

Kershaw County Planning and Zoning Commission
Minutes - Regular Session
December 11, 2008, 5:30 p.m.
County Council Chambers, 515 Walnut Street
Camden, SC 29020

Members Present: Lewis Shaw, David Brown, Charles Cottingham, Karen Eckford, George Gibson, Dan Matthews, and Richard Simmons

Staff Present: Carolyn Hammond and John Newman

Call to Order

Chairman, Lewis Shaw, called the meeting to order at 5:30 p.m.

Public Comment Period

There were no comments from the public.

Approval of Minutes

Karen Eckford motioned that the minutes of the November 13, 2008 regular meeting be approved. David Brown seconded. Approval was unanimous.

For the November 20, 2008 work session minutes, Lewis Shaw requested that the *Summary of Sources Justifying the 100 Foot Buffer Width on Perennial Streams* be attached. Richard Simmons motioned that the minutes be approved as amended. George Gibson seconded and all voted in favor.

Public Hearing on Rezoning Request of Roy Turbyfill

John Newman gave a summary of the staff report and rationale behind its recommendations to approve Mr. Turbyfill's request to rezone 2453 Watson Street from R-6 to B-2. Mr. Turbyfill gave a history of the site and his business. He stated that he was aware of the 2000 county-wide rezoning, but thought it was aimed at regulating the location of mobile homes, and had no idea his business had been rezoned from commercial to residential until a potential buyer/lesser checked with the Planning and Zoning Department and told him his property was now zoned R-6 residential. He said he had been relying on income from the sale or lease of the commercial property for his retirement. He asked the Planning Commission to grant his request.

John Newman stated that Charles Koon, former Planning and Zoning Commissioner, owns rental properties on Watson Street across from the subject site and wished that his support for the rezoning to be conveyed. With no other members of the public wishing to speak, Chairman Lewis Shaw closed the public hearing.

Planning and Zoning Commission Action on Turbyfill Rezoning Request

George Gibson stated that it looked like Mr. Turbyfill got caught up in the system during the 2000 county-wide rezoning, and that granting B-2 zoning for the property would be the proper action to take. Richard Simmons stated his agreement. There being no further discussion, Richard Simmons motioned that the Planning and Zoning Commission recommend approval of

the request to rezone the property from R-6 to B-2. Karen Eckford seconded and all voted in favor.

Draft Unified Code of Zoning and Land Development Regulations - Lake Wateree Overlay District and Water Quality Buffers

John Newman informed the group that if the language in Exceptions for Public Recreational Facilities was approved for the LWOD, it would be repeated in Article 5, Division 3, Water Quality Buffers.

Mr. Newman went on to tell the group that he had received additional input from Duke Energy and a group of Lake Wateree residents. Their recommendations were been incorporated into the LWOD.

Duke Energy's definition of the project boundary was added to 3:7.4-2 (Establishment of the Lake Wateree Overlay District). It was also been added to 3:7.4-6 (Lake Wateree Shoreline Buffer Regulations) along with clarification that all activities within the project boundary will be subject to Duke Energy Shoreline Management regulations.

Exceptions for Public Recreational Facilities were added so that water quality can be protected while allowing shoreline access and view sheds. These regulations were the result of John Newman's consultation with Duke Energy and Tony Bebbler at PRT.

Under the section on Restoration of Previously Disturbed Buffers, text was added to specify the required plant size and maintenance. This was also repeated under Restoration of Buffers on Previously Developed Multi-Family and Non-Residential Parcels.

Based on additional comments from the local DHEC office, provisions relating to training workshops for septic tank inspectors were added to 3:7.4-8 (LWOD On-Site Sewage Disposal Systems Regulations). Also in 3:7.4-8 under Failure Evaluation and Repairs, item 2.) was deleted because DHEC does not issue permits for repairs. Also a section was added to Inspection of Existing Installations exempting specialized (engineered) OSDS that have been permitted by DHEC from inspections, provided that the owner can document that the required maintenance has been performed.

Charles Cottingham expressed concern about the expense and inconvenience of digging and pumping a septic tank for inspection prior to the sale of real estate interest. He asked if there were other methods of performing inspections. A discussion about traditional and engineered septic systems, their maintenance requirements, inspectors, inspection methods, and need for inspection followed.

Michael Thomas, a realtor selling properties on Lake Wateree inquired about the use of dye in testing septic systems.

John Newman told the group about an OCRM study that was done near the coast which found a huge percentage of failed septic systems. As a result, OCRM developed a model ordinance. The LWOD septic tank regulations are based on the OCRM model ordinance and those of other

jurisdictions. He also added that jurisdictions that are delegated to do stormwater permitting will have to adopt similar regulations.

At the request of the group of Lake Wateree residents, 3:7.4-9 (Penalties and Violations) was added.

The table in 5:1.5-2 (When Required to Connect to Community Sewerage System) was changed to clarify when connection to a community sewerage system is required.

Dates for January, February, and March Work Sessions

Potential work sessions were scheduled for January 22, February 26, and March 26, 2009.

Other Items

Lewis Shaw mentioned that he hopes to meet soon with County Administrator, Clay Young regarding the Capital Improvement Plan. He reminded the group that officers will need to be chosen at the regular January meeting.

Adjournment

Karen Eckford made the motion to adjourn. It was seconded by George Gibson and approved unanimously. The meeting adjourned at 6:22 p.m.

Respectfully submitted,

Carolyn B. Hammond

Carolyn B. Hammond
Secretary