



Board of Zoning Appeals

AGENDA

City Hall in Council Chambers

Thursday, October 23, 2025

5:30 pm

- I. Addenda to Agenda**
- II. Approval of Minutes – July 24, 2025**
- III. Public Hearings**
 - AA-25-10 Variance request to allow accessory structure in front yard 515 Allenby Rd.
- IV. Board Business**
- V. Staff Report**
- VI. Adjourn**

**STAFF REPORT
CITY OF ANDERSON BOARD OF ZONING APPEALS**

Application Number: AA-25-10

Applicant: Daniel Rutledge

Property Address: 515 Allenby Road

Zoning of Property: R-15, Single Family Residential

Requested Action: **Variance from front yard requirements**

Recommendation: **Denial**

Background: The applicant is seeking a variance from front yard requirements at the subject property for an accessory building that was recently installed without permits. The property is a corner lot, so it has road frontage on two sides.

Per Section 14.6 of the Zoning Ordinance, for lots having frontage on two or more streets, the minimum front yard shall be provided on all street frontages in accordance with the provisions of the district in which the lot is located.

A front yard is defined as the area between the street right-of-way and the main building. Per Section 14.10 in the Zoning Ordinance (Accessory Uses), accessory uses must be in the side or rear yards, not front yards.

“Accessory uses may be located in the required side and rear yards, however, may not occupy more than thirty percent (30%) of such yards, measured from the interior building lines. No accessory use may be located closer than three (3) feet to any property line.”

The property owner installed an accessory building measuring 40'-3" in length and 11'-3" in width, but since it is a corner lot, much of it extends into the front yard facing Hilltop Drive. Only 7 feet is located to the side of the house, so 33'-3" of the 40'-3" building's length extends into the front yard. Therefore, the applicant is requesting a 33' 3" front yard variance.

Findings of Fact in the Zoning Ordinance to be considered by the Board of Zoning Appeals:

Section 16.5.2 of the Zoning Ordinance states:

To hear and decide appeals for variances from the requirements of this ordinance when strict application of the provisions of this ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains the following findings:

CITY OF ANDERSON
BOARD OF ZONING APPEALS MINUTES
Thursday, July 24, 2025
5:30 pm

MEMBERS PRESENT: Glen Roberts, Olin Bell, Aaron Jeffers, Peter Perdomo

MEMBERS ABSENT: All present

STAFF PRESENT: Christopher Darnell, City Planner
Trevor Anderson, Transportation Planner

OTHERS PRESENT: See sign-in roster

The meeting was called to order and the invocation was given by Glen Roberts.

ADDENDA TO AGENDA

No addenda to the agenda

APPROVAL OF MINUTES

A motion by Aaron Jeffers, with a second by Olin Bell, carried unanimously (4-0) to approve the minutes of April 24, 2025, meeting as presented.

AA-25-7

A request for a variance to reduce the lot size requirements for 405 Botany Lane

Background: The subject lot is in a new development where lots have been platted for many years. A front yard setback variance was granted by the Board of Zoning Appeals in August 2024 for the 24 lots in the subdivision, so houses could be moved closer to the street to save trees and to avoid a sewer line running through some of the lots.

The subject property is zoned R-20, Single-Family Residential, which requires lots to be at least 20,000 square feet in size. It is exactly 20,000 square feet in area, and a house is currently under construction. The applicant wishes to incorporate a portion of the subject lot (0.09 acres) into an abutting lot to the rear (107 Wedgewood Drive). This will reduce the lot size from 20,000 square feet to 16,080 square feet, thus requiring a variance of approximately 4,000 square feet.

Prior to development, there was a slope on the back side of the lot. After grading for the new house on the lot, there is now a more drastic and steeper incline. The back 0.09 acres better serves the neighboring lot and would be generally unusable for the lot under construction. In fact, the 0.09 acres has been maintained by the owner of 107 Wedgewood for several years.

Findings of Fact in the Zoning Ordinance to be considered by the Board of Zoning Appeals:

Section 16.5.2 of the Zoning Ordinance states:

To hear and decide appeals for variances from the requirements of this ordinance when strict application of the provisions of this ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains the following findings:

- (A) There are extraordinary and exceptional conditions pertaining to the piece of property in question (because of its size, shape or topography)
- (B) These conditions do not generally apply to other properties in the vicinity
- (C) Because of these conditions, the application of this ordinance to the piece of property would effectively prohibit or unreasonably restrict the utilization of the property
- (D) The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

Recommendation: Approval. The variance request to reduce the lot size of 405 Botany Lane by 0.09 acres and add it to 107 Wedgewood Drive meets the Findings of Fact A, B, C & D.

- A. The back of the lot has a significant slope, making the 0.09 acres generally unusable for the property owner, but will better serve the neighboring owner.
- B. This condition of a steep slope such as this does not generally apply to other properties in the subdivision.
- C. Because of slope/topography, the back portion of the lot would not be used by the new property owner and fits better with the abutting property.
- D. Authorizing the variance does not cause a detriment to adjacent properties. In fact, it provides a benefit to an adjacent property.

In addition to the above factors, the City of Anderson is currently in the process of updating its regulatory documents, including zoning guidelines. New classifications are being created to better fit lot sizes throughout the City. Although this is not finalized, it is likely that the new lot size of 405 Botany Lane will be in zoning compliance once the new guidelines are adopted.

A motion by Peter Perdomo, with a second by Olin Bell, carried unanimously (4-0) to approve as submitted.

ADDENDA

None

ADJOURNMENT

With no further business, a motion by Olin Bell, with a second by Perter Perdomo, carried unanimously (4-0), to adjourn.

Glen Roberts
Chairman

Shalandrea Geer
Secretary

- (A) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question (because of its size, shape or topography);
- (B) These conditions do not generally apply to other properties in the vicinity;
- (C) Because of these conditions, the application of this ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- (D) The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

Recommendation: Denial.

It is Staff's opinion that the variance request to allow the accessory building to encroach 33'-3" into the front yard does not meet the Findings of Fact A, C & D, but only meets Finding of Fact B.

- A. This site is not unique. The lot is similar in shape and size to other lots in the vicinity. The topography on the lot is generally flat and does not present any development issues.
- B. The lot is a corner lot with two front yards, a condition that is not applicable to other lots.
- C. The application of the ordinance as it pertains to the front yard does not restrict the potential addition of an accessory structure to the lot. The addition of another accessory structure is limited by the existing swimming pool in the rear yard.
- D. The front yards along Hilltop Drive are generally consistent and set the character for the neighborhood. Allowing one structure to be closer to Hilltop would be a detriment to that character.

Due to it being a corner lot and with some constraints on locating an accessory building in the rear yard because of a swimming pool, a smaller building with a very small encroachment into the front yard may not impact the neighborhood character and could be acceptable. However, an encroachment of over 33 feet into a front yard is excessive.

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ALLENBY RD

1480703007

HILLTOP

14807





View from Hilltop



**view from
neighbors side with
heavy overgrowth.**

View from Allenby













Allenby Rd

Allenby Rd

Hilltop Dr

Hilltop Dr

HillHilltop Dr

Hilltop Dr