

**Kershaw County Planning and Zoning Commission**  
**Regular Session Minutes**  
**April 8, 2013, 5:30 p.m.**  
**County Council Chambers, 515 Walnut Street**  
**Camden, SC 29020**

Members in Attendance: Lewis Shaw, George Gibson, Jetter Pittman, Richard Simmons, and Henry Walker

Members Absent: David Brown

Staff in Attendance: Carolyn Hammond and Rhonda Darity

**Call to Order**

The Chairman, Lewis Shaw, called the meeting to order at 5:36 p.m.

**Public Comment Period**

There were no comments from the public.

**Approval of Minutes**

Jetter Pittman motioned that the minutes of the March 18, 2013 regular meeting be approved. Richard Simmons seconded. Lewis Shaw, George Gibson, and Henry Walker voted in favor.

**Rezoning Request of Claude Campbell**

When giving the rezoning Staff Report, Carolyn Hammond told the Commission that the low-density characteristics of R-15 zoning comply with the Future Land Use Map and meet the objectives of the Comprehensive Plan's goal of infill housing. The proposed rezoning designation also blends with the existing Barfield Farms Subdivision, zoned RD-2, the adjacent R-15 zoned lots, and the nearby R-15 zoned Cobblestone, Taylor Oaks, and Hunter's Crossing Subdivisions. Staff recommends that the Planning and Zoning Commission approve the rezoning of the property to R-15. Ms. Hammond reported that the result of a traffic analysis indicated a minimum impact. She closed by telling the Commission that Planning and Zoning staff had received four (4) telephone calls with questions, but none positive or negative, regarding the rezoning.

Mike Craven, adjacent property owner spoke to the Commission. He has no problem with the request as long as it does not have an impact on the farm use of his property.

Carolyn Benson, adjacent property owner asked if adjacent property owners would be offered land to be purchased. She has no problem with the rezoning.

After a brief discussion, Lewis Shaw called for a motion. George Gibson motioned that the request to rezone the property from MRD-1 and RD-2 to R-15 be approved. Henry Walker seconded, and approval was unanimous.

The Chairman informed everyone that the rezoning request would go before County Council on April 9, 2013. County Council will have three (3) readings on it.

**Amendments to Rules of Order – Article V, Section I**

The Commission reviewed the recommended changes (in italics) to Article V, Section I.

Zoning Amendments – Proposed zoning text *amendments* and *zoning district map* amendments shall be considered and recommendations shall be forwarded to the County Council within 30 days after receipt of the proposed amendments, unless additional time is given by the governing body. *The County Council shall conduct the required hearing prior to making a recommendation for zoning text amendments.* The Planning commission

shall conduct the required public hearing prior to making a recommendation *for zoning map amendments*.

After a brief discussion, Lewis Shaw called for a motion. Jetter Pittman motioned that the amendments be approved. Richard Simmons seconded, and approval was unanimous.

### **Amendments to ZLDR**

Seven (7) amendments were discussed and voted on. Changes are in italics. They are as follows:

#### Amendment I:

#### **3:4.3 *Signs Not Requiring a Permit or Registration***

**3:4.2-17 *T. Flags Displayed to Identify Commercial Operations*** - One flag displaying business name or logo shall be permitted to be attached to the face of the building in which the business it advertises is located. *If the business faces more than one public street, one flag per street frontage is permitted.* No such attached flag shall exceed twenty (20) feet in height, *measured from the top of the flag*, nor shall it be larger than twenty-five (25) square feet in area.

#### Amendment II:

### **HOME OCCUPATIONS**

#### Section 3:3.2, Unified Code of Zoning and Land Development Regulations

Home Occupations, as defined by the Kershaw County Unified Code of Zoning and Land Development Regulations (ZLDR), shall meet the following requirements where conditionally permitted by Table 3-3 of the ZLDR.

- A. The home occupation shall be carried on wholly within the principal residence. Attached or detached garages, storage buildings, barns, workshops, and other auxiliary structures may be used only for the storage of parts and materials.
- B. The floor area dedicated to such use shall not exceed twenty-five (25) percent of the floor area of the principal residence.
- C. No activity shall be conducted out of doors, nor shall there be any outdoor storage, display, or refuse area in the yard.
- D. No merchandise or articles shall be displayed so as to be visible from outside the principle residence.
- E. No person not residing in the principle residence shall be employed on the premises.
- F. It shall be a violation of the ZLDR for a person to operate a home occupation business without having first received a use permit as required by the ZLDR.
- G. No traffic shall be generated in an amount above that normally expected in a residential neighborhood.
- H. No parking is needed above that accommodated in residential off-street parking.
- I. There is no alteration whatsoever of the residential character of the building(s) and/or premises.
- J. The occupation, profession, or trade shall be properly licensed, and shall not generate any noise, glare, heat, vibration, smoke, dust, or odor perceptible to adjacent uses.
- K. No display, rental, or sale of wholesale or retail goods or other commodity other than those prepared on the premises shall be allowed on the premises.
- L. The occupation shall not be used for receptions, parties, etc. in which the resident receives a fee or compensation.
- M. *Home occupations where instruction such as, but not limited to dance, music, tutoring, and art, takes place shall comply with the following:*
  - *No parking shall be permitted on the street. Drop off and pick up must take place directly on the instructor's property.*
  - *The number of students taught in any one class session shall be limited to no more than ~~four~~ six.*
  - *There shall be a twenty (20) minute time period between the end of each class session before the beginning of the next.*
  - *All such sessions shall end no later than 9:00 P.M.*
- N. Signage for home occupations shall comply with the following:
  1. The maximum sign surface area shall be two (2) square feet.
  2. Such signs shall not be illuminated.

3. One building wall sign per street frontage is permitted.

Amendment III:

**AGRICULTURAL PRODUCTS AUCTIONS IN  
RURAL ZONING DISTRICTS**

Article 3, Section 3.23, Unified Code of Zoning and Land Development Regulations

**3:3.23-1 Agricultural Products Auctions**

*Agricultural products auctions are events engaged only in the sale of farm animals, items directly related to those animals, and items directly and commonly used in the practice of farming.* Facilities for agricultural products auctions in the rural zoning districts must comply with the following requirements:

- A. Spectator capacity shall be limited to ~~250~~ 200 people.
- B. Events shall be limited to Fridays and Saturdays only.
- C. Loudspeakers shall not be used after 10:00 P.M.
- D. The facility shall be vacated no later than 11:00 P.M.
- E. A perimeter buffer for non-residential uses per the provisions of this Ordinance shall be required along the property line to shield residences from parking areas, stockyards, barns, restrooms, concession stands, truck unloading areas, and other similar uses.
- F. All portions of the property must be designed and maintained to allow drainage to flow off active use areas so as to prevent ponding and propagation of insects or pollution of adjacent streams. SCDHEC permitting requirements shall always prevail.
- G. *Two permanent or portable restrooms must be provided for each event. Portable restrooms shall be maintained on a regular basis according to industry standards.*
- H. The lot must be maintained in a sanitary condition through the use of lime and pesticides.
- I. Barns, stables, arenas, *permanent or portable restroom facilities*, and other event facilities must be at least fifty (50) feet from the rear or side property line, at least 500 feet from the nearest adjacent residence, and at least 50 feet from any swimming pool.
- J. Manure piles shall be located at least ~~100~~ 500 feet from any property line; at least ~~200~~ 500 feet from any dwelling, swimming pool, patio, water body, etc. that is located on-site or on an adjacent lot; and shall meet all SCDHEC requirements.
- K. The sale of livestock shall be limited to by the hoof.
- L. No animals shall be left on premises overnight.
- M. No unsold auction items shall be left on premises overnight.
- N. No items purchased at the event may remain onsite longer than forty-eight (48) hours.
- O. A maximum of ten (10) vehicles may be sold per day.
- P. Farm equipment may be parked on the property to include transportation equipment when directly utilized as a part of the event.
- Q. Parking requirements are per individual review. Approval shall be subject to consideration of seating capacity, size of designated parking area, ingress and egress, erosion control, adequate parking areas for animal trailers, and other issues specific to the site and proposed use.
- R. Permanent stadium seating is subject to all applicable building permit requirements. Temporary seating for special events must have prior approval from the Planning Official and be removed within 30 days of any special event.
- S. Lighting shall be shielded so as to not cause off-site nuisance to residences and/or motorists.
- T. *No outside vendors shall be permitted.*
- U. Signage shall conform to the sign regulation provisions of this Ordinance.

Amendment IV:

Amendment to correct a typo on Table 3-3, Permitted & Conditional Uses: Wrecking, Scrap and Savage from NAICS 43293 to 42393. Also, added to the table of uses is Auctions, agricultural products (refer to conditional uses for agricultural products auctions in rural zoning districts).

Amendment V:

**3:2.4 Temporary Uses**

*L. Temporary Portable Storage Containers are allowed without a permit in all zoning districts for a period not to exceed thirty (30) days in any one calendar year under the following conditions:*

- 1. No container shall be more than eight (8) feet in height, nor more than 16 feet in length in any residential zoning district.*
- 2. Containers shall not be stacked vertically.*
- 3. Containers shall be located so as to minimize visibility from both the public street and residential uses, and shall not be located in any required setback area nor on any public property.*

**Amendment VI:**

**Article 2, Definitions**

***Temporary Portable Storage Container*** – *A large container designed and rented or leased for the temporary storage of commercial, industrial, or residential household goods, that does not contain a foundation or wheels for movement. Examples of this use include piggyback containers that can be transported by mounting on a chassis, and “POD” type boxes that can be transported on a flatbed or other truck; but do not include prefabricated sheds that are not designed for transport after erection, or commercial trailers used by construction or other uses in the regular performance of their business.*

After a brief discussion on the amendments, the Chairman called for a motion. Richard Simmons made a motion to approve all seven amendments. George Gibson seconded, and approval was unanimous

**Other Items**

Lewis Shaw announced that Carolyn Hammond has been selected as the Director of the Planning and Zoning Department.

**Adjournment**

At 6:22 p.m., the Chairman called for a motion to adjourn. The motion was made by Jetter Pittman, seconded by Henry Walker, and all voted in favor.

Respectfully submitted,

*Rhonda Darity*

Rhonda Darity  
Secretary