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Oconee County could see new building height restrictions

Ray Chandler/ Special to the Independent-Mail
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WALHALLA — If proposals now under consideration are carried through, special permits will be necessary to build structures higher than 65 feet in Oconee County.

Ryan Honea, vice chairman of the County Planning Commission, this week proposed extending across the entire county the height restriction set in lake overlays in the county's zoning enabling ordinance.

"That would protect everybody from high-rises," Honea said.

The zoning ordinance sets a height restriction within the 750-foot protective overlay around Lakes Keowee and Jocassee. The overlays also restrict density of development to no more than four housing units per acre.

Honea's proposal would apply to commercial as well as residential development.

The commissioner's proposal came after County Planning Director Art Holbrooks brought to the planning commission a request from the County Council for recommendations about applying South Carolina ridgeline law to the 65-foot height restriction that already is part of the lake overlays.

The South Carolina Mountain Ridge Protection Act of 1984 contains a number of restrictions on development within ridge zones where elevation would pose difficulties to efforts such as emergency services and firefighting services. One provision also prohibits development where high structures "within or in visible proximity" to ridges would "mar, destroy or greatly damage their natural beauty and greatly reduce their attractiveness."

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At a public hearing April 21, Council member Joel Thrift requested that the planning commission consider ways of applying the ridge line law to areas beyond the 750-foot lake overlays to extend the area to which the 65-foot height restriction would apply.

County Planner Holbrooks said this week that the elevation limits of 2,500 feet set by the ridge line law make applying it difficult, and he was awaiting an opinion on the issue from County Attorney Tom Martin.

"But there is a way to achieve the same end by different means," Holbrooks said, adding that his staff is preparing a draft proposal that will treat structures over 65 feet high under the special exception rules that already apply to cell phone towers.

Holbrooks said under the proposal in the works, anyone seeking an exception to the height requirement would face a public hearing on the request before the County Board of Zoning Appeals.

"(The applicant) would have to prove (their structure) would not have a negative impact," he said. "If the board finds that all the standards have been met, they grant a special exception and grant a permit. The proposal could be a stand alone ordinance or an amendment to the zoning ordinance

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