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Meeting agenda  
Monday November 27, 2023 6:00pm

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1. Call to order
2. Approval of minutes: 10/23/23
3. Brief statement about rules and procedures
4. Variance application #VA23-000023- Ashley Cothran is requesting relief from the Lake Residential Zoning District lot size requirements. TMS 123-11-01-028, and 123-11-01-047 with an address of 401 Long View Ridge Seneca SC 29672
5. Adjourn

**Oconee County  
Board of Zoning  
Appeals**

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

[www.oconeesc.com](http://www.oconeesc.com)

**YouTube:** "YourOconee"

**Staff contact**

846-638-4218

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

**BOARD MEMBERS**

James Henderson, District I	Thomas James, District IV
Gwen Fowler, District II	Bill Gilster, District III
John Eagar, Chairman, At-Large	Tim Mays, District V
Bill Decker, At-Large	

# OCONEE COUNTY BOARD OF ZONING APPEALS

415 South Pine Street - Walhalla, SC



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

## Minutes

6:00 PM – October 23, 2023,

### Members in Attendance

Gwen Fowler

James Henderson

Tim Mays

Bill Gilster

John Eagar

Thomas James

### Staff

James Coley

### Media

NA

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

**ITEM 2 – Motion to approve the minutes from September 25, 2023** – Mr. Mays made a **motion** to approve the minutes; seconded by Mr. Henderson. Mr. Eagar called for a vote. The motion passed 6/0.

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

- Applicant will provide a presentation to state their request (5 minutes).
- Staff will be asked to make any comments regarding the request.
- The public is allowed to voice their approval or opposition to the proposed. Please do not repeat opinions that have already been stated into the record (3-5 minutes).
- Applicant rebuttal
- Board members will discuss in detail.
- Voting

**ITEM 4. Variance application #VA23-000015- Carson Barcklow of St. Clair Signs is requesting a 43-square foot variance for signage area, and an 8-foot variance for sign height. TMS 207-00-01-237, 1503 Blue Ridge Blvd Seneca SC 29672**

Kevin Fryer and Kendal Robinson presented the request. There are 5 requests for signage for Texaco, and they would like to have consistent signage at all stations. They would like extra height for larger signs with each of their branding elements.

**Mr. Gilster made a motion that all of their variances be heard together,** seconded by Mr. Mays. Discussion, followed regarding the differences between each location. Mr. Eagar called for the vote, the motion failed 3-3 with Mr. Henderson, Ms. Fowler, and Mr. Eagar against.

**Staff comments:**

Mr. Coley confirmed the request is for the additional height and square footage

**Public comment:**

NA

**Applicant rebuttal:**

NA.

**Board Questions:** The Board asked about the rational of having the extra height, and the extra square footage. Discussion Followed

**Board discussion:** NA

**Consideration of VA23-000015:**

1. There **are** extraordinary and exceptional conditions pertaining to the particular piece of property:
  - a. Motion – Mr. Gilster made a motion in the affirmative, seconded by Mr. Henderson. A brief discussion followed.

b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that the criterion passed.

2. These conditions **do not** generally apply to other property in the vicinity:
  - a. Motion – Mr. Henderson made a motion in the affirmative, seconded by Mr. Gilster. A brief discussion followed.

b. Vote

In-favor	Opposed
6	0

Mr. Eagar 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.

- a. Motion – Mr. James made a motion in the affirmative, seconded by Mr. Gilster. No discussion.
- b. Vote

In-favor	Opposed
6	0

Mr. Eagar 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.
  - a. Motion – Mr. Mays made a motion in the affirmative, seconded by Mr. Henderson. A brief discussion.
  - b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that the criterion passed.

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

In-favor	Opposed
6	0

Mr. Eagar noted that variance request was approved.

**Mr. Mays made a motion to amend the agenda to combine items 5, 6, and 8, Seconded by Mr. Henderson. Mr. Eagar called for a vote. The motion passed 6/0.**

**ITEM 5. Variance application #VA23-000016- Carson Barcklow of St. Clair Signs is requesting a 43-square foot variance for signage area, and an 8-foot variance for sign height. TMS 207-00-01-237, 1503 Blue Ridge Blvd Seneca SC 29672**

**ITEM 6 Variance application #VA23-000017- Carson Barcklow of St. Clair Signs is requesting a 43 square foot variance for signage area, and an 8-foot variance for sign height. TMS 241-00-02-010, 10941 Clemson Blvd Seneca SC 29678**

**ITEM 8 Variance application #VA23-000022- Carson Barcklow of St. Clair Signs is requesting a 43 square foot variance for signage area, and an 8-foot variance for sign height. TMS 330-00-01-017, 16096 S HWY 11 Fair Play SC 29643**

Kevin Fryer and Kendal Robinson presented the request. They would like to have larger, taller consistent signage at all stations. They would like extra height for larger signs for each of their branding elements.

**Staff comments:**

Mr. Coley confirmed the request is for the additional height and square footage

**Public comment:**

NA

**Applicant rebuttal:**

NA.

**Board Questions:** NA

**Board discussion:** NA

**Consideration of VA23-000016 VA23-000017, and VA23-000022:**

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

- a. Motion – Mr. Gilster made a motion in the affirmative, seconded by Mr. Henderson. A brief discussion followed.

- b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that the criterion passed.

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

- a. Motion – Mr. Gilster made a motion in the affirmative, seconded by Mr. James. A brief discussion followed.

- b. Vote

In-favor	Opposed
6	0

Mr. Eagar 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.

- a. Motion – Mr. Henderson made a motion in the affirmative, seconded by Mr. Mays. No discussion.
- b. Vote

In-favor	Opposed
6	0

Mr. Eagar 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.
  - a. Motion – Mr. Gilster made a motion in the affirmative, seconded by Mr. Henderson. A brief discussion.
  - b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that the criterion passed.

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

In-favor	Opposed
6	0

Mr. Eagar noted that variance request was approved.

**Ms. Fowler made a motion to the applicants request to a 39 sq/ft sign area and no height request,** Seconded by Mr. Mays. Mr. Eagar called for a vote. The motion passed 6/0.

**ITEM 7. Variance application #VA23-000020- Carson Barcklow of St. Clair Signs is requesting a 39-square foot variance for signage area. TMS 271-01-01-157, 228 W Cherry Rd Seneca SC 29678**

Kevin Fryer and Kendal Robinson presented the request. There are 5 requests for signage for Texaco, and they would like to have consistent signage at all stations. They would like extra height for larger signs with each of their branding elements.

**Staff comments:**

Mr. Coley confirmed the request is for the additional height and square footage

**Public comment:**

NA

**Applicant rebuttal:**

NA.

**Board Questions:** The Board asked about the rational of having the extra height, and the extra square footage. Discussion Followed

**Board discussion:** NA

**Consideration of VA23-000020:**

1. There **are** extraordinary and exceptional conditions pertaining to the particular piece of property:
  - a. Motion – Mr. Mays made a motion in the affirmative, seconded by Mr. Henderson. A brief discussion followed.
  - b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that the criterion passed.

2. These conditions **do not** generally apply to other property in the vicinity:
  - a. Motion – Mr. Gilster made a motion in the affirmative, seconded by Mr. James. A brief discussion followed.
  - b. Vote

In-favor	Opposed
6	0

Mr. Eagar 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.
  - a. Motion – Mr. James made a motion in the affirmative, seconded by Mr. Henderson. No discussion.
  - b. Vote

In-favor	Opposed
6	0

Mr. Eagar 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.

a. Motion – Mr. Mays made a motion in the affirmative, seconded by Mr. Henderson. A brief discussion.

b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that the criterion passed.

5. Mr. Eagar asked – Based on the evidence presented to the Board, do I hear a motion that the proposed variance be **Approved**.

a. Motion – Mr. Gilster made a motion; seconded by Mr. Henderson. No Discussion.

b. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that variance requests were approved.

**ITEM 9 Adjourn** – Mr. Henderson made a motion to adjourn, seconded by Mr. Gilster. Mr. Eagar called for a vote. Motion passed unanimously 6/0.



# Freedom of Information Act - Variance Application

## Permitting Information

Code section from which a variance is requested  
Application is

**Upload Supporting Documentation Here**  
Application is not



### APPLICANT RESPONSES TO SECTION 38-7.1

Describe the extraordinary and exceptional condition (such as size, shape, and topography) that pertains to the subject property that does not generally apply to other land or structures in the vicinity.:

The lot sizes in this neighborhood are smaller and do not comply with the 80' width requirements for the front of the home location. on the plat attached the survey is the outside of the footings already dug for construction and the actual foundation will be 6" inside the footings

Are the circumstances affecting the subject property the result of actions by the applicant/owner? Explain.

They are not the result of the applicant. It's the result of the development lot sizes

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 width of the property, and the new ordinance can not apply to this lot

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.:

No, issues as this property is one of 2 lots remaining with lake access.

### General Contractor

ICC 113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code of the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

Comments

The house plans chosen by the property owner are already has a smaller footprint than the adjacent neighbor's homes leaving more space to property line from foundation.

OCONEE COUNTYS APPROVAL, PERMITTING, AND/OR INSPECTION(S) OF THIS PROJECT DOES NOT MEAN THAT THE PROJECT IS IN COMPLIANCE WITH ALL APPLICABLE SUBDIVISION AND/OR HOMEOWNERS ASSOCIATION, OR SIMILAR ENTITYS, BUILDING AND LAND USE REQUIREMENTS OR RESTRICTIONS, BY SIGNING BELOW YOU ACKNOWLEDGE THAT COMPLIANCE WITH ANY SUCH STANDARDS IS YOUR RESPONSIBILITY.

## Workflow Reviews Information

Type	Creation Date	Due Date	Completion Date	Status	Description
Application Check	10/13/2023	10/14/2023	10/13/2023	Approved	
Planning and Zoning Review	10/13/2023	10/20/2023	01/01/1900	Pending	
Review Complete	10/13/2023	01/01/1900	01/01/1900	Pending	

## Inspection Information

## Activities Information

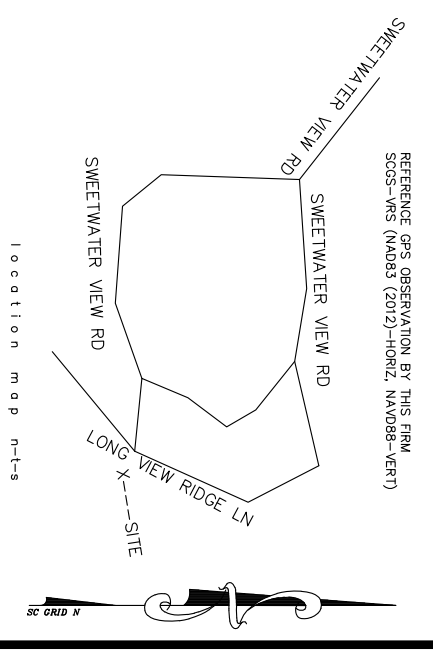
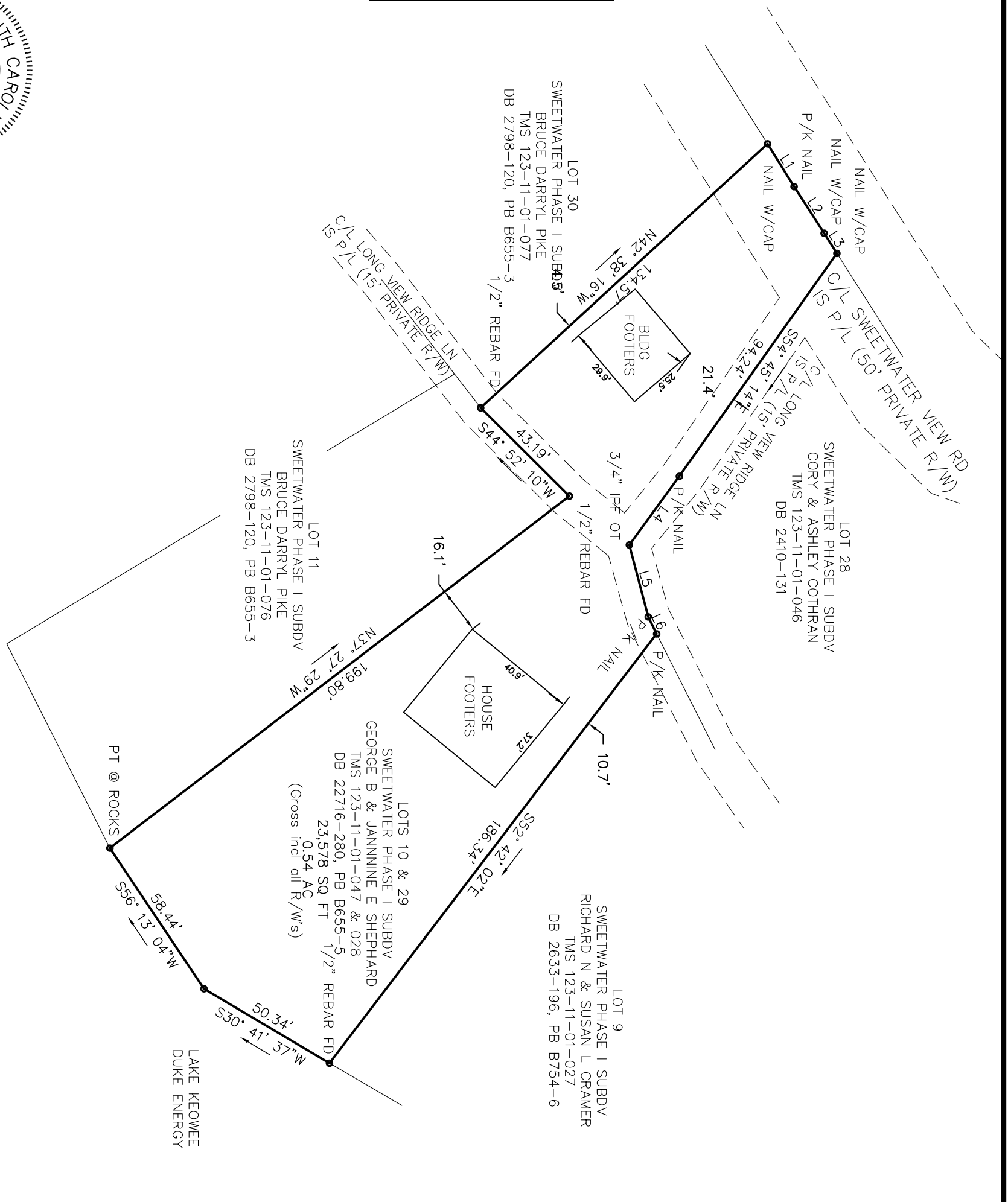
## Documents Information

---	BOUNDARY LINE
---	BUILDING
---	BACK OF CURB
---	CENTER LINE
---	CONCRETE
---	DASH
---	ELECTRIC
---	EDGE OF PAVEMENT
---	FENCE
---	GRAVEL
---	R-O-W
---	SETBACK
---	SEWER
---	STREAM
---	TS
---	UTILITY
---	TREES - EVERGREEN
---	TREES - HARDWOOD

LEGEND:

WM	WATER VALVE, METER
X	FENCE
UP	POWER POLE
HH	SANITARY SEWER MANHOLE
RBS	REBAR SET (1/2")
RBF/IPF	REBAR/IRON PIN FOUND
OE	OVERHEAD ELECTRIC LINE
LP	LIGHT POLE

Line #	Length	Direction
L1	17.40	N58° 11' 20"E
L2	19.11	N57° 09' 39"E
L3	8.25	N57° 46' 32"E
L4	29.32	S53° 57' 31"E
L5	25.66	N75° 12' 50"E
L6	6.54	N63° 55' 43"E

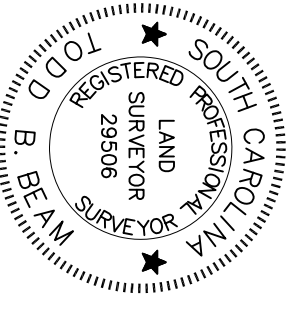
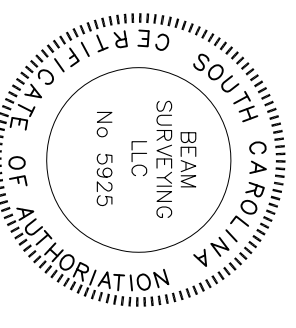
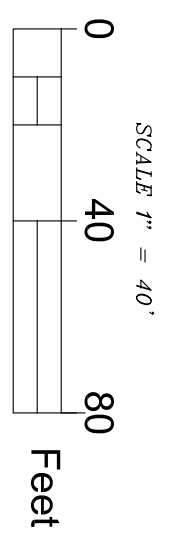


THE HOUSE AND BUILDING DEPICTED ON THIS SURVEY ARE DUG FOOTERS THIS IS NOT AN ASBUILT SURVEY

**LOT COMBINATION SURVEY ONLY**  
 LOTS 10 & 29  
 SWEETWATER PHASE I SUBDV  
 GEORGE B & JANNINNE E SHEPPARD  
 TMS 123-11-01-047 & 028  
 DB 22716-280, PB B655-5  
*plat for*

**GEORGE B SHEPPARD**  
**JANNINNE E SHEPPARD**  
 OCONEE COUNTY SOUTH CAROLINA  
 KEOWEE EBENEZER JUNE 27, 2023  
 SCALE 1" = 40'  
 JOB 17-SWEETWATER L710

BEAM SURVEYING LLC  
 Registered Land Surveyors  
 PO BOX 981 29633  
 Clemson, SC 29633  
 Phone 864-490-4610  
 SURVEYING - GPS CONTROL - PLANNING

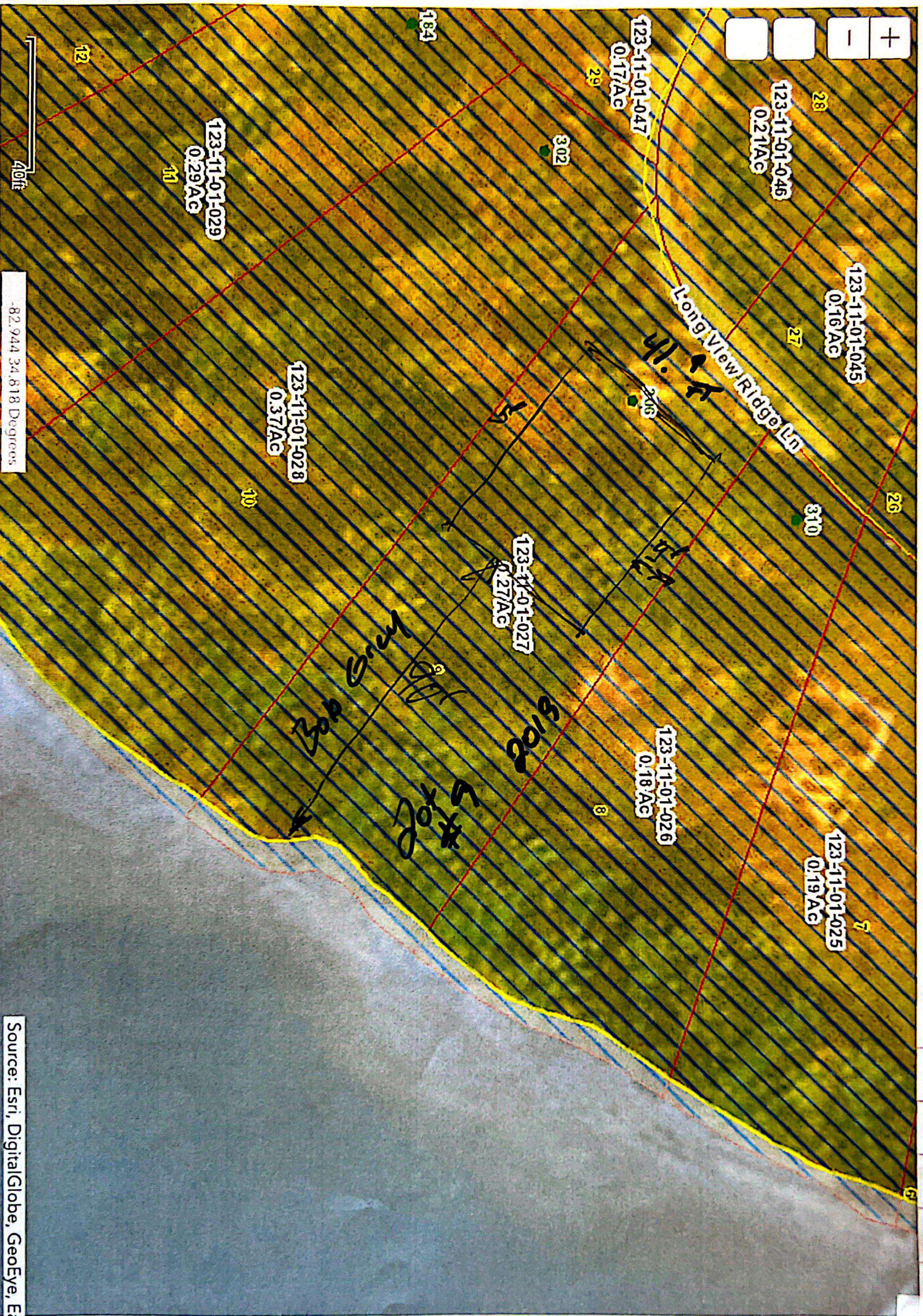
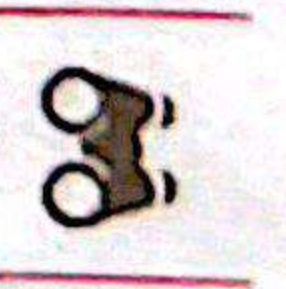


I hereby certify that to the best of my knowledge, information, and belief, the survey shown herein was made in accordance with the requirements of the South Carolina Code of Laws and meets the standards of the State Board of Professional Land Surveyors for a Class 1st survey as specified therein. This house is not located in a current designated flood hazard area. This property is subject to any easements & restrictions on record.





Parcel Viewer (Internal Use)

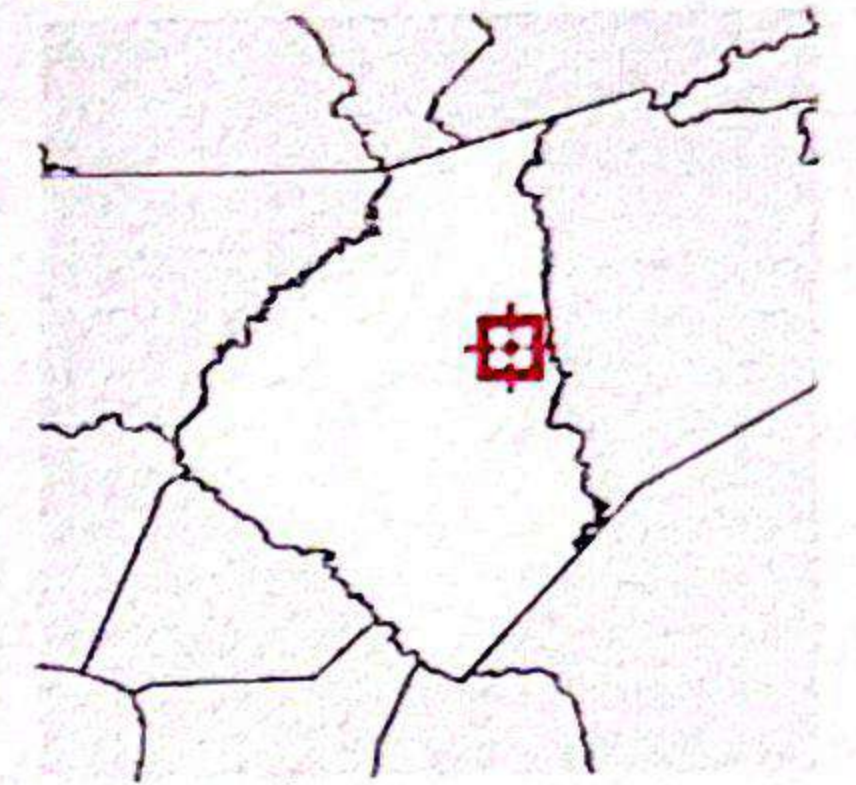


Source: Esri, DigitalGlobe, GeoEye, E:





Overview



Legend

- Parcels
- Landhook
- Roads

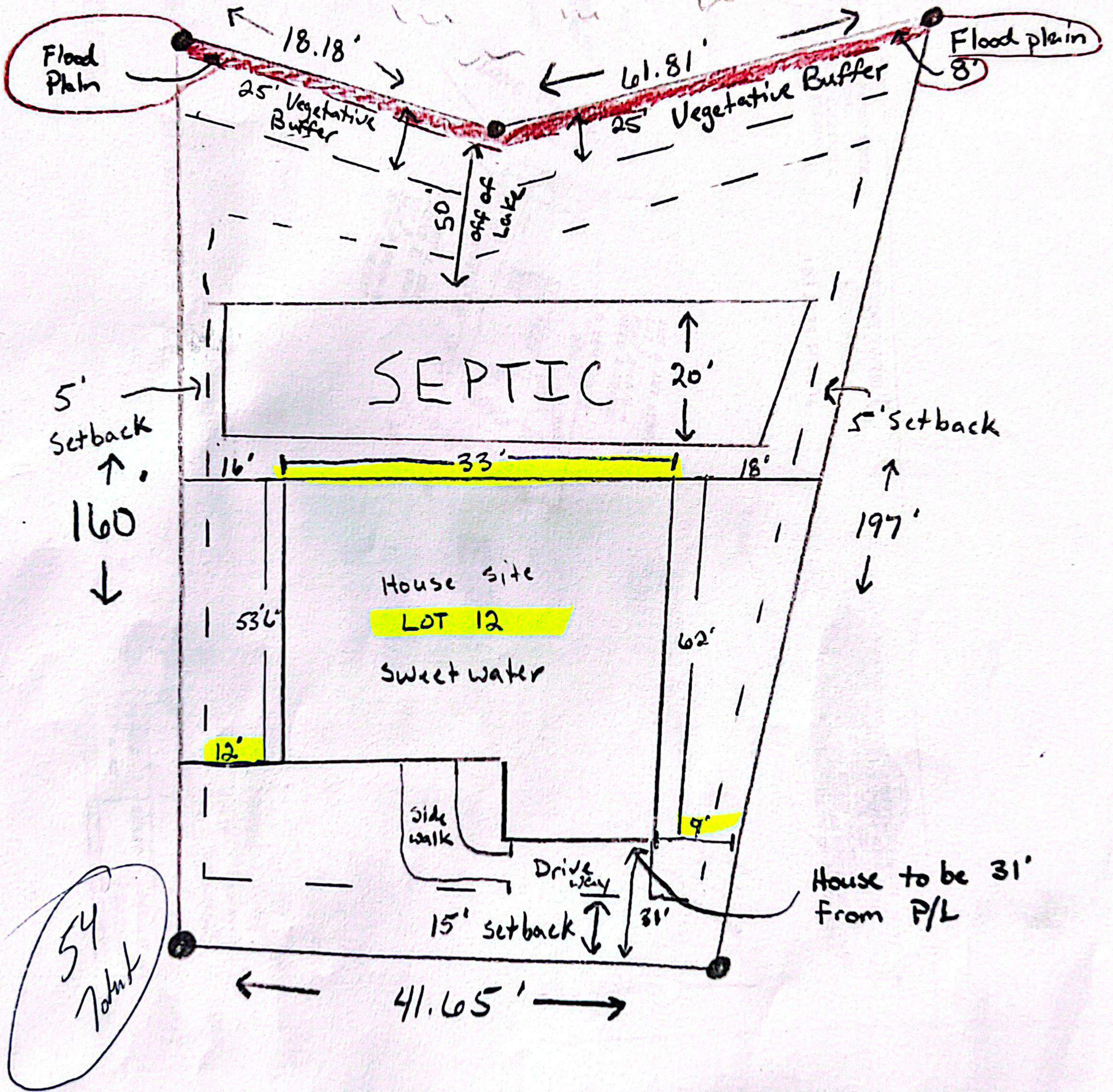
Date created: 11/23/2023

Last Data Uploaded: 11/22/2023 5:12:45 PM

Developed by  Schneider  
GEOSPATIAL



# LAKE KEOWEE





THIS SURVEY IS SUBJECT TO ANY INFORMATION WHICH MAY BE DISCLOSED BY A TITLE EXAMINATION... THIS PROPERTY IS SUBJECT TO ANY R/W, EASEMENTS, OR RESTRICTIONS OF RECORD OR ON THE PREMISES. SUBJECT TO ANY PREVIOUS CONVEYANCES CONCERNING THIS PROPERTY

FILED OCONEE COUNTY, SC  
ANNA K. DAVISON  
REGISTER OF DEEDS

1710 JUN 25 P 1:17

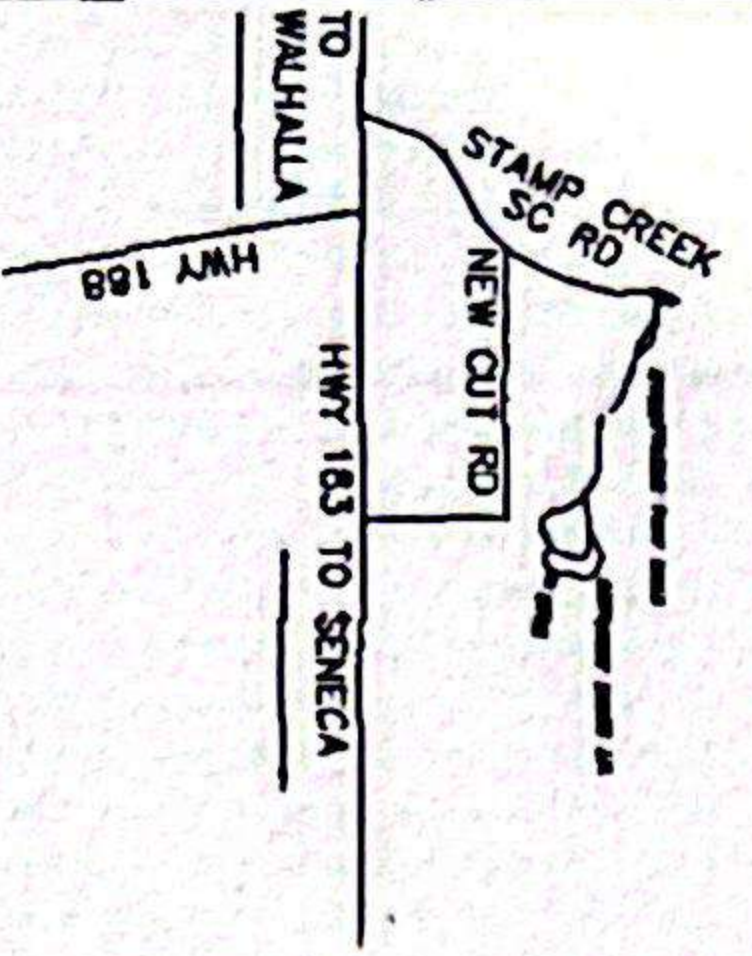
I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE MINIMUM STANDARDS AND FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND THAT IT DOES NOT EXCEED THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN AS SHOWN.

BARRY L. COLLINS SCPLS #11903

*Barry L. Collins* 3/12/18

- LEGEND
- G.I.P.O. = GALVANIZED IRON PIPE OLD
  - IPS = IRON PIN SET
  - N/H = NAILHOLE
  - TR = TRANSFORMER
  - F/H = FIRE HYDRANT
  - O.E. = OVERHEAD ELECTRIC
  - P/P = POWER POLE
  - C.T. = CRIMPED TOP IRON PIPE
  - PH. = PHONE SERVICE
  - C/B = CATCH BASIN
  - RCP = REINFORCED CONCRETE PIPE
  - CMP = CORRUGATED METAL PIPE

NAILS FOUND AT ROAD POINTS.

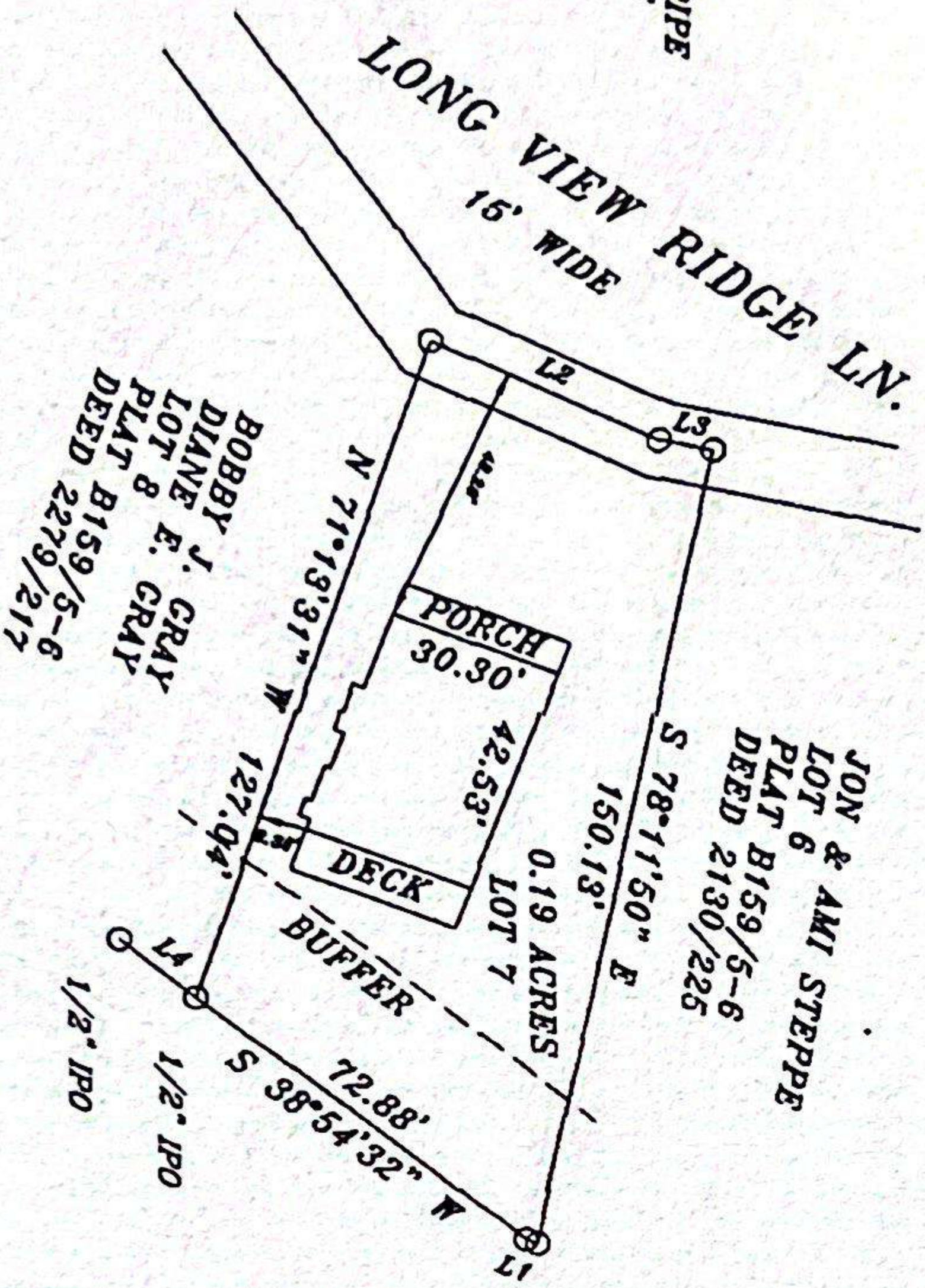


LOCATION MAP N/T/S

LOCATION SKETCH  
NO SCALE

BARRY L. COLLINS SCPLS #11903  
P.O. BOX 937 PICKENS, S.C. 29671  
(864) 878-8623

REVISED: 3/12/18 COUNTY



REFERENCE:

LOT 7  
PLAT B159/5-6  
DEED 2279/217  
TMS 123-11-01-027  
OWNER: BOBBY & DIANE GRAY

LINE	BEARING	DISTANCE
L1	S 18°49'35" W	212'
L2	N 24°58'30" E	4318'
L3	N 11°43'54" E	843'
L4	S 39°54'32" W	1708'

LAKE KEOWEE  
804' CONTOUR IS THE LINE  
PER RECORD MAPS.



Recorded this 25 day of June 20 18  
Vol. 134-11 Pg. 9  
and Certified  
Register of Deeds, Oconee County

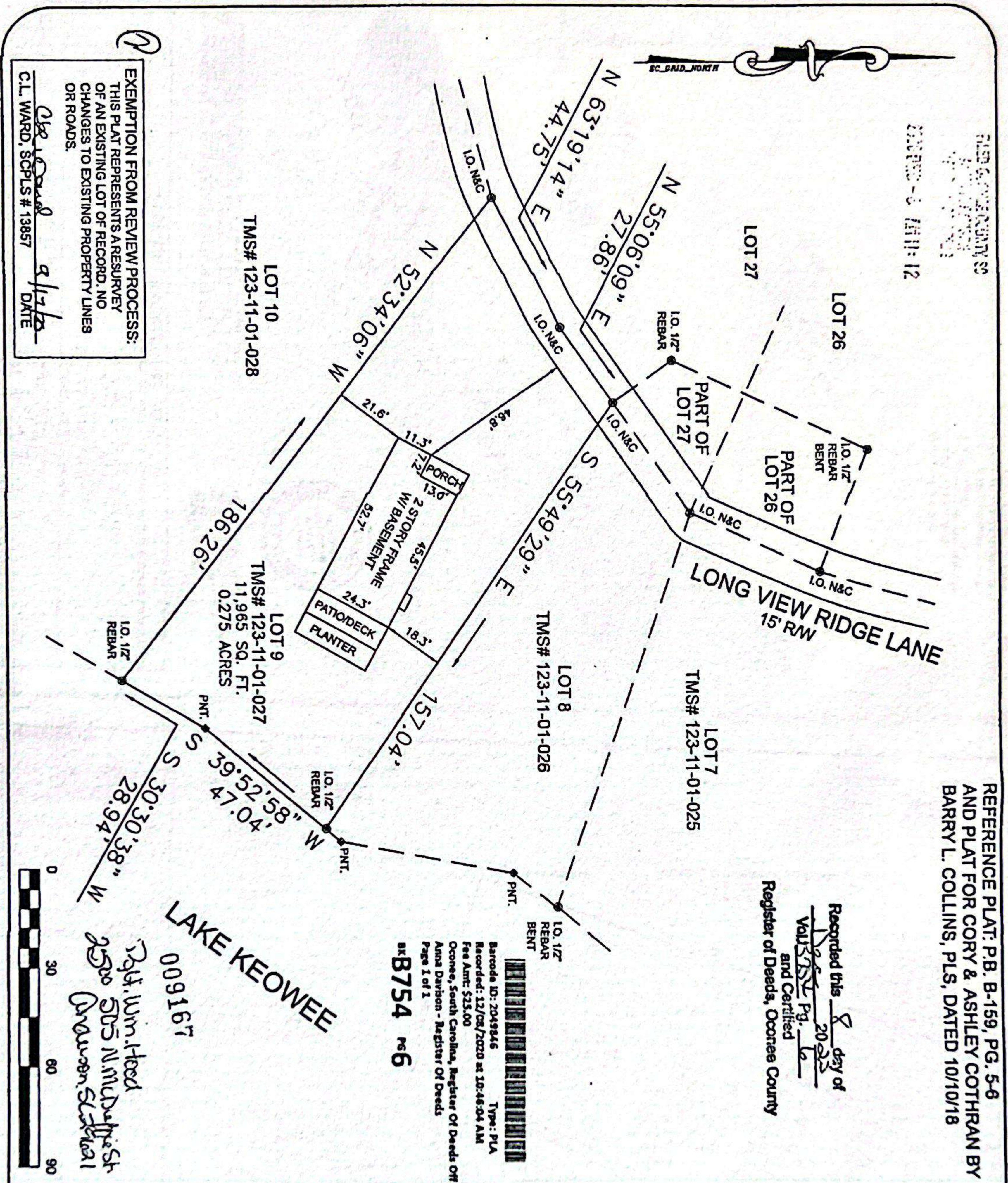
SC GRID OLD DATA

See Deed 2372 Pg 114  
To: Susan Shprey + John Shprey, Sr.

STATE OF SOUTH CAROLINA OCONEE COUNTY		
DRAWN	DATE	MAP OF SURVEY FOR
BLC	02/21/18	BOBBY J. GRAY
APPROVED	DATE	& DIANE E. GRAY
SCALE	SHEET	PROJECT NO.
1" = 40'		S201804



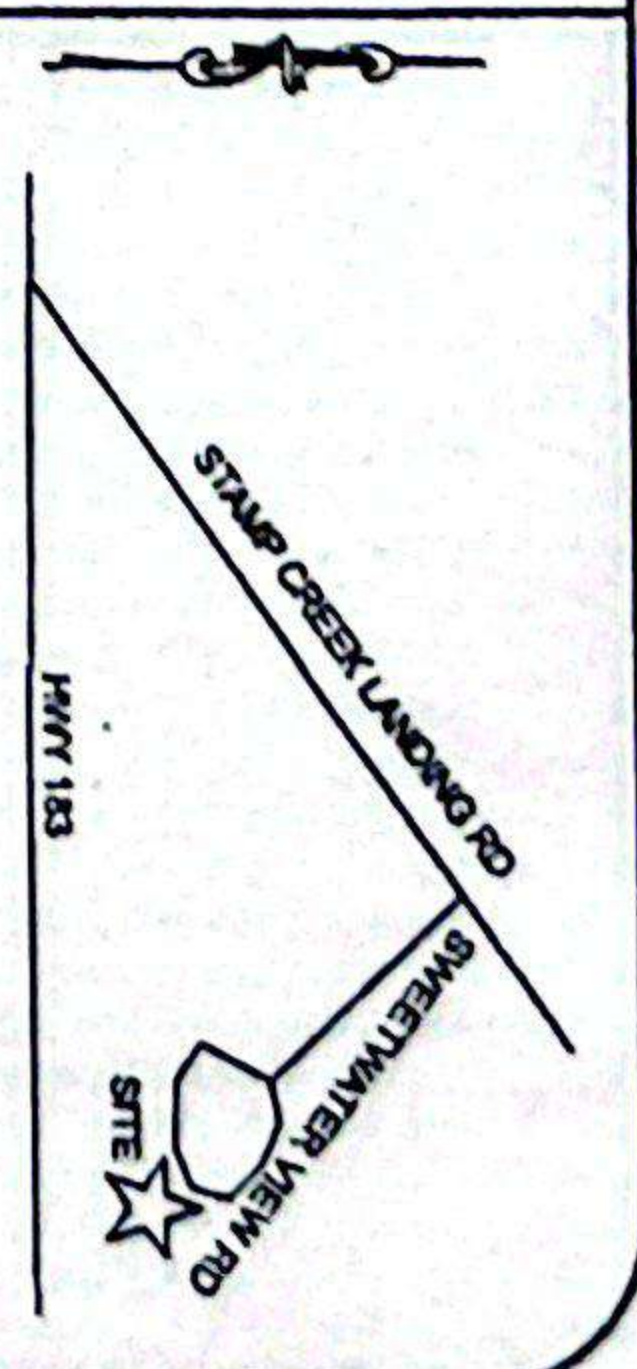




REFERENCE PLAT: P.B. B-159, PG. 5-6  
AND PLAT FOR CORY & ASHLEY COTHRAN BY  
BARRY L. COLLINS, PLS, DATED 10/10/18

Recorded this 8 day of  
August Pg. 6  
and Certified  
Register of Deeds, Oconee County

Barcode ID: 2049846  
Recorded: 12/08/2020 at 10:46:04 AM  
Fee Amt: \$23.00  
Type: PLA  
Oconee, South Carolina, Register of Deeds Office  
Anna Davison - Register of Deeds  
Page 1 of 1  
**BK B754 pg 6**



**CERTIFICATE:**  
THIS IS TO CERTIFY TO D & B OF SC, LLC THAT AN ACTUAL FIELD SURVEY WAS PERFORMED, AS REQUESTED, ON THE PROPERTY UNDER MY SUPERVISION AND I DECLARE THAT:  
1. THE FIELD SURVEY AND THIS PLAT REPRESENT A NEUTRAL REQUEST OF THE SUBJECT PROPERTY, THAT THE INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.  
2. ALL RIGHTS-OF-WAYS, EASEMENTS AND ENCROACHMENTS, OPENINGS AND APPARENT FROM FIELD OBSERVATION AT THE TIME OF THE SURVEY ARE AS SHOWN, CL. WARD, PLS. DOES NOT WARRANT THE EXISTENCE OR NON-EXISTENCE OF ANY OTHERS. THIS PROPERTY IS SUBJECT TO ANY RECORDED AND/OR UNRECORDED RIGHTS-OF-WAYS, EASEMENTS AND RESTRICTIONS.  
3. THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE ANY EXISTING STREETS AND ALL STRUCTURES ARE EXISTING.  
4. THE AREA OF THE SUBJECT PROPERTY WAS CALCULATED BY COMPUTER AND THIS SURVEY MEETS THE REQUIREMENTS OF CLASS C SURVEYS AS DEFINED BY THE MEASUREMENT STANDARDS VOLUME 1, CHAPTER 17, PART 2, SURVEYS IN THE STATE OF SOUTH CAROLINA.



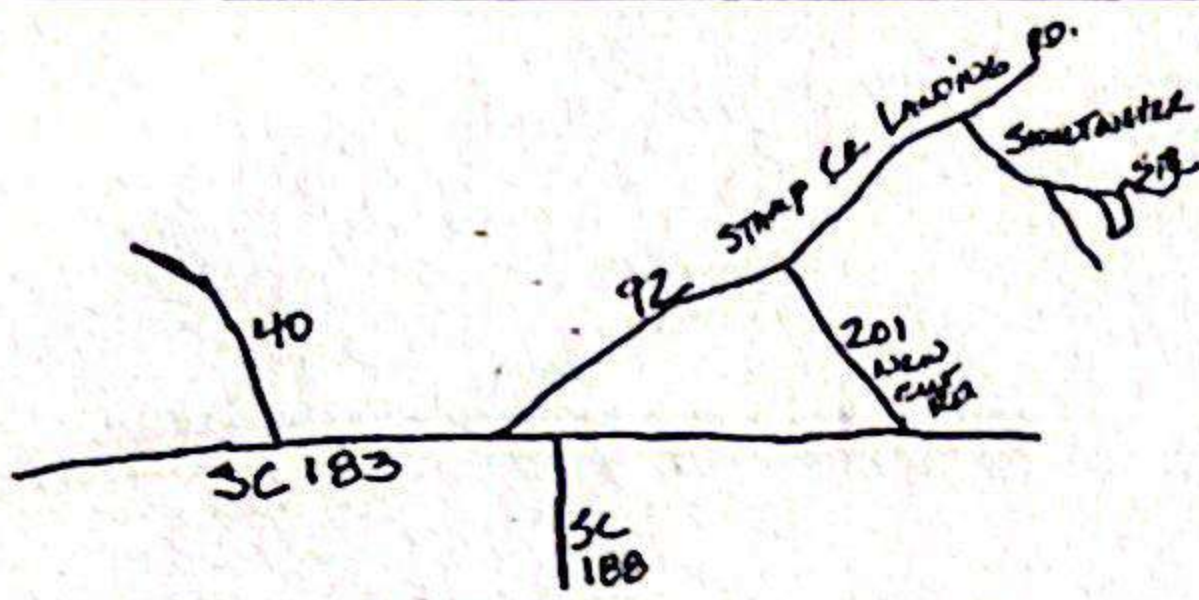
**NOTES:**  
TAKEN UPON SPACING DIMENSIONS, THIS PROPERTY DOES MEET THE IN A REMAINDER SPECIAL FILING MEASUREMENT AREA CODE AND PER DOES MEET THE CRITERIA PANEL No. 3123  
TAKEN UPON SPACING DIMENSIONS, THIS STRUCTURE DOES MEET THE IN A REMAINDER SPECIAL FILING MEASUREMENT AREA CODE AND PER DOES MEET THE CRITERIA PANEL No. 3123

**SURVEYED AS REQUESTED BY**  
*Sue Deed 2/33 pg 196*  
**D & B OF SC, LLC**  
To: *Rianna N. Cramer*  
*Susan L. Cramer*  
OCONEE COUNTY, SOUTH CAROLINA

DATE OF SURVEY: 09/31/2020  
NAME OF DWG: LOT\_8-9\_PLAT  
TAX MAP NUMBER: 123-11-01-027

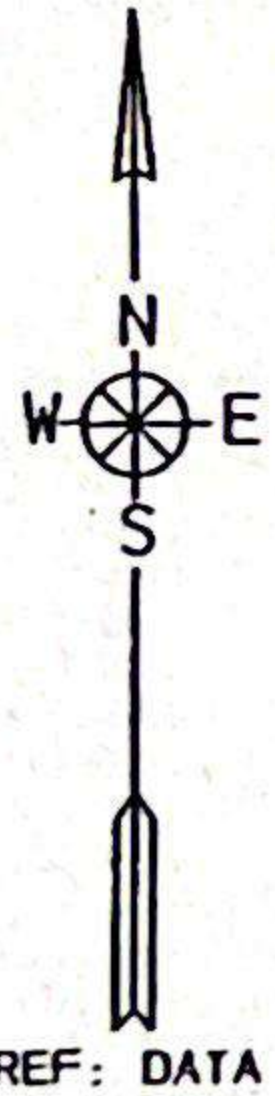
**C.L. WARD, PLS.**  
104 CASTLE DRIVE  
SENECA, S.C. 29672  
(864)661-8253





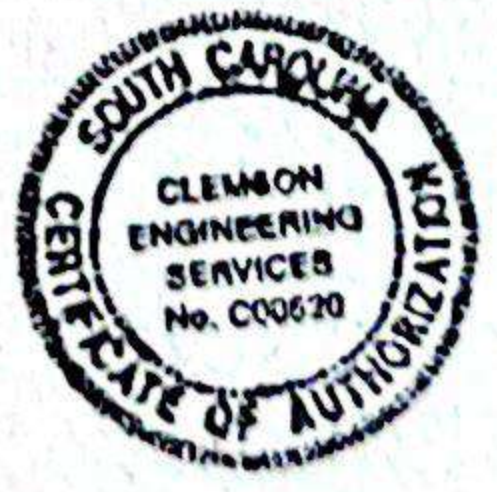
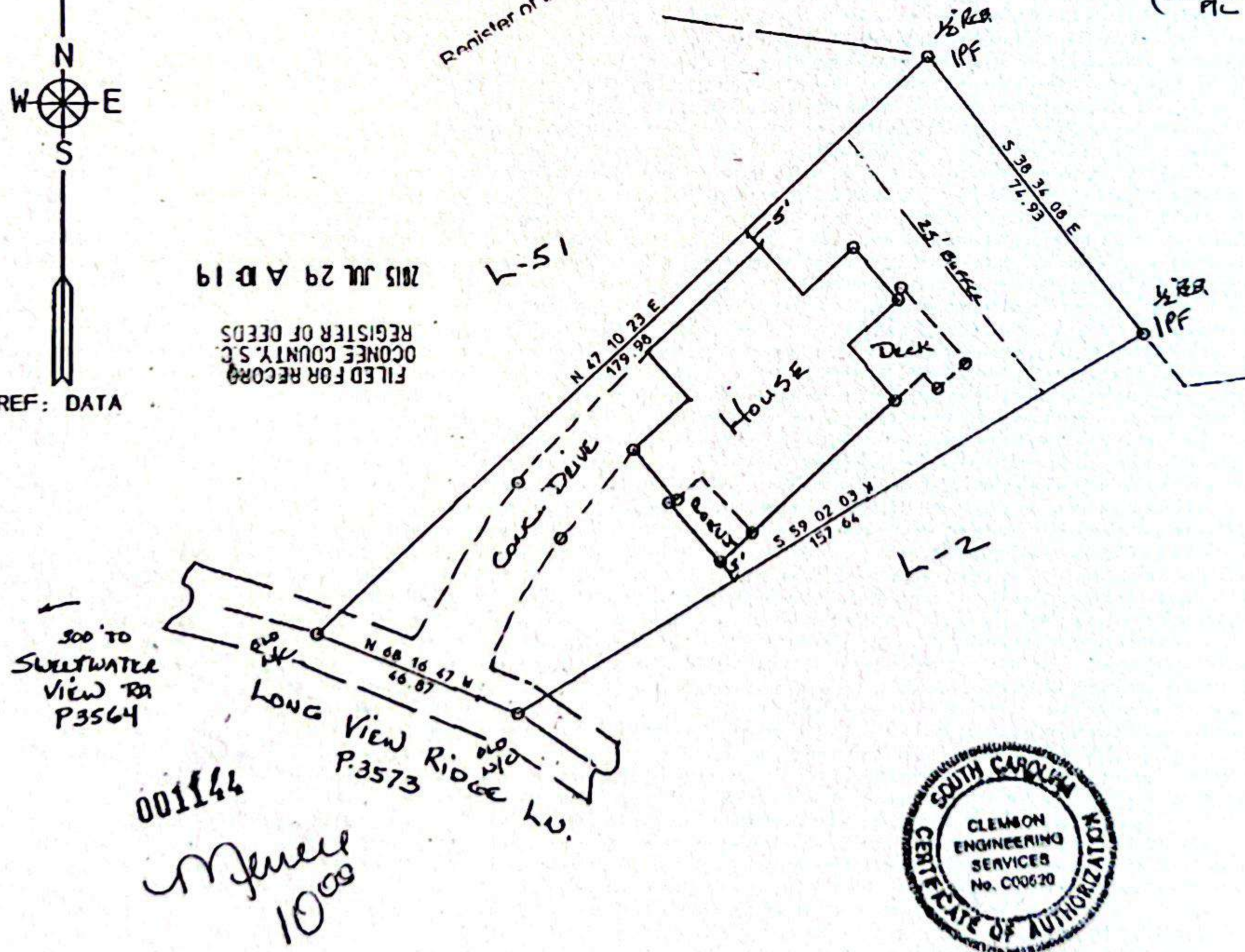
**EXEMPTION FROM REVIEW PROCESS**  
 This plat is a RESURVEY of an existing lot of record with no changes to existing lot lines.  
 X *R. Jay Cooper*  
 SC attorney/Registered Surveyor or Engineer  
 Printed name: R. JAY COOPER  
 Lic., Cert., or Bar # S. C. 4682

Recorded this 29 day of  
 July 20 15  
 Vol. B 514 Pg. 6  
 and Certified  
 Register of Deeds, Oconee County



FILED FOR RECORD  
 OCONEE COUNTY, S.C.  
 REGISTER OF DEEDS  
 2015 JUL 29 A 10 19

Lake  
 Keowee  
 (804 Contour  
 PL)



I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN 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.



CLEMSON ENGINEERING SERVICES	
ACREAGE - .22 (DMD) PLAT OF UNBALANCED TRAVERSE PRECISION OF FIELD SURVEY - 1:10000 SCALE 1 IN. = 30 FT. 	DATE: JULY 22, 2015 STATE OF SOUTH CAROLINA COUNTY OF OCONEE TOWNSHIP OF KEOWEE LOT 1 SWEETWATER PH. 1 T.M. 123-11-01-216
PLAT PREPARED FOR Michael A. Bullton Paul Bennett, Vicki Berrell, Sandra D. Bullton TO: HENRY F. BAMBERG IV See Deed 2120 pg 26	AREA WAS CALCULATED BY THE ENGINEER 

PROPERTY SUBJECT TO ANY AND ALL RIGHTS OF-WAY, EASEMENTS, OR RESTRICTIONS OF RECORD  
 PLAT BK: B 159 PG. 5 & 6 FIELD MARK BY CARLEE COOPER