



# Oconee County Planning Department

415 S. Pine Street, Walhalla, SC 29691

Telephone: 864-638-4218  
Fax: 864-638-4168

April 12, 2013

To: Planning Commission  
From: Joshua A. Stephens  
Re: April 22nd Planning Commission Meeting

Enclosed you will find the agenda, minutes for the March 18th meeting, details of a variance request, an outline of general issues concerning Ch. 32, a complete copy of Ch. 32 and an outline regarding a Public Awareness campaign.

Item 4: Variance: A setback variance for Lot 8 of the Cottages at Bells Cove, located at the intersection of Meares Dr. and Relaxing Ln., has been applied for by Les Walden. His client would like to build on the lot but their design would encroach into the 25' front setback. The request is for a 6' variance from the front set back.

Item 5: Ordinance 2011-25 Public Lands: On April 2, 2013, County Council voted 4-1, to request a recommendation regarding Ordinance 2011-25 from the Commission. Staff will update the Commission regarding this ordinance.

Item 6: Goals/Ordinance Review: At the meeting on March 18, staff was directed to compile a list of issues with Ch.32. Staff has placed a general outline of issues that may need to be explored should the Commission deem it necessary. Staff will be presenting the outline at the meeting and welcomes the opportunity to discuss these topics with the Commission.

Item 7: Education/Public Awareness: The outline titled 'Public Awareness' describes, in general terms, possibilities for a Public Awareness campaign that would keep the community and stakeholders update on land use issues the Commission and County are working on. Staff will present the outline to the Commission for discussion and consideration.

Item 8: Activity Update: Staff will update the Commission on the latest development projects that staff has been working on.

As always please contact me if you have any questions. I look forward to seeing everyone Monday evening!



Joshua A. Stephens



# Oconee County Planning Commission

415 S. Pine St. • Walhalla, South Carolina 29691

Phone (864) 638-4218 • Fax (864) 638-4168

## NOTICE OF APPEAL

Date

I,  (owner) (agent of owner)

hereby request an appeal to the following action (be specific):

A front set back variance of 6' for a front porch on a new home. The foundation of the home is within the current set back.

Reason for appeal: Lot size is small and causes undo expense for owner to construct a home of similar style to other homes in the subdivision.

Applicant's Name

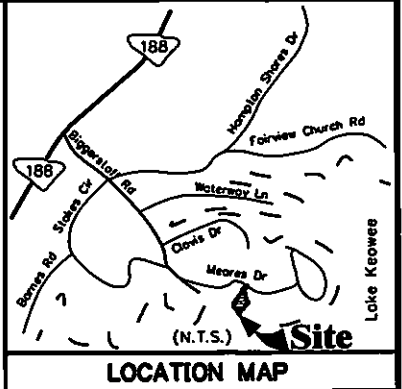
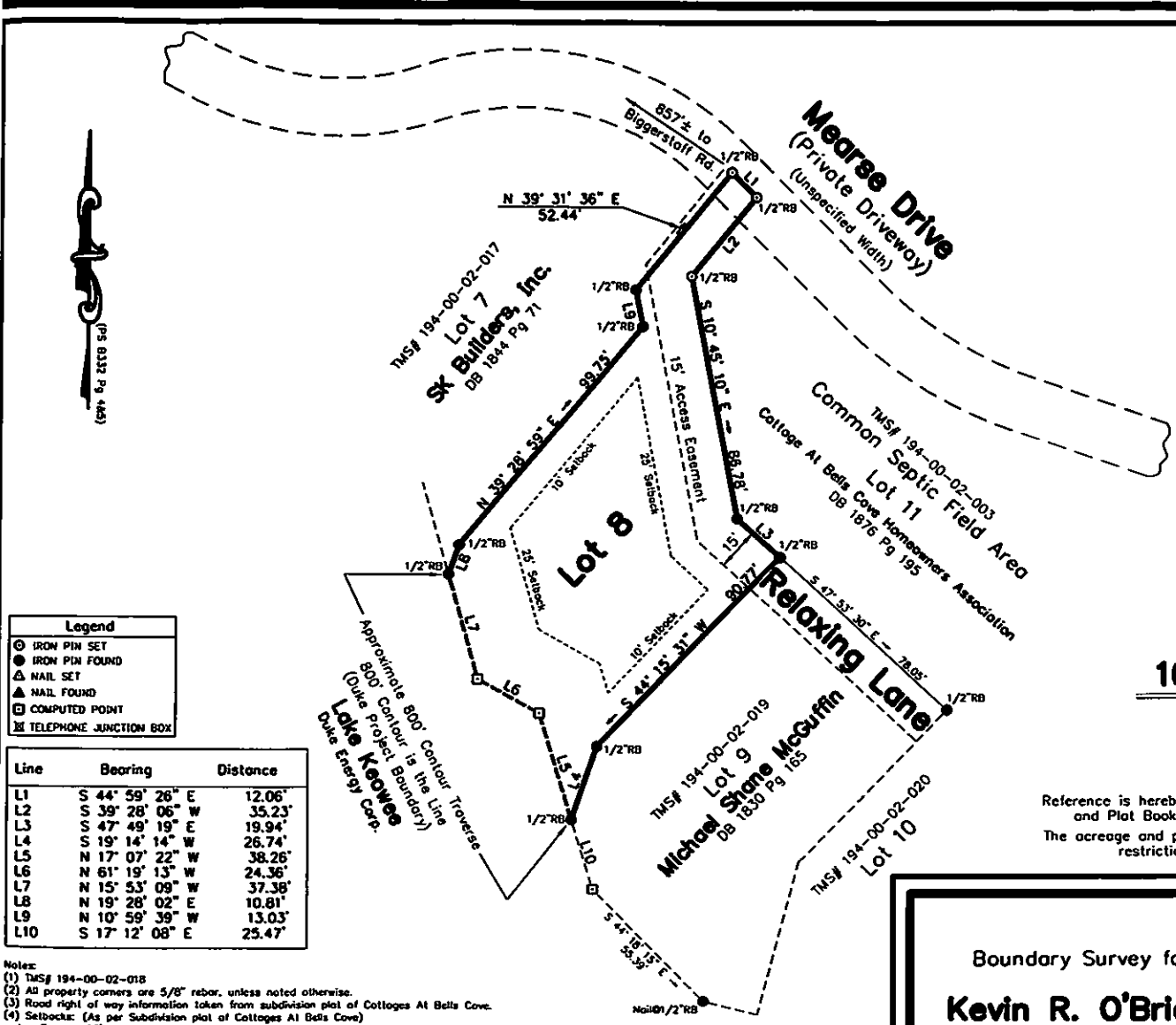
Address

Mailing Address (if different)

Phone Number  Fax Number

Signature:

Please be advised that an Appeals Application Fee of 550 must be paid in full at the time the application is received by the Planning Department. Applicants shall be notified at the specified mailing address once a public hearing date is set.



EXEMPTION FROM REVIEW PROCESS  
 This plot is a RESURVEY of  
 an existing lot of record.  
 Thomas E. Belcher SCPLS# 16126

**Lot 8**  
**Cottages At Bells Cove**  
**Total Area**  
**10,716 Sq.Ft. 0.246 Acres**

**Legend**

- ⊙ IRON PIN SET
- IRON PIN FOUND
- ▲ NAIL SET
- ▲ NAIL FOUND
- COMPUTED POINT
- ☒ TELEPHONE JUNCTION BOX

Line	Bearing	Distance
L1	S 44° 59' 28" E	12.06'
L2	S 39° 28' 06" W	35.23'
L3	S 47° 49' 19" E	19.94'
L4	S 19° 14' 14" W	26.74'
L5	N 17° 07' 22" W	38.26'
L6	N 61° 19' 13" W	24.36'
L7	N 15° 53' 09" W	37.38'
L8	N 19° 28' 02" E	10.81'
L9	N 10° 59' 39" W	13.03'
L10	S 17° 12' 08" E	25.47'

- Notes:**
- (1) TMS# 194-00-02-018
  - (2) All property corners are 5/8" rebar, unless noted otherwise.
  - (3) Road right of way information taken from subdivision plat of Cottages At Bells Cove.
  - (4) Setbacks: (As per Subdivision plat of Cottages At Bells Cove)  
 A: Front 25'  
 B: Side 10'  
 C: Rear 25'
  - (5) A Road easement to the 810' contour is reserved by Duke Energy.
  - (6) The 25' setback/unrestricted buffer on the lake side of this parcel is to comply with sec. 4.12 of the Oconee County Subdivision Ordinance.
  - (7) All Drives shown hereon are private and will not be dedicated to Oconee County at any time present or future.

TMS# 194-00-02-018

Reference is hereby made to Deed Book 1841 at page 78, Plat Book B332 at pages 4 & 5 and Plat Book B378 at page 4 in the Register of Deeds Office for Oconee County. The acreage and property shown hereon is subject to any and all rights of way, easements, restrictions, reservations or zoning ordinances of record or on the ground.

Boundary Survey for  
**Kevin R. O'Brien**

**THOMAS E. BELCHER**  
**LAND SURVEYOR**

1406 THREE & TWENTY ROAD  
 EASLEY, SC 29642  
 TELEPHONE 864-442-6359  
 CELL 864-616-9399  
 FAX 864-442-6684

E-MAIL [tombelcher@charter.net](mailto:tombelcher@charter.net)

Oconee County  
**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, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY AS SPECIFIED THEREIN.



DATE February 14, 2013

**Variance for Lot 8 Cottages at Belis Cove**

The property owners signed below agree and understand that a front setback variance of approximately five (5) feet is being granted for the construction of the home on Lot 8 Cottages at Belis Cove. This variance is for the purposes of the front porch.

*[Signature]*  
Lot 1  
Susan L. Connors

*[Signature]*  
Lot 2  
Susan L. Connors

*[Signature]*  
Lot 3  
Susan L. Connors  
/ Anne Miller, authorized representative of Builders, The

*[Signature]*  
Lot 6  
Pat Hill

*[Signature]*  
Lot 7  
Pat Hill

*[Signature]*  
Lot 8  
Ken Olson

*[Signature]*  
Lot 9  
Ken Olson

public utility services which are available to a lot from an underground source shall be kept underground. No radio aerial or apparatus are allowed.

**Setback Line:** Recreational Equipment and Fire Sprinkler Yard Equipment. Setback lines, doors and receiving equipment approved by the Developer or Covenant's Board shall be allowed. All cable television lines shall be underground where available. Any concrete pad, curbs and/or apparatuses must be buried beneath ground level and/or concealed from view of the street and take by fence or hedge approved by the Developer or Covenant's Board.

**Setback Requirements:** All buildings and improvements to the The Cottage At Venues Point Subdivision shall be placed on the lot with a five foot (5') minimum setback requirement from all property lines. All such measurements shall be measured from the foundation of the structure to the nearest property line. Driveways may be building set-backs if approved by the Developer or Covenant's Board. All private driveways must be constructed and completed at the time of before the house or residence is completed. The setback for fence lines of The Cottage At Venues Point Subdivision shall be as determined by the Developer or Covenant's Board.

**Building Codes:** All construction, electrical, plumbing and building shall be performed to comply with the requirements of the current and future building code and ordinances of (Ceccon County), South Carolina, and said building code is incorporated in these restrictive covenants.

**Building Requirements, Area Requirements:** Each dwelling and garage on each residential lot shall have a roof constructed of shingles or other materials approved by the Developer or Covenant's Board. Each residence lot shall have no more than one dwelling thereon, and each dwelling shall meet the following minimum lot maximum square foot requirements, which minimum square footage shall not include garages or open porches.

(a) The finished and enclosed living area of main residential structures, exclusive of porches, breezeways, and garages shall not be less than 1365 square feet nor greater than 1800 square feet for a one story home.

**Planting:** The owner of each lot shall be responsible for planting that lot. No weeds, understory or other unwanted growth shall be permitted to grow or remain on any part of the lot. Native grasses and wild flowers are excepted.

**Common Roadways:** The common roadways, including but not limited to streets, drives, shall be constructed by the Developer and all costs of maintenance shall be determined and assessed as needed per lot in a per rata share by the Developer or Covenant's Board.

**Drainage:** Site drainage from any lot in the later and the materials used for such drainage must be approved by the Developer or Covenant's Board.

**Septic Sewer System:** The Owner shall install all septic tanks and initial sewer lines at the time the residence is constructed on each lot in accordance with all federal, state and county laws and ordinances. Each owner is required to conform to the applicable septic

## **Ch. 32 and Other Topics Discussion Outline**

At the Planning Commission meeting on March 18, 2013, staff was directed to compile a list of issues regarding Ch. 32 Unified Performance Standards that may need to be amended. The following outline generally describes a handful of topics.

### **Ch. 32**

**1) Change Planning Director to Community Development Director or designee throughout the document. This change will reflect the current organization of the County.**

**2) Article 4 - Cell Towers:**

a. Clarification may be needed regarding the following questions: What needs a permit? Specifically, do change-outs of collocations require a Land Use Permit?

b. Possible clarification needed: 32-136 – Maximum Height of freestanding communication tower. The chart in this section refers to 'Districts.' However, these are not zoning districts. Staff has relied on how the property is being used. Should the chart be amended to reflect zoning districts?

**3) Article 6 – Subdivisions**

a. Definitions:

i. Subdivision –

... The following exceptions are included within this definition only for the purpose of requiring that the local planning agency be informed and have a record of the subdivision:

(1) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the county;

(2) The division of land into parcels of five acres or more where no new street is involved and plats of these exceptions must be received as information by the county planning commission which shall indicate that fact on the plats; and

(3) The combination or recombination of entire lots of record where no new street or change in existing streets is involved.

b. 32-213 - Requirements and Standards.

f) *Family transfers*. When no consideration, other than a nominal monetary amount and love and affection, is paid to the grantor of subdivisions resulting from family transfers as defined by this section of this article, the following shall apply:

(1) Subdivision of parcels that results from the conveyance of parcels deeded by parents to children, children to parent, sibling to sibling, grandparents to grandchildren or grandchild to grandparent, and does not involve the construction or

extension of any road, bridge, or drainage structure to provide access to interior lots, and does not involve the creation of any new drainage easement, shall be received as information only and approved administratively by the planning director.

A major question in regards to 3.a and 3.b is do these exemptions allow for non-compliance with other ordinances to occur?

An overall topic that may need to be explored is how well do Ch.32 and Ch. 38 matchup regarding setbacks, vegetative buffers, etc...?

#### **4) Electronic file requirements:**

- a. The GIS Dept. is recommending the following amendment to Ch. 32 regarding electronic submission of subdivisions in order to improve efficiency and accuracy:
  - i. 1) Any development having 3-10 parcels (minor subdivisions) or more
  - ii. 2) Any development that will have new roads
  - iii. 3) File Types: DXF, DWG, OR DGN
  - iv. Draft Language:

...the subdivider shall also provide the county with a digital file (DXF, DWG, or DGN) of the subdivision on approved media. The Community Development Director, as his discretion, may approve other file types.

#### **Other Topics:**

##### **5) Major Development Standards**

- a. At some point in the past, the Planning Commission did discuss the issue of Major Development Standards. After the initial consideration the topic was tabled.
- b. Essentially, this set of standards would send all 'major' projects to the Commission for review and approval after staff has reviewed the project to ensure compliance with all County regulations.
- c. A basic draft of Major Development Standards was created by staff when the Planning Commission initially discussed the topic. At the direction of the Commission, staff will present that document for consideration.

##### **6) Landfills**

- a. Staff is concerned with the potential effects of H.3290 – Solid Waste Flow Control
- b. According to the South Carolina Association of Counties 'H. 3290 invalidates any county ordinance directing where solid waste is disposed as well as any ordinance that "impedes the development of public or private solid waste or recycling program regardless of location."
- c. This bill is a concern on a variety of levels. In the context of planning and zoning the concerns center around the establishment of privately owned landfill/solid waste operations within the County.

- d. With the direction of the Commission, staff can draft a view options for the Commission to review regarding this issue.

**7) Annual Ordinance Review:**

- a. Staff recommends that the Planning Commission establish a prescribed period of time in which to review ordinances and other land use issues. The following are the details of the recommendation:
  - i. Hold a series of workshops between May and August
  - ii. Have a joint workshop with County Council in August to discuss any recommendations or ideas
    - 1. This joint workshop would provide an opportunity to discuss land use policy recommendations before it they are sent for 1<sup>st</sup> Reading
    - 2. Also, ending in August would allow time for County Council to hold all appropriate readings and the public hearing before the end of year
    - 3. This would also allow time for staff to update the public about any potential changes



## **Public Awareness Campaign Outline**

At the Planning Commission meeting on March 18, 2013, staff was directed to compile an outline of a public awareness/educational campaign to ensure the public has full knowledge of County regulations and resources. The following outline generally describes program:

### **Public Awareness Campaign:**

- 1) **Establish a Planning Subcommittee on Public Information**
  - a. This 3 person subcommittee would create ways to best inform the public on all land use policy
  - b. The subcommittee would make recommendations to the full Commission
- 2) **Review of resource material**
  - a. Staff and the subcommittee would review all pamphlets, brochures, maps, etc... to see if improvements are needed
- 3) **Reach out to Community**
  - a. Invite stakeholders to County for educational meetings
  - b. Go out into the community to meet with stakeholders
- 4) **Annual Update**
  - a. Hold an annual update meeting
    - i. Hold in December in order to update any changes that may go into effect the following year

# Oconee County Planning Commission



415 S. Pine Street  
Walhalla, SC 29691  
Telephone (864)638-4218 Fax (864)638-4168

.....LEGAL AD.....

**PLEASE ADVERTISE IN THE NEXT ISSUE  
OF YOUR NEWSPAPER**

TO: DAILY JOURNAL [classadmgr@dailyjm.com]

The Oconee County Planning Commission will conduct a public hearing on a variance request on Monday, April 22, 2013 at 6:00 p.m. in the Council Chambers of the County Administrative Complex, 415 S. Pine Street, Walhalla, SC 29691. The applicant, Les Walden, is requesting a variance to front setback standards of Chapter 32 of the Oconee County Code of Ordinances regarding parcel 194-00-02-018. If you would like additional information concerning this request, please contact the Planning Department at 864-638-4218.

# Oconee County Planning Commission



415 S. Pine Street  
Walhalla, SC 29691  
Telephone (864)638-4218 Fax (864)638-4168

## NOTICE OF PUBLIC HEARING

This notice is to the owner of property and property owners adjacent to a parcel located at the intersection of Relaxing Ln. and Meares Dr. in Seneca (**Tax Map #194-00-02-018**).

A public hearing will be held by the Oconee County Planning Commission at 6:00 p.m. on Monday, April 22, 2013 in the Council Chambers of the County Administrative Complex, 415 South Pine Street, Walhalla, SC 29691. The purpose of the hearing is to consider a Variance regarding a front setback.

A copy of the application is available for public viewing in the Oconee County Planning Department (Telephone 864-638-4218).

# Advertising Receipt

Oconee Publishing, Inc.

P.O. Box 547  
Seneca, SC 29679  
Phone: (864) 882-2375  
Fax: (864) 882-2381

JOSH STEPHENS  
OCONEE COUNTY PLANNING COMMISSION  
415 S PINE ST  
WALHALLA, SC 29691

Cust#: 01104591-000  
Acct#: 01548413  
Phone: (864)718-1005  
Date: 04/04/13

Ad taken: PV Salesperson: Classification: 010

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
00 Daily Journal/Messenger	04/05/13	04/05/13	1	26.75		26.75

**Payment Reference:**

The Oconee County Planning Commission will conduct a public hearing on a variance request on Monday, April 22, 2013 at 6:00 p.m. in the Council Chambers of the County Administrative Complex, 415 S. Pine Street, Walhalla, SC 29691. The applicant, Los Walden, is requesting a variance to front setback standards of Chapter 32 of the Oconee County Code of Ordinances regarding parcel 194-00-CO-018. If you would like additional information concerning this request, please contact the Planning Department at 864-638-4218.

Total: 26.75  
Tax: 0.00  
Net: 26.75  
Prepaid: 0.00

**Total Due: 26.75**

The Oconee County Planning Commission will conduct a public hearing on a variance request on Monday, April 22, 2013 at 6:00 p.m. in the Council Chambers of the County Administrative Complex, 415 S. Pine Street, Walhalla, SC 29691. The applicant, Les Walden, is requesting a variance to front setback standards of Chapter 32 of the Oconee County Code of Ordinances regarding parcel 194-00-02-018. If you would like additional information concerning this request, please contact the Planning Department at 864-638-4218.

**PUBLISHER'S AFFIDAVIT**


**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE**

**IN RE: Oconee County Planning Commission  
Public Hearing - April 22, 2013  
Variance Request**

**BEFORE ME** the undersigned, a Notary Public for the State and County above named, this day personally came before me, Jerry Edwards, who being first duly sworn according to law, says that he is the Publisher of THE JOURNAL, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said paper on April 5, 2013 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.

  
\_\_\_\_\_  
Jerry Edwards  
Publisher

Subscribed and sworn to before me this  
5th day of April A.D. 2013

  
\_\_\_\_\_  
Jennifer A. White  
Notary Public for South Carolina  
My Commission Expires: 05/18/2014