



Kershaw County Planning and Zoning Commission
Regular Session Minutes
January 14, 2013, 5:30 p.m.
County Council Chambers, 515 Walnut Street
Camden, SC 29020

Members in Attendance: David Brown, Jetter Pittman, Lewis Shaw, and Richard Simmons

Members Absent: George Gibson and Henry Walker

Staff in Attendance: Carolyn Hammond

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.

Plan Approval – Kelsney Ridge, Phase II

After Carolyn Hammond gave the Staff Report recommending approval of the subdivision, David Brown moved to approve the Kelsney Ridge Phase II site plan with the condition that DHEC approves the amendment of Plan 208 allowing Palmetto Utilities to provide sewer service to Phase II. The motion was seconded by Richard Simmons, and all voted in favor. Lewis Shaw mentioned Kelly Creek which borders future phases of Kelsney Ridge. The creek's water is impaired and if, at some point in the future the County has to clean it up, it will have to comply with some tough DHEC requirements.

Proposed ZLDR Text Amendment

After discussing the revised language for the family subdivision exemption, the Commission voted not to strike language in Article 2, Item F and Article 5, section 5:1.2-2, Item C, and to approve the language in section 5:1.2-2 to read as follows:

5:1.2-2 Definitions Street - Except as provided by these regulations, a street is any publicly or privately maintained thoroughfare (street, road, drive, avenue, circle, way, lane, boulevard, etc.) or space which has been dedicated, deeded, designed, or used for vehicular traffic that provides access to more than three (3) parcels of land. Access within multiple parcel group developments is excluded from this definition. The words street and road shall be used interchangeably in this section.

- A. *For family exemptions pertaining to the division of land (parcel) by gift conveyed by deed conveying land from one member to another member of the same immediate family (husband, wife, mother, father, children, grandchildren, brothers, sisters) in which access (the access) will be provided by an unimproved private street/drive, the family exemption will be limited to the division of land hereunder into no more than ten (10) lots from the original parcel.*

The Planning Official may waive the street construction standards to allow the division of land under the family exemption, under the following conditions:

1. *If the existing drive must be extended to provide access to the subject parcel(s), the access shall be by a right-of-way easement under the same ownership of the subject parcel(s).*
2. *The deed granting the land (parcel) and right-of-way easement must specifically stipulate substantially in this form:*
 - a. *The easement right-of-way is subject to maintenance by the grantor and grantee and is a private drive or private right-of-way easement.*
 - b. *Access to the parcel is not restricted.*
 - c. *Provisions, if any, for landscaping; paving; fencing; or the planting, construction, or placement of any natural or man-made object within the easement provided access is not restricted.*

The motion was made by Richard Simmons, seconded by David Brown, and all voted in favor.

Approval of Minutes

David Brown motioned to approve the minutes of the December 10, 2012 meeting as amended. Jetter Pittman seconded, and approval was unanimous.

Election of Officers

David Brown motioned to nominate Lewis Shaw to continue as Chairman and George Gibson to continue as Vice Chairman for 2013. Richard Simmons seconded and all voted in favor.

Because Carolyn Hammond is now the Interim Planning Director, it was decided that a different secretary needed to be appointed. That will be done at a later date.

Review of Rules of Procedure

The Planning Commission's Rules of Procedure and Ethics Policies were reviewed. It was noted that, at some point, Section 1 in Article V needs to be amended. Conflict of interest issues were discussed and clarified.

Discussion of 2013 Goals

Lewis Shaw asked the Commission to be thinking of things that they want the Commission to accomplish in 2013. Lewis Shaw and Carolyn Hammond mentioned that several amendments need to be made to the ZLDR.

Report on County Council Actions Concerning the Planning Commission

Carolyn Hammond reported that County Council had unanimously passed first and second readings on the rezoning of Sun Valley subdivision.

Adjournment

At 6:45 the Chairman called for a motion to adjourn. Jetter Pittman motioned, Richard Simmons seconded, and all voted in favor.

Respectfully Submitted,

Carolyn B. Hammond

Carolyn B. Hammond
Secretary