

**Kershaw County Planning and Zoning Commission**  
**Minutes - Regular Session**  
**July 8, 5:30 p.m.**  
**County Council Chambers, 515 Walnut Street**  
**Camden, SC 29020**

Members in Attendance: Lewis Shaw, Charles Cottingham, Karen Eckford, and Richard Simmons

Members Absent: David Brown, George Gibson, and Dan Matthews

Staff in Attendance: Carolyn Hammond and John Newman

**Call to Order**

The 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 May 13, 2010 regular meeting be approved. Richard Simmons seconded, and they were approved unanimously.

**Application for a Text Amendment to the ZLDR**

John Newman stated that under current regulations, bingo parlors are not a permitted use in Kershaw County. The applicant, Robert Williams, wishes to amend Table 3-3 to allow them in GD (General Development) zoning districts. Newman reported his research on how the City of Sumter, Sumter County, Camden, Lancaster County, and Richland County handle the regulation of bingo parlors.

Mr. Williams told the Commission that bingo parlors are supported and regulated by the State. He said the South Carolina Leukemia Society has given permission to be used as their charity. He added that if the amendment passes, he and his family will operate their business the right way. Business hours will be approximately 6:00 p.m. till 11:00 p.m. or midnight.

Before discussing specific levels of regulation, Commission members first came to a consensus that the ZLDR should be amended to allow bingo parlors. A discussion concluded with Karen Eckford making the motion to allow bingo parlors in the GD (General Development) and I-1 (Industrial) zoning districts under the conditions that the businesses and operators are licensed and meet all State regulations. Richard Simmons seconded, and all voted in favor.

**Staff Recommendations on Amendments to the ZLDR**

The following staff-recommended amendments to the Zoning and Land Development Regulations were discussed:

Article 2

**Definition of a Lot, Flag**

Amended so it distinguishes a flag lot from a lot without street frontage that is accessed by an easement through a different parcel of land.

Article 3

**3:3.6 Mobile Homes and 3:3.6-1 Replacement of Mobile Home**

Text regulations for mobile homes were inadvertently left out of final drafts of the ZLDR. Mobile home regulations are, however, referenced in the use tables.

**3.5.1-5.E Landscaping Buffer Area Design Standards (Type "E" Buffer Area)**

The residential street buffer is new with the ZLDR and was meant to apply only to new planned residential subdivisions that are approved after the effective date of the ordinance. It was not meant to apply to individual residential lots. This language clarifies the intent of the ordinance.

### **3.7.4-6.E. Lake Wateree Shoreline Buffer Plat Requirement (Shoreline Buffer Plat Requirements)**

Planning staff recommended removing altogether from the plat requirements the provision for showing locations for the boundary markers. Assuring that such markers are procured, installed, and their location surveyed places too much burden on the surveyor preparing the Lake Wateree Overlay District shoreline or water quality buffer plat. Karen Eckford motioned to approve this amendment, Charles Cottingham seconded, and all voted in favor.

### **3:7.4-8 Lake Wateree Overlay District On-Site Sewage Disposal System Regulations**

#### **C. New Installations**

Risers and access manholes on any new or replacement OSDS will be required, and are allowed to extend to within six inches of the ground surface. The riser requirement was added after discussion with DHEC septic tank inspectors. The manholes in the lids will very often be covered with several feet of dirt which will have to be excavated to access the tanks if risers are not provided. This provision will result in less damage to the lawn when an OSDS requires service or inspection.

### **Table 3-3 Schedule of Permitted and Conditional Uses and Off-Street Parking Requirements by Zoning District**

The amendment to this table corrects a transcription error.

#### Article 4

#### **4:1.5 Building Permit Procedure**

The requirement to provide a SCDHEC septic tank permit or public sewer tap receipt when applying for a building permit was inadvertently left out of this section.

#### **4:2.3-3 Manufactured Housing Permit Process**

Language relating to the documents accepted for proof of ownership were changed to bring them in compliance with SC code 31-17-320(B) that provides regulations on manufactured housing.

#### **4:2.4-1 Replacement of Mobile Home**

Text regulations for mobile homes were inadvertently left out of final drafts of the ZLDR. Mobile home regulations are, however, regulated in the use tables.

#### **4:2.4 Existing Septic Tanks and 4:2.4-1 Definitions**

The following is a new section with new procedures. The current practice has been to simply accept a statement from the property owner that there is already a septic tank on-site without any verification of the existence of the tank or if it was constructed to SCDHEC standards.

##### ***4:2.4 Existing Septic Tanks,***

##### ***4:2.4-1 Definitions***

***On-Site Sewage Disposal System (OSDS)*** - Any system, piping, tanks, drain fields, alternate toilets, or other facilities designed to function as a unit to convey, store, treat, and/or dispose of sanitary sewage by means other than discharge into a public sewer. For purposes of this Ordinance an OSDS shall mean any septic tank or other on-site sewage disposal system.

***Good Operating Condition, Septic System*** - Good operating condition means an on-site sewage disposal system (OSDS) that, upon inspection, is determined to function in a sanitary manner; prohibits the discharge of untreated or partially treated wastewater onto the ground surface, into surface water, or into ground water; and allows building plumbing to discharge rapidly.

***Failed Septic System*** - Any sewage disposal system that does not adequately treat and dispose of sewage that consequently creates a public or private nuisance or threat to public health and/or environmental quality.

#### **4:2.4-2 Procedures for Existing Septic Tanks**

*A residential property owner who applies to replace an existing or former structure that is or was serviced by an existing septic tank (On-Site Sewage Disposal System) shall submit to Planning and Zoning a SCDHEC approved permit for the existing septic tank. If the replacement structure's calculated sewage flow exceeds the permitted capacity, SCDHEC will require a permit to modify the system to handle the increased capacity.*

*If the applicant cannot produce the permit, the property owner shall either sign a statement on a form prepared by the Planning Official certifying that there is an existing septic tank, or obtain a current SCDHEC septic tank permit. If the property owner signs the existing septic tank certification, he shall be required to have the existing septic tank inspected by a person licensed by SCDHEC to install, repair, service, monitor, or inspect a septic tank. At such time as regularly scheduled SCDHEC Septic System Inspector Training Workshops become available, inspectors shall successfully complete such workshops.*

#### **4:2.4-3 Inspection Procedure**

*The inspector shall first verify that an OSDS (septic tank) is installed on the subject property. If the inspector determines that an OSDS as herein defined is not installed, he shall report his findings to the Building Official within five (5) days of the determination.*

*If a septic tank is located, prior to the inspection, a pump-out of the septic tank is required to insure a proper inspection of the interior of the tank, and to check as applicable for leaks from the building, and to check as applicable for saturated conditions in the drain field. It may not be possible to determine leaks and drain field conditions on systems that have not been in use for an extended period of time.*

*A copy of the inspection report and sewage disposal manifest from the pumping contractor shall be submitted to the Building Official within ten (10) days of the inspection. The inspection report shall certify that the system is in good operating condition. Any limitations to the certification that the system is in good operating condition due to non-use of the system or other factors shall be noted on the report. Otherwise, the following actions shall be taken:*

- A. **Minor Repairs or Alterations** - If the inspector determines that minor repairs or alterations are needed to bring the septic tank into good operating condition (such as replacing cracked lids and missing or broken tees and baffles), such work shall be done within ninety (90) days of the inspection. Evidence of said work shall be submitted to the property owner and a copy submitted to the Building Official as a condition of compliance.*
- B. **Failure Evaluation and Repairs** - If the inspector determines that the septic tank has failed, as defined herein, the Building Official shall notify SCDHEC of the failure within five (5) days of receiving the inspection report. The property owner shall:
  - 1. Contact SCDHEC within fifteen (15) days of the inspection to request a failure evaluation and course of corrective action by a licensed contractor.*
  - 2. Submit evidence of repairs to the Building Official as a condition of compliance.**

#### **4:4.4 Use Permits, and 4:4.4-3, Compliance Certifications for Demolition, Moving, Sign, and Other Land Development Permits**

The regulations for compliance certifications were placed under the regulations for Use Permits in error. The sections will be placed in their proper sections and renumbered.

#### **4:5.1 Demolition Permit Application for Structures other than Manufactured Housing**

#### **4:6.1 Moving Permit Application for Structure Other than Manufactured Housing**

#### **4:6.2 Moving Permit Application for Manufactured Housing**

The addition of "as necessary" in the requirement to grade lots after a structure or manufactured home has been demolished or removed was made at the suggestion of the Manufactured Housing Institute. It was inadvertently omitted from the above-listed sections.

Article 6

**6:3 Administrative Fees, and 6:3.1, Continuance of Fees**

Language was added to section 6:3.1 stating that all fees that have been set by County Council in previous ordinances shall continue and remain in effect under the ZLDR Ordinance. It was intended to be included in the ZLDR, but was inadvertently omitted.

After all of the above listed proposed amendments were reviewed and discussed, Richard Simmons motioned for their approval as recommended by Staff. Karen Eckford seconded, and approval was unanimous.

**Fee Ordinance**

**Proposed Ordinance to Set Fees for Signs**

Staff proposed an ordinance to change the fee structure of sign permits to \$25 for signs valued at less than \$1,000. Staff also proposed a \$10 flat fee for sign registration which is a new level of sign permitting under the ZLDR for which a fee has yet to be set. There was some question as to whether this regulation should be placed within the ZLDR or made a separate County ordinance. John Newman will consult with the County Attorney. The motion to approve the sign fees was made by Karen Eckford. Richard Simmons made the second, and all approved.

**Staff Report on County Council Actions Concerning the Planning**

John Newman reported that there have been no Council actions concerning the Planning Commission, but that he had spoken with the Assistant County Administrator who has drafted new CIP guidelines recognizing the poor structure of the past two years. Mr. Molnar has requested that he be on the next Planning and Zoning Commission agenda to discuss his ideas and see if the Commission would like to consider a CIP next year. Lewis Shaw added that it is the duty of the Planning Commission to develop and update a CIP each year, but it cannot be done unless the Commission gets involvement and assistance from Administration. He said he will welcome suggestions from Mr. Molnar on how to get it back on track. John Newman will ask him to send his draft recommendations to the Commission.

**Other Items**

John Newman mentioned that he is working on finding interesting and pertinent programs for continuing education training. He asked the group if they would like to have several 2-hour sessions instead of one 3-hour session. He will propose a schedule and send it out.

**Adjournment**

At 6:45 p.m., the Chairman called for a motion to adjourn. It was made by Karen Eckford, seconded by Richard Simmons and approved by all.

Respectfully submitted,

*Carolyn B. Hammond*

Carolyn B. Hammond  
Secretary