REFERENCES
 P-53 PAGE 165,166P-50 PAGE 422,B559 PAGE 9

I HEREBY STATE THAT 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. PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD. THIS DOCUMENT DOES NOT TRANSFER TITLE WORK NECESSARILY FOLLOWING TITLE IDEAS.
 THIS SURVEY IS BASED ON DATA GATHERED FROM VARIOUS SOURCES, BUT NO USE EXAMINATION WAS FURNISHED BY AN ATTORNEY. THIS SURVEY IS MADE SUBJECT TO A CURRENT AND COMPLETE USE EXAMINATION AND IS SUBJECT TO ANY AND ALL RECORDS EITHER RECORDED OR UNRECORDED THAT MAY AFFECT THIS PROPERTY. THESE MAY INCLUDE EASEMENTS, RIGHT-OF-WAYS, ABOVE AND BELOW GROUND UTILITIES, COVENANTS AND RESTRICTIONS, AND ANY OTHER RIGHT OR AGREEMENT THAT MAY BE ATTACHED TO THIS PROPERTY. ANY REPRODUCTION OF THIS DOCUMENT THAT DOES NOT HAVE A "TRUED" IMPRESSION SEAL AND RED INK SIGNATURE SHOULD BE CONSIDERED ALTERED OR FRAUDULENT AND NOT TO BE USED FOR ANY PURPOSE. THIS DOCUMENT WAS PREPARED FOR LEGAL TRANSACTIONS ON OR NEAR THE DATE HEREON AND FOR THE ABOVE LIST PERSON, PERSONS, OR IDENTIFY ONLY. NO OTHER USE IMPLIED.
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