

**Kershaw County Planning and Zoning Commission  
Regular Work Session Minutes  
May 12, 2014, 5:30 p.m.  
County Council Chambers, 515 Walnut Street  
Camden, SC 29020**

Members in Attendance: Richard Simmons, Jetter Pittman, Henry Walker, Claude Eichelberger and David Brown

Members Absent: Beth Smith

Staff in Attendance: Carolyn Hammond and Rhonda Darity

### **Call to Order**

The Chairman, Richard Simmons, called the meeting to order at 5:30 p.m.

### **Public Comment Period**

Erica Wood spoke to the Commission concerning the rezoning request at 406B Cook Road, Lugoff. She said the request was being made so her husband and she could set up a manufactured home on the lot.

### **Approval of Minutes**

Claude Eichelberger motioned that the minutes of the April 7, 2014 regular meeting be approved. Henry Walker seconded. All voted in favor.

### **Rezoning Request – 406B Cook Road, Lugoff**

In giving her staff report, Carolyn Hammond told the Commission that Sentel Wood would like to install a manufactured home on the property. Under the current R-15 zoning, manufactured homes are not permitted. Because of this, Mr. Wood would like to have the property rezoned to RD-2 where manufactured housing is permitted. Ms. Hammond pointed out that the low-density characteristics of RD-2 zoning comply with the characteristics of the neighborhood. The proposed zoning designation is appropriate for the area as it blends with that of the RD-2 housing on the northern side of Wildwood Lane where there is a mix of manufactured and site built homes. Therefore, staff recommends that the Commission approve the rezoning of the property from R-15 to RD-2.

After a brief discussion Richard Simmons called for a motion. Jetter Pittman motioned to approve the rezoning from R-15 to RD-2. Henry Walker seconded, and all voted in favor.

### **Consideration of Amendments to the Zoning and Land Development Regulations**

Four (4) amendments were discussed and voted on. Changes are in italics and highlighted in yellow. They are as follows:

#### Amendment I:

#### **3:2.3-2 Existing Nonconforming Uses, Buildings, and Structures**

B. *Any nonconforming use may be changed to any conforming use.* A nonconforming use may be changed to another use which will have less of an adverse impact and will be more compatible with surrounding property than the current or previous nonconforming use.

After a brief discussion the Chairman called for a motion. Claude Eichelberger made a motion to approve the change as recommended. David Brown seconded and all voted in favor.

#### Amendment II:

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

Zone Districts	NAICS	R-15	R-10	R-6	O-1	B-2	B-3	I-1	GD	RD-1 RD-2 MRD-1	Required Off-Street Parking
<b>Amusement and Recreation Industries</b>	713										
Hunt Clubs and All Other Amusements, Except Gun and Rifle Clubs, Skeet and Gun Ranges, Shooting Ranges and Galleries	713990	N	N	N	N	P	N	P	P	P	By individual review
Gun and Rifle Clubs, Skeet and Gun Ranges, Shooting Ranges and Galleries	713990	N	N	N	N	P	N	P	P	N	1 per target area

After a brief discussion the Chairman called for a motion. Henry Walker made a motion to approve as recommend by staff. Jetter Pittman seconded and all voted in favor.

Amendment III:

Carolyn Hammond informed the Commission that the word “date” needed to be added to the following ZLDR sections:

**5:2.6-3 Major Group Development Approval Process**

2. General Site Plan Information

*N. Date*

**5:2.3-2 Sketch Plan Review**

1. Sketch Plan General Information

*G. Date*

**3:7.3-5 Site Plan Requirements**

*H. Date*

**5:2.7-1 Planned Development District Site Plan**

*H. Date*

**5:2.5-2 Preliminary Plans (Large Acreage Subdivisions)**

*I. Date*

After a brief discussion the Chairman called for a motion. Claude Eichelberger made a motion to approve the addition of the date to each noted item. Henry Walker seconded and all voted in favor.

Amendment IV

Carolyn Hammond informed the Commission that it was brought to her attention that striking the language that was taken out of the opening paragraph of section I. of the Bed and Breakfast Inns (Section 3:3.3) regulations may create a loophole for all sorts of events to take place at B&Bs and that was not the intent of the Planning Commission. In order to correct that, the amendment has been brought back for consideration. The only change is how the first paragraph reads. Also, if the amendment is approved as proposed, a new entry will need to be added showing that bed and breakfast inns that host weddings and wedding receptions are permitted only in RD-1, RD-2, and MRD-1 zoning districts. This new entry would be added to Table 3-3 and item I would read as follows:

**3:3.3 Bed and Breakfast Inns**

- I. *Unless otherwise permitted*, bed and breakfast inns shall not be used for receptions, parties, or gatherings except for those of the owner’s. *Unless otherwise permitted, no* receptions, parties, or gatherings in which the resident/owner receives any fee or compensation are permitted.

- J.** Under the following conditions, bed and breakfast inns may be used only for weddings and wedding receptions in which the resident/owner receives a fee or compensation:
1. Such events shall take place only at bed and breakfast inns located in RD-1, RD-2, and MRD-1 zoning districts on properties of at least ten (10) acres.
  2. The number of such events shall be limited to four (4) per calendar month and shall take place on weekends only.
  3. There shall be no on-street parking.
  4. The number of guests and wedding party shall not exceed 250 persons.
  5. Amplified music shall cease at 10:00 P.M.
  6. All events shall end by 11:00 P.M. and the premises shall be vacated by all guests and support staff by 12:00 A.M. Guests registered at the bed and breakfast are not included in this requirement.
  7. All lighting shall be shielded as to not illuminate into the sky or to adjacent properties. Such lighting shall be turned off by 12:00 A.M.
  8. Catering facilities shall be DHEC approved.
  9. Permanent restroom facilities, handicapped facilities included, shall be located on the property and available to all guests. The number of restrooms shall be determined by industry standards.
  10. All adjacent property owners shall be notified that the bed and breakfast inn owner has been issued a permit to conduct weddings and wedding receptions on their property and shall be informed of procedures to file complaints for activities that disturb the neighborhood or harm the neighborhood character.
  11. The permit for such events shall expire after two (2) years and must be renewed if such events are to continue. The application process shall include a public comment period of 30 days. A notice of the renewal application and public comment period shall be published, at the applicant's expense, in a general circulation newspaper in the community and mailed to adjacent property owners at the beginning of the 30-day comment period. Comments received, complaints filed with the Planning and Zoning Department, and incident reports filed with the Kershaw County Sheriff's Department will be taken into consideration when reviewing the renewal application.
- ~~J.~~ **K.** There shall be at least one toilet facility for every two (2) guest rooms.
- ~~K.~~ **L.** A portable supplemental heater shall not be substituted for a permanent heating source; an emergency power source must be provided for hallways and stairs; at least one fire extinguisher shall be provided for each floor; and each guestroom shall be provided with a properly functioning smoke detector.
- ~~L.~~ **M.** Construct and operate any swimming pool available to guests shall be constructed and operated in accordance with SCDHEC standards.
- ~~M.~~ **N.** Appropriate commercial insurance, including property and liability coverage as a lodging facility shall be maintained.
- ~~N.~~ **O.** Bed and Breakfast Inns providing food shall follow all South Carolina State Law regulations pertaining to food service.
- ~~O.~~ **P.** Signage regulations for bed and breakfast inns shall comply with the following:
1. One freestanding sign or one wall sign per street frontage is permitted so long as all signs are at least 100 feet apart as measured by the shortest straight line.
  2. The maximum sign surface area of freestanding sign shall be five (5) square feet with a maximum height of five (5) feet. The maximum sign surface area of wall sign shall be four (4) square feet.
  3. A freestanding sign shall be set back a minimum of five (5) feet from the front property line. The side setback shall be a minimum of ten (10) feet from side property line. If the property is

located adjacent to a residential use, the minimum side property line setback will be fifteen (15) feet.

- Such sign may be externally illuminated as specified in the sign illumination provisions of this Ordinance.

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

Zone Districts	NAICS	R-15	R-10	R-6	O-I	B-2	B-3	I-1	GD	RD-1, RD-2 MRD-1	Required Off-Street Parking (a)
<b>Sector 72: Accommodation and Food Services</b>											
<b>Accommodations</b>	721										
Bed and Breakfast Inns (Refer to Conditional Uses for Bed and Breakfast Inns)	721191	C	C	C	C	C	C	N	C	C	1.5 per bedroom
<i>Bed and Breakfast Inns Hosting Weddings and Wedding Receptions (Refer to Conditional Uses for Bed and Breakfast Inns)</i>	<i>721191</i>	<i>N</i>	<i>C</i>	<i>1.5 per bedroom</i>							

After a brief discussion the Chairman called for a motion. Jetter Pittman made a motion to approve the changes. Henry Walker seconded and all voted in favor.

**Subdivision Sketch Plan**

In giving her staff report, Carolyn Hammond told the Commission that according to the Unified Code of Zoning and Land Development Regulations, any division of a parcel of land into more than ten lots must go to the Planning Commission for approval. The proposed subdivision is being created from two parcels. One of approximately 19.7 acres and the other of approximately 57.7 acres to make a combined 77.468 acres and a total of 31 lots. The minimum lot size for RD-2 zoning district is one acre with 100 feet of road frontage. All of the lots meet or exceed these requirements. Staff, therefore, recommends that the Commission approve the sketch plan as submitted with the condition that all deeds and plat contain the language stating that any further division of any parcel within the subdivision must be approved by the Kershaw County Planning and Zoning Commission.

After a brief discussion Richard Simmons called for a motion. Jetter Pittman made a motion to approve the sketch plan with the language stating that any further division of any parcel within the subdivision must be approved by the Kershaw County Planning and Zoning Commission. Claude Eichelberger seconded and all voted in favor.

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

Carolyn Hammond reported that on April 8, 2014, County Council unanimously approved second reading on the Don Buchanon rezoning request from RD-2 to I-1; the amendments to increase the size of signs in industrial parks; and the amendment to change the wording in Existing Nonconforming Uses, Buildings and Structures.

**Adjournment**

At 6:05 p.m., the Chairman called for a motion to adjourn. The motion was made by Henry Walker, seconded by Jetter Pittman and all voted in favor.

Respectfully submitted,

*Rhonda Darity*

Rhonda Darity  
Secretary